

Halsey Beshears, Secretary

Ron DeSantis, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
November 19, 2019
General Meeting**

November 19, 2019

Chair Patti Ketcham called the meeting of the Florida Real Estate Commission to order at approximately 8:15 a.m., in Orlando, Florida, on this Tuesday, the 19th day of November, 2019.

Commissioners

Chair Patti Ketcham
Vice-Chair Dick Fryer
Patricia Fitzgerald
Poul Hornsleth
Randy Schwartz
Guy Sanchez

Mr. Lawrence Harris, Senior Assistant Attorney General appeared as counsel for the Commission. Mr. Harris declared quorum present.

Staff

Lori Crawford, Executive Director
Al Cheneler, Chief Attorney
James Fortunas, Deputy Chief Attorney (via video conference)
Merribeth Bohanan, Deputy Chief Attorney
David Aring, Senior Attorney (via video conference)
Mackenzie Medich, Senior Attorney (via video conference)
Robin Rogers, Senior Attorney
Brittany Bennett, Legal Assistant (via video conference)
Nadia Hamade, Legal Assistant (via video conference)
Kevin Harris, Legal Intern (via video conference)
Janice Lugo, Operations Support Supervisor
Megan McAvoy, Regulatory Consultant
Giovanna Corona, Regulatory Consultant
Alexandra Lee, Regulatory Specialist III
Jocelyn Pomales, Education Coordinator
Thomas Jones, Administrative Assistant II
Chris Willenbring, Operations Review Specialist
Magnolia Reporting, Inc. (407) 896-1813 provided court services.

Escrow Disbursement Orders – Agenda

Upon request of Chief Attorney Al Cheneler, the Commission granted permission to Kevin Harris, Legal Intern will to present the EDOs and the Legal Agenda cases.

Mr. Kevin Harris, Legal Intern, presented 14 Escrow Disbursement Orders and 1 Interpleader.

Commissioner Fryer moved to approve Tabs A, B, C, D, H, K, L and O of the Escrow Disbursement Order, seconded by Commissioner Hornsleth; the motion passed without dissent.

Commissioner Fryer moved to approve Tabs E, G, J, M and I of the Escrow Disbursement Orders, seconded by Commissioner Hornsleth; the motion passed without dissent. Commissioner Sanchez was recused.

Commissioner Fryer moved to approve Tab N of the Escrow Disbursement Orders, seconded by Commissioner Hornsleth; the motion passed without dissent. Commissioner Fitzgerald was recused.

Commissioner Fryer moved to approve Tab P of the Escrow Disbursement Orders, seconded by Commissioner Fitzgerald; the motion passed without dissent.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing docket items with the following results:

(16) Tab A – Armando Amador, SL 694669, Case No. 2019018915 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Investigative costs of \$915.75. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction; Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(17) Tab B – Juan M. Bueno, SL 702099, Case No. 2019027089 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Probable cause was waived.

Ms. Medich represented the Department. After discussion Commissioner Schwartz moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Schwartz; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$646.50; probation for 90 days. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(18) Tab C – Juan C. Cabrera, BK 3054050, Case No. 2018064306 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Commissioner Hornsleth served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Commissioner Sanchez moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the

motion passed without dissent. Commissioner Sanchez moved; seconded by Vice-Chair Fryer; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$500.00; investigative costs of \$214.50. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(8) Tab D – Christopher Allen Carter, BL 3210183, Case No. 2018039100 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Schwartz served on probable cause and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed with a 3-2 vote to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$1,501.10; probation for 6 months. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(9) Tab E – Taras Chabanovych, SL 3275832, Case No. 2018061162 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Hornsleth served on probable cause and was recused.

Ms. Bohanan represented the Department. After discussion Commissioner Sanchez moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Vice-Chair Fryer; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$500.00; investigative costs of \$132.00. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being adjudicated guilty of one count of Attempt and Conspiracy to Unlawfully Produce Identification Documents.

(47) Tab F – Epic Realty Services, Inc., CQ 1047424, Case No. 2019011891 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed with without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$2,000.00; investigative costs of \$891.00. **Violation(s):** Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; Section 475.5015, Florida Statutes, by failing

to keep and make available to the department such books, accounts, and records as will enable the department to determine whether such broker is in compliance.

(2) Tab G – Victor S. Escalona, BK 3178768, Case No. 2018015036 – Respondent’s Request for Informal Hearing

The Respondent was present; interpreter was present. Vice-Chair Fryer served on the probable cause panel and was recused.

Mr. Fortunas represented the Department. After discussion Commissioner Sanchez moved; seconded by Commissioner Schwartz to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Schwartz; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$3,000.00; investigative costs of \$396.00.

Violation(s): Section 475.25(1)(b), Florida Statutes, by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme, or device, culpable negligence, or breach of trust in any business transaction in this state or any other state, nation, or territory; has violated a duty imposed upon her or him by law or by the terms of a listing contract, written, oral, express, or implied, in a real estate transaction; has aided, assisted, or conspired with any other person engaged in any such misconduct and in furtherance thereof; or has formed an intent, design, or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design, or scheme; Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value Section 475.25(1)(e) via Section 475.5015, Florida Statutes, by failing to keep and make available to the department such books, accounts, and records as will enable the department to determine whether such broker is in compliance.

(19) Tab H – Carlos A. Escarria, SL 3354537, Case No. 2018029637 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Commissioner Sanchez served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Commissioner Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; investigative costs of \$222.75. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(48) Tab I – Lazaro Farias, BK 683400, Case No. 2019002557 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions.

Action Taken: Revocation, administrative fine of \$2,000.00; investigative costs of \$1,237.50.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; Section 475.5015, Florida Statutes, by failing to keep and make available to the department such books, accounts, and records as will enable the department to determine whether such broker is in compliance.

(4) Tab J – Mark V. Frazier, SL 3176125, Case No. 2019008693 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. James Coulter, Esquire, present. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Schwartz; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$264.00. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(10) Tab K – Angel E. Gaston, SL 3374780, Case No. 2019000645 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$165.00; probation for 6 months; 2 complete FREC meetings. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction; Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(3) Tab L – David M. Goldstein, BK188372, Case No. 2019015694 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$403.00. **Violation(s):** Section 475.25(1)(s), Florida Statutes, by having had a registration suspended, revoked, or otherwise acted against in any jurisdiction.

(20) Tab M – Sergio Guerrero, SL 3281520, Case No. 2019015993 – Respondent’s Request for Informal Hearing

The Respondent was present; and not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$250.00; investigative costs of \$412.50. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(53) Tab N – Susan Hoffman, SL 3133154, Case No. 2018000437 – Respondent’s Request for Informal Hearing

Case continued to December 2019.

(21) Tab O – Amanda F. Huggins, SL 3037903, Case No. 2019020437 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Ms. Medich represented the Department. After discussion Commissioner Fitzgerald moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Vice-Chair Fryer; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$250.00; investigative costs of \$379.50. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(13) Tab P – Dylan Jaeck, SL 3331255, Case No. 2018050536 – Respondent’s Request for Informal Hearing

The Respondent was not present; and represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Hornsleth served on probable cause and was recused.

Mr. Villazon requested the Commission grant a continuance until December 2019. The Commissioners granted the request.

Case continued to December 2019.

(11) Tab Q – Marjorie K. Johnson, SL 3335840, Case No. 2018059323 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Hornsleth served on probable cause and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$154.55; probation for 9 months. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction; Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing; Section 475.25(1)(p), Florida Statutes, by failing to inform the commission in writing within 30 days after entering a plea, or being convicted or found guilty of a felony.

(50) Tab R – Patricia A. King, SL 3116690, Case No. 2019008356 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Mr. Cheneler represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Action Taken: Suspension for 6 months; administrative fine of \$1,000.00; investigative costs of \$346.50; probation for 6 months. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by operating as a broker or a sales associate for any person not registered as their employer.

(46) Tab S – Judith R. Mach, SL 3198315, Case No. 2019022742 – Respondent’s Request for Informal Hearing

Case continued to December 2019.

(12) Tab T – Mona Montanino, SL 3258354, Case No. 2019008167 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Probable cause was waived.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$249.11; probation for 6 months; 1 complete FREC meeting. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(51) Tab U – Carmelo L. Moran, SL 3194775, Case No. 2019004566 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Mr. Cheneler represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$257.40. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(52) Tab W – Jerry E. Morter, SL 3171134, Case No. 2019020843 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$297.00. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(49) Tab X – James A. Moynihan, BK 462890, Case No. 2017023281 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Case continued to December 2019.

(1) Tab Y – Danny Ortiz, SL 3367013, Case No. 2018003736 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by counsel, Ms. Samantha Dammer, Esquire, present. Commissioner Sanchez served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Commissioner Schwartz moved; seconded by Vice-Chair Fryer; to dismiss the Administrative Complaint; the motion passed without dissent.

(5) Tab Z – Rightstreet Inc., CQ 1050503, Case No. 2018025346 – Respondent’s Request for Informal Hearing

The Respondent was not present; represented by counsel, Mr. Ricky Strong, Esquire, present. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$849.75. **Violation(s):** Section 475.22, Florida Statutes, by failing to maintain office and sign at entrance of office.

(6) Tab AA – Matthew B. Rosenbaum, BK 3197596, Case No. 2018019497 – Respondent’s Request for Informal Hearing

The Respondent was not present; represented by counsel, Mr. Ricky Strong, Esquire, present. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$1,146.75. **Violation(s):** Section 475.22, Florida Statutes, by failing to maintain office and sign at entrance of office.

(22) Tab AB – Harry K. Rosenblum, BK 3046995, Case No. 2018053907 – Respondent’s Request for Informal Hearing

The Respondent was present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Medich represented the Department. After discussion Commissioner Sanchez moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$141.90. **Violation(s):** Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board or, if there is no board, to the department within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction; Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

(7) Tab AC – Christopher J. Rotella, SL 3236899, Case No. 2019004785 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Harris Solomon, Esquire, not present. Respondent waived the right to have counsel present. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$500.00; investigative costs of \$255.75. **Violation(s):** Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board or, if there is no board, to the department within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(23) Tab AD – Dirk Saecker, BL 3050489, Case No. 2018042040 – Respondent’s Request for Informal Hearing

The Respondent was present; represented by counsel, Mr. Stuart Lones, Esquire, not present. Respondent waived the right to have counsel present. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed with a 4-1 vote to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$363.00. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(55) Tab AE – Fred Walsh, BL 532892, Case No. 2019004493 – Respondent’s Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Medich represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Sanchez; the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$500.00; investigative costs of \$231.00. **Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

(14) Tab AF – Lawrence M. Weisberg, BL 632902, Case No. 2018043650 – Respondent’s Request for Informal Hearing

The Respondent was not present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent.

Action Taken: The Commission deferred the penalty phase until December 2019.

(15) Tab AG – Jerad Withrow, SL 3226275, Case No. 2018061622 – Respondent’s Request for Informal Hearing

The Respondent was not present; represented by counsel, Mr. Daniel Villazon, Esquire, present. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Medich represented the Department. After discussion Commissioner Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent.

Action Taken: The Commission deferred the penalty phase until December 2019.

(24) Tab AK – Michael Vizcaino, SL 3404629, Case No. 2018013037 – Motion for Waiver of Rights and Entry of Final Order

The Respondent was present; not represented by counsel. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Bohanan represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Sanchez moved; seconded by Commissioner Schwartz to find the

Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Schwartz moved; seconded by Commissioner Sanchez; the motion passed with a 3-2 vote to impose the following sanctions:

Action Taken: Revocation; investigative costs of \$363.00. **Violation(s):** Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

By consent, Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; to accept the 6 Relinquishments of Licenses for Permanent Revocation for the following cases:

(54) Tab V – David Morgan, SL 691864, Case No. 2018060406

(26-28) Tab AH-AJ – Karyn L. Roach, BK 694077, Case No. 2018042645, 2019017377, 2019003370

(29) Tab AL – Aaron Eyerman, BK 3211987, Case No. 2017054409

(30) Tab AM – Stepfon T. Norwood, BL 3219192, Case No. 2019007118

(31) Tab AN – 24 Hours Realty LLC, CQ 1046611, Case No. 2019015933 – Respondent's Request for Informal Hearing

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Aring represented the Department. After discussion Commissioner Sanchez moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; investigative costs of \$422.50. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misinterpretation and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

(32) Tab AO – Johnathan Carriles, SL 3328660, Case No. 2018029200 – Motion for Waiver of Rights and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Medich represented the Department. The Commission granted the waiver hearing. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$3,000.00; investigative costs of \$429.00. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(e), Florida Statutes, through a violation of Rule 61J2-10.025, Florida Administrative Code, by failing to advertise in a manner in which reasonable persons would know they are dealing with a real estate licensee; Section 475.25(1)(c), Florida Statutes, by having advertised property or services in a manner in which is fraudulent, false, deceptive or misleading in form or content.

(33) Tab AP – Central Florida Real Estate Schools, Inc., ZH 1001792; Case No. 2018054085 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Fortunas represented the Department. The Commission granted the waiver hearing. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Schwartz; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; investigative costs of \$206.25. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC.

(34) Tab AQ – Armando V. Galban, BK 411404; Case No. 2018035534 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Rogers represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Hornsleth moved; seconded by Commissioner Sanchez to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Sanchez the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$3,000.00; investigative costs of \$1,155.00. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; Section 475.25(1)(k), Florida Statutes, by failing to immediately place, upon receipt, any money, fund, deposit, check or draft entrusted to her or him by any person dealing with her or him as a broker in escrow with a title company banking institution credit union or savings and loans association located or doing business in this state, or to deposit such funds in a savings and loans association located and doing business in this state, wherein that funds shall be kept until disbursement thereof properly authorized; or has failed, if sales associate to immediately place with her or his registered employer any money, fund deposit, check or draft entrusted to her or him by any person dealing with her or him as agent of the registered employer.

(35) Tab AR – Antonio O. Garcia, BK 3064589, Case No. 2018062913 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Mr. Aring represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Vice-Chair Fryer the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$610.50.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

(36) Tab AS – Geo Geovanni, BK 3099389, Case No. 2019015778 – Motion for Finding of Waiver and Entry of Final Order

Case was continued.

(37) Tab AT – Jamil A. Hunter, SL 3146443; Case No. 2018037391 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Rogers represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$338.25.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value.

(38) Tab AU – Carol A. Kemp, ZH 1002708; Case No. 2018054083 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Mr. Fortunas represented the Department. The Commission granted the waiver hearing. After discussion Vice-Chair Fryer moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Schwartz the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; investigative costs of \$206.25. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC.

(39) Tab AV – Warren Martin, SL 3410390; Case No. 2019016091 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on probable cause and was recused.

Case was continued.

(40) Tab AW – Adrian T. McMillian, SL 3272213; Case No. 2018029055 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Vice-Chair Fryer served on the probable cause panel and was recused.

Ms. Medich represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Sanchez moved; seconded by Commissioner Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Fryer the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$385.05.

Violation(s): Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC.

(41) Tab AX – Midiap Ideas, LLC, CQ 1055763; Case No. 2019023038 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Ms. Hamadi represented the Department. The Commission granted the waiver hearing. After discussion Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$2,000.00; investigative costs of \$420.75.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; 475.22(1), Florida Statutes, by failing to maintain an office consisting of at least one enclosed room in a building of stationary construction for each active broker.

(42) Tab AY – Travis C. Strickland, SL 3169215; Case No. 2018057532 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Mr. Cheneler represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Fitzgerald moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Vice-Chair Fryer; the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$354.75.

Violation(s): Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC.

(43) Tab AZ – Sunshine Resort Rentals, LLC, CQ 1034870; Case No. 2019012887 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Vice-Chair Fryer served on the probable cause panel and was recused.

Mr. Cheneler represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$1,000.00; investigative costs of \$160.05.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value.

(25) Tab BA – Richard Vecchio, BK 3024041; Case No. 2019009889 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Ms. Medich represented the Department. The Commission granted the waiver hearing. After discussion Vice-Chair Fryer; seconded by Commissioner Sanchez; moved to dismiss the Administrative Complaint; the motion passed without dissent.

(44) Tab BB – Robin K. Verge, BL 619242; Case No. 2018045093 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Hornsleth served on the probable cause panel and was recused.

Mr. Cheneler represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Sanchez moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Schwartz the motion passed without dissent to impose the following sanctions:

Action Taken: Administrative fine of \$1,000.00; investigative costs of \$325.05. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC.

(45) Tab BC – Claudia Zamarripa, SL 3333456; Case No. 2018047641 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present; not represented by counsel. Commissioner Schwartz served on the probable cause panel and was recused.

Mr. Cheneler represented the Department. The Commission granted the waiver hearing. After discussion Commissioner Sanchez moved; seconded by Vice-Chair Fryer to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Vice-Chair Fryer the motion passed without dissent to impose the following sanctions:

Action Taken: Revocation; administrative fine of \$3,000.00; investigative costs of \$231.00.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property

such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; Section 475.42(1)(b), Florida Statutes, a person licensed as a sales associate may not act as a broker or a sales associate for any person not registered as his employer.

Special Agenda

Closing Authority – Tom Thomas, Chief Counsel, and Al Cheneler, Chief Counsel

Chief Counsel Thomas addressed the Commission and requested it consider of delegating authority to the Department to close cases without going to a probable cause panel. Mr. Thomas addressed questions and comments from the Commission. Upon conclusion of discussion, the Commission agreed that a Rule Workshop should be scheduled for further discussion of the proposal.

Summary of Applicants

Agenda A

Regulatory Consultant Giuvanna Corona presented 50 Applicants requesting to sit for the real estate examination. Results are as follows:

Vacate Notice of Intent to Deny for Approval by Unanimous Vote (4)

Feldman, Isaac – present; unanimous vote; represented by Daniel Villazon, Esquire, present

Hope, Tosheba – present; unanimous vote

Whitehead, Mark – present; 5/1 vote; represented by Daniel Villazon, Esquire, present

Zeeman, Daniel – present; 4/2 vote; represented by Daniel Villazon, Esquire, present

Approved by Unanimous Vote (27)

Bednarczyk, Natacha; present

Botha, Johannes; present

Chouinard, Alfred III; present; represented by Daniel Villazon, Esquire, present

De La Cruz, Pedro Sr., present; represented by Daniel Villazon, Esquire, present

Ghoneim, Maria; present

Gonzalez, Guillermo; present

Gutman, Alan; present; represented by Daniel Villazon, Esquire, present

Hoffman, Alexa; present

Kerwin, Robert; present

Lang, Corey; present

Latson, Ty; present

Marsh, Jonathan; present

North, Ryan; not present

Obeck, Lindsay; present

Pozgar, Katherine; present

Rainville, Daniel; present

Randolph, Eugene III; present

Robertson, Don; not present

Robertson, Pierce; not present

Robinette, Gregory; present

Ruwe, Christopher; present; represented by Daniel Villazon, Esquire, present

Serikov, Stanislav; present; represented by Daniel Villazon, Esquire, present

Smith, Cicero III; present

Sweeney, Tyler; present

Torres Penedo, Enrique; not present

Vasquez, Enrique; not present

Workman, Bryann; present

Approved by Majority Vote (9)

Bello, Karla; present; 5/1 vote

Buie, John; present; 5/1 vote

Dozier, Cierra; present; 5/1 vote

Gelmine, Loverson; present; represented by Daniel Villazon, Esquire, present; 5/1 vote

Genberg, Mitchell; present; 5/1 vote
Rotta, Peter; present; 5/1 vote
Tima Jean, Rose; present; 4/2 vote
Vincelio, Stephen Jr.; present; 5/1 vote
Walker, Joseph; not present; 4/2 vote

Denied by Unanimous Vote (6)

Arnold, Matthew; present
Francois, Calvinnot; not present
Hall, Brody; not present
Hannaway, Michael; not present
Hernandez, Sonya; not present
Vasquez, Enrique; not present

Rescheduled and waived the 90-days (4)

Crosby, James Jr.
Rodriguez, John Jr.
Stout, Christopher; represented by Daniel Villazon, Esquire, present
Tavarozi, Kerri L; Informal; represented by Daniel Villazon, Esquire, present

Agenda B

Regulatory Consultant Givanna Corona presented 18 Applicants requesting to sit for the real estate exam. Results are as follows:

Approved by Unanimous Vote (13)

Desue, Wenston; Present
Frederick, Anitra; Present
Lott, Jessica; Present
Mohammed, Shaughn; Present
Muller, Alegra; Present; Represented By Christopher Atcachunas, Esquire, Present
Orozco, Carlos; Present
Owens, Daniel; Present
Oxsalida, Ken; Present
Plummer, Wanda; Present
Riggins, Sentoria; Present
Shaw, Shawn; present
Tanner, Carlos; present
Vizcarrondo, Michelle; not present

Approved by Majority Vote (4)

Abu-Ghannam, Sufian; present 5/1 Vote
Clair, Teresa; present 5/1 Vote
Pinchinat, Guesclin; present 4/2 Vote
Wintters, Louis; present 5/1 Vote

Denied by Unanimous Vote (1)

De Jesus, Jeffra; present; interpreter, present

Agenda C

Regulatory Consultant Givanna Corona presented 11 Applicants requesting to sit for the real estate exam; 8 from SOA Agenda C; and 1 each from Consent Agendas A, D and E. The results are as follows:

Approved by Unanimous Vote (4)

Foraker, Michelle; present
Heil, Rod; present (Consent Agenda D)
Martin, Keith; present (Consent Agenda E)

Wasoba, Stewart Jr; present (Consent Agenda A)

Approved by Majority Vote (2)

Hirsch, Jeffrey; present; represented by Daniel Villazon, Esquire, present; 5/1 vote
Lopez Aldana, Pedro; present 5/1 vote

Denied by Unanimous Vote (1)

Jones, Nicholas; not present

Withdrawn (2)

Banting, Samantha; present
Chadwick, Adam; present (heard on October 20, 2019)

Rescheduled and waived the 90-days (2)

Carpenter, Sandra
Zoobi, Omar

Public Comments

The Commission did not receive comments from members of the audience.

Adjournment

The Chair adjourned the meeting at approximately 6:59 p.m. remaining non-appearances agenda items were deferred to November 20, 2019 beginning at 8:30 a.m.

November 20, 2019

Chair Patti Ketcham called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., in Orlando, Florida, on this Wednesday, the 20th day of November.

Commissioners

Chair Patti Ketcham
Vice-Chair Dick Fryer
Patricia Fitzgerald
Poul Hornsleth
Guy Sanchez

Commissioner Randy Schwartz was not present and excused.

Mr. Lawrence Harris, Senior Assistant Attorney General appeared as counsel for the Commission. Mr. Harris declared quorum present.

Staff

Lori Crawford, Executive Director
Al Cheneler, Chief Attorney
Janice Lugo, Operations Support Supervisor
Giovanna Corona, Regulatory Consultant
Alexandra Lee, Regulatory Specialist III
Jocelyn Pomales, Education Coordinator
Chris Willenberg, Operations Review Specialist
Magnolia Reporting, Inc. (407) 896-1813 provided court services.

FREC-Petitions

Petition for Declaratory Statement – Catholic Housing Management, Case No. 2019-066

Mr. Lawrence Harris, Esquire, presented the Catholic Housing Management Declaratory Statement Final Order to the Commissioners. After discussion, Vice-Chair Fryer moved to approve the Final Order; seconded by Commissioner Hornsleth; motion passed without dissent.

Review and Consideration of the Real Estate Education Courses

Education Coordinator, Jocelyn Pomales, presented Real Estate Education Courses for the Commission's review and consideration. Vice-Chair Fryer recused himself from the Education agendas.

Agenda A, Tab A – *Distance Continuing Education* – New Course (3 hours specialty, distance) – application number 37977 – Finish Touch Designs.

The applicant was not present in support of the application. Commissioner Fitzgerald moved to approve the course with conditions; Commissioner Hornsleth seconded the motion. The motion passed with a 3-1 vote.

Agenda A, Tab B (November 19, 2019) – *Mastering Personality Styles to Increase Your Sales* – New Course (3 hours specialty, classroom) – application number 37678 – International Business Academy

The applicant was present in support of the application. After discussion, the application was withdrawn.

Agenda A, Tab C – *Exclusive Buyer Brokerage Agreement* – New Course (2 hours specialty, classroom) – application number 38034 – Luxury Real Estate School LLC

The applicant was not present in support of the application. Commissioner Sanchez moved to approve the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda A, Tab D – *Exclusive Right of Sale Listing Agreement* – New Course (2 hours specialty, classroom) – application number 38035 –Luxury Real Estate School LLC

The applicant was not present in support of the application. Commissioner Sanchez moved to approve the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda A, Tab E – *AS IS FAR/BAR Contract* – New Course (4 hours specialty, classroom) – application number 38036 – Commercial Fire & Communications, Inc.

The applicant was not present in support of the application. Commissioner Sanchez moved to approve the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda A, Tab F – *Online Correspondence: Florida Real Estate Ethics and Business Practices* – New Course (3 hours business ethics, correspondence) – application number 37996 – McKissock LP

The applicant was not present in support of the application. Commissioner Sanchez moved to deny the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda A, Tab G – *Online Correspondence: Florida Real Estate Law* – New Course (3 hours core law, correspondence) – application number 37997 – McKissock LP

The applicant was not present in support of the application. Commissioner Hornsleth moved to deny the course; Commissioner Sanchez seconded the motion. The motion passed without dissent.

Agenda A, Tab H – *Online Correspondence: Millenials are Changing Real Estate: Are You Ready?* – New Course (4 hours specialty, correspondence) – application number 37999 – McKissock LP

The applicant was not present in support of the application. Vice-Chair Ketcham moved to approve the course with conditions; Commissioner Hornsleth seconded the motion. The motion passed with a 3-1 vote.

Agenda A, Tab I – *The New Business Etiquette...or Did I Just Drink Out Of Someone Else's Glass* – New Course (2 hours specialty, classroom) – application number 38433 – PocketLab LLC

The applicant was not present in support of the application. Commissioner Sanchez moved to deny the course; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Agenda A, Tab N – *Florida Real Estate Associate 45hr Post-License* – New Course (45 hours sales associate post-licensure, distance) – application number 38135 – Realty and Insurance U LLC

The applicant was not present in support of the application. Commissioner Hornsleth moved to approve the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed with a 3-1 vote.

Agenda A, Tab R – *Inception of Agentpreneur* – New Course (45 hours sales associate post-licensure, classroom) – application number 37693 – Rodriguez, Adriana Carolina

The applicant was not present in support of the application. Vice-Chair Ketcham moved to deny the course; Commissioner Sanchez seconded the motion. The motion passed without dissent.

Agenda A, Tab S – *Mediation and Ombudsman Services – The Preferred Dispute Resolution Programs* – New Course (7 hours business ethics, delivery mechanisms not marked) – application number 38483 – Shore Real Estate Academy

The applicant was not present in support of the application. Commissioner Sanchez moved to approve the course with conditions; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda A, Tab T – *The 1031 Exchange: A Real Estate Investment Strategy* – New Course (2 hours specialty and sales associate post-licensure, classroom) – application number 38484 – Title Trust Services LLC

The applicant was not present in support of the application. Vice-Chair Ketcham moved to approve the course with conditions; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Agenda A, Tab U – *Understanding Credit and the Impact of Credit Scores with Mortgage Financing* – New Course (2 hours specialty, classroom) – application number 38298 – Walk the Talk Presentations Inc.

The applicant was not present in support of the application. Commissioner Sanchez moved to deny the course; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

Agenda B, Tab A – *Understanding Credit and the Impact of Credit Scores with Mortgage Financing* – New Course (2 hours specialty, classroom) – application number 38298 – Walk the Talk Presentations Inc.

The applicant was not present in support of the application. Commissioner Sanchez moved to deny the course; Commissioner Fitzgerald seconded the motion. The motion passed without dissent.

The following courses were withdrawn by the applicant, Realty and Insurance U LLC

Tab J – *Florida Core Law* (classroom) – application number 38093

Tab K – *Marijuana Legalization and the Real Estate Industry* (distance) – application number 38097

Tab L – *Florida Real Estate Sales 63hr Pre-License* (classroom) – application number 38132

Tab M – *Florida Real Estate Sales Associate 63hr Pre-License* (distance) – application number 38133

Tab O – *Commercial Real Estate Associate 45hr Post-License* (distance) – application number 38136

Tab P – *Commercial Real Estate Transaction Flow* (classroom) – application number 38138

Tab Q – *Marijuana Legalization and the Real Estate Industry* (classroom) – application number 38139

Approval of the Minutes

Commissioner Sanchez moved to approve the minutes of the October 16, 2019, general meeting as written; Vice-Chair Ketcham seconded; the motion passed without dissent.

Commissioner Hornsleth moved to approve the minutes of the October 17, 2019, workshop meeting as written; Commissioner Sanchez seconded; the motion passed without dissent.

Reports

The following reports were presented to the Commission:

- Enforcement Trends and Escrow Audits Reports
- Unlicensed Activity Report
- Monthly Exam Performance Summary Report
- Application and License Count Reports
- Legal Case Activity Report

Executive Director Crawford addressed questions and comments from the Commission.

Rules Report

FREC Counsel Larry Harris reported on the status of the rules currently open for discussion, workshop or rulemaking and addressed any questions from the Commission.

Consent Agenda A

The Commission considered 51 applicants from the Consent Agenda A; Commissioner Fryer moved; Commissioner Hornsleth seconded the motion to approve 37 applicants and require 14 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

- | | | |
|----------------------|--------------------|---------------------|
| Alvarez, Trae | Dowdell, Brian | Mennella, Savannah |
| Anderson, Tyler | Ewoldt, Sheley | Murphy, Robert Jr. |
| Aziz, Ryan | Hamilton, Tiffany | Painter, Terri |
| Benjamin, Ion | Hill, Herbert | Robertson, Nicholas |
| Brown, Ashley | Hudson, Jason | Simmons, Johnathan |
| Bryant, Danielle | Jagroop, Jean | Smith, Tracey |
| Calomarde, Joanne | Jones, Stacieann | Tippy, Michael |
| Cavallo, Pable | Ladouceur, Charles | Tuchman, Samuel |
| Clark, Leterra | Landers, Bonnevier | Valdez, Johanna |
| Cortijo Duran, Angel | Lawrence, Gary | Vega, John |
| DiSalvo, John | Lehouara, Naoufal | Verrier, Tina |
| Dison, Jared | Leopard, Micah | |
| Dixon, Samuel | Mannino, Brigette | |

The following applicants will be placed on the next available Summary of Applicant agenda:

- | | | |
|------------------|----------------------|-------------------|
| Campbell, Lionel | Hakkrainem, Andrew | Neubauer, Kurt |
| Crane, Jeffrey | Harrell, Herbert | Perelman, Jeffrey |
| Dalmida, James | Jean Claude, Gregory | Powers, Daniel |
| Farber, Esther | Landriau, Kimberly | Robles, William |
| Grahl, Jason | Marchisio, Lambert | |

Consent Agenda B

The Commission considered 44 applicants from the Consent Agenda B; Commissioner Fryer moved; seconded by Commissioner Sanchez to approve 32 applicants and require 12 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

- | | | |
|------------------|------------------|-------------------|
| Anderson, Julius | Cabrera, Michael | Clark, Harry |
| Branker, Ria | Cius, Stephen | Contreras, Carlos |

Dookhie, Ramesh
Flornoy, Etoy
Gifford, Crasticia
Gilligan, Jorge
Gray, Katrell
Grogran, Michael
Gupta, Manik
Harlib, Danielle
Hernandez, Marielis

Maldonado, Steve
Matteo, John
Melton, Eleanor
O'Toole, Leonard
Parravicini Mesa, Caterina
Roberts, Maurice
Santiago, Joe
Saunders, Thomas
Scantlebury, Nilda

Thornton, Todd
Toomey, Lorie
Urrutia, Percy
Vail, Rebecca
Walker, Kenard
Werts, Lamar
Wright, Glenn
Zuder, Joshua

The following applicants will be placed on the next available Summary of Applicant agenda:

Carreras, Candace
Crouse, Ira
Estades, Wanda
Gazoo, Tyler

Gonzalez, Andrew
Hossain, Akhter
Levins, Justin
Mansour, Denise

Martinez, Daniel
Rosabal, Yariel
Suarez, Eylon
Webb, Jeremy

Consent Agenda C

The Commission considered 4 applicants from the Consent Agenda C; to approve 3 applicants requesting reconsideration and denying 1 applicant's request for consideration of mutual recognition.

The following applicants were approved:

Bazzak, Jill

Castillo, Fabricio

Wainwright, Brandon

The following applicant was denied for mutual recognition qualification:

Cox, Bobbi

Consent Agenda D

The Commission considered 42 applicants from the Consent Agenda D; Commissioner Fryer moved; seconded by Commissioner Sanchez to approve 16 applicants and require 26 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Egeler, Jacquelynn
Germain, Brisson
Gross, Larry
Leswig, Robert
Levine, Adam
Molnar, Trey

Osorio, Javier
Paradiso, Ronald
Pcola, Mark
Pena Cuesta, Yanara
Ramirez, Angelo
Ramirez, Jorge

Richards, Konrad
Richardson, Aretha
Schweitzer, Houston
Wetzel, Michael

The following applicants will be placed on the next available Summary of Applicant agenda:

Aylor, Brandon
Banks, Zachary
Baptisme, Ronaldo
Burke, Leslie
Carter, Walter Jr.
Caserta, Anthony
Copeland, John Jr.
Gause, Temika
Gipson, Joshua

Gonzalez, Alexander
Holliday, Clyde III
Hopkins, Blanca
Janoyan, Jamie
Johnson, Christian
Lugo, Emil
Martinez, Michael
McCall, Sterling
Morales, Jorge Jr.

Nieves, Fatima
Perillo, Nicolas
Pilgrim, Marc
Rodriguez Lopez, Eury
Rosini, Dante Jr.
Schultz, Eric
Smith, Ellen
Spicer, Jaime

Executive Director's Comments

Executive Director Crawford addressed questions and comments from the Commission.

Chair's Comments

Chair Fitzgerald thanked the Commission and Division staff for a great meeting and for everyone's hard work getting through the volume of agenda items this month.

Public Comments

The Commission received comments from members of the audience: Linda Crawford and Karen Klimer.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 12:00 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for December 17, 2019, in Orlando.

ATTEST:



Patti Ketcham, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission