

Halsey Beshears, Secretary

Ron DeSantis, Governor

Minutes approved at the January
2021 FREC Meeting.

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
December 15, 2020
Tele-Conference/Live-Stream Meeting**

December 15, 2020

Chair Fryer called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Tele-Conference/Live-Stream, on this Tuesday, the 15th day of December, 2020 and conducted Roll Call with the below listed participants responding with “present.”

Commissioners

Chair Richard “Dick” Fryer – in person
Vice-Chair Randy Schwartz – in person
Patricia “Pat” Fitzgerald – via Live-Stream
Poul Hornsleth – via telephone
Guy Sanchez, Jr. – via Live-Stream
Patricia “Patti” Ketcham – via Live-Stream

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

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
Janice Lugo, Operations Support Supervisor – in person
Emy Orellana, Regulatory Specialist III – in person
Damon Boodram, DRE Investigator – in person
Magnolia Reporting, Inc. (407) 896-1813 provided court services – in person

Education

Giuvanna Corona, Executive Director, presented 1 Real Estate Education Course for the Commission’s review and consideration.

Tab A – 63-Hour Prelicensing Course for Florida Sales Associates – New Course (63 hours Sales Pre-Licensing, distance) – application number 44932 – Real Estate School Inc.

The applicant, Mr. Edward O’Donnell, was present in support of the application. After discussion, Commissioner Ketcham moved to approve the course; seconded Commissioner Fitzgerald. The motion passed without dissent.

Summary of Applicants

Agenda A

Damon Boodram, DRE Investigator, presented 50 Applicants requesting to sit for the real estate examination. Vice-Chair Schwartz moved; Commissioner Fitzgerald seconded the motion to approve 23 applicants and require 14 applicants to be pulled for discussion; the motion passed with a 5-1. Results are as follows:

The following 23 applicants were approved (See Attached A):

Mustafa Altajar
 Richard Alvarado
 Ashley Nichole Alvarez
 Michael Dennis Anderson
 Alicia McCall Applegate
 Gina Lynn Bothwell
 Cheryl Lyn Colsch
 Sharon R. Condit
 Natacha Contreras Concerpcion
 Steven Cruz Jr.
 Tiffany Laine Cruz
 Vince Dinh

Shannon Filipenko
 Ryan Finicle
 Hearher H. Haas
 Peter James Harris
 Merrill Heller
 Carlotta Letasha Jenkins
 Russel Kim Jenkins
 Christopher James Kealen
 Tucker Mason Mann
 Akil Mandela Matthews
 Micheal Parick McDowell
 Robert Steven McIntee

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Miller, Albert Nathan III	No	Continued and waived the 90-day requirement			
G	Barrett, Martin P.	Yes	Schwartz	Fitzgerald	Approved	Unanimous
I	Bussey, Evan	No	Sanchez	Fitzgerald	Denied	Unanimous
J	Callais, Damien Michael	Yes	Hornsleth	Schwartz	Approved	Unanimous
K	Campbell, Andrew	Yes	Hornsleth	Fitzgerald	Approved	Unanimous
L	Castro, Gisela A. Daniel Villazon, Esq. Interpreter	Yes Yes Yes	Commissioner Sanchez moved to deny; seconded by Commissioner Ketcham. The motion passed 4-2. Vice-Chair Schwartz moved to reconsider the application; seconded by Commissioner Hornsleth. The motion passed 5-1. After discussion, Vice-Chair Schwartz			
P	Costa, Donald	Yes	Hornsleth	Fitzgerald	Approved	Unanimous
S	Cuevas, Josue	Yes	Schwartz	Hornsleth	Approved	Unanimous
U	Delaney, Paul William Jr.	Yes	Sanchez	Schwartz	Denied	5-1
V	Delozier, Ronald Eugene	Yes	Sanchez	Schwartz	Denied	3-2
Y	Finicle, Ryan	Yes	Hornsleth	Ketcham	Approved	Unanimous
Z	Frye, Martin H.	Yes	Sanchez	Schwartz	Denied	Unanimous
AA	Gauvin, Jean Eli Anthony	Yes	Fitzgerald	Schwartz	Approved	Unanimous
AB	Gawrys, Derek	Yes	Ketcham	Schwartz	Approved	Unanimous
AC	George, Andrew	Yes	Hornsleth	Ketcham	Approved	Unanimous
AD	Gasper Pickett, Latondria	Yes	Fitzgerald	Schwartz	Approved	Unanimous
AE	Gonzalez, Yarely	Yes	Withdrawn			
AG	Hardin, Jennifer Ann	Yes	Schwartz	Ketcham	Approved	Unanimous
AJ	Hoogland, Benjamin	Yes	Sanchez	Schwartz	Denied	4-2
AK	Hyde, Lindsay Christine	Yes	Withdrawn			
AO	Joseph, Rohan	Yes	Schwartz	Fitzgerald	Approved	Unanimous
AS	Martin, Michael Ray	Yes	Hornsleth	Fitzgerald	Approved	4-2
AT	Martinez, Crystal	No	Schwartz	Ketcham	Approved	Unanimous
AU	Martinez, Stephanie	Yes	Sanchez	Schwartz	Denied	Unanimous

Agenda B

Damon Boodram, DRE Investigator, presented 31 Applicant requesting to sit for the real estate examination. Results are as follows: Vice-Chair Schwartz moved; Commissioner Fitzgerald seconded the motion to approve 14 applicants and require 17 applicants to be pulled for discussion; the motion passed with a 5-1. Results are as follows:

The following 14 applicants were approved without discussion (See Attached B):

Michelle Mirabal
Nyla L. Mitchell
Malika Tiosha Moore
Paola A. Nossa
Gwenivere Kiara O'Neil
Justin Riggi
Cynthia Rothermel

Oniel Rubio
Julian Serrano
Maryann Steffanelli
Christian A. Termotto
Edward Ward
Levi Woodzell
Anjoel Owen Wright

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
D	Naron, Charles William	Yes	Hornsleth	Ketcham	Approved	Unanimous
F	Novembre, Selestre Jr.	Yes	Continued and waived the 90-day requirement			
H	Orrick, Peter	Yes	Hornsleth	Ketcham	Approved	Unanimous
I	Parnell, Paul Andrew	No	Sanchez	Schwartz	Denied	Unanimous
J	Perez Monsalve, Isabela	Yes	Schwartz	Sanchez	Approved	Unanimous
K	Pinto, Enri	No	Continued and waived the 90-day requirement			
L	Pulido, Fabiola Asuncion	Yes	Hornsleth	Ketcham	Approved	Unanimous
M	Pummer, Monica Ann	Yes	Schwartz	Ketcham	Approved	Unanimous
N	Reed, louis	Yes	Hornsleth	Ketcham	Approved	Unanimous
O	Ricketson, Crystal	No	Sanchez	Schwartz	Denied	5-1
S	Saffold, Myriesha Nicole	Yes	Sanchez	Schwartz	Denied	Unanimous
T	Sanders, Adriana	Yes	Schwartz	Sanchez	Denied	Unanimous
V	Skipper, Samica Jonell	Yes	Schwartz	Fitzgerald	Approved	4-2
X	Tanner, Kelso	Yes	Continued and waived the 90-day requirement			
Z	Tuck, Steven C.	Yes	Fitzgerald	Schwartz	Approved	5-1
AB	Warren, Michael James	Yes	Fitzgerald	Schwartz	Approved	Unanimous
AE	Wright, Tyler Grayson	Yes	Fitzgerald	Schwartz	Approved	Unanimous

Agenda C

Damon Boodram, DRE Investigator, presented 23 Applicant requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Allison, Matthew Clay	Yes	Hornsleth	Schwartz	Approved	Unanimous
B	Bradley, Brenda K.	Yes	Hornsleth	Schwartz	Approved	5-1
C	Calix, Cassandre Mirsha	Yes	Schwartz	Fitzgerald	Approved	Unanimous
D	Colon, Elizabeth S.	Yes	Hornsleth	Ketcham	Approved	Unanimous
E	Divens, Dominic	Yes	Fitzgerald	Hornsleth	Approved	Unanimous
F	Green, Brandon	Yes	Hornsleth	Schwartz	Approved	Unanimous

G	Hernandez, Pedro Antonio	Yes	Hornsleth	Fitzgerald	Approved	Unanimous
H	Heyniger, Sean Briggs Louis Baptise, Esq.	Yes Yes	Fitzgerald	Schwartz	Approved	Unanimous
I	Howard, Cierra	Yes	Schwartz	Sanchez	Approved	Unanimous
J	Ibanez, Raul M. Amida Frey, Esq.	Yes Yes	Sanchez	Schwartz	Denied	4-2
K	Lindsey, Elisa	No	Continued and waived the 90-day requirement			
L	Logan, Natasha	Yes	Schwartz	Sanchez	Approved	5-1
M	Marcoccia, Rachel L.	Yes	Schwartz	Fitzgerald	Denied	Unanimous
N	Mejias, Georgette	Yes	Schwartz	Fitzgerald	Approved	Unanimous
O	Pittman, Dustin Lee	Yes	Fitzgerald	Schwartz	Approved	Unanimous
P	Quesada Perez, Jose M.	Yes	Schwartz	Ketcham	Approved	4-2
Q	Sears, Jamie	Yes	Schwartz	Hornsleth	Denied	3-2
R	Truong, Thai Xuan	Yes	Schwartz	Hornsleth	Denied	Unanimous
S	Vargas, Ricardo Valentin	Yes	Schwartz	Hornsleth	Approved	Unanimous
T	Villalobos, Dennis	Yes	Schwartz	Fitzgerald	Approved	Unanimous
U	Washburn, Steven H.	Yes	Schwartz	Fitzgerald	Approved	Unanimous
V	Werner, Angela Lorene	Yes	Fitzgerald	Schwartz	Approved	Unanimous

Consent Agenda A

The Commission considered 39 applicants from the Consent Agenda A; Vice-Chair Schwartz moved; Commissioner Hornsleth seconded the motion to approve 22 applicants and require 17 applicants to be placed on the Summary of Applicant Agenda; the motion passed 5-1 vote (see Attached C).

Executive Director's Comments

Executive Director Corona thanked the Commission and Division staff for a great meeting; addressed questions and comments from the Commission.

Chair's Comments

Chair Fryer thanked the Commission and Division staff for a great meeting.

Public Comments

The Commission did not receive public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 5:50 p.m. The next general meeting – licensing of the Florida Real Estate Commission is scheduled for January 12, 2020, via Tele-Conference/Live-Stream.

ATTEST:


Richard "Dick" Fryer, Chair
Florida Real Estate Commission


Giovanna Corona, Executive Director
Florida Real Estate Commission

TAB	NAME	VOTE	PK		DF		PF		PH		GS		RS		TOTAL	
			APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL
A	MILLER, ALBERT NATHAN III	PULLED		x		x		x	x		x		x		3	3
B	ALTAJAR, MUSTAFA	APPROVED	x		x		x		x			x	x		5	1
C	ALVARADO, RICHARD	APPROVED	x		x		x		x		x		x		6	0
D	ALVAREZ, ASHLEY NICHOLE	APPROVED	x			x	x		x			x	x		4	2
E	ANDERSON, MICHAEL DENNIS	APPROVED	x			x	x		x		x		x		5	1
F	APPLEGATE, ALICIA MCCALL	APPROVED	x			x		x	x		x		x		4	2
G	BARRETT, MARTIN P	PULLED		x		x		x				x		x	1	5
H	BOTHWELL, GINA LYNN	APPROVED	x		x			x	x		x		x		5	1
I	BUSSEY, EVAN	PULLED		x		x	x		x			x	x		3	3
J	CALLAIS, DAMIEN MICHAEL	PULLED	x		x			x		x		x	x		3	3
K	CAMPBELL, ANDREW	PULLED		x		x		x		x		x	x		1	5
L	CASTRO, GISELA A	PULLED		x		x		x		x		x	x		1	5
M	COLSCH, CHERYL LYN	APPROVED	x		x		x		x		x		x		6	0
N	CONDIT, SHARON R	APPROVED	x		x		x		x			x	x		5	1
O	CONTRERAS CONCEPCION, NATACHA	APPROVED		x	x		x		x			x	x		4	2
P	COSTA, DONALD	PULLED	x			x		x		x	x		x		3	3
Q	CRUZ, STEVEN JR	APPROVED	x			x		x				x	x		4	2
R	CRUZ, TIFFANY LAINE	APPROVED		x	x			x			x		x		4	2
S	CUEVAS, JOSUE	PULLED		x		x	x		x			x	x		3	3
T	DANIELS, SCOTT C	PULLED		x		x		x		x		x		x	0	6
U	DELANEY, PAUL WILLIAM JR	PULLED		x		x		x		x		x		x	0	6
V	DELOZIER, RONALD EUGENE	PULLED		x	x			x		x		x		x	1	5
W	DINH, VINCE	APPROVED	x		x		x		x			x	x		5	1
X	FILIPENKO, SHANNON	APPROVED	x		x		x		x		x		x		6	0
Y	FINICLE, RYAN	PULLED	x			x	x			x	x			x	3	3
Z	FRYE, MARTIN H	PULLED		x		x		x		x		x	x		1	5
AA	GAUVIN, JEAN ELI ANTHONY	PULLED		x		x		x		x		x	x		1	5
AB	GAWRYS, DEREK	PULLED		x		x		x		x		x	x		1	5

AC	GEORGE, ANDREW	PULLED		x		x	x			x		x	x		2	4
AD	GLASPER PICKETT, LATONDRIA	PULLED		x		x		x		x		x		x	0	6
AE	GONZALEZ, YARELY	PULLED		x		x		x		x		x		x	0	6
AF	HAAS, HEATHER H	APPROVED		x		x	x		x		x		x		4	2
AG	HARDIN, JENNIFER ANN	PULLED		x		x		x		x		x	x		1	5
AH	HARRIS, PETER JAMES	APPROVED	x		x		x			x		x	x		4	2
AI	HELLER, MERRILL	APPROVED	x		x		x		x			x	x		5	1
AJ	HOOGLAND, BENJAMIN	PULLED		x		x		x		x		x		x	0	6
AK	HYDE, LINDSAY CHRISTINE	PULLED		x		x		x		x		x	x		1	5
AL	JENKINS, CARLOTTA LATASHA	APPROVED	x		x		x			x	x		x		5	1
AM	JENKINS, RUSSEL KIM	APPROVED	x		x		x		x		x		x		6	0
AN	JONES, JEAN TAN	PULLED		x		x		x		x		x		x	0	6
AO	JOSEPH, ROHAN	PULLED		x		x		x		x	x		x		2	4
AP	KEALEN, CHRISTOPHER JAMES	APPROVED	x		x		x		x			x	x		5	1
AQ	LONG, JOSHUA DYLAN	PULLED	x			x		x	x			x		x	2	4
AR	MANN, TUCKER MASON	APPROVED	x		x		x		x			x	x		5	1
AS	MARTIN, MICHAEL RAY	PULLED		x		x		x		x		x	x		1	5
AT	MARTINEZ, CRYSTAL	PULLED		x		x		x		x		x	x		1	5
AU	MARTINEZ, STEPHANIE	PULLED		x		x		x		x		x		x	0	6
AV	MATTHEWS, AKIL MANDELA	APPROVED	x		x		x		x		x		x		6	0
AW	MCDOWELL, MICHAEL PATRICK	APPROVED	x		x		x		x		x		x		6	0
AX	MCINTEE, ROBERT STEVEN	APPROVED	x			x	x		x			x	x		4	2

TAB	NAME	VOTE	PK		DF		PF		PH		GS		RS		TOTAL	
			APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL	APPROVE	PULL
A	MIRABAL, MICHELLE	APPROVED	x		x		x		x			x	x		5	1
B	MITCHELL, NYLA L	APPROVED	x			x		x			x		x		4	2
C	MOORE, MALIKA TIOSHA	APPROVED	x		x		x		x		x		x		6	0
D	NARON, CHARLES WILLIAM	PULLED		x		x		x		x		x	x		1	5
E	NOSSA, PAOLA A	APPROVED	x			x		x		x		x		x	5	1
F	NOVEMBRE, SELESTRE JR	PULLED		x		x		x		x		x		x	0	6
G	ONEIL, GWENIVERE KIARA	APPROVED	x			x		x		x		x		x	4	2
H	ORRICK, PETER	PULLED		x		x		x		x		x	x		1	5
I	PARNELL, PAUL ANDREW	PULLED		x		x		x	x			x		x	1	5
J	PEREZ MONSALVE, ISABELA	PULLED		x	x			x		x		x	x		2	4
K	PINTO, ENRI	PULLED		x	x			x		x		x	x		2	4
L	PULIDO, FABIOLA ASUNCION	PULLED		x		x		x		x		x		x	0	6
M	PUMMER, MONICA ANN	PULLED		x		x		x		x		x		x	0	6
N	REED, LOUIS	PULLED	x			x		x		x		x	x		2	4
O	RICKETSON, CRYSTAL	PULLED		x		x		x	x			x	x		2	4
P	RIGGI, JUSTIN	APPROVED	x			x	x		x		x		x		5	1
Q	ROTHERMEL, CYNTHIA	APPROVED	x		x		x		x		x		x		6	0
R	RUBIO, ONIEL	APPROVED	x		x		x		x		x		x		6	0
S	SAFFOLD, MYRIESHA NICOLE	PULLED	x			x		x		x		x		x	1	5
T	SANDERS, ADRIANA	PULLED		x		x		x		x		x	x		1	5
U	SERRANO, JULIAN	APPROVED		x	x		x		x		x		x		5	1
V	SKIPPER, SAMICA JONELL	PULLED		x		x	x		x			x	x		3	3
W	STEFANELLI, MARYANN	APPROVED	x		x		x		x		x		x		6	0
X	TANNER, KELSO	PULLED		x	x		x			x		x		x	2	4
Y	TERMOTTO, CHRISTIAN A	APPROVED	x		x			x	x		x		x		5	1
Z	TUCK, STEVEN C	PULLED		x		x		x	x			x		x	1	5
AA	WARD, EDWARD	APPROVED	x		x		x		x		x		x		6	0
AB	WARREN, MICHAEL JAMES	PULLED		x		x		x		x		x		x	0	6
AC	WOODZELL, LEVI	APPROVED	x		x			x	x		x		x		5	1
AD	WRIGHT, ANJOEL OWEN	APPROVED	x		x				x	x		x		x	5	1
AE	WRIGHT, TYLER GRAYSON	PULLED	x			x			x	x			x	x	3	3

AD	RIVERA LEBRON, JULIO I	PULLED		x		x		x		x		x	x		1	5
AE	SEN, SUMANA	APPROVED	x		x		x		x		x		x		6	0
AF	SMITH, EDWARD MICHAEL	APPROVED		x	x		x		x		x		x		5	1
AG	SPAIN, PATRICIA ANN	APPROVED		x	x		x		x			x	x		4	2
AH	SPALLETTA, KIMBERLE J	APPROVED	x		x		x		x		x		x		6	0
AI	STARNES, JACK ALLEN	APPROVED	x		x		x		x		x		x		6	0
AJ	THAMES, HENRY MARCELOUS	APPROVED	x		x		x		x		x		x		6	0
AK	TREDNICK, DONALD WILLIAM III	PULLED		x		x		x		x		x		x	0	6
AL	WASHBURN, LEAH ANNE	APPROVED	x		x		x		x		x		x		6	0
AM	WESTBROOKS, LASHUNDRA NICOLE	PULLED		x		x	x			x		x		x	1	5

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
December 16, 2020
Tele-Conference/Live-Stream Meeting**

December 16, 2020

Chair Dick Fryer called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Tele-Conference/Live-Stream, on this Wednesday, the 18th day of November, 2020. Executive Director Giuvanna Corona conducted Roll Call with the below listed participants responding with "present."

Commissioners

Chair Richard "Dick" Fryer – in person
Vice-Chair Randy Schwartz – in person
Patricia "Pat" Fitzgerald – via Live-Stream
Poul Hornsleth – via telephone
Guy Sanchez, Jr. – via Live-Stream
Patricia "Patti" Ketcham – via Live-Stream beginning approximately 8:45 a.m.

Mr. Lawrence Harris, Senior Assistant Attorney General, appeared via Live-Stream counsel for the Commission. Mr. Harris declared quorum present.

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
James Fortunas, Deputy Chief Attorney – via telephone
Nadia Hamade, Deputy Chief Attorney – via telephone
Gene Aldridge, Assistant General Counsel – via telephone
Delhon Braaten, Assistant General Counsel – via telephone
Heather Page, Assistant General Counsel – in person
Amanda Bova, Assistant General Counsel – in person
Kamilah Brennen, Assistant General Counsel – via telephone
Clair Dixon, Legal Assistant – via telephone
Emy Orellana, Regulatory Specialist III – in person
Damon Boodram, DRE Investigator – in person
Magnolia Reporting, Inc. (407) 896-1813 provided court services – in person

Escrow Disbursement Orders – Agenda

Nadia Hamade, Legal Assistant, presented 11 Escrow Disbursement Orders. Commissioner Ketcham was not present.

Commissioner Hornsleth moved to approve Tabs B, C, D, G, I and J of the Escrow Disbursement Order, seconded by Vice-Chair Schwartz; the motion passed by acclamation.

Commissioner Hornsleth moved to approve Tabs A, E, F, and H of the Escrow Disbursement Order, seconded by Vice-Chair Schwartz; the motion passed by acclamation. Commissioner Sanchez was recused.

Vice-Chair Schwartz moved to approve Tab K of the Escrow Disbursement Order, seconded by Commissioner Sanchez; the motion passed by acclamation.

Recovery Fund Claims Docket

Delhon Braaten, Assistant General Counsel, presented 2 Recovery Fund Claims.

Tab A – Fulford Family, LLC v. Fox, Case Number 2019-004202

Neither Claimant nor the Licensee were present or represented by Counsel. Mr. Braaten represented the Department. After discussion, Vice-Chair Schwartz moved to grant the claim; seconded by Commissioner Sanchez. The motion passed by acclamation.

Tab B – Swenarain-Sukul v. Gonzalez, Case Number 2017-022123

The Claimant was not present, Mr. Alex Hornik, Esquire, present; Licensee not present nor represented by Counsel. After discussion, Vice-Chair Schwartz moved to deny the claim; seconded by Commissioner Sanchez. The motion passed by acclamation.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 22 docket items with the following results:

Tab A – Gary Bradford, SL3357413, Case No. 2020-08513 – Respondent’s Request for Informal Hearing

The Respondent was present and not represented by counsel. Ms. Aldridge represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to impose the following sanctions: **6 months’ probation; administrative fine of \$250.00; investigative costs of \$1,485.00; 45-hours Post Licensing Course**; the motion passed without dissent.

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.

Tab B – Chelsea M. Herring, SL3201892, Case No. 20219-048730 – Respondent’s Motion to Dismiss AC

The Respondent was present and represented by Mr. Matthew Ferry, Esq., present. Ms. Bova represented the Department. Commissioner Sanchez served on probable cause and was recused.

After discussion Vice-Chair Schwartz moved; seconded by Commissioner Fitzgerald; to grant motion to dismiss the Administrative Complaint; the motion passed without dissent. Ms. Herring waived attorney’s fees.

Tab C – Allen R. Jenkins, BK3107605, Case No. 2020-024067 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by Lori Heim, Esq., present. Ms. Bova represented the Department. Vice-Chair Schwartz served on probable cause and was recused. Chair Fryer also was recused.

After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; to impose the following sanctions: **investigative costs of \$528.00**; the motion passed with a 3-1 vote.

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.

Tab D – Gregory Makozy, BK3273643, Case No. 2020-002604 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by counsel, Mr. Brian Jackson, Esq., present. Ms. Hamade represented the Department. Commissioner Hornsleth served on probable cause and was recused.

After discussion Vice-Chair Schwartz moved; seconded by Commissioner Ketcham; to impose the following sanctions: **administrative fine of \$1,000.00; investigative costs of \$373.89**; the motion passed without dissent.

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.

Tab E – Gal Oron, SL32325853, Case No. 2020-017092 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by Mr. Jason Gordon, Esq., present. Ms. Page represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

After discussion, Commissioner Sanchez moved; seconded by Commissioner Fitzgerald; to find the Respondent guilty as charged of count 1 of the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Hornsleth; to impose the following sanctions: **6 months probation; administrative fine of \$1,000.00; investigative costs of \$1,072.50; 30-hour Management Course**; the motion passed with a 3-2 vote.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, 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.

Tab F – Brannon Scott Rue, BK3218218, Case No. 2019-047669 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by Daniel Villazon, Esq., present. Ms. Bova represented the Department. Commissioner Fitzgerald served on probable cause and was recused.

After discussion, Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to find the Respondent guilty as charged of the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Ketcham; to impose the following sanctions: **revocation; administrative fine of \$1,000.00; investigative costs of \$198.00**; the motion passed with a **3-2 vote**.

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.

Tab G – Siesta Annual, Inc., CQ1020799, Case No. 2020-023889 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by Lori Heim, Esq., present. Ms. Bova represented the Department. Vice-Chair Schwartz served on probable cause and was recused. Chair Fryer also was recused.

After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Hornsleth; to impose the following sanctions: **investigative costs of \$429.00**; the motion passed without dissent.

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.

Tab H – Mitra Kamaliazad, SL3011060, Case No. 2019-064262 – Settlement Stipulation

The Respondent was present and represented by Dwight Slater, Esq. Present. Ms. Hamade represented the Department. Commissioner Hornsleth served on probable cause and was recused.

After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Ketcham; to accept the Stipulation: **probation for 6 months; administrative fine of \$500.00; investigative costs of \$1,650.00; 28-hour Reactivation Course; 1 complete FREC meeting**; the motion passed with a 3-2 vote.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, 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; Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(j), Florida Statutes, by aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter, the chapter regulating the profession, or the rules of the department or the board.

Tab I – Charles Adam Beard, BK3206920, Case No. 2020-044403 – Voluntary Relinquishment of License

Vice-Chair Schwartz moved; seconded by Commissioner Hornsleth; to accept the voluntary surrender; the motion passed without dissent.

Tabs J– Alex H. Jordan, BK3243551, Case No. 2020-018905 – Voluntary Surrender of License

Vice-Chair Schwartz moved; seconded by Commissioner Hornsleth; to accept the voluntary surrender; the motion passed without dissent.

Tab K – Jorge L. Cruz Bont, SL3438274, Case No. 2019-048612 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and not represented by counsel. Mr. Braaten represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

After discussion, Commissioner Fitzgerald; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to impose the following sanctions: **revocation; administrative fine of \$4,000.00; investigative costs of \$594.00**; the motion passed without dissent.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, 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; 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; 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; Section 475.42(1)(d), Florida Statutes, by failing to collect any money in connection with any real estate brokerage transaction, whether as a commission, deposit, payment, rental, or otherwise, in the name of the employer and with the express consent of the employer.

Tab L – Craig E. Flormann, BK3195321, Case No. 2020-009668 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and not represented by counsel. Ms. Page represented the Department. Commissioner Sanchez served on probable cause and was recused.

After discussion, Vice-Chair Schwartz; seconded by Commissioner Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Schwartz moved; seconded by Commissioner Hornsleth; to impose the following sanctions: **revocation; administrative fine of \$1,000.00; investigative costs of \$773.40**; the motion passed without dissent.

Violation(s): Section 475.25(1)(d), 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)(b), Florida Statutes, by being guilty of fraud, misrepresentation, 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.

Tab M – Lorene Goeffray, SL3298054, Case No. 2019-063677 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and not represented by counsel. Mr. Braaten represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

After discussion, Commissioner Ketcham; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Sanchez; to impose the following sanctions: **revocation; administrative fine of \$1,000.00; investigative costs of \$297.00**; the motion passed without dissent.

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 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. A licensee must report a conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.

Tab N – Roberta D. Kaplan, BK3187198, Case No. 2020-014399 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was present and not represented by counsel. Mr. Braaten represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

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; to impose the following sanctions: **6 months probation; investigative cost of \$3,300.00; 15-hour Property Management Course**; the motion passed without dissent.

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.

Tab O – Slivana M. Larrarte, SL3341524, Case No. 2020-003839– Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and not represented by counsel. Mr. Braaten represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

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; to impose the following sanctions: **revocation; administrative cost of \$2,000.00; investigative cost of \$2,539.35**; the motion passed without dissent.

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.

Tabs P-U – Lydia Borek Realty, Inc., CQ241423, Case Nos. 2020-022052, 2020-022061, 2020-022289, 2020-024998, 2020-025606, 2020-028205 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and not represented by counsel. Ms. Bova represented the Department. Chair Fryer served on probable cause and was recused.

After discussion, Commissioner Sanchez moved; seconded by Commissioner Ketcham; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Fitzgerald; to impose the following sanctions: **revocation; administrative fine of \$9,000.00; investigative cost of \$2,763.75**; the motion passed without dissent.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, 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; 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.

FREC – Petitions

Petition for Declaratory Statement – Vincent and Mary DeSalvo – Case No. DS2020-061

The petitioners were not present; represented by Mr. Jonathan Pressley, Esquire, present. After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Fitzgerald; to deny the petition. The motion passed with a 5-1 vote.

Meeting Minutes and Reports

Ms. Giuvanna Corona, FREC Executive Director, presented the November 2020 meeting minutes for approval. Commissioner Fitzgerald moved; seconded by Vice-Chair Schwartz; to approve the November 2020 meeting minutes.

Ms. Corona presented the Division reports for November 2020. Mr. Cheneler, Esq., Chief Attorney presented the Legal Reports for November 2020. Mr. Harris, Esq., FREC Counsel presented the Rules Report for November 2020.

Executive Director's Comments

Executive Director Corona thanked the Commission for their efforts and actions ensuring the health and safety of the citizens that conduct business with licensees is protected. Ms. Corona also announced there is movement in the sector of Commissioner appointment and will share updates when additional information becomes available.

Chair's Comments

Chair Fryer thanked the Commission and Division staff for a great meeting.

Public Comments

The Commission did not receive any public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 2:57 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for December 15, 2020, via Tele-Conference/Live-Stream.

ATTEST:


Richard "Dick" Fryer, Chair
Florida Real Estate Commission


Giuvanna Corona, Executive Director
Florida Real Estate Commission