

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
February 16, 2021
Tele-Conference/Live-Stream Meeting**

February 16, 2021

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 Tuesday, the 16th day of February, 2021. Executive Director Giovanna 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 “Patti” Ketcham – excused absence
Patricia “Pat” Fitzgerald – via Live-Stream
Guy Sanchez, Jr. – via Live-Stream
Richard Barbara – via Live-Stream
Renee Butler – in person

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

Staff

Giovanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
Emy Orellana, Regulatory Specialist III – in person
Jocelyn Pomales, Education Coordinator – via telephone
Janice Lugo, Operations Support Supervisor – via telephone
Heather Page, General Counsel Attorney – in person

Education Agenda

Giovanna Corona, Executive Director, presented 2 Real Estate Education Courses for the Commission’s review and consideration.

Tab A – Teaching Techniques for Florida Real Estate Instructors – New Course (4 hour Teaching Techniques, Distance) – application number 45699 – Sawgrass Learning Solutions, LLC

The applicant was present in support of the application. After discussion, Vice-Chair Schwartz moved to approve the course; seconded Commissioner Sanchez. The motion passed without dissent.

Tab B – Probate of Real Estate for U.S. and Non U.S. Citizens – New Course (2 hours specialty, Classroom) – application number 46255 – Don Gonzalez PA

The applicant was not present in support of the application. After discussion, Vice-Chair Schwartz moved to deny the course; seconded by Commissioner Butler. The motion passed without dissent.

Summary of Applicants

Agenda A

Giovanna Corona, Executive Director, presented 40 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Rodriguez, Jorge Christian	No	Withdrawn			
B	Tryfonopoulos, Spyros A	Yes	Vice-Chair Schwartz moved; seconded by Commissioner Fitzgerald ,			

	Daniel Villazon, Esq.	Yes	to vacate the Notice of Intent to Deny and approve the application. The motion passed with a 4-2 vote.			
C	Adams, Brinton Hodges	Yes	Fitzgerald	Schwartz	Approved	5-1
D	Allegato, Jonathan James	Yes	Barbara	Schwartz	Approved	Unanimous
E	Amash, Chase	Yes	Barbara	Fitzgerald	Approved	4-2
F	Amin, Hetal	No	Rescheduled and waived the 90-days.			
G	Arrington, Channol Jarvon	Yes	Fitzgerald	Barbara	Approved	Unanimous
H	Azari, Hadas	Yes	Sanchez	Barbara	Denied	4-2
I	Bailey, Kristina	Yes	Barbara	Schwartz	Approved	5-1
J	Bates, Antonio Lavon	Yes	Schwartz	Barbara	Approved	Unanimous
K	Berry, Kelli Marie	Yes	Sanchez	Barbara	Approved	5-1
L	Cardenas, Zoila R	Yes	Schwartz	Fitzgerald	Denied	Unanimous
M	Castro, Juan Interpreter Alina Paradoa	Yes Yes	Sanchez	Schwartz	Denied	5-1
N	Cecere, Dylan John	Yes	Sanchez	Barbara	Denied	5-1
O	Chang, Richard	Yes	Sanchez	Barbara	Approved	Unanimous
P	Clement, Phoenix	No	Schwartz	Sanchez	Denied	Unanimous
Q	Cloud, Angela Jean	Yes	Barbara	Fitzgerald	Approved	5-1
R	Cochran, David E	Yes	Schwartz	Sanchez	Approved	Unanimous
S	Cooke, Elenia M	Yes	Barbara	Fitzgerald	Approved	Unanimous
T	Creamer, Joseph	Yes	Schwartz	Butler	Approved	Unanimous
U	D Alessio, Andrea Jr	Yes	Schwartz	Barbara	Approved	4-2
V	Da Silveira, Marcus	Yes	Sanchez	Schwartz	Approved	5-1
W	Demeo, John David	Yes	Schwartz	Barbara	Approved	Unanimous
X	Duarte, Denis A	Yes	Schwartz	Butler	Approved	Unanimous
Y	Elrod, Johnnie Tyler	Yes	Fitzgerald	Schwartz	Approved	Unanimous
Z	Emanuel, Mansa	Yes	Schwartz	Butler	Approved	Unanimous
AA	Epstein, Alan Charles	No	Schwartz	Sanchez	Denied	5-1
AB	Esquivel Chaves, Tatiana	Yes	Fitzgerald	Barbara	Approved	4-2
AC	Fried, Alexander Joseph	Yes	Schwartz	Butler	Approved	Unanimous
AD	Geiger, Donald Joseph	Yes	Schwartz	Barbara	Approved	4-2
AE	Gezelman, Angela D	No	Schwartz	Butler	Approved	Unanimous
AF	Gomez, Felipe Dejesus Jr	Yes	Schwartz	Butler	Approved	Unanimous
AG	Gonzales, Kyle Jonathan	Yes	Butler	Schwartz	Approved	Unanimous
AH	Gooding, Kassie	Yes	Schwartz	Butler	Approved	Unanimous
AI	Gordon, Kristina Elise	Yes	Schwartz	Butler	Approved	Unanimous
AJ	Hale, Catherine Fawn	Yes	Butler	Barbara	Approved	Unanimous
AK	Nascimento, Victoria	Yes	Schwartz	Sanchez	Denied	Unanimous
AL	Navarro, Angelly	No	Schwartz	Fitzgerald	Approved	Unanimous
AM	Rosier, Jean Getro	Yes	Schwartz	Barbara	Approved	5-1
AN	Santalo, Betsy Marina	No	Rescheduled and waived the 90-days.			

Agenda B

Giuvanna Corona, Executive Director, presented 34 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Harding, Anthony Frank	Yes	Fitzgerald	Schwartz	Approved	Unanimous
B	Harp, David Jr	Yes	Schwartz	Butler	Approved	Unanimous

C	Harper, Yukeitha	Yes	Schwartz	Butler	Approved	Unanimous
D	Hill, Ryan Karl	Yes	Barbara	Sanchez	Approved	Unanimous
E	Hunt, Joshua	Yes	Schwartz	Sanchez	Approved	Unanimous
F	Hurley, Mary Barley	No	Rescheduled and waived the 90-days.			
G	Hyppolite, Victoria Ayzia	No	Fitzgerald	Schwartz	Denied	Unanimous
H	Jacovsky, Michael	No	Schwartz	Sanchez	Denied	Unanimous
I	Jebens, Shelly Madison	Yes	Schwartz	Butler	Approved	Unanimous
J	Jiawan, Tasleema B	No	Schwartz	Sanchez	Denied	5-1
K	Johnson, Brian Keith	Yes	Sanchez	Schwartz	Denied	Unanimous
L	Joyce, Amber	No	Schwartz	Barbara	Approved	4-2
M	Kelly, Dustin Allen	Yes	Fitzgerald	Schwartz	Approved	Unanimous
N	Knellinger, Joshua M	Yes	Barbara	Fitzgerald	Approved	5-1
O	Koper, Taylor A	Yes	Schwartz	Sanchez	Approved	Unanimous
P	Lightner, Johnita Marie Daniel Villazon, Esq.	Yes Yes	Fitzgerald	Butler	Approved	5-1
Q	Lodge, Christopher	Yes	Sanchez	Barbara	Approved	Unanimous
R	Mastrelli, Thomas S	Yes	Sanchez	Schwartz	Approved	Unanimous
S	Mccullough, Chinalyn V	Yes	Schwartz	Butler	Approved	Unanimous
T	Mcfadden, Willie James Jr	Yes	Fitzgerald	Barbara	Approved	5-1
U	Mclennan, Randy Rohan	Yes	Schwartz	Sanchez	Approved	Unanimous
V	Mcperson, Richard Scott	Yes	Schwartz	Butler	Approved	5-1
W	Miller, Evelyne	Yes	Schwartz	Fitzgerald	Approved	Unanimous
X	Montealegre, Armando E Daniel Villazon, Esq.	No Yes	Schwartz	Butler	Approved	Unanimous
Y	Morgan, James	Yes	Fitzgerald	Schwartz	Approved	Unanimous
Z	Morris, Amanda	Yes	Butler	Schwartz	Approved	Unanimous
AA	Muhammad, Kashaun	Yes	Schwartz	Butler	Approved	Unanimous
AB	Obannon, Sebrina Daniel Villazon, Esq.	No Yes	Sanchez	Schwartz	Approved	Unanimous
AC	Oliverio, Frank Darren	Yes	Schwartz	Sanchez	Approved	Unanimous
AD	Paris, Sonia Kay	No	Schwartz	Butler	Approved	Unanimous
AE	Paulson, Christine E	Yes	Butler	Schwartz	Denied	Unanimous
AF	Perez Borroto Rodriguez, Armando	Yes	Sanchez	Schwartz	Denied	Unanimous
AG	Pickett, Darylondra	Yes	Schwartz	Sanchez	Approved	Unanimous
AH	Pomerantz, Joshua Adam	Yes	Fitzgerald	Schwartz	Approved	Unanimous

Agenda E

Giuvanna Corona, Executive Director, presented 10 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Bailiff, Christine	Yes	Schwartz	Butler	Approved	Unanimous
B	Baltunado, Uilani	Yes	Schwartz	Sanchez	Approved	Unanimous
C	Bermudez, Lester	Yes	Schwartz	Butler	Denied	Unanimous
D	Campbell, Troy	No	Schwartz	Butler	Denied	Unanimous
E	Cranmer, Tina	Yes	Schwartz	Sanchez	Approved	Unanimous
F	Gurera, Dylan Lee	No	Fitzgerald	Sanchez	Approved	Unanimous
G	Hewitt, Eric Peter	Yes	Barbara	Fitzgerald	Approved	5-1
H	Jones, Yolanda Nicole	Yes	Schwartz	Fitzgerald	Denied	4-2

I	King, Ashley Marie	Yes	Fitzgerald	Barbara	Denied	Unanimous
J	Lockett, Vyctor	Yes	The applicant withdrew the application.			

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 5:00 p.m. The next general meeting – licensing of the Florida Real Estate Commission is scheduled for March 16, 2021, via Tele-Conference/Live-Stream.

ATTEST:



Richard "Dick" Fryer, Chair
Florida Real Estate Commission



Giovanna Corona, Executive Director
Florida Real Estate Commission

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February 17, 2021

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 17th day of February, 2021. 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 – excused absence
Patricia "Patti" Ketcham – excused absence
Patricia "Pat" Fitzgerald – via Live-Stream
Guy Sanchez, Jr. – via Live-Stream
Richard Barbara – via Live-Stream
Renee Butler – in person

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
Gene Aldridge, Assistant General Counsel – via telephone
Delhon Braaten, Assistant General Counsel – via telephone
Mackenzie Medich, 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

Escrow Disbursement Orders – Agenda

Heather Page, Assistant General Counsel, presented 6 Escrow Disbursement Orders.

Commissioner Fitzgerald moved to approve Tab A of the Escrow Disbursement Order, seconded by Commissioner Barbara; the motion passed unanimously. Commissioner Sanchez was recused.

Commissioner Sanchez moved to approve Tabs B and C of the Escrow Disbursement Order as a consent agenda, seconded by Commissioner Fitzgerald; the motion passed unanimously.

Commissioner Sanchez moved to approve Tab D of the Escrow Disbursement Order, seconded by Commissioner Barbara; the motion passed unanimously. Commissioner Fitzgerald was recused.

Commissioner Barbara moved to approve Tabs E and F of the Escrow Disbursement Order as an interpleader, seconded by Commissioner Fitzgerald; the motion passed unanimously.

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Recovery Fund Claims Docket

James Fortunas, Deputy Chief Attorney, presented 3 Recovery Fund Claims.

Tab A – RFC Galileo Hospitality Group v Cullom, Case Number 2013-031099

The Claimant was not present and represented by counsel, Mr. Joseph M. Herbert, Esquire; Licensee was not represented or represented by Counsel. Ms. Page represented the Department. After discussion, Commissioner Fitzgerald moved to deny the claim as recommended by the Department; seconded by Commissioner Barbara. The motion passed unanimously.

Tab B – RFC Giuffre Et Al v Cullom, Case Number 2019-023285

The Claimant was not present and represented by counsel, Mr. Joseph M. Herbert, Esquire; Licensee was not represented or represented by Counsel. Ms. Page represented the Department. After discussion, Commissioner Fitzgerald moved to grant the claim as recommended by the Department; seconded by Commissioner Barbara. The motion passed unanimously.

Tab C – RFC Pollio v Fiorello, Case Number 2020-035331

The Claimant was not present and represented by counsel, Mr. Jason H. Haber, Esquire; Licensee was not represented or represented by Counsel. Ms. Page represented the Department. After discussion, Commissioner Barbara moved to deny the claim as recommended by the Department; seconded by Commissioner Fitzgerald. The motion passed unanimously.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 16 docket items with the following results:

Tab A – Catherine Marie Allford, BL3041189, Case No. 2020-037417 – Respondent’s Request for Informal Hearing

The Respondent was present and represented by counsel, Mr. David Rankin, Esquire, present. Ms. Bova represented the Department. Commissioner Sanchez served on probable cause and was recused.

Prior to discussion, Mr. Rankin withdrew the Motion to Dismiss on behalf of the Respondent. After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Barbara; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Butler; to impose the following sanctions: **probation for 90 days; administrative fine of \$500.00; investigative costs of \$1,798.50**; 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 B – Chase Monroe Armstrong, BK3378632, Case No. 2020-041112 – Respondent’s Request for Informal Hearing

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, Commissioner Fitzgerald moved; seconded by Commissioner Barbara; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Barbara; to impose the following sanctions: **probation for 6 months; administrative fine of \$1,000.00; investigative costs of \$333.50; 3-hour Core Law education 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 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.

Tabs C – Leonard John Collins, SL3052352, Case No. 2020-044152– Respondent’s Request for Informal Hearing

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

After discussion, Commissioner Sanchez moved; seconded by Commissioner Butler; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Barbara; to impose the following sanctions: **120 days suspension; probation for 6 months; administrative fine of \$2,000.00; investigative costs of \$396.00; 28-hour reactivation 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 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.

Tabs D – Scott Ginsberg, SL3261172, Case No. 2020-037766 – Respondent’s Request for Informal Hearing

The Respondent was present and not represented by counsel. Mr. Alridge represented the Department. Commissioner Ketcham served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Butler; to impose the following sanctions: **probation for 12 months; administrative fine of \$3,000.00; investigative costs of \$1,138.50;** 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; 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; 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.

Tab E – Sabin Barto, SL3301525, Case No. 2020-032095 – Respondent’s Request for Settlement Stipulation

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

After discussion, Commissioner Sanchez moved; seconded by Commissioner Barbara; to deny the Settlement Stipulation. The motion passed without dissent. **Counter stipulation: suspension for 3 years; 3 years of probation, administrative fine of \$2,000.00; investigative costs of \$500.00; 28-hour and 30 days from final order to accept or reject.**

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; 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 F – Manuel Bolanos, SL3314009, Case Nos. 2020-032475– Settlement Stipulation

The Respondent was present and represented by counsel, Mr. Gregg S. Truxton, Esquire, present. Ms. Page represented the Department. Commissioner Fitzgerald served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Butler; to accept the Settlement Stipulation: **probation for 6 months; administrative fine of \$2,000.00; investigative costs of \$1,206.50; 4-hour escrow management course and 28-hour reactivation course; 2 complete FREC meeting**; The motion passed with a 3-2 vote.

Violation(s): 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 475.25(1)(e), Florida Statutes, through a violation of 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)(a), Florida Statutes, by engaging in the practice of real estate by operating as a property manager for a fee, as if a broker, without being the holder of a valid and current active license.

Tab K – Pedro Gonzalez, SL3316346, Case No. 2020-001954 – Respondent’s Request for Settlement Stipulation

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

After discussion, Commissioner Barbara moved; seconded by Commissioner Fitzgerald; to accept the Settlement Stipulation: **suspension for 90 days; probation for 6 months; administrative fine of \$1,000.00; investigative costs of \$3,131.70; 4-hour escrow management course; 1 complete FREC meeting**. The motion passed with a 3-2 vote.

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

Tab L – Stephanie Heins, SL575036, Case No. 2020-039109 – Respondent’s Request for Settlement Stipulation

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

After discussion, Commissioner Barbara moved; seconded by Commissioner Butler; to accept the Settlement Stipulation: **probation for 6 months; administrative fine of \$250.00; investigative costs of \$486.75; 3-hour core law education;** the motion passed 4-1 vote.

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 M – Ying Zhang, BK3273098, BK3380214, BK3416905, BK3415851, BK3441553, BK3455637, Case No. 2020-019724 – Respondent’s Request for Settlement Stipulation

The Respondent was present and represented by counsel, Ms. Adrea Jenson, Esquire, present. Ms. Bova represented the Department. Vice-Chair Schwartz served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Fitzgerald; to accept the Settlement Stipulation: **probation for 6 months; administrative fine of \$3,500.00; investigative costs of \$1,353.00; 30-hour office management broker post licensure education course; 2 complete FREC meeting.** 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 475.42(1)(i), Florida Statutes, by placing, or causing to be placed, upon the public records of any county, any contract, assignment, deed, will, mortgage, affidavit, or other writing which purports to affect the title of, or encumber, any real property if the same is known to her or him to be false, void, or not authorized to be placed of record, or not executed in the form entitling it to be recorded, or the execution or recording whereof has not been authorized by the owner of the property, maliciously or for the purpose of collecting a commission, or to coerce the payment of money to the broker or sales associate or other person, or for any unlawful purpose. However, nothing in this paragraph shall be construed to prohibit a broker or a sales associate from recording a judgment rendered by a court of this state or to prohibit a broker from placing a lien on a property where expressly permitted by contractual agreement or otherwise allowed by law; Section 475.42(1)(n), Florida Statutes, by failing to disclose all material aspects of the resale of a timeshare period and the rights and obligations of the buyer and seller.

Tabs N – Scott Fineman, SL3360181, Case No. 2020-014361 – Motion for Finding of Waiver and Entry of Final Order

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

After discussion, Commissioner Fitzgerald moved; seconded Butler by Commissioner; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation; administrative fine of \$1,000.00; investigative costs of \$1,039.50;** 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.

Tab O – Elizabeth Mackey, BK3225348, Case No. 2020-019635 – Petitioner's Motion for Waiver and Entry of Final Order

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

After discussion, Commissioner Butler moved; seconded by Commissioner Sanchez; to deny the Respondent's request for a continuance; the motion passed with a 4-1 vote. Commissioner Barbara moved; seconded by Commissioner Sanchez; to grant the Petitioner's Motion for Waiver and a hearing pursuant to 120.569(2), Florida Statute, was convened. Commissioner Fitzgerald moved; seconded by Commissioner Barbara, to accept the complete investigative file, including the material provided by the Respondent, into the record; the motion passed without dissent. Commissioner Sanchez moved; seconded by Commissioner Fitzgerald, to find the Respondent guilty and adopt the factual allegations contained within the administrative complaint as the Commission's conclusion of law; and find the facts adequately support the charged violations of the practice act and/or Commission rules. Commissioner Fitzgerald moved; seconded by Commissioner Sanchez; to impose the following sanctions: **probation for 6 months; investigative cost of \$792.00; 4-hour escrow management course**; 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.

Tab O – Javier Ortiz, SL3310881, Case No. 2020-040205 – Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and represented by counsel, Mr. Daniel Villazon, Esquire, present. Ms. Brennen represented the Department. Commissioner Ketcham served on probable cause and was recused.

After discussion, Commissioner Sanchez moved; seconded by Commissioner Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint and granted Respondent's Motion for Continuance as far as the penalty phase of this proceeding until March 2021; 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.

Consent Agenda A

The Commission considered 43 applicants from the Consent Agenda A; Commissioner Barbara moved; Commissioner Fitzgerald seconded the motion to approve 35 applicants and require 8 applicants to be placed on the Summary of Applicant Agenda; the motion passed 4-1 vote.

Consent Agenda B

The Commission considered 53 applicants from the Consent Agenda B; Commissioner Barbara moved; Commissioner Fitzgerald seconded the motion to approve 43 applicants and require 10 applicants to be placed on the Summary of Applicant Agenda; the motion passed 4-1 vote.

Summary of Applicants**Agenda C**

Giuvanna Corona, Executive Director, presented 20 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Burke, Leslie Pagan	Yes	Commissioner Sanchez moved; seconded by Commissioner Barbara, to vacate the Notice of Intent to Deny and withdraw the application. The motion passed unanimous.			
B	Delaney, Paul William Jr Daniel Villazon, Esquire	Yes Yes	Commissioner Fitzgerald moved; seconded by Commissioner Barbara, to vacate the Notice of Intent to Deny and approve the application. The motion passed with a 3-2 vote.			
C	Allen, Caitlyn	Yes	Sanchez	Butler	Denied	Unanimous
D	Andreasen, Omar Sahid	Yes	Sanchez	Fitzgerald	Denied	Unanimous
E	Boland, Nicole Diane	Yes	Fitzgerald	Sanchez	Approved	Unanimous
F	Brown, Aaron	Yes	Sanchez	Butler	Denied	Unanimous
G	Cardona, Nelson Ramiro Jr	No	Sanchez	Butler	Denied	Unanimous
H	Forbes, Nathan Trever	Yes	Fitzgerald	Butler	Approved	Unanimous
I	Greenwood, Ariel Lea	Yes	Fitzgerald	Sanchez	Approved	Unanimous
J	Haque, Mahmudul	Yes	Sanchez	Butler	Approved	Unanimous
K	Mckenzie, Daniel E	Yes	Sanchez	Butler	Denied	Unanimous
L	Moore, Stephanie	Yes	Sanchez	Fitzgerald	Denied	3-2
M	Novembre, Selestre Jr	No	Rescheduled and waived the 90-days.			
N	Pinto, Enri	No	Rescheduled and waived the 90-days.			
O	Rodriguez, David	Yes	Fitzgerald	Barbara	Approved	Unanimous
P	Servo, Joshua Robert	Yes Yes	Sanchez	Barbara	Approved	Unanimous
Q	Strickland, Sydney Lynn	Yes	Butler	Fitzgerald	Approved	Unanimous
R	Tamargo, Madison Lee	Yes	The applicant withdrew the application.			
S	Taylor, Tinita Lea	Yes	Barbara	Fitzgerald	Approved	Unanimous
T	Terrell, Dillon	Yes	Barbara	Butler	Approved	Unanimous

Agenda D

Giuvanna Corona, Executive Director, presented 20 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Kincaid, Karen	Yes	Sanchez	Butler	Approved	Unanimous
B	Provost, Hilary Anne	Yes	Fitzgerald	Sanchez	Approved	Unanimous
C	Rex, Jenan Jeanann Daniel Villazon, Esq	Yes Yes	Fitzgerald	Butler	Approved	Unanimous
D	Reyes, Calvin R III	Yes	Fitzgerald	Barbara	Approved	4-1
E	Rhodes, Tyrone Jr	Yes	Fitzgerald	Sanchez	Approved	Unanimous
F	Rosario, Dania	Yes	Fitzgerald	Butler	Approved	Unanimous
G	Routt, Justin Rogers	Yes	Barbara	Butler	Approved	Unanimous
H	Saunders, Kate Justine	No	Rescheduled and waived the 90-days.			
I	Simons, Miranda Marie	No	Sanchez	Butler	Denied	Unanimous
J	Souza, Ewerton Menezes	No	Sanchez	Barbara	Approved	Unanimous
K	Steve, Christina Michelle	Yes	Fitzgerald	Butler	Approved	Unanimous

L	Stuckey, Deborah F	Yes	Fitzgerald	Sanchez	Approved	Unanimous
M	Suhail, Omar Khader	Yes	Sanchez	Butler	Approved	Unanimous
N	Sullivan, Shain David	Yes	Barbara	Fitzgerald	Approved	Unanimous
O	Sylvester, Stacey	Yes	Butler	Fitzgerald	Approved	Unanimous
P	Vega, Marcelo Javier	Yes	Fitzgerald	Barbara	Approved	Unanimous
Q	Waite, Shawn A	No	Barbara	Butler	Approved	Unanimous
R	Wilkins, Gregory Scott	Yes	Fitzgerald	Sanchez	Approved	Unanimous
S	Zoller, Robert Charles Jr	Yes	Fitzgerald	Sanchez	Approved	Unanimous

Agenda F

Giuvanna Corona, Executive Director, presented 10 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED by COMMISSIONER	SECONDED by COMMISSIONER	VOTE	COUNT
A	Luke, John Steven	Yes	Fitzgerald	Barbara	Approved	Unanimous
B	Parisi, Thomas	Yes	Barbara	Fitzgerald	Approved	Unanimous
C	Savage, Ryan	No	Rescheduled and waived the 90-days.			
D	Solomon, Jacob	Yes	Fitzgerald	Butler	Approved	Unanimous
E	Stanley, Lamesha L	Yes	Sanchez	Butler	Denied	3-2
F	Stergion, Adam Gregory	Yes	Fitzgerald	Sanchez	Approved	Unanimous
G	Thompson, Alexis Monae	Yes	Fitzgerald	Barbara	Approved	3-2
H	Thompson, Dean	Yes	Barbara	Fitzgerald	Approved	3-2
I	Wallace, Jasmear	Yes	Fitzgerald	Barbara	Approved	Unanimous
J	Williams, Derrick	Yes	Fitzgerald	Butler	Approved	Unanimous

Reports

Ms. Giuvanna Corona presented the Division reports for January 2021. Mr. Cheneler, Esq., Chief Attorney presented the Legal Reports for January 2021. Mr. Harris, Esq., FREC Counsel presented the Rules Report for January 2021. The January 2021 Meeting Minutes were continued to the March 2021 meeting.

Public Comments

The Commission did not receive any public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 5:03 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for March 17, 2021, via Tele-Conference/Live-Stream.

ATTEST:


 Richard "Dick" Fryer, Chair
 Florida Real Estate Commission


 Giuvanna Corona, Executive Director
 Florida Real Estate Commission