

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

June 16, 2021

Chair Dick Fryer called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Hybrid, on this Wednesday, the 16th day of June, 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 – in person
Guy Sanchez, Jr. – in person
Patricia “Patti” Ketcham – in person
Renee Butler – in person
Richard Barbara – via Live-Stream
Patricia “Pat” Fitzgerald – excused absence

Mr. Lawrence Harris, Senior Assistant Attorney General, appeared in person, 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
Mackenzie Medich, Deputy Chief Attorney – via telephone
Delhon Braaten, Assistant General Counsel – via telephone
Daniel David, Assistant General Counsel – via telephone
Heather Page, Assistant General Counsel – in person
Amanda Bova, Assistant General Counsel – in person
Katie Pareja, 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
Sara Kimmig, Chief of Enforcement – in person
Jocelyn Pomales, Education Coordinator – in person
Linda Doolittle, Regulatory Consultant – in person

Escrow Disbursement Orders – Agenda

Heather Page, Assistant General Counsel, presented 3 Escrow Disbursement Orders and 1 Interpleader.

Commissioner Sanchez moved to approve Tabs A, B, and C of the Escrow Disbursement Order, seconded by Commissioner Ketcham; the motion passed unanimously.

Commissioner Ketcham moved to approve Tab D of the Escrow Disbursement Order as an interpleader, seconded by Vice-Chair Schwartz; the motion passed unanimously.

Recovery Fund Claims Docket

Delhon Braaten, Assistant General Counsel, presented 1 Recovery Fund Claim.

Tab A – RFC McCord v. Bradbery, Case Number 2020-051754

Claimant was present and was not represented by Counsel; Licensee was not present and was not represented by Counsel. Mr. Braaten represented the Department. After discussion, Commissioner Sanchez moved to approve the claim as recommended by the Department; seconded by Vice-Chair Schwartz. The motion passed unanimously.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 3 docket items with the following results:

Tab A – Michael Depranos, SL3097588, Case No. 2020-055408 – Respondent’s Request for Informal Hearing

The Respondent was not present and was represented by counsel; Mr. Adam Carney, Esq., present. Ms. Brennen represented the Department. Commissioner Ketcham served on probable cause and was recused.

After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Sanchez; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Schwartz moved; seconded by Commissioner Sanchez; to impose the following sanctions: **probation for 6 months; administrative fine of \$250.00; investigative costs of \$681.75; 3-hour Core Law 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.

Tab C – Kimberly Reiss, SL3394663, Case No. 2020-053358 – Respondent’s Request for Informal Hearing

The Respondent was present and was represented by counsel; Mr. Joseph Rosenbaum, Esq., present. Ms. Brennen represented the Department. Commissioner Ketcham served on probable cause and was recused.

After discussion, Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to impose the following sanctions: **revocation; administrative fine of \$1,000.00; investigative costs of \$148.50**; 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 E – Justin Infurna, SL3394663, Case No. 2021-000623 – Motion for Finding of Waiver & Entry of Final Order

The Respondent was not present and was not represented by counsel. Mr. Braaten represented the Department. Commissioner Fitzgerald served on probable cause and was not present.

After discussion, Commissioner Sanchez moved; seconded by Vice-Chair Schwartz and Commissioner Butler; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to impose the following sanctions: **revocation; administrative fine of \$5,000.00; investigative costs of \$924.00**; the motion passed without dissent.

Violation(s): Section 475.25(1)(a), Florida Statutes, through a violation of Section 475.42(1)(h), 455.227(1)(a), and 455.227(1)(r), Florida Statutes, by violating any provision of Section 455.227(1) or 475.72, Florida Statutes, by obstructing or hindering the enforcement of Chapter 475, by being guilty of making misleading, deceptive, or fraudulent representations related to the practice of the licensee’s profession, by improperly interfering with an investigation authorized by statute; 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)(i), Florida Statutes, by being guilty of becoming temporarily incapacitated from acting as a broker; 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)(s), Florida Statutes, by having had a registration suspended, revoked, or otherwise acted against in any jurisdiction.

Tabs B and D – Allen Jenkins and Siesta Annual Rentals, Inc., Case Nos. 2020-026500 and 2020-026501 – Motion for Informal Hearing

The above referenced cases were pulled from the Legal Agenda.

Special Agenda Education

Tab A – Request for Mutual Recognition – State of Kentucky

The petitioner was not present in support of the request. After discussion, Commissioner Sanchez moved; seconded by Commissioner Ketcham; to approve the mutual recognition agreement with the State of Kentucky.

Special Agenda Legal

Tab A – Request for Modification of Final Order through Settlement Stipulation – Bert F. Acevedo, DBPR Case No. 2019-048506

The petitioner was not present in support of the request and was represented by counsel, Mr. Daniel Villazon, Esquire, present. After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Barbara and Commissioner Ketcham; to approve the stipulation and modify the Final Order. The motion passed unanimously.

Tab B – Motion to Reverse the Final Order – Avi Stern, DBPR Case No. 2018-059072

The petitioner was present in support of the request and was represented by counsel, Mr. Scott Edwards, Esquire, present. After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Barbara; to vacate the Final Order, Case No. 2018-059072. The motion passed unanimously.

Special Agenda Licensing

Tab A – Request for Waiver of 24-month Experience for Broker License – Dr. Munr Kazmir

The petitioner was present in support of the request. After discussion, Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to deny the request. The motion passed unanimously.

Tab B – Request for Out of State Experience for Broker License – Natalie Dees

The petitioner was present in support of the request. After discussion, Commissioner Sanchez moved; seconded by Vice-Chair Schwartz; to approve the request. The motion passed unanimously.

Tab C – Request for Multiple Broker Licenses – Jeffrey M. Glickman

The applicant withdrew the request for Multiple Broker Licenses.

Tab D – Request for Extension of the Course Completion Certificate – Princess Wilson

The petitioner was not present in support of the request. After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Sanchez; to deny the request. The motion passed unanimously.

Consent Agenda A and B

The Commission considered 26 applicants from the Consent Agenda A and 32 applicants from the Consent Agenda B; Vice-Chair Schwartz moved; Commissioner Ketcham seconded, to approve the result as presented; the motion passed with a 5-1 vote.

Meeting Minutes and Reports

Ms. Corona, FREC Executive Director, presented the May 2021 Meeting Minutes for approval. Vice-Chair Schwartz moved; seconded by Commissioner Sanchez; to approve the May 2021 Meeting Minutes. The motion passed unanimously.

Ms. Corona, FREC Executive Director, presented the Division reports for May 2021. The Financial Report was continued to July. Mr. Cheneler, Chief Attorney, presented the Legal Reports for May 2021. Mr. Harris, Board Counsel, presented the Rules Report for May 2021.

Executive Director's Remarks

Executive Director Corona introduced discussion for Rule 61J2-3.015 - Notice of Satisfactory End of Course Completion, 61J2-1.016 - Review of Fees, 61J2-2.030 - Notice of Denial, 61J2-3 - Minimum Education Requirements, 61J2-10.025 - Advertising, 61J2-10.026 - Team or Group Advertising, 61J2-24.01 - Disciplinary Guidelines, 61J2-24.006 - Probation, 61J2-26.002 - Residency, and 61-35.026 - Appraisal Forms, as well as Rule 61J2-17.015 - Required Communication by School Permit Holders and 61J2-3.008(7) Make-up Classes and Examinations, Florida Administrative Code, received from public comment, for the upcoming Rule Development Workshop in July 2021.

During the discussion, the Chair determined there was good cause to add the discussion of Rule 61J2-3.015, Florida Administrative Code, as an Administrative Agenda item to open the rule for development and accept the proposed language.

The Commission received public comment from Denise Johnson, instructor with Watson School of Real Estate, and Karen Climer, instructor with Demetree School of Real Estate.

After discussion, Vice-Chair Schwartz moved; seconded by Commissioner Butler and Commissioner Sanchez, to open Rule 61J2-3.015 – Notice of Satisfactory End of Course Completion, Florida Administrative Code, for development and accept the proposed the language as shown in the materials and set this matter for a public hearing on July 22, 2021. The proposed language will be published in the Florida Administrative Register for public comment. The motion passed unanimously.

Vice-Chair Schwartz moved; seconded by Commissioner Sanchez, to acknowledge the language as considered will not pose an adverse impact on small businesses. The motion passed unanimously.

Vice-Chair Schwartz moved; seconded by Commissioner Butler and Commissioner Sanchez, to determine that a minor violation of the proposed action should be taken care of with a notice of non-compliance. The motion passed unanimously.

Commissioner Ketcham moved; seconded by Vice-Chair Schwartz, to implement the five year rule review required language. The motion passed unanimously.

Agenda C

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	Adams, Gordon C	Yes	Schwartz	Butler	Approved	Unanimous
B	Brown, Hosea Douglas Jr	Yes	Schwartz	Butler	Approved	Unanimous
C	Cajas, Rebecca Ann	Yes	Withdrawn			
D	Chevalier, Fitzgerald	No	Sanchez	Butler	Denied	Unanimous
E	Cross, Kyle	Yes	Schwartz	Sanchez	Approved	Unanimous
F	Dinsmore, Michelle Lee	Yes	Schwartz	Barbara/Ketcham	Approved	Unanimous
G	Elliott, Travis M	No	Sanchez	Butler/Barbara	Denied	Unanimous
H	Feriez Ortez, Norma Isabel	No	Sanchez	Ketcham	Denied	Unanimous
I	Garcia, Jorge L	Yes	Schwartz	Ketcham	Approved	Unanimous

J	Gil, Andres Felipe	No	Sanchez	Ketcham	Denied	Unanimous
K	Gonzalez, Yarely Daniel Villazon, Esq.	No Yes	Barbara	Schwartz	Approved	Unanimous
L	Greene, Ryan Scott	Yes	Schwartz	Ketcham	Approved	Unanimous
M	Greifenkamp, Ryan	Yes	Schwartz	Barbara	Approved	4-2
N	Hopkins, Dashawn Moleek	No	Ketcham	Schwartz	Approved	Unanimous
O	Hunter, Austin Richard	Yes	Schwartz	Ketcham/Sanchez	Approved	Unanimous
P	James, Brittany Latisha	Yes	Schwartz	Sanchez	Approved	Unanimous
Q	Jureidini, Paul George	No	Schwartz	Ketcham	Approved	4-2
R	Lewis, Shawn Gerard	No	Schwartz	Barbara	Approved	Unanimous
S	Mas, Noydes Sarai	Yes	Ketcham	Schwartz	Approved	Unanimous
T	Mcintosh, Ryne	Yes	Schwartz	Barbara	Approved	4-2
U	Melendez, Cassandra	Yes	Schwartz	Sanchez	Approved	Unanimous
V	Parker, Savanna Elizabeth	Yes	Barbara	Schwartz	Approved	Unanimous
W	Pina, Jaime	Yes	Schwartz	Butler	Approved	Unanimous
X	Plain, Dorothy J.	Yes	Barbara	Schwartz	Approved	Unanimous
Y	Rayon Vital, Mirella	No	Rescheduled			
Z	Robinson, Dontavious K.	Yes	Sanchez	Schwartz	Denied	Unanimous
AA	Schenk, Bradley William	No	Schwartz	Sanchez	Denied	Unanimous
AB	Sekajipo, Imari	Yes	Schwartz	Ketcham	Approved	4-2
AC	Solomon, Troy	Yes	Butler	Barbara/Schwartz	Approved	Unanimous
AD	Sterghos, Kristopher	Yes	Schwartz	Sanchez	Approved	Unanimous
AE	Swain, Sara Joy	Yes	Schwartz	Sanchez	Approved	Unanimous
AF	Trent, Bradley James	Yes	Schwartz	Ketcham	Approved	Unanimous
AG	Turner, Kelsey Leeanne	No	Schwartz	Sanchez	Approved	Unanimous
AH	Vogler, Kimberly Renee	Yes	Sanchez	Schwartz/Butler/ Barbara	Approved	Unanimous

Agenda D

Giuvanna Corona, Executive Director, presented 7 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	Lee, Krista	Yes	Vice-Chair Schwartz moved; seconded by Commissioner Ketcham, to vacate the Notice of Intent to Deny and approve the application. The motion passed with a 4-2 vote.			
B	Paulson, Christine E. Rickey Strong, Esq.	Yes Yes	Vice-Chair Schwartz moved; seconded by Commissioner Ketcham and Commissioner Barbara, to vacate the Notice of Intent to Deny and approve the application. The motion passed with a 4-2 vote.			
C	Dinkel, Adrian	Yes	Ketcham	Sanchez/Schwartz	Approved	Unanimous
D	Haas, Melissa E	Yes	Sanchez	Butler	Approved	Unanimous
E	Harrison, Lennard	No	Schwartz	Sanchez	Denied	Unanimous
F	Hurley, Mary Barley	Yes	Sanchez	Ketcham/Butler	Approved	Unanimous
G	Novembre, Selestre Jr.	No	Rescheduled and Waived the 90 Days			

Public Comment

Public Comment was received by Applicant Sedella Taylor requesting reconsideration of her denied application for real estate licensure. The Chair granted the request. (see notes in the June 15, 2021 Meeting Minutes)

Public Comment was received by Applicant Dontavious Robinson requesting clarification of the outcome of his application. The Chair clarified his application for real estate licensure was denied and he would be receiving information from the Division.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 3:00 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for July 21, 2021, in Orlando via Hybrid.

ATTEST:

Richard Fryer

Richard "Dick" Fryer, Chair
Florida Real Estate Commission

G. Corona

Giovanna Corona, Executive Director
Florida Real Estate Commission