

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
May 16, 2023
Hybrid Meeting**

May 16, 2023

Chair Patricia Fitzgerald called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Hybrid, on this Tuesday, the 16th day of May 2023.

Commissioners

Chair Patricia Fitzgerald – in person
Vice Chair Richard Barbara – in person
Randy Schwartz – excused absence
Patricia Ketcham – in person
Renee Butler – in person
Millie Kanyar – in person
Kelly Price – in person

Larry Harris, Senior Assistant Attorney General, was present as Counsel for the Commission. Attorney Harris declared quorum present.

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
Camille Royal, Regulatory Consultant – in person
Jose Jimenez, Regulatory Specialist III – in person
Damon Boodram, Operations Specialist – in person
Jocelyn Pomales, Education Coordinator – in person
Linda Doolittle, Regulatory Consultant – in person
Bradley DeRamos, Regulatory Specialist III – in person
Elena Lazova-Popova, Operations and Management Consultant – in person
Heather Page, Assistant General Counsel – in person
Magnolia Reporting Inc. – (407) 896-1813

Education Agenda

Giuvanna Corona, Executive Director, presented 14 Real Estate Education Courses for the Commission's review and consideration.

Tab A – What Every Realtor Should Know: Power of Attorney Basics for Real Estate Transactions – New Course (2 hours Sales Post-License and Combination, Law, Specialty and Business Ethics, Classroom) – application number 63533 – Agents National Title Insurance Company

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Kanyar. The motion passed without dissent.

Tab B – Protect Your Data! Understanding Passwords, Email, Wifi & More – New Course (3 hours Specialty and Business Ethics, Classroom) – application number 63836 – Agensplanet

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Kanyar. The motion passed without dissent.

Tab C – Eye of the Inspector – New Course (2 hours Sales Post License, Classroom) – application number 64250 – All Clear Inspections LLC

The applicant was not present in support of the application. After discussion, Vice-Chair Barbara moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Ketcham. The motion passed without dissent.

Tab D – Broker Management – New Course (15 hours Sales Post License, Distance) – application number 63835 – Moseley Real Estate Schools Inc

The applicant was present in support of the application. After discussion, the applicant requested to WITHDRAW the application.

Tab E – Real Estate Sales & Marketing – New Course (15 hours Sales Post License, Distance) – application number 63844 – Moseley Real Estate Schools Inc

The applicant was present in support of the application. After discussion, the applicant requested to WITHDRAW the application.

Tab F – Specialty Areas: Property Management, Appraisals, & Technology – New Course (15 hours Sales Post License, Distance) – application number 64182 – Moseley Real Estate Schools Inc

The applicant was present in support of the application. After discussion, the applicant requested to WITHDRAW the application.

Tab G – Ethics for Business Practices - New Course (3 hours Business Ethics, Distance) – application number 63722 – Novus Education LLC.

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

Tab H – Florida Fair Housing – New Course (4 hours Specialty, Distance) – application number 63937 – Novus Education LLC.

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

Tab I – Overview of Property Management – New Course (4 hours Specialty, Distance) – application number 64044 – Novus Education LLC.

The applicant was not present in support of the application. After discussion, Vice-Chair Barbara moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Kanyar. The motion passed without dissent.

Tab J – Florida Real Estate 63 Hour Pre-Licensing Course – New Course (63 hours Sales Pre-License, Distance) – application number 63744 – Reso, LLC

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

Tab K – Issue Spotting Quick and Painless Closings – New Course (2 hours Specialty, Classroom) – application number 63789 – Stewart Title Guaranty Company

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to APPROVE the course WITH CONDITIONS; seconded by Vice-Chair Barbara. The motion passed without dissent.

Tab L – Sales Associate Post Licensure – New Course (45 hours Sales Associate Post License, Classroom) – application number 64126 – TV Real Estate Academy LLC.

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

Tab M – Title Insurance 101 – New Course (2 hours Specialty, Classroom) – application number 63970 – Walk the Talk Presentations Inc.

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Price. The motion passed without dissent.

Tab N – Title Insurance 101 – New Course (2 hours Specialty, Live Stream) – application number 63971 – Walk the Talk Presentations Inc.

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to APPROVE the course WITH CONDITIONS; seconded by Commissioner Price. The motion passed without dissent.

Summary of Applicants – Agenda A

Regulatory Consultant Camille Royal presented 13 Applicants requesting to sit for the real estate examination. Results are as follows:

Tab A – Bell, Kiwana Nicole, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab B – Davolos, Tricia Eileen, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Butler; to DENY the application. The motion passed without dissent.

Tab C – Dickman, Rebecca Dawn, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab D – Herrera, Andy Javier, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 4-2.

Tab E – Hughes, John William Jr, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Vice-Chair Barbara; to APPROVE the application. The motion passed without dissent.

Tab F – Lytal, Chris, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab G – Mckee, Tyler Gentry, was present and was represented by Counsel, Daniel Villazon, Esq., present. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Tab H – Moreno, Fabian, was present and was not represented by Counsel. After discussion, Commissioner Ketcham moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab I – Murphy, Patrick Michael Jr, was present and was not represented by Counsel. After discussion, Commissioner Butler moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab J – Pellecchia, John, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab K – Trent, Jillian, was not present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Commissioner Butler; to DENY the application. The motion passed without dissent.

Tab L – Whetstone, Telesia E, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Vice-Chair Barbara; to APPROVE the application. The motion passed without dissent.

Tab M – Wilson, Dominique Denise, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Summary of Applicants – Agenda B

Regulatory Consultant Camille Royal presented 30 Applicants requesting to sit for the real estate examination. Results are as follows:

Tab A – Brown, Michael Shane, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to DENY the application. The motion passed without dissent.

Tab B – Alexander, Michael, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab C – Ardila, Fabain David, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab D – Bloodworth, Stephanie, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to DENY the application. The motion passed without dissent.

Tab E – Bui, Hieu Van, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Butler; to APPROVE the application. The motion passed without dissent.

Tab F – Drayton, Kenny W, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Tab G – Hardy, Raya, was present and was not represented by Counsel. After discussion, Commissioner Ketcham moved; seconded by Vice-Chair Barbara; to APPROVE the application. The motion passed without dissent.

Tab H – Hoque, Elizabeth, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab I – Jackson, April, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 4-1.

Tab J – Kapoutsos, Nicole, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab K – Kulp, Deidra Arrants, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Butler; to APPROVE the application. The motion passed without dissent.

Tab L – Leyva, Alejandro J, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Tab M – Lussier, Daniel Joseph, was present and was not represented by Counsel. After discussion, Commissioner Butler moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Tab N – Martinez, Brizny Esmeralda, was not present and was not represented by Counsel. After discussion, Commissioner Ketcham moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab O – Mckoy, Christina, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Commissioner Kanyar; to DENY the application. The motion passed without dissent.

Tab P – Menkhoff, Choanne Lee, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab Q – Newkirk, Shaina, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab R – Nguyen, Millenn Tran, was present and was represented by Counsel, Daniel Villazon, Esq., present and. After discussion, Commissioner Ketcham moved; seconded by Vice-Chair Barbara; to APPROVE the application. The motion passed without dissent.

Tab S – Parker, Brian, was present and was not represented by Counsel; the applicant requested to WITHDRAW the application.

Tab T – Parvin, Austin Michael, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Tab U – Rhooms, Deydriana, was present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Commissioner Butler; to DENY the application. The motion passed without dissent.

Tab V – Schmergel, Brian Scott, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab W – Sharp, Katavia Selah, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 4-1.

Tab X – Smith, Lisa, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Ketcham; to APPROVE the application. The motion passed with a vote of 4-1.

Tab Y – Swartz, John Thomas, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 5-1.

Tab Z – Thomas, Mark, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Tab AA – Tyler, Brian, was not present and was not represented by Counsel. After discussion, Commissioner Price moved; seconded by Vice-Chair Barbara; to DENY the application. The motion passed without dissent.

Tab AB – Via, Carolyn F, was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to DENY the application. The motion passed without dissent.

Tab AC – Ward, Ashley, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed with a vote of 4-2.

Tab AD – Wilson, Latoya L, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Price; to APPROVE the application. The motion passed without dissent.

Summary of Applicants – Agenda C

Regulatory Consultant Camille Royal presented 1 Applicant requesting to sit for the real estate examination. Results are as follows:

Tab A – Silva, Maria R, was present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved; seconded by Commissioner Kanyar; to APPROVE the application. The motion passed without dissent.

Consent Agenda A

The Commission considered 38 applicants from the Consent Agenda A; Commissioner Barbara moved; Commissioner Kanyar seconded the motion; to APPROVE 23 applicants and require 15 applicants to be placed on the Summary of Applicants Agenda. The motion passed without dissent.

The following applicants were APPROVED:

Afanador, Yngrid
Allen, Mark Douglas li
Bajuelos, Arelys M
Baylor, Dahsiem
Dahl, Nanci
Falcone, Ella
Feliciano, Crystal
Garner, Trent Clement

Haszinger, Stephen
Haywood, Raykell
Herrera, Erika Lee
Kruse, Lisa Marie
Lutz, Joshua Andre
Mathew, Jay Tom
Mcintire, Ashley Nicole
Mctavish, Cheryl
Pineda, Veronica
Richardson, Anitra Claire
Rothenhausler, Robert Peter
Shah, Nirav R
Suarez Ortiz, Deilys
Taylor, Isabel
Vargas, Josephine

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

Acosta, Brittany
Caballero, Alex Edward
Cannon, Cody Tyler
Colina, Yohalys Milagros
Dunston, Kelsey Fashion
Dupree, Lashaura
Gamboa, Jonatan Perez
Gest, Robert Norman Jr
Gordon, David Anthony
Guerra, Odelsi Maria
Ibrahim, Shannonelizabeth
Johnson, Tonya L
Natera, Melissa Marie
Robare, Deanna
Sellers, Sabrina Lameria

Consent Agenda B

The Commission considered 7 applicants from the Consent Agenda B; Commissioner Barbara moved; Commissioner Kanyar seconded the motion; to APPROVE 6 applicants and require 1 applicants to be placed on the Summary of Applicant Agenda. The motion passed without dissent.

The following applicants were APPROVED:

Boyd, Jennifer Mary
Marrow, Corey Joe
Mason, Craig William
Merchant, William Isaac
Nguyen, Chris Van
Quintana, Humberto

The following applicant will be placed on the next available Summary of Applicant agenda:
Mcdonough, Brian

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 Fitzgerald thanked the Commission and Division staff for a great meeting.

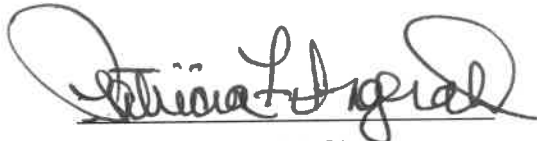
Public Comments

The Commission did not receive public comment.

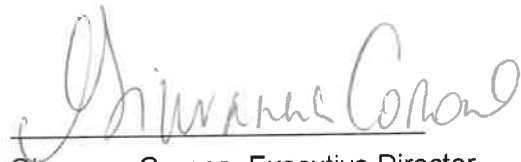
Adjournment

There being no other business, the Chair adjourned the meeting at approximately 12:53 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for May 17, 2023 in Orlando and via Hybrid.

ATTEST:



Patricia Fitzgerald, Chair
Florida Real Estate Commission



Gjuvanna Corona, Executive Director
Florida Real Estate Commission

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
May 17, 2023
Hybrid Meeting**

May 17, 2023

Chair Patricia Fitzgerald called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Hybrid, on this Wednesday, the 17th day of May, 2023.

Commissioners

Chair Patricia Fitzgerald – in person
Vice Chair Richard Barbara – in person
Randy Schwartz – excused absence
Patricia Ketcham – in person
Renee Butler – in person
Millie Kanyar – in person
Kelly Price – in person

Larry Harris, Senior Assistant Attorney General, was present as Counsel for the Commission. Attorney Harris declared quorum present.

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
James Fortunas, Deputy Chief Attorney – via livestream
Mackenzie Medich, Deputy Chief Attorney – via livestream
Gene Aldridge, Assistant General Counsel – via livestream
Delhon Braaten, Assistant General Counsel – via livestream
Dan David, Assistant General Counsel – via livestream
Heather Page, Assistant General Counsel – in person
Lia Matos, Assistant General Counsel – in person
Megan Ambrose, Assistant General Counsel – in person
Camille Royal, Regulatory Consultant – in person
Jose Jimenez, Regulatory Specialist III – in person
Damon Boodram, Operation Review Specialist – in person
Magnolia Reporting Inc. – (407)896-1813

Escrow Disbursement Orders – Agenda

Attorney Heather Page, Assistant General Counsel, presented 1 Escrow Disbursement Order.

Tab A – Jonathan Chad Ingram of Re/Max Advantage Plus; Case Number 2023009946

The BUYER and the SELLER were present. Chair Fitzgerald was recused. After discussion, Commissioner Price moved to approve the Department's recommendation to disburse the escrow to the BUYER, seconded by Commissioner Kanyar. The motion passed without dissent.

Recovery Fund Claims – Agenda

Attorney Heather Page, Assistant General Counsel, presented 1 Recovery Fund Claim.

Tab A – Case Number 2023001276 – RFC Skillen v. Cohen

Claimant was present and was not represented by Counsel; Licensee was not present and was not represented by Counsel. After discussion, Vice-Chair Barbara moved to GRANT the claim; seconded by Commissioner Butler. The motion passed without dissent.

Legal Appearance Docket

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

Tab A - Ott, Eric J., BK691188, Case No. 2022024438 - DOAH Recommended Order

The Respondent was not present and was not represented by Counsel. Attorney Medich represented the Department. Vice-Chair Barbara served on probable cause and was recused.

After discussion, Commissioner Ketcham moved to, seconded by Commissioner Price, to accept the Division Of Administrative Hearings Recommended Order. The motion passed without dissent.

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

Tab B - Bittner, Barbara Sue, SL3497914, Case No. 2022050116 - Respondent's Request for Informal Hearing

The Respondent was not present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Ketcham served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Price, impose the following sanctions: **probation for 90 days; public reprimand; investigative costs of \$297.00; administrative fine of \$250.00**; the motion passed without dissent.

Violation(s): Section 475.25(1)(m), Florida Statutes, by obtaining a license by means of fraud, misrepresentation, or concealment.

Tab C - Costa, Hugh West, SL3076384, Case No. 2022050575 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Butler moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Commissioner Butler, impose the following sanctions: **investigative costs of \$354.75; administrative fine of \$250.00**; the motion passed without dissent.

Violation(s): 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 D - Felver, Henry Logan, SL3437145, Case No. 2022045205 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Fortunas represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Price moved to, seconded by Vice-Chair Barbara, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Vice-Chair Barbara, impose the following sanctions: **investigative costs of \$379.50; administrative fine of \$1,000.00**; the motion passed without dissent.

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

Tab E - Fultz, Khrista Lynn, BK3435712, Case No. 2022053479 - Respondent's Request for Informal Hearing

The Respondent was present and was represented by Counsel, Daniel Villazon Esq., present. Attorney Fortunas represented the Department. Commissioner Butler served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Ketcham, to DISMISS the Administrative Complaint. The motion passed with a vote of 4-1.

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

Tab F - Gardner, Katherine Simone, BK679133, Case No. 2022037251 - Respondent's Request for Informal Hearing

The Respondent was not present and was represented by Counsel, Daniel Villazon Esq., present. Attorney Braaten represented the Department. Commissioner Butler served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Kanyar, to DISMISS the Administrative Complaint. The motion passed with a vote of 3-2.

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

Tab G - Holloway, Joshua N, SL3082025, Case No. 2022051135 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Fortunas represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Price moved to, seconded by Vice-Chair Barbara, to DISMISS the Administrative Complaint; the motion passed with a vote of 3-2.

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

Tab H - Keele, Brian D, BK532935, Case No. 2022051132 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Fortunas represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Price moved to, seconded by Vice-Chair Barbara, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Vice-Chair Barbara, impose the following sanctions: **investigative costs of \$204.60; administrative fine of \$250.00**; the motion passed without dissent.

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

Tab I - Lanhaus, Dan, SL3096368, Case No. 2022051992 - Petitioner's Motion for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Fortunas represented the Department. Commissioner Ketcham served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Butler, impose the following sanctions: **investigative costs of \$165.00**; the motion passed without dissent.

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

Tab J - McKinney, Chad, SL3341793, Case No. 2022022807 - Informal / DOAH Motion to Relinquish Jurisdiction

The Respondent was present and was represented by Counsel, Daniel Villazon Esq., present. Attorney David represented the Department. Commissioner Schwartz served on probable cause and was recused. The Commission granted the Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Butler, impose the following sanctions: **probation for 2 years; investigative costs of \$1,831.50; administrative fine of \$5,000.00; 28-hour Reactivation Education Course**; the motion passed with a vote of 4-2.

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)(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.

Tab K - Mendez, Tiffany Janine, SL3499691, Case No. 2022054879 - Respondent's Request for Informal Hearing

The Respondent was not present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Butler served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Price, impose the following sanctions: **probation for 90 days; public reprimand; investigative costs of \$231.00; administrative fine of \$250.00**; the motion passed without dissent.

Violation(s): Section 475.25(1)(m), Florida Statutes, by obtaining a license by means of fraud, misrepresentation, or concealment.

Tab L - Moline, Brittany Elizabeth, SL3498466, Case No. 2022054911 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Price moved to, seconded by Vice-Chair Barbara, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Vice-Chair Barbara, impose the following sanctions: **probation for 90 days; public reprimand; investigative costs of \$280.50; administrative fine of \$250.00**; the motion passed without dissent.

Violation(s): Section 475.25(1)(m), Florida Statutes, by obtaining a license by means of fraud, misrepresentation, or concealment.

Tab M - Stark, Brian B., SL3500059, Case No. 2022055123 - Respondent's Request for Informal Hearing

The Respondent was not present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Informal Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and Filed an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Price, impose the following sanctions: **probation for 90 days;**

public reprimand; investigative costs of \$214.50; administrative fine of \$250.00; the motion passed without dissent.

Violation(s): Section 475.25(1)(m), Florida Statutes, by obtaining a license by means of fraud, misrepresentation, or concealment.

Tab N - Herrmann, Dylan, SL3493819, Case No. 2022038492 - Voluntary Relinquishment

The Respondent was not present and was not represented by Counsel. Attorney Fortunato represented the Department. Commissioner Schwartz served on probable cause and was recused. The Commission granted the Hearing.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Butler, accept the Voluntary Relinquishment of License. The motion passed without dissent.

Tab O - Musumano, Jordan, BK3337786, Case No. 2022023831 - Motion for Waiver of Rights and Entry of Final Order

The Respondent was present and was not represented by Counsel. Attorney Medich represented the Department. Chair Fitzgerald served on probable cause and was recused. The Commission granted the Waiver Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and did not file an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Price moved to, seconded by Commissioner Butler, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Commissioner Kanyar, impose the following sanctions: **public reprimand; investigative costs of \$495.00; administrative fine of \$500.00;** the motion passed without dissent.

Violation(s): Section 475.22(1), Florida Statutes, may be in a residential location, if not contrary to local zoning ordinances, provided the minimum office requirements are met and the required broker's sign is properly displayed, pursuant to Section 475.22(1), F.S. Sales associates must be registered from and work out of an office maintained and registered in the name of the employer.

Tab P - Musumano, Jordan, BK3337786, Case No. 2022027391 - Motion for Waiver of Rights and Entry of Final Order

The Respondent was present and was not represented by Counsel. Attorney Medich represented the Department. Chair Fitzgerald served on probable cause and was recused. The Commission granted the Waiver Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and did not file an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Commissioner Ketcham moved to, seconded by Commissioner Butler, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved to, seconded by Commissioner Kanyar, impose the following sanctions: **public reprimand;**

investigative costs of \$495.00; administrative fine of \$500.00; the motion passed without dissent.

Violation(s): Section 475.22(1), Florida Statutes, may be in a residential location, if not contrary to local zoning ordinances, provided the minimum office requirements are met and the required broker's sign is properly displayed, pursuant to Section 475.22(1), Florida Statutes, Sales associates must be registered from and work out of an office maintained and registered in the name of the employer.

Tab Q - Rosa, Kevin, SL3499418, Case No. 2022056724 - Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and was not represented by Counsel. Attorney Aldridge represented the Department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the Waiver Hearing. The Commission found the Respondent was properly served with the Administrative Complaint and did not file an Election of Rights within the time period required by law. The Commission accepted the complete investigative file into the record.

After discussion, Vice-Chair Barbara moved to, seconded by Commissioner Price, adopt the findings of facts and conclusion of law and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Barbara moved to, seconded by Commissioner Price, impose the following sanctions: **non permanent revocation; investigative costs of \$165.00; administrative fine of \$250.00;** the motion passed without dissent.

Violation(s): Section 475.25(1)(m), Florida Statutes, by obtaining a license by means of fraud, misrepresentation, or concealment.

Special Agenda Legal

Tab A – Request for Reconsideration of Final Order – Karpova, Yana 2020-07033

The Petitioner was present and was not represented by Counsel. After discussion, Commissioner Ketcham moved to DENY the request for reconsideration, seconded by Commissioner Butler. The motion passed without dissent.

Meeting Minutes

FREC Executive Director Corona presented the April 2023 Meeting Minutes, and continued March 2023 Meeting Minutes. Vice Chair Barbara moved to accept the Meeting Minutes, seconded by Commissioner Kanyar. The motion passed without dissent.

Reports

FREC Executive Director Corona presented the April 2023 Division Reports; Chief Attorney Cheneler presented the Legal Report; and Board Counsel Harris presented the Rules Report.

Executive Director Comments

Executive Director Corona thanked the Commission for the countless hours they invest in the preparation and participation in the Florida Real Estate Commission Meeting and their continued commitment to educate licensees and protect the public.

Chair's Comments

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

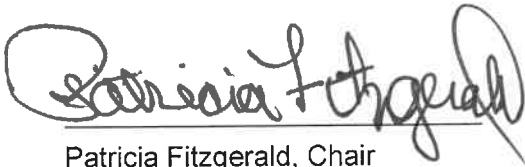
Public Comments

The Commission received public comment from Daniel Villazon, Esq., and Denise Johnson.

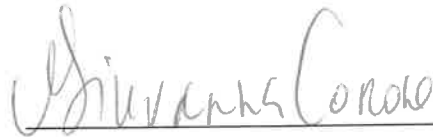
Adjournment

There being no other business, the Chair adjourned the meeting at approximately 12:15 p.m. The next general meeting – licensing of the Florida Real Estate Commission is scheduled for June 13, 2023 in Orlando and via Hybrid.

ATTEST:



Patricia Fitzgerald, Chair
Florida Real Estate Commission



Giovanna Corona, Executive Director
Florida Real Estate Commission