

Jonathan Zachem, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
August 14 and 15, 2018
General Meeting**

August 14, 2018

Chairperson Thomas Luzier called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 14th day of August 2018.

COMMISSIONERS

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

Mr. Tom Barnhart, Senior Assistant Attorney General and Marlene Stern, Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

STAFF

Katy McGinnis, Director
Denise Johnson, Deputy Director
Lori Crawford, Executive Director
Al Cheneler, Chief Attorney
Allison McDonald, Deputy Chief Attorney
Janice Lugo, Operations Support Supervisor
Meagan McAvoy, Regulatory Specialist III
Mike Davis, Regulatory Supervisor/Consultant
Kenny Clark, Regulatory Supervisor/Consultant
Dorothy Carter, Regulator Specialist III
American Court Reporting, Inc. (407) 896-1813 provided court services.

Summary of Applicants

Regulatory Supervisor/Consultant, Mike Davis presented 77 Summary of Applicants requesting to sit for the real estate examination.

1. Agenda A, Tab A – Jorge L. Jimenez Justo, informal, not present; represented by Daniel Villazon, Esquire, present – Sales associate application continued waived 90 days.
2. Agenda A, Tab B – Brandon Anthony Ricalo, informal, present; represented by Daniel Villazon, Esquire, present – Sales associate application approved; Commissioner Fryer/Vice-Chair Fitzgerald; 5-2 vote.
3. Agenda A, Tab Y – Clarke Mangan, not present; represented by Daniel Villazon, Esquire, present – Sales associate application approved with conditions; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
4. Agenda A, Tab Z – Maria Martinez – present; represented by Daniel Villazon, Esquire, present – Sales associate application approved; Commissioner Fryer/Commissioner Hornsleth; 4-3 vote.

5. Agenda A, Tab AD – Stephen Frank Molinari, present; represented by Daniel Villazon, Esquire, present – Sales associate application - Withdrawn.
6. Agenda B, Tab E – Daniel Henry Fox, present; represented by Daniel Villazon, Esquire, present - Sales associate application denied; Commissioner Sanchez/Commissioner Schwartz; 5-2 vote.
7. Agenda B, Tab AD – Michael Wayne Young JR, not present; represented by Daniel Villazon, Esquire, present – Sales associate application approved; Vice-Chair Fitzgerald/Commissioner Fryer; 6-1 vote.
8. Agenda A, Tab M – Mark Edward Fry – present; represented by Nancy Campiglia, Esquire, present – Continued and waived 90 day.
9. Agenda A, Tab O – Zulia Garcia-Barrera, – present; represented by Nancy Campiglia, Esquire, present - Sales associate application approved; Commissioner Fryer/Commissioner Schwartz; 6-1.
10. Agenda A, Tab U – Victoria S. Lara – present; Represented by Koko Head, Esquire, Present - Brokers application approved; Commissioner Fryer/Vice-Chair Fitzgerald; 5-1 vote.
11. Agenda A, Tab AS – Berry St. Vil – present; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
12. Agenda A, Tab AE – Reynaldo Munoz – present; represented by Barbara Munoz, Esquire, present - Sales associate application approved; Commission Fitzgerald/Commissioner Fryer; 5-2 vote.
13. Agenda A, Tab C – David Alan Barstow – present; Sales associate application approved; Commissioner Fryer/Vice-Chair Fitzgerald; unanimous vote.
14. Agenda A, Tab E – Lori Camenzuli – present; Sales associate application approved with conditions; Commissioner Hornsleth/Commissioner Schwartz; 6-1 vote.
15. Agenda A, Tab F – Jayne Cathrine Carl – present; Sales associate application approved; Commissioner Fryer/Vice-Chair Fitzgerald; 4-3 vote.
16. Agenda A, Tab G – Pamela Casanova – present; Sales associate application approved; Commissioner Fryer/Commissioner Schwartz; 5-2 vote.
17. Agenda A, Tab H – Tiffany Laverne Davis – present; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
18. Agenda A, Tab J – Jani Delgado – present; Sales associate application approved with conditions, 60 days to comply; Commissioner Fryer/Vice-Chair Fitzgerald; unanimous vote.
19. Agenda A, Tab K – Alfredo Duffaut - present; Sales associate application approved; Commissioner Fryer/Commissioner Schwartz; 6-1 vote.
20. Agenda A, Tab L – Benny Fernandez, III - present; Sales associate application approved; Vice-Chair Fitzgerald/Commissioner Fryer; unanimous vote.
21. Agenda A, Tab P – Timothy J. Gordon – present; Sales associate application approved; Commissioner Fryer/Vice-Chair Fitzgerald; unanimous vote.
22. Agenda A, Tab Q – Raul Adrian Granda Calderin – present; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
23. Agenda A, Tab R – Shawn Holcomb – present; Sales associate application approved with conditions; Commissioner Ketcham/Vice-Chair Fitzgerald; 6-1 vote.
24. Agenda A, Tab S – Steven A. Jarecki – present; Sales associate application withdrawn.

25. Agenda A, Tab V – Alan Stewart Lefkin – present; Sales associate application approved; Vice-Chair Fitzgerald/Commissioner Fryer; 6-1 vote.
26. Agenda A, Tab W – Timothy Robert Loomis – present; Sales associate application approved; Commissioner Fryer/Vice-Chair Fitzgerald; 4-3 vote.
27. Agenda A, Tab AG – Christopher Paraldi – present; Sales associate application approved; Commissioner Sanchez/Commissioner Hornsleth unanimous vote
28. Agenda A, Tab AH – Gemma Pena – present; Sales associate application approved with conditions; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
29. Agenda A, Tab AL – Pedro Rico – present; Sales associate application approved; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
30. Agenda A, Tab AM– Samantha Rivera – present; Sales associate application approved; Commissioner Schwartz/Commissioner Fryer; 6-1 vote
31. Agenda A, Tab AN – Claudia Rodriguez – present; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
32. Agenda A, Tab AO – Alex Menahem Roth – present; Brokers application approved; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
33. Agenda A, Tab AR – Gary M. Smallwood – present; Sales associate approved with conditions; Commissioner Sanchez/Commissioner Fryer; unanimous vote.
34. Agenda B, Tab C – Michael T. Bruni – present; Sales associate application approved; Commissioner Fryer/Commissioner Sanchez; 5-2 vote.
35. Agenda B, Tab D – Rotchild Frantz Desgrottes – present; Sales associate application withdrawn.
36. Agenda B, Tab F – Karl R Freund – present; Brokers application approved; Commissioner Fryer/Commissioner Hornsleth; unanimous vote.
37. Agenda B, Tab G – Kia Brielle Grant – present; Sales associate application denied; Commissioner Sanchez/Vice-Chair Fitzgerald; unanimous vote.
38. Agenda B, Tab J – Tacara Shanae Hickman – present; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
39. Agenda B, Tab K – Sunny Warren Keith Hyde JR – present; Sales associate application approved; Commissioner Holsworth/Vice-Chair Fitzgerald; 5-2 vote.
40. Agenda B, Tab O – Ryan Lewis – present; Sales associate application withdrawn.
41. Agenda B, Tab Q– Luis Anibal Montanez JR – present; Sales associate application denied; Commissioner Sanchez/Commissioner Schwartz; unanimous vote.
42. Agenda B, Tab R – Meagan Mossholder – present; Sales associate application approved; Commissioner Schwartz/Commissioner Fryer; unanimous vote.
43. Agenda B, Tab S – Pamela Ann Muse – present; Sales associate application withdrawn.
44. Agenda B, Tab T– Dennys A. Perez Alejo – present; Sales associate application denied; Commissioner Sanchez/Commissioner Schwartz; unanimous vote.
45. Agenda, B, Tab W – Christopher Rock – present; Sales associate application denied; Commissioner Sanchez/Commissioner Schwartz; unanimous vote.

46. Agenda B, Tab X – Angela Grace Rossi – present; Sales associate application approved with conditions; Commissioner Fryer/Commissioner Fitzgerald; 6-1 vote.
47. Agenda B, Tab Y – Mark Benjamin Tyner – present; Sales associate application approved; Commissioner Hornsleth/Vice-Chair Fitzgerald; 6-1 vote.
48. Agenda B, Tab AA – Scott William Wisuri – present; Sales associate application approved; Commissioner Sanchez/Commissioner Hornsleth; unanimous vote.
49. Agenda B, Tab AB – Valencya Mckenna Woods – present; Sales associate application approved with conditions; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
50. Agenda B, Tab AC – Marcus Antonio Wright – present; Sale associate application withdrawn.
51. Agenda A, Tab D – Thomas Beecher – non-appearance - Sales associate application continued.
52. Agenda A, Tab I – Oscar Delatorre – non-appearance – Sales associate application denied; Commissioner Sanchez/Commissioner Fryer; unanimous vote.
53. Agenda A, Tab N – Linda Fuller – non-appearance – Brokers application approved; Commissioner Hornsleth/Commissioner Fryer; 6-1 vote.
54. Agenda A, Tab T – Tami Kelly – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
55. Agenda A, Tab W– Amy Long – non-appearance; Sales associate application denied; Vice-Chair Fitzgerald/Commissioner Fryer; unanimous vote.
56. Agenda A, Tab AA – John Mata – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
57. Agenda A, Tab AB – Ndubuisi Mbanjo – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
58. Agenda A, Tab AC – Kevin Mendoza – non-appearance; Sales associate application withdrawn.
59. Agenda A, Tab AF – Rick Osorio – non-appearance; Sales associate application continued waived 90 days.
60. Agenda A, Tab AI – Charisse Persley – non-appearance; Sales associate application continued waived 90 days.
61. Agenda A, Tab AJ – Karina Quiceno – non-appearance; Sales associate application continued waived 90 days.
62. Agenda A, Tab AK – Danielle Rance – non-appearance; Sales associate application continued waived 90 days.
63. Agenda A, Tab AP – Robert Simeone – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Hornsleth; unanimous vote.
64. Agenda A Tab AQ – Emily Simes – non-appearance; Sales associate application continued waived 90 days.
65. Agenda A, Tab AT – Deborah Sterling – non-appearance; Brokers application withdrawn.
66. Agenda A, Tab AU – Jacquella Tilley – non-appearance; Sales associate license denied; Commissioner Schwartz/Commissioner Hornsleth; unanimous vote.

- 67. Agenda B, Tab A – Ashley Arevalo – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
- 68. Agenda B, Tab B – Hilton Arias – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
- 69. Agenda B, Tab H– Eduardo Hernandez – non-appearance; Sales associate application denied; Commissioner Fryer/Commissioner Sanchez; unanimous vote.
- 70. Agenda B, Tab I – Oscar Hernandez – non-appearance; Sales associate application withdrawn.
- 71. Agenda B, Tab L – Adrian Jagdeosingh – non-appearance; Sales associate application approved; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
- 72. Agenda B, Tab M – Jason Jemison – non-appearance; Sales associate application denied; Commissioner Hornsleth/Commissioner Sanchez; unanimous vote.
- 73. Agenda, B, Tab N – Susan Kadri – non-appearance; Sales associate application denied; Commissioner Hornsleth/Commissioner Sanchez; unanimous vote.
- 74. Agenda B, Tab P – Garrett McAdams – non-appearance; Broker application continued and waived the 90 day requirement.
- 75. Agenda B, Tab U – Clarice Quinn – non-appearance; Sales associate application denied; Commissioner Hornsleth/Commissioner Fryer; unanimous vote.
- 76. Agenda B, Tab V – Tobias Rinaldi – non-appearance; Sales associate application denied; Commissioner Sanchez/Commissioner Fryer; unanimous vote.
- 77. Agenda B, Tab Z – Heather West – non-appearance; Sales associate application approved; Commissioner Hornsleth/Commissioner Sanchez; unanimous vote.

Consent Agenda A

The Commission considered 23 applicants from the Consent Agenda A; Commissioner Hornsleth moved; Commissioner Sanchez seconded the motion to approve 11 applicants and require 12 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Charles, Laura P	Cupo, Cynthia	Hennessy, Christina
Jassenoff, Laurie Beth	McCausland, Guy	McGuire, Lauren Renee
Nguyen, Brian	Pruett, Kristen	Seay, Kandice Tamekoe
Stephens, Ashley Jonnelle	Williams, Kimberly	

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

Abdellatif, Ahmed	Abidogun, Charles Olugbenga	Baena, Oscar Alejandro
Brown, Kentoria	Eitel, Valerie N	Feddon, Aaron Giddings
Heath, Edward	Hollmeyer, Bruce Allen	Laugalis, Gloria Ludvika
Pinto, Maria Hortencia	Polynice, David J.	Prosper, Rico

Consent Agenda B

The Commission considered 15 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Sanchez to approve 4 applicants and require 11 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Diamante, Anthony
Rodriguez, Claudia

Gray, Sheenaqua Anna

Hughes, Dara M.

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

Aviles, Orlando Nelson
Gaudet, Steven Michael
McGee, Rurmell
Sealey, James David

Benjamin, Marsha
Hernandez, Monalisa
McKinzie, Victoria Taylor
Wheeler, Jennifer Lynn

Davis, John Harrison
Herrero, Anthony Joseph
Rusnak, David

Public Comments

The Commission received no comments from members of the audience.

Recess

There being no objection, the Chair recessed the meeting at approximately 3:30 p.m. until 8:30 a.m. tomorrow.

August 15, 2018

Chair Luzier reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 15th day of August 2018.

COMMISSIONERS

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

Mr. Tom Barnhart, Senior Assistant Attorney General and Marlene Stern, Assistant Attorney General appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

STAFF

Katy McGinnis, Director
Denise Johnson, Deputy Director
Lori Crawford, Executive Director
Al Cheneler, Chief Attorney
Allison McDonald, Deputy Chief Attorney
Alicia Jimenez, Senior Attorney
James Fortunatas, Deputy Chief Attorney (via video conference)
Roger Maas, Senior Attorney (via video conference)
Jocelyn Pomaes, Education Coordinator
Sara Kimmig, Bureau Chief
Mike Davis, Regulatory Supervisor/Consultant
Kenny Clark, Regulatory Supervisor/Consultant
Dorothy Carter, Regulatory Specialist III
American Court Reporting, Inc. (407) 896-1813 provided court services.

Legal Agenda Schedule

Recovery Fund Case Docket

Tab A – Benjamin v. Rice, DBPR Case No. 2017051157

Mr. Fortunas presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. Mr. Fortunas relayed a request from Claimant for a continuance. Commissioner Hornsleth moved for a continuance; Commissioner Fryer seconded. The motion passed without dissent.

Tab B – Dubose v. Fox, DBPR Case No. 2017059020

The above case was removed from the Docket.

Tab C – Montalvo v. Donald, DBPR Case No. 2018023741

Mr. Fortunas presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. Mr. Fortunas recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Sanchez moved for denial. Commissioner Schwartz seconded. Motion passed without dissent.

Tab D – Rosenblatt v. Thomas, DBPR Case No. 2017052389

Mr. Fortunas presented the above matter to the Commission. Neither the Licensee nor the Claimant was present. Mr. Fortunas recommended the Commission approve the request. The Commission considered the facts and circumstances. Commissioner Fryer moved for approval. Vice-Chair Fitzgerald seconded. Motion passed without dissent.

Escrow Disbursement Orders – Agenda

Mr. Cheneler presented 19 Escrow Disbursement Orders and 1 Order for Interpleader for the Commission's consideration. Commissioner Sanchez was recused from Tabs: I, K, N, O and S. Chairman Luzier was recused from Tab J. The Commission entered into discussion. The Commission, with Chairman Luzier recused, unanimously approved Tab J. The Commission, with Commissioner Sanchez recused, unanimously approved Tabs: I, K, N, O and S. The Commission unanimously approved Tabs: B, C, D, E, F, G and H. The Commission unanimously approved Tabs: L, M, Q and R. The Commission pulled Tab P for discussion. The Commission unanimously voted to send for Interpleader. The Commission unanimously approved the remaining Orders.

Legal Appearance Docket

Tab A – Valentine Gentchov Gentchov, SL3163575; Case No, 2017039426 – Respondent's Request for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Fitzgerald was recused due to participation on the probable cause panel;

Mr. Fortunas represented the department and presented the case to the Commission. After discussion Commissioner Hornsleth moved; seconded by Commissioner Schwartz to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fryer; the motion passed 5-1 to impose the following sanctions:

Penalty: Administrative fine of \$1000.00; Investigative costs of \$429.00; complete 3 core law hours of continuing education; probation for 6 months. **Violation(s):** Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission in writing within 30 days after pleading no contest to petit theft. Section 475.25(1)(f), Florida Statutes, when he pled no contest to petit theft.

Tab B – Jason Marvin Corrales, SL3033460; Case No. 2017002376 – Respondent’s Request for Voluntary Relinquishment

Respondent was not present; Respondent was not represented by counsel. Commissioner Hornsleth was recused due to participation on the probable cause panel.

Mr. Maas represented the department and presented the case to the Commission. After discussion, Commissioner Fryer moved to move; seconded by Commissioner Sanchez; the motion passed without dissent to accept voluntary relinquishment for permanent revocation.

Action Taken: Voluntary Relinquishment of License for Permanent Revocation accepted.

Tab C – Marco Antonio Laureti, BK569847; Case No, 2017053361 – Respondent’s Request for Motion for waiver of Rights and Entry of Final Order

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Fitzgerald was recused due to participation on the probable cause panel;

Mr. Maas represented the department and presented the case to the Commission. After discussion Commissioner Hornsleth moved; seconded by Commissioner Schwartz to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fryer; the motion passed without dissent to impose the following sanctions:

Penalty: Revocation; investigative costs of \$16.60. **Violation(s):** Section 475.25(1)(p), Florida Statutes, by failing to inform the Commission that he was found guilty of the felonies of Wire Fraud Affecting a Financial Institution and Conspiracy to Commit Wire Fraud Affecting a Financial; Section 475.25(1)(f), Florida Statutes, when he was found guilty of Wire Fraud Affecting a Financial Institution and Conspiracy to Commit Wire Fraud Affecting a Financial Institution; Section 475.25(1)(b), Florida Statutes, when he was found guilty of Wire Fraud Affecting a Financial Institution and Conspiracy to Commit Wire Fraud Affecting a Financial Institution.

Tabs D-E-F – John Edward Wigglesworth, BK627074, BK3354880, BK3356214; Case No, 2016055533, 2016047629, 2016047633 – Respondent’s Settlement Stipulation

Respondent was not present; Respondent was not represented by counsel. Commissioner Fryer was recused due to participation on the probable cause panel;

Mr. Fortunas represented the department and presented the case to the Commission. After discussion Commissioner Schwartz moved; seconded by Commissioner Sanchez to decline the stipulation; the motion passed without dissent.

Review and Consideration of the Real Estate Education Courses

Tab A – *Ethics and Business Practices* - New Course (3 hours E&B, distance) – application number 34017 – 360Training.com Inc. Walk the Talk Presentations Inc.

The applicant was present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course with corrections; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab G – *Real Estate Safety Course* – New Course (4 hours, classroom) – application number 33922 – Michael Stephens Parks Jr.

The applicant was present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course with corrections; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab B – *Tax Strategies for the Real Estate Professionals* – New Course (8 hours, classroom) – application number 34054 – Council of Residential Specialists

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

Tab C – *Power Up on Smart Home Technologies* – New Course (8 hours, classroom) – application number 34059 – Council of Residential Specialists

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Vice-Chair Fitzgerald seconded the motion. The motion passed without dissent.

Tab D – *Mortgages 101* – New Course (2 hours, classroom) – application number 33655 – DBA Manic Marketing Machine, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course; Commissioner Ketcham seconded the motion. The motion passed 6-1.

Tab E – *Credit Scoring Secrets Revealed* – New Course (2 hours, classroom) – application number 33657 – DBA Manic Marketing Machine, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Commissioner Sanchez seconded the motion. The motion passed without dissent.

Tab F – *Work Smarter, Not Harder – Volume 1&2* – New Course (No hours provided, classroom) – application number 33662 – FloridaRealEstateSchools.org LLC

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

Tab H – *Florida Real Estate Law Update* – New Course (14 Hours combination law, specialty and E&B, distance) – application number 34073 – Moseley Real Estate Schools, Inc.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course with conditions; Vice-Chair Fitzgerald seconded the motion. The motion passed without dissent.

Tab I – *Real Estate Safety Matters Safe Business=Smart Business* – New Course (3 hours, classroom) – application number 33774 – Orlando Regional Realtor Assoc Real Estate School.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Hornsleth moved to approve the course; Vice-Chair Fitzgerald seconded the motion. Commissioner Fryer and Commissioner Schwartz abstained. The motion passed 5-0.

Tab J – *Basics of Biohazard Remediation* – New Course (3 hours, classroom) – application number 33745 – Purosystems LLC.

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to approve the course with conditions; Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab K – Florida 14-Hour Continuing Education – Reconsideration (14 hours combination law, specialty and E&B, distance) - application number 33572 – Institute of Real Estate Education, LLC

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Schwartz moved to vacate the Notice of Intent to Deny; Commissioner Sanchez seconded the motion. The motion passed without dissent. Commissioner Schwartz moved to approve the course; Commissioner Ketcham seconded the motion. The motion passed without dissent.

Reports

The following reports were presented to the Commission:

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

Division staff addressed questions and comments from the Commission.

General Session continued

FREC – Petitions

Petition for Declaratory Statement received from Deborah L. Wise, PA – DS 2018-054

Petition for Declaratory Statement was continued.

Rule Discussion

Rules Report

The Commission discussed the Annual Regulatory Plan and the need to have it filed by October 1st and agreed with continuing with the discussions on several rules. Mr. Barnhart stated that the final draft of the Plan will be presented next month.

FREC Counsel Barnhart advised that the Commission needs to come up with additional penalties for 2nd and subsequent offenses of violations of the Team or Group Advertising rule.

Additionally, upon motion by Commissioner Sanchez and a second by Commissioner Fryer the Commission unanimously voted to open Administrative Code Rule 61J2-3.009 for development; the motion passed without dissent.

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

General Session continued

Special Agenda

Discussion Relating to Broker Qualifications Standards

Chair Luzier continued discussions and suggested to defer until next month when they should have the information from Texas.

Chair Luzier requested Vice-Chair Fitzgerald to provide an update from the recent Florida Realtor Conference. Vice-Chair Fitzgerald stated that the Presidential Advisory Group meeting postponed the discussion and that the National Association of Realtor's are committed to working with the Florida Real

Estate Commission. Vice-Chair Fitzgerald further reported that the National Association of Realtor's are moving in a new direction with their new program "Commitment to Excellence".

Executive Director Comments

Last, Ms. Crawford reported that she, Deputy Director Johnson and Bureau Chief Kimmig traveled to Bonita Springs for an outreach presentation before members of the Bonita Springs-Estero Realtors and that Ms. Johnson conducted an outreach presentation at the Tallahassee Board of Realtors. She further reported that she and Director McGinnis would be making a presentation before the Independent Broker's Council at the Orlando Regional Realtor Association this week.

Chair's Remarks

Chair Luzier thanked the Division and staff for all of their hard work.

Vice-Chair Fitzgerald stated she received concerns from local realtors about a cloud based Real Estate Brokerage referring to all employees as Owners because they are stockholders. Commissioner Sanchez advised he too has had similar concerns expressed to him. Commission advised they would visit the topic during the Advertising Rule discussion next month.

Commissioner Sanchez began a discussion relating to Georgia giving preference points to Veterans on the Real Estate Exam and inquired about the possibility for Florida to adopt the same rule. Public comment was heard concerning preference points. The Commission stated that they would discuss this possibility at a meeting in the near future.

Public Comments

The Commission received comments from four members of the audience.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 12:00 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for September 18 and 19, 2018, in Orlando, Florida.



Thomas Luzier, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission