

**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
July 20, 2021  
Hybrid Meeting**

**July 20, 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 Tuesday, the 20<sup>th</sup> day of July, 2021.

**Commissioners**

Chair Richard "Dick" Fryer – in person  
Vice-Chair Randy Schwartz – excused absence  
Patricia "Pat" Fitzgerald – in person  
Patricia "Patti" Ketcham – in person  
Guy Sanchez, Jr. – in person  
Richard Barbara – in person  
Renee Butler – excused absence

Mr. Lawrence Harris, Senior Assistant Attorney General, appeared in person as counsel for the Commission. Mr. Harris declared quorum present.

**Staff**

Giuvanna Corona, Executive Director – in person  
Al Cheneler, Chief Attorney – in person  
Emy Orellana, Regulatory Consultant – in person  
Jocelyn Pomales, Education Coordinator – in person  
Janice Lugo, Operations Support Supervisor – via telephone  
Linda Doolittle, Regulatory Consultant – in person  
Damon Boodram, Operation Review Specialist – in person  
Heather Page, General Counsel Attorney – in person  
Amanda Bova, General Counsel Attorney – in person  
Katie Pareja, General Counsel Attorney – in person

**Education Agenda**

Giuvanna Corona, Executive Director, presented 4 Real Estate Education Course for the Commission's review and consideration.

**Tab A** – Teaching Techniques – New Course (8 hours Teaching Techniques, Classroom) – application number 48075 – Dade Real Estate School

The applicant was present in support of the application. After discussion, the applicant withdrew the application.

**Tab B** – Understanding Home and Building Inspections for Realtors – New Course (3 hours Specialty, Classroom) – application number 48995 – Professional Training & Consultants, Inc.

The applicant was present in support of the application. After discussion, Commissioner Barbara moved to deny the course; seconded by Commissioner Sanchez; the motion passed unanimously.

**Tab C** – ACE Investor 3: Helping Your Customers Crunch the Numbers – New Course (4 hours Specialty, Classroom) – application number 48915 – Walk the Talk Presentations Inc.

The applicant was not present in support of the application. After discussion, Commissioner Fitzgerald moved to approve the course; seconded by Commissioner Barbara and Commissioner Ketcham; the motion passed unanimously.

**Tab D – ACE Investor 3: Helping Your Customers Crunch the Numbers – New Course (4 hours Specialty, Live Stream) – application number 48918 – Walk the Talk Presentations Inc.**  
The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to approve the course; seconded by Commissioner Fitzgerald and Commissioner Sanchez; the motion passed unanimously.

**Summary of Applicants**  
**Agenda A**

Giuvanna Corona, Executive Director, presented 49 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED BY:	SECONDED BY:	VOTE	COUNT
A	Abukhdeir, Ibrahim	No	Continued and Waived 90 days.			
B	Acevedo, Michael Anthony	No	Ketcham	Barbara	Approved	Unanimous
C	Adams, Robert Lenard Jr	Yes	Withdrawn			
D	Albino, Bernard Clifton	Yes	Barbara	Fitzgerald	Approved	4-1
E	Alfonso, Onelia B	Yes	Sanchez	Fitzgerald	Approved	Unanimous
F	Arwood, Steven Lawrence	No	Sanchez	Fitzgerald	Denied	Unanimous
G	Aspelly, Claire	Yes	Barbara	Fitzgerald	Approved	4-1
H	Azua, Roberto L	Yes	Withdrawn			
I	Barrientos, Noel Antonio	Yes	Fitzgerald	Ketcham	Approved	4-1
J	Bishop, Richard James III	Yes	Fitzgerald	Ketcham	Approved	Unanimous
K	Black, Duncan M	Yes	Fitzgerald	Barbara	Approved	Unanimous
L	Bock Dixon, Sharon L	No	Ketcham	Barbara	Approved	Unanimous
M	Bowers, Theo Roosevelt Daniel Villazon, Esq.	Yes Yes	Barbara	Fitzgerald	Approved	4-1
N	Burgo, Mattilyn	No	Ketcham	Barbara	Approved	Unanimous
O	Burke, Timothy	No	Barbara	Fitzgerald	Approved	Unanimous
P	Butler, Rhodesia	No	Barbara	Ketcham	Approved	Unanimous
Q	Charles, Elliot	Yes	Barbara	Fitzgerald	Approved	Unanimous

R	Chimenti, David Charles	Yes	Sanchez	Fitzgerald	Denied	4-1
S	Clark, Sharon	Yes	Barbara	Fitzgerald	Approved	Unanimous
T	Cohen, Brett	Yes	Ketcham	Barbara	Approved	Unanimous
U	Coleman, Jessica	Yes	Ketcham	Sanchez	Approved	Unanimous
V	Conner, Damien	Yes	Ketcham	Barbara/Fitzgerald	Approved	Unanimous
W	Cordial, Elizabeth Nicole	Yes	Barbara	Fitzgerald	Approved	Unanimous
X	Denard, Vaughn E	Yes	Fitzgerald	Barbara	Approved	4-1
Y	Deras, Marlen Yamileth	Yes	Sanchez	Fitzgerald	Denied	Unanimous
Z	Deshield, Precious	No	Sanchez	Barbara	Approved	Unanimous
AA	Doobay, Satrupa Devi	Yes	Barbara	Fitzgerald	Approved	Unanimous
AB	Dukes, Kevin	No	Barbara	Sanchez	Denied	Unanimous
AC	Enriquez, Joshua Randolph	Yes	Withdrawn			
AD	Fisher, Lauren Alexa	Yes	Barbara	Ketcham	Approved	Unanimous
AE	Flores, Nitza V	Yes	Ketcham	Fitzgerald	Approved	4-1
AF	Garces, Jorge G	Yes	Barbara	Fitzgerald	Approved	Unanimous
AG	Gilbert, Cleveland	Yes	Barbara	Sanchez	Approved	Unanimous
AH	Gillette, Lauren B	Yes	Fitzgerald	Barbara	Approved	Unanimous
AI	Gray, Deidre M	Yes	Fitzgerald	Sanchez	Approved	Unanimous
AJ	Griggs, Daniel	Yes	Fitzgerald	Barbara	Approved	Unanimous
AK	Hall, Johnathan	Yes	Fitzgerald	Barbara	Approved	4-1
AL	Harvey, Angela	Yes	Fitzgerald	Barbara	Approved	Unanimous
AM	Hernandez, Anacelia	Yes	Fitzgerald	Barbara	Approved	Unanimous
AN	Hernandez, Shearlynn Damiana	No	Sanchez	Fitzgerald	Denied	Unanimous

AO	Hopkins, Melissa Wave	Yes	Barbara	Sanchez/Fitzgerald	Approved	Unanimous
AP	Hudson, Hosie	No	Sanchez	Ketcham	Denied	Unanimous
AQ	Hyland, William Hugh	Yes	Barbara	Sanchez	Approved	Unanimous
AR	Iglesias, Dayamirys	No	Sanchez	Ketcham	Denied	Unanimous
AS	Iotova, Antoaneta	Yes	Withdrawn			
AT	Jenkins, Jessica Lynn	Yes	Barbara	Fitzgerald	Approved	Unanimous
AU	Jeudy, Samyrrha	Yes	Fitzgerald	Sanchez/Barbara	Approved	Unanimous
AV	Johnson, Eleazar L	No	Barbara	Sanchez	Approved	Unanimous
AW	Jones, Kimberly L	Yes	Barbara	Fitzgerald	Approved	Unanimous

**Agenda B**

Giuvanna Corona, Executive Director, presented 47 Applicants requesting to sit for the real estate examination. Results are as follows:

TAB	NAME	PRESENT	MOVED BY	SECONDED BY:	VOTE	COUNT
A	Karan, Ali Cevat	Yes	Barbara	Fitzgerald	Approved	Unanimous
B	Lamas, Jennifer	Yes	Barbara	Ketcham	Approved	4-1
C	Lattner, Jim Terrell	Yes	Barbara	Fitzgerald/Ketcham	Approved	4-1
D	Lowrey, Kurt Lane Daniel Villazon, Esq.	No Yes	Barbara	Sanchez	Approved	Unanimous
E	Maclaughlin, Elizabeth	Yes	Fitzgerald	Sanchez	Approved	Unanimous
F	Mahoney, Katherine	Yes	Fitzgerald	Sanchez/Barbara	Approved	Unanimous
G	Manrique, Kevin Daniel	Yes	Fitzgerald	Sanchez	Approved	Unanimous
H	Marcis, Jeanne M	Yes	Barbara	Sanchez	Approved	Unanimous
I	Marrone, Jonathan R	Yes	Barbara	Fitzgerald	Approved	Unanimous
J	Masterson, Stephen	No	Continued and Waived the 90 Days			
K	Mccree, Alicia Monique	Yes	Fitzgerald	Sanchez	Approved	Unanimous

L	Mead, Don Jr.	No	Barbara	Sanchez	Approved	Unanimous
M	Melton, Chad Lewis	Yes	Ketcham	Sanchez	Approved	Unanimous
N	Mesk, Loris	Yes	Barbara	Sanchez	Approved	Unanimous
O	Morillo, Robert Kenneth	Yes	Barbara	Fitzgerald	Approved	3-2
P	Morris, Byron Scott	Yes	Fitzgerald	Barbara	Approved	Unanimous
Q	Moyers, Ricardo Joel	Yes	Barbara	Fitzgerald	Approved	Unanimous
R	Najera, Elys Yamileth	No	Sanchez	Barbara	Approved	Unanimous
S	Nelson, Adeline	Yes	Barbara	Ketcham	Approved	Unanimous
T	Novembre, Selestre Jr	No	Sanchez	Barbara	Denied	Unanimous
U	Olivo, Sheila	Yes	Barbara	Sanchez	Approved	Unanimous
V	Portnoy Shturman, Isaac Daniel Villazon, Esq.	Yes Yes	Fitzgerald	Barbara	Approved	Unanimous
W	Ramjas, Bachan	Yes	Barbara	Fitzgerald	Approved	Unanimous
X	Ramos, Reanna M	Yes	Barbara	Fitzgerald	Approved	Unanimous
Y	Rayon Vital, Mirella	Yes	Barbara	Ketcham	Approved	Unanimous
Z	Remick, Scott Nelson	Yes	Barbara	Fitzgerald	Approved	Unanimous
AA	Ruiz, Leslie Gino Megna, Esq.	Yes Yes	Barbara	Fitzgerald	Approved	4-1
AB	Salazar, Liliana	Yes	Barbara	Fitzgerald	Approved	Unanimous
AC	Sentmat, Cesar Antonio	Yes	Sanchez	Ketcham	Deny	Unanimous
AD	Shaw, Dominic A	Yes	Ketcham	Barbara	Approved	Unanimous
AE	Shine, Danielle	No	Barbara	Fitzgerald	Approved	4-1
AF	Smith, Tonya A	Yes	Barbara	Fitzgerald	Approved	4-1
AG	Stfleurl, Yachebele Sofia	Yes	Barbara	Fitzgerald/Sanchez	Approved	Unanimous
AH	Street, Freddie Tremaine	Yes	Barbara	Fitzgerald	Approved	Unanimous

AI	Tack, Andrew James	Yes	Withdrawn			
AJ	Thieret, Elijah	Yes	Fitzgerald	Barbara	Approved	4-1
AK	Timms, Shakela	Yes	Ketcham	Fitzgerald	Approved	Unanimous
AL	Vallina, Amanda Lynn	Yes	Barbara	Fitzgerald	Approved	Unanimous
AM	Velasquez, Cesar Felipe	Yes	Ketcham	Barbara	Approved	Unanimous
AN	Veloz, Michelle	Yes	Fitzgerald	Sanchez	Approved	Unanimous
AO	Watkins, Stephen Donovan	Yes	Sanchez	Fitzgerald	Approved	Unanimous
AP	Webb Cullen, Michael Adrian	Yes	Fitzgerald	Sanchez/Barbara	Approved	Unanimous
AQ	West, Daniel Lee	No	Barbara	Fitzgerald	Approved	Unanimous
AR	Williams, Mariana Santos	Yes	Ketcham	Fitzgerald	Approved	3-2
AS	Yuma, Christian	Yes	Barbara	Fitzgerald	Approved	Unanimous
AT	Zack, Darce Marie	Yes	Fitzgerald	Barbara	Approved	Unanimous
AU	Zene, Carl	Yes	Sanchez	Barbara	Approved	Unanimous

**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 August 21, 2021, via Hybrid.

ATTEST:

  
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 Raddy J. Schwartz, Vice-Chair  
 Florida Real Estate Commission

  
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 Giovanna Corona, Executive Director  
 Florida Real Estate Commission

**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
July 21, 2021  
Hybrid Meeting**

**July 21, 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 21st day of July, 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 – excused absence  
Patricia “Patti” Ketcham – in person  
Patricia “Pat” Fitzgerald – in person  
Guy Sanchez, Jr. – in person  
Patricia “Patti” Ketcham – in person  
Richard Barbara – in person  
Renee Butler – excused absence

Mr. Lawrence Harris, Senior Assistant Attorney General, appeared in person, counsel for the Commission. Mr. Harris declared quorum present.

**Staff**

Giovanna Corona, Executive Director – in person  
Al Cheneler, Chief Attorney – in person  
James Fortunas, Deputy Chief Attorney – via Live-Stream  
Mackenzie Medich, Deputy Chief Attorney – via Live-Stream  
Amanda Bova, Assistant General Counsel – in person  
Kamilah Brennen, Assistant General Counsel – via Live-Stream  
Bill Childers, Assistant General Counsel – via Live-Stream  
Daniel David, Assistant General Counsel – via Live-Stream  
Heather Page, Assistant General Counsel – in person  
Katie Pareja, Assistant General Counsel – in person  
Jocelyn Pomales, Education Coordinator – in person  
Emy Orellana, Regulatory Consultant – in person  
Linda Doolittle, Regulatory Consultant – in person

**Escrow Disbursement Orders – Agenda**

Heather Page, Assistant General Counsel, presented 5 Escrow Disbursement Orders and 1 Interpleader Order.

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

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

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

Commissioner Barbara moved to approve Tab F of the Escrow Disbursement Order as an Interpleader; seconded by Commissioner Sanchez; the motion passed unanimously.

## Recovery Fund Claims Docket

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

### **Tab A – RFC Mendez V Amy, Case Number 2020-0583894**

Claimant was present and was not represented by Counsel; Licensee was not present and was not 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.

## Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 8 docket items with the following results:

### **Tab A – Craig A. Lowy, SL3179817, Case No. 2020-050767 – Respondent’s Request for Informal Hearing**

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

After discussion, Commissioner Ketcham moved; seconded by Commissioner Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Fitzgerald; to impose the following sanctions: **revocation; investigative costs of \$478.50**; the motion passed with a 3-1 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 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 B – Oscar Platone, SL3364688, Case No. 2020-043269 – Respondent’s Request for Informal Hearing with Possible Settlement**

The Respondent was not present and was represented by counsel; Mr. Frank E. Blanco, Esq., present. Ms. Bova represented the Department. Commissioner Ketcham and Vice-Chair Schwartz served on probable cause and were recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Sanchez; to deny the Settlement stipulation. Commissioner Barbara moved; seconded by Commissioner Sanchez; 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: **revocation; investigative costs of \$990.00**; the motion passed without dissent.

**Violation(s):** Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a licensee 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 C – Joseph Lopez, SL3330267, Case No. 2021-008045 – Motion for Waiver and Entry of Final Order**

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

After discussion, Commissioner Ketcham moved; seconded by Commissioner Barbara and Commissioner Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Fitzgerald; to impose the following sanctions: **revocation; investigative costs of \$396.00**; the motion passed without dissent.

**Violation(s):** Section 475.25(1)(e), Florida Statutes, through a violation of Rule 61J2-14.009, Florida Administrative Code, by failing to deliver any deposit to the broker, or employer, no later than the end of the next business day following the receipt of the item to be deposited.

**Tab D – Burton Zupa, SL452423, Case No. 2021-006471 – Motion for Waiver and Entry of Final Order**

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

After discussion, Commissioner Ketcham moved; seconded by Commissioner Barbara; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Barbara; to impose the following sanctions: **probation for 6 months; 3-hour core law education; investigative costs of \$990.00**; 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.

**Tab G – Joseph Mondelli Jr., SL573844, Case No. 2020-049143 – Settlement Stipulation**

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

After discussion, Commissioner Barbara moved to accept the Settlement Stipulation reject the proposed disposition/penalty; seconded by Commissioner Fitzgerald; the motion passed without dissent. Commissioner Fitzgerald moved; seconded by Commissioner Barbara; to impose the following sanctions: **suspension for 6 months; administrative fine of \$1,000.00; investigative costs of \$792.00; 30-hour Broker Management Post-License course**; the motion passed without dissent.

**Violation(s):** 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 H – Gerard A. Lamia, SL613659, Case No. 2021-019965 – Voluntary Surrender**

After discussion, Commissioner Ketcham moved; seconded by Commissioner Sanchez; to accept the voluntary surrender; the motion passed without dissent.

#### **Tabs E and F – Kody Alan Calitri and Garrett Jerome McAdams, Case Nos. 2021-002689 and 2021-008653 – Settlement Stipulation**

The above referenced cases were continued to August Legal Agenda.

#### **Special Agenda Legal**

##### **Tab A – Request for Modification of Final Order – Shawn Elliot, DBPR Case No. 2020-004126**

The petitioner was present in support of the request and was represented by counsel, Mr. Daniel Villazon, Esquire, present. After discussion, Commissioner Barbara moved to approve the request to modify the Final Order; seconded by Commissioner Fitzgerald; the motion passed unanimously.

##### **Tab B – Stipulated Motion to Clarify or Amend Final Order – Violette DeSantus, DBPR Case No. 2020-025444**

The petitioner was not present in support of the request and was not represented by counsel. After discussion, Commissioner Fitzgerald moved; seconded by Commissioner Ketcham; to grant the stipulated motion. The motion passed unanimously.

##### **Tab C – Request for Modification of Final Order – Robert Hetsler, DBPR Case No. 2018-003303**

The petitioner was present in support of the request and was not represented by counsel. After discussion, Commissioner Barbara moved; seconded by Commissioner Fitzgerald; to grant the request. The motion passed with a 3-2 vote.

#### **Petition**

##### **Tab A – Petition for Declaratory Statement – Nadine Frees – DS2021-027**

The petitioner was present in support of the request and was not represented by counsel. After discussion, Commissioner Barbara moved; seconded by Commissioner Sanchez and Commissioner Fitzgerald; to deny the Petition for Declaratory Statement. The motion passed unanimously.

#### **Rules**

##### **Tab A – 2021-22 Annual Regulatory Plan**

After discussion, Commissioner Sanchez moved; seconded by Commissioner Fitzgerald; to approve the Annual Regulatory Plan. The motion passed unanimously.

#### **Consent Agenda A and B**

The Commission considered 55 applicants from the Consent Agenda A and 60 applicants from the Consent Agenda B; Commissioner Fitzgerald moved; Commissioner Barbara seconded, to approve the result as presented; the motion passed with a vote. See attached.

#### **Meeting Minutes and Reports**

Ms. Corona, FREC Executive Director, presented the June 2021 Meeting Minutes for approval. Commissioner Barbara moved; seconded by Commissioner Sanchez; to approve the June 2021 Meeting Minutes. The motion passed unanimously.

Ms. Corona, FREC Executive Director, presented the Division reports for the 2021-2022 end of fiscal year. The Financial Report was continued to August. Mr. Cheneler, Chief Attorney, presented the Legal Reports for June 2021. Mr. Harris, Board Counsel, presented the Rules Report for June 2021.

**Agenda C**

Giuvanna Corona, Executive Director, presented 8 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	Burman, Yancey Jr. Daniel Villazon, Esq.	Yes Yes	Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Sanchez; motion passed unanimously.			
B	Cardenas, Zoila	Yes	Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Fitzgerald; motion passed with a 4-1 vote. Applicant used their own translator.			
C	El, Set	Yes	Commissioner Sanchez moved to uphold the Notice of Intent to Deny and approve the application; seconded by Commissioner Fitzgerald; motion passed with a 3-2 vote.			
D	Hamilton, Shannon Daniel Villazon, Esq.	Yes Yes	Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Fitzgerald; motion passed with a 3-2 vote.			
E	Skiles, Brian Magali Salem, Esq.	Yes Yes	Commissioner Fitzgerald moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Barbara; motion passed unanimously. Commissioner Sanchez was recused.			
F	Sperry, Mark Daniel Villazon, Esq.	Yes Yes	Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Ketcham; motion passed with a 3-2 vote.			
G	Springhorn, Shannon	Yes	Commissioner Sanchez moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Barbara; motion passed unanimously.			
H	Taylor Charles Daniel Villazon, Esq.	Yes Yes	Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Fitzgerald; motion passed with a 3-2 vote.			

**Agenda D**

Giuvanna Corona, Executive Director, presented 30 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	Cruz, Jessica	Yes	Barbara	Fitzgerald	Approved	4-1
B	Friedle, Kathleen	Yes	Barbara	Ketcham	Approved	Unanimous
C	Harkins, Cynthia	Yes	Ketcham	Barbara	Approved	4-1

D	Hobbs, Christopher	No	Barbara	Sanchez	Denied	Unanimous
E	Jean, Nathalie	Yes	Barbara	Sanchez	Approved	Unanimous
F	Johnson, Nathan Robert	Yes	Ketcham	Sanchez	Approved	Unanimous
G	Kasparian, Rich	Yes	Fitzgerald	Barbara	Approved	4-1
H	Lorie, Alejandro	No	Continued and Waived 90 Days			
I	Oen, Jason	Yes	Fitzgerald	Barbara	Approved	Unanimous
J	Ordonez, Jaileen	No	Fitzgerald	Sanchez	Approved	Unanimous
K	Pavenko, Oksana	No	Barbara	Sanchez	Approved	Unanimous
L	Purifoy, Linda	Yes	Barbara	Fitzgerald	Approved	Unanimous
M	Ramirez, Raul	Yes	Barbara	Fitzgerald	Approved	Unanimous
N	Restrepo, Angelica M.	Yes	Barbara	Sanchez	Denied	Unanimous
O	Rivera, Carlos Ottoniel	Yes	Fitzgerald	Barbara	Approved	Unanimous
P	Roberts, Bradley	No	Continued and Waived 90 Days			
Q	Rodriguez Lopez, Ernesto	Yes	Ketcham	Sanchez	Denied	4-1
R	Rodriguez, Maria Caridad	Yes	Barbara	Sanchez	Approved	Unanimous
S	Samadi, Reza	Yes	Fitzgerald	Sanchez	Approved	Unanimous
T	Schroeder, Deborah	Yes	Barbara	Fitzgerald	Approved	4-1
U	Seward, Shayna	Yes	Barbara	Sanchez	Approved	Unanimous
V	Smith, Anthony	Yes	Barbara	Fitzgerald	Approved	Unanimous
W	Tantius, Thomas Scott	No	Barbara	Sanchez	Approved	Unanimous
X	Trabert, Taylor	Yes	Sanchez	Ketcham	Denied	3-2
Y	Valentin, Giselle	Yes	Barbara	Sanchez	Approved	Unanimous
Z	Valiant, Jason	No	Continued and Waived 90 Days			

AA	Wasiak, Robert	Yes	Barbara	Sanchez	Approved	Unanimous
AB	Winton, Robert	No	Barbara	Sanchez	Approved	Unanimous
AC	Wolf, Donna	Yes	Ketcham	Fitzgerald	Approved	Unanimous
AD	Yarusso, Gary	Yes	Barbara	Ketcham	Approved	Unanimous

**Public Comment**

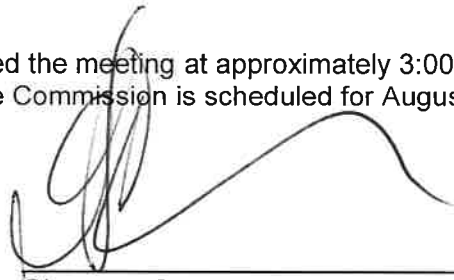
The Commission did not receive public comment.

**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 August 18, 2021, in Orlando via Hybrid.

ATTEST:

  
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 Randy J. Schwartz, Vice-Chair  
 Florida Real Estate Commission

  
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 Giovanna Corona, Executive Director  
 Florida Real Estate Commission

Julie I. Brown, Secretary

Ron DeSantis, Governor

**Amended Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
July 22, 2021  
General Workshop - Hybrid**

**July 22, 2021**

Chair Dick Fryer called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., in Orlando, Florida, on this Thursday, the 22<sup>nd</sup> day of July, 2021.

**Commissioners**

Chair Richard "Dick" Fryer

Patricia "Patti" Ketcham

Patricia "Pat" Fitzgerald

Richard Barbara

Vice-Chair Schwartz, Commissioner Sanchez and Commissioner Butler were excused and not present.

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

**Staff**

Giuvanna Corona, Executive Director

Emy Orellana, Regulatory Consultant

Magnolia Court Reporting, Inc. (407) 896-1813 provided court services.

**Other Attendees**

Jolita (Jo) Brazzano, Broker/Owner Brazzano Real Estate and Management

Bill Christen, Goldcoast

Karen Climer, Instructor Demetree School of Real Estate

Linda Crawford, Author Dearborn Publishing Company

Wayne Hasse, Goldcoast/Calibre

Denise Johnson, Instructor Watson Realty

Joel Maxson, Florida Realtors

Chair Fryer stated the purpose of the workshop was to discuss the 2021-22 rulemaking of the below listed rules:

61J2-1.011 License Fees and Examination Fees

61J2-1.016 Review of Fees

61J2-2.030 Notice of Denial

61J2-2.032 Informal Hearings

61J2-3 Minimum Education Requirements

61J2-10.025 Advertising

61J2-10.026 Team or Group Advertising

61J2-17.015 Required Communication by School Permit Holders

61J2-24.001 Disciplinary Guidelines

61J2-24.006 Probation

61J2-26.002 Residency

## Rule 61J2-1.011 License Fees and Examination Fees

The purpose of this rule discussion is to update and revise the language regarding types of applications, renewals and certain fees. Proposed language was submitted to the Commission for review and consideration. The Commission received comments from the audience. After discussion, Commissioner Ketcham moved to approve the proposed language with amendments; seconded by Commissioner Barbara; the motion passed without dissent. In addition, the Commission requested a budget forecast analysis to determine whether the fees can be reduced again.

Substantial rewording of Rule 61J2-1.001 is as follows:

(1) Every person, partnership, limited liability partnership, corporation or limited liability company deemed and held to be a licensee under Chapter 475, F.S., must register with the Florida Real Estate Commission (Commission) and must secure a license for each license period.

(2) The application fee shall be as follows:

<u>(a) Broker</u>	<u>\$14.75</u>
<u>(b) Sales Associate</u>	<u>\$14.75</u>
<u>(c) School Instructor</u>	<u>\$14.75</u>

(3) Effective July 1, 2021, the biennial fees for licensure shall be as follows:

<u>(a) Broker</u>	<u>\$72.00</u>
<u>(b) Sales Associate</u>	<u>\$64.00</u>
<u>(c) School Instructor</u>	<u>\$64.00</u>

(4) Effective July 1, 2021, the biennial fees for permits shall be as follows:

<u>(a) Real Estate School</u>	<u>\$104.00</u>
<u>(b) Real Estate School Additional Location</u>	<u>\$45.00</u>

(5) The fees for each application submitted by an entity, sponsor, organization and individual equivalent offering education courses shall be as follows:

<u>(a) Education offering</u>	<u>\$80.00</u>
<u>(b) For each biennial education course offering renewal</u>	<u>\$80.00</u>

(6) Effective July 1, 2021, the initial registration and biennial renewal fees for registration of a corporation, partnership, limited liability company or limited liability partnership shall be as follows:

<u>(a) Corporation, partnership, limited liability company or limited liability partnership</u>	<u>\$72.00</u>
<u>(b) Branch office for a corporation, partnership, limited liability company or limited liability partnership</u>	<u>\$64.00</u>

(7) Fees shall be charged for the following purposes:

<u>(a) Change of Individual License to Professional Association or Professional Association to Individual License</u>	<u>\$30.00</u>
<u>(b) Late fee</u>	<u>\$25.00</u>

(8) Fees for worthless payment instrument (check, draft, order of payment, debit card order, or electronic funds transfer):

(a) Pursuant to Section 68.065, Florida Statutes, if the payee of a payment instrument, the payment of which is refused by the drawee because of lack of funds, lack of credit, or lack of an account, or where the maker or drawer stops payment on the instrument with intent to defraud, the following service fees shall be charged:

<u>1. Face value does not exceed \$50.00</u>	<u>\$25.00</u>
<u>2. Face value exceeds \$50.00 but does not exceed \$300.00</u>	<u>\$30.00</u>

3. <u>Face value exceeds \$300.00</u>	<u>\$40.00 or 5% of the value of the payment instrument, whichever is greater.</u>
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(b) Pursuant to Subsection 215.34(2), Florida Statutes, whenever a check, draft, or other order for the payment of money is returned, the following service fees shall be charged: \$15.00 or 5% of the face value of the payment instrument, whichever is greater.

(9) The fee and the time of payment for an inactive license shall be the same as for an active license, as set forth in paragraph (3) of this rule; however, there is no inactive branch office license.

(10) No later than December 31, 2026, the Commission shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 455.219, 475.05, 475.125, 475.24 FS. Law Implemented 215.34(2), 455.219, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451, ~~68.065~~ FS. History—New 10-10-79, Amended 1-1-80, 4-14-81, 9-13-82, 10-19-83, 8-12-84, 10-13-85, Formerly 21V-1.11, Amended 2-1-87, 1-1-88, 5-5-88, 10-13-88, 9-10-89, 1-4-90, 2-13-90, 3-27-90, 8-21-90, 10-9-90, 1-13-91, 8-19-91, 7-1-93, Formerly 21V-1.011, Amended 7-1894, 12-17-95, 12-30-97, 1-19-99, 4-18-99, 2-24-00, 11-17-03, 3-8-05, 12-6-07, 8-18-08, 5-8-13, 6-29-14, 9-16-15, 9-13-16, 9-27-17, 8-15-19, 12-31-19, \_\_\_\_\_.

**Rule 61J2-1.016 Review of Fees**

See 61J2-1.011

**Rule 61J2-2.030 Notice of Denial**

The purpose of this rule discussion is to remove old language and update with more clarifying text. Proposed language was submitted to the Commission for review and consideration. The Commission received comments from the audience. After discussion, Commissioners Fitzgerald and Ketcham moved to approve the proposed language; seconded by Commissioner Barbara; the motion passed without dissent.

The proposed text of Rule 61J2-2.030 is as follows:

- ~~(1) When an application is shall be denied by the Commission, a copy of the order shall be mailed to the applicant shall be notified in writing through a copy of the order by email, or by registered or certified mail, or actual service, or constructive service, in a manner as provided in Chapter 120, F.S., if If notification is returned unserved, the Department shall attempt again to notify the applicant after making reasonable effort to determine the applicant's correct mailing or email address. service upon the applicant by registered or certified mail, or actual service, is not obtainable, setting forth the reasons for the denial and advising that the applicant has 21 days from date of receipt to request a hearing in accordance with Chapter 120, F.S.~~
- (2) The order shall include the reasons for the denial and advise the applicant has 21 days from the date of receipt to request a hearing in accordance with Chapter 120, F.S.

Rulemaking Authority 475.05 FS. Law Implemented ~~455.275~~, 120.569, 120.60 FS. History—New 1-1-80, Formerly 21V-2.30, Amended 6-28-93, Formerly 21V-2.030, Amended 11-10-97, \_\_\_\_\_.

**Rule 61J2-2.032 Informal Hearings**

The purpose of this rule discussion is to repeal the rule. The Commission received comments from the audience. After discussion, Commissioners Fitzgerald and Ketcham moved to repeal Rule 61J2-2.032; seconded by Commissioner Barbara; the motion passed without dissent.



### **Rule 61J2-3 Minimum Education Requirements**

The purpose of this rule discussion is to adopt the proposed language to Notices for Satisfactory Course Completion and review the language in Pre-Licensing Education for Broker and Sales Associate Applicants and Continuing Education for Active and Inactive Broker and Sales Associate Licensees. After a lengthy discussion, Commissioner Fitzgerald moved to withdraw rule making on Rule 61J2-3.105; seconded by Commissioner Ketcham; the motion passed without dissent. Furthermore, the Commission requested public comment in reference to the rule for discussion in the September 2021 workshop.

### **Rule 61J2-10.025 Advertising**

The purpose of this rule discussion is to remove old language and update language in reference to current requirements for “online advertising” to other electronic platforms including, but not limited to, the internet, social media, short message service (SMS), mobile applications, etc. The Commission received comments from the audience. After discussion, Commissioner Barbara moved to open rule 61J2-10.025 for development to update the language to apply to all electronic advertising; seconded by Commissioner Fitzgerald; the motion passed without dissent.

### **Rule 61J2-10.026 Team or Group Advertising**

The purpose of this rule discussion is to remove old language that is no longer relevant to the rule. The Commission received comments from the audience. After discussion, Commissioner Barbara moved to open rule 61J2-10.026 for development and accept the proposed language; seconded by Commissioner Fitzgerald; the motion passed without dissent.

The proposed text of Rule 61J2-10.026 is as follows:

*(1) through (6) no change.*

~~*(7) All advertisements must comply with these requirements no later than July 1, 2019.*~~

*(7) Nothing in this rule shall relieve the broker of their legal obligations under chapter 475, Florida Statutes, and division 61J2, Florida Administrative Code.*

*Rulemaking Authority 475.05, 475.25(1)(c) FS. Law Implemented 475.25 FS. History—New 6-18-18, Amended 7-1-19,\_\_\_\_\_.*

### **Rule 61J2-17.015 Required Communication by School Permit Holders**

The purpose of this rule discussion is to remove the classroom limitation and add sunset language. The Commission received comments from the audience. After discussion, Commissioner Barbara moved to open rule 61J2-17.015 for development and accept the proposed language; seconded by Commissioner Fitzgerald; the motion passed without dissent.

The proposed text of Rule 61J2-17.015 is as follows:

*(1) No real estate school, permit holder or instructor shall recruit for employment opportunities for any real estate brokerage firm during ~~classroom~~ instructional time.*

*(2) Each school permit holder must post in every classroom and administrative area, and read at the beginning of each course, the following statement: “Recruiting for employment opportunities for any real estate brokerage firm must be accomplished outside the prescribed ~~classroom~~ instructional time. Noncompliance should be reported to the Commission.”*

*(3) No later than December 31, 2026, the Commission shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.*

*Specific Authority 475.05 FS. Law Implemented 475.451(1),(2)(a),(c) FS. History—New 6-28-93, Formerly 21V-17.015,\_\_\_\_\_.*

**Rule 61J2-24.001 Disciplinary Guidelines**

The purpose of this rule discussion is to update the language regarding disciplinary guidelines, citation authority and notification of noncompliance. The Commission received comments from the audience. After discussion, the Commission provided board counsel with guidance and instructions to produce an initial draft of revisions to the entire rule for review and consideration at the September 2021 workshop.

**Rule 61J2-24.006 Probation**

The purpose of this rule discussion is to update the language with clarifying text. The Commission received comments from the audience. After discussion, Commissioner Barbara moved to open rule 61J2-24.006 for development and accept the proposed language; seconded by Commissioner Fitzgerald; the motion passed without dissent.

The proposed text of Rule 61J2-24.006 is as follows:

(1) through (4) no change.

(5) Unless otherwise stated in the final order, ~~t~~The respondent will be released early from probation upon the successful completion of the terms of probation and the required information being submitted to the Division of Real Estate Legal Section.

(6) No change.

*Rulemaking Authority 475.05 FS. Law Implemented 455.227, 475.25(4) FS. History—New 2-13-96, Amended 11-10-97, 12-8-02, 7-10-06, 1-11-11, 8-31-16,\_\_\_\_\_.*

**Rule 61J2-26.002 Residency**

The purpose of this rule discussion is review the language in reference to the identification of Florida resident and the application requirements therein. The Commission received comments from the audience. After discussion, the Commission determined no action was needed at this time.

**Adjournment**

There being no other business and no objection, the Chair adjourned the meeting at approximately 2:36 p.m. The next rules workshop meeting of the Florida Real Estate Commission is scheduled for September 22, 2021, via Hybrid.

ATTEST:

  
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Randy J. Schwartz, Vice-Chair  
Florida Real Estate Commission

  
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Giovanna Corona, Executive Director  
Florida Real Estate Commission