

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
April 19, 2022
Hybrid Meeting**

April 19, 2022

Vice 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 19th day of April 2022.

Commissioners

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

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
Tobechi “Charles” Bob-Duru, Regulatory Specialist III – in person
Jocelyn Pomales, Education Coordinator – via Live-Stream
Janice Lugo, Operations Support Supervisor – via Live-Stream
Linda Doolittle, Regulatory Consultant – in person
Bradley DeRamos, Regulatory Specialist II – in person
Damon Boodram, Operation Review Specialist – in person
Amanda Bova, Assistant General Counsel Attorney – in person
Katie Pareja, Assistant General Counsel Attorney – in person
Christie Earls, Intern – in person

Education Agenda

Giuvanna Corona, Executive Director, presented 6 Real Estate Education Courses for the Commission’s review and consideration.

Tab A – Calculating Value in Real Estate – New Course (3 hours Specialty, Distance) – application number 54872 – Aceable Real Estate School

The applicant was 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 – Understanding and Managing your Personal Credit– New Course (5 hours Post Licensing, Classroom) – application number 55025 – Give Us Credit LLC.

The applicant was present in support of the application. After discussion, Commissioner Ketcham moved to deny the course; seconded by Commissioner Butler. The motion passed without dissent.

Tab C – Real Property Appraisals – New Course (4 hours Specialty/Business Ethics, Distance) – application number 54612 – McKissock LP

The applicant was not present in support of the application. After discussion, Commissioner Ketcham moved to approve the course with conditions; seconded by Commissioner Butler. The motion passed without dissent.

Tab D – Nontraditional and Alternative Finance – New Course (3 hours Specialty/Business Ethics, Distance) – application number 54613 – McKissock LP

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 E – Handling Multiple Offers – New Course (2 hours Specialty, Distance) – application number 55032 – McKissock LP

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 F – Sales Associate Pre-Licensing – New Course (63 hours Pre Licensing, Distance) – application number 53649 – Novus Education LLC

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.

Special Agenda Education

Tab A – Request for Extension/Hardship – Oscar Alejandro Vidal

The petitioner was present (online) and was not represented by counsel. After discussion, Commissioner Price moved to deny the request; seconded by Commissioner Kanyar; the motion passed without dissent.

Special Agenda Licensing

Tab A – Request for Reinstatement – Marcelia Brooks

The petitioner was present and was not represented by counsel. After discussion, Commissioner Ketcham moved to deny the request; seconded by Commissioner Butler; the motion passed without dissent.

Tab B – Request for Reinstatement – Marc Benarous

The petitioner was present (online) and was not represented by counsel. After discussion, Commissioner Price moved to approve the request with conditions; seconded by Commissioner Kanyar; the motion passed without dissent.

Summary of Applicants

Agenda A

Executive Director, Giovanna Corona presented 18 Applicants requesting to sit for the real estate examination. Results are as follows:

Approved by Unanimous Vote (12)

Melissa Abretegan, present
Latoya Bisby, present
Samuel Cobb, present, (approved with conditions)
Uchenna Ibe, present
Ronel Lamour, present
Bryant B Larzelere, present, (approved with conditions)
Joshua Mallory, present
Carlos Posada, present
Michele Simonis, present
Karissa Sluus, present
Rainer Warner III, present
Cory Williams-McClain, present, (approved with conditions)

Approved by Majority Vote (3)

Abigail Anderson, present
Leticia Galegos, not present, (approved with conditions)
Thomas Murphy, not present, (approved with conditions)

Denied by Unanimous Vote (1)

Megan Roberts, not present

Rescheduled and Waived 90-days (1)

David Dueno

Withdrawn (1)

Neil Sherman, present, (Commissioner Ketcham was recused)

Summary of Applicants

Agenda B

Executive Director, Giovanna Corona presented 94 Applicants requesting to sit for the real estate examination. Results are as follows:

Informal Hearings (3)

Julius Moore – the applicant was not present and was represented by counsel, Mr. Daniel Villazon, Esquire. After discussion, Vice-Chair Fitzgerald moved to vacate the Notice of Intent to Deny and accept the applicant's withdrawal; seconded by Commissioner Barbara; the motion passed without dissent.

Yesenia Pouparina – the applicant was not present and was not represented by counsel. After discussion, Commissioner Price moved to vacate the Notice of Intent to Deny and accept the applicant's withdrawal; seconded by Commissioner Kanyar; the motion passed with a 4-2 vote.

Gregory Robinson – the applicant was present and was not represented by counsel. After discussion, Commissioner Fitzgerald moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Kanyar; the motion passed without dissent.

Approved by Consent Vote (43)

William Terrell Akrey, not present
Kristen Armstrong, present
Raymond A Baker, present
Ronald Bienaime, not present
Brittany Nicole Blair, present
Francisco R Cabrera, not present
James Paul Cairel, present
Jaime Carrillo, present

Kerry Charles, not present
David Ciaramella, not present
Tiffany M Curtis, present
Jodie Demott, present
Michael A Dipenta, present
Stephanie Frederic, not present
Harry Galdon, present
Ynozair Georges, not present
Kamisha Lee Green, not present
David Craig Jr Hancey, present
Kent Howard, not present
Vadim A Ivany, present
Caitlin Elizabeth Lee, not present
Jason Maddison, not present
Carlos Mangual, not present
Angela V Mardini, not present
Mohammed Mohammed, not present
Brandy Nicole Moody, present
Jeffery Nelson Quimby, present
Frank Randazzo, present
Xavier Lee Robert, present
Blake Robertson, not present
Catina Robinson, not present
Alyssia M Rodemsky, present
Joseph James Rosati, not present
Douglas E Schmieder, present
Chontis T Shaw, present
Dean Shimer, present
Jennifer M Sime, not present
Stephen Vincent Vachris, not present
Michael Ahmed Voss, present
Jacquelyn H Welch, not present
Alicia E Winters, not present
Josh Young, not present
William Young, not present

Approved by Unanimous Vote (25)

Nicol Alghannam, present
Quincy Denise Beckham, present
Michael H D Broadfoot, present
Douglas Brown, present
Omarion Coleman, present
Mohammed E Deeb, not present
Phillip A Defrancisco, present
Gen Distance, present
Gerard Donohue, present
Lisa Geddis, not present
Christina Marie Green, present
Beth Rene Jordan, present
Peter Ladas represented by Colin Roopnarine, Esquire, both present
Julia Luna, present
Noelle K Medeiros, present
Matthew Miller, present
Yisena Miyares, not present
Raymond F Paris Jr, present
Cary Daniel Parsons represented by Daniel Villazon, Esquire, both present

Monica Reyes, present
Megan M Skinner, present
Brian Sniadanko, present
George D Thomas represented by Daniel Villazon, Esquire, both present
Christopher M Venditto, not present
Erik Weyant, present

Approved by Majority Vote (14)

Frederico Barrera, present
Marvin Colon, present
Dustin Lee Parker/Crider, present, (approved with conditions)
Kathy E Eibert, present
Juan Feliciano, present, (approved with conditions)
Pierceson Thomas Hagan, present
Jonadia Hyppolite, present
Ernest K Joseph, present
Justin Michael Lennon, present
Shane Robert Marcus, present
Bryan May represented by Daniel Villazon, Esquire, both present, (approved with conditions)
Nimesh M Patel, present
Demaris Soto, not present
Sheikira Williams, present

Denied by Unanimous Vote (4)

Randall Wallace Carey, not present
Shawnee Clarida, not present
Anthony Paul Mitchell, not present
Aleezha Rosario, not present

Denied by Unanimous Vote (2)

Herbin Delgado, present
Michelle Horsely, present

Rescheduled and Waived 90-days (2)

Sophia Dupoux
Cecil James

Withdrawn (1)

Ethan Wayne, present

Consent Agenda A

The Commission considered 69 applicants from the Consent Agenda A; Commissioner Barbara moved; Commissioner Ketcham seconded the motion to “pull” 13 applicants and place them on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Yeliv Adams
Michelle Buckely
Kayleigh Callinan
George Michael Sr Capote
Sarah Marie Christie
Sinan Andrew Cinaroglu
Howard Adam Conte

Joy Carol Craig
Xavin M Diaz
Miekia Innette Draughon
Kayani Jasmin Facey
Christopher Flash
Jennifer Gregory
Dolores Hall
Tiffanie Michelle Hall
Carrie Michele Hester
George Edward Jr House
Treydon Jenkins
Ben Johnson
Fatima Elaine Karraker
Dmytro S Kovalsky
Robert Louis Lambert II
Nathaniel Lamp
Jesse Leonhard
Sandra Mateo
Kristopher Michael Maxey
Connie Moore
Kyle W Morris
Roberto Misael Ortega
Victor H Palomino
Paula Paredes
Harshkumar Patel
Cesar Rafael Perdomo
Jihad S Rashid
Andre Justin Reid
Ronald Jr Richards
Brittnee Summer Rosa
Roger Sabillon
William Anthony Sandusky
Kimberly Shapiro
Sabrina F Sidoti
Frankie Arthur Smith III
Willis Smith
Tammy Lynn Taylor
Ricardo Tobar
Rolando Torreira Hernandez
Synecia Valdez
Adam Yagecic

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

Nicholas Ryan Cannady
Angel Jorge Costa
Terrica Dorsett
Monica Dunlap
Prentice Gillum
John Joseph Hayes
Devon Alexander McCloskey-Shockely
Rachel Alison McNeal
Elisha Milner
Marian Moussa
Alex Paulus

Michael Roth
Bailey Smith
James Strickland
Stephanie Vandygriff
Alyssa Vilayvong
Benjamin Walling
Jeremy Weissman
Tony Williams
Sherifa Wood
Gjergji Xhemali

Consent Agenda B

The Commission considered 64 applicants from the Consent Agenda B; Commissioner Barbara moved; Commissioner Ketcham seconded the motion to “pull” 14 applicants and place them on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Henry Adames
Shannon Adams
Farid Alvarez
Jason Alexander Artola
Danielle Attias
Shaakira Atwater
Yosbany Barril
Michael Alan Bierschied
Erwing Orlando Bustamante
Nancy Clements
Andrew Felix Colburn
Shawn Levelle Jr Collins
Michael Patrick Crilly
Sherry Davie
Adrienne Dawkins
Diamonique Keshawn Dixon
Jeremy Dykes
Mark R Edge
Jandra Fabian
Kayani Jasmin Facey
Cameron Fall
Noah Jordan Gibson
Waketha Trenea Golightly
Carlos A Gonzalez
Gari Hurdy Grant Woods
Tawanda Hanks
Kevin Lee Hau
Jennifer Hernandez
Joshua Johal
Jacob B Lanoue
Brett A Marion
Judy Medina
Alejandro Musa
Kristopher Lee Newby
Dadi Lhomme Nicolas
William Carl Nofsinger III
Teshuwah Price

Ingrid Roberson
Matthew Salley
Patrick Samuel
Shaun Simpson
Christopher Benjamin Smith
Kerry Smith
Diane Springer
Melissa Valbrum
Latasha Denise Williams
Ryan Michael Winicki
Kristina Woodley
James William Zabriskie Jr
James Ziomek

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

Dylan Barbieri
Symmone Bryan
Nicole Caul
Jordana Lyn Esses
Gloria Nathaly Figueredo
Brian Eldon Gray
Monika Jenkins
Tommie W Jimmison
Savery Antwon Morgan
Victor James Smith Jr
Joseph Spera
Angelina Tedesco
Felice N Webb
Eva Wykowska

Meeting Minutes

FREC Executive Director Corona requested to continue the March 2022 Meeting Minutes to May 2022.

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

Public Comments

The Commission did not receive any public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 4:30 p.m. The next general meeting – Licensing of the Florida Real Estate Commission is scheduled for May 17, 2022, in Orlando and via Hybrid.

ATTEST:



Randy Schwartz, Chair
Florida Real Estate Commission



Giovanna Corona, Executive Director
Florida Real Estate Commission

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
April 20, 2022
Hybrid Meeting**

April 20, 2022

Chair Randy Schwartz called the meeting of the Florida Real Estate Commission to order at approximately 8:30 a.m., via Hybrid, on this Wednesday, the 20th day of April, 2022.

Commissioners

Chair Randy Schwartz – in person
Vice-Chair Patricia “Pat” Fitzgerald – in person
Patricia “Patti” Ketcham – in person
Richard Barbara – via Live-Stream
Renee Butler – in person
Millie Kanyar – in person
Kelly Price – in person

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 – via Live-Stream
James Fortunas, Deputy Chief Attorney – via Live-Stream
Mackenzie Medich, Deputy Chief Attorney – in person
Amanda Bova, Assistant General Counsel Attorney – in person
Delhon Braaten, Assistant General Counsel Attorney – via Live-Stream
William Childers, Assistant General Counsel Attorney – via Live-Stream
Dan David, Assistant General Counsel Attorney – via Live-Stream
Katie Pareja, Assistant General Counsel Attorney – in person
Emy Orellana, Regulatory Consultant – in person
Tobechi “Charles” Bob-Duru, Regulatory Specialist III – in person

Escrow Disbursement Orders – Agenda

Ms. Katie Pareja, Assistant General Counsel, presented 5 Escrow Disbursement Orders.

Vice-Chair Fitzgerald moved to approve Tab C of the Escrow Disbursement Order as an Interpleader, seconded by Commissioner Price; the motion passed unanimously.

Vice-Chair Fitzgerald moved to approve Tab D of the Escrow Disbursement Order as recommended, seconded by Commissioner Kanyar; the motion passed unanimously.

Commissioner Price moved to approve Tab E of the Escrow Disbursement Order as recommended, seconded by Vice-Chair Fitzgerald; the motion passed unanimously. Seller attorney, Michelle Mejia, was present.

Commissioner Price moved to approve Tab A and B of the Escrow Disbursement Order as recommended, seconded by Vice-Chair Fitzgerald; the motion passed unanimously. Commissioner Kanyar was recused.

Recovery Fund Claim – Agenda

Mr. Del Braaten, Assistant General Counsel, presented 3 Recovery Fund Claim.

Tab A – Case Number 2022-008075 – RFC De Los Santos v. Elejalde

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

Tab B – Case Number 2020-037530 – RFC Keyes v. Vecchio

Claimant was not present and was represented by Counsel, Mr. Avri Benhamo, Esquire, present; Licensee was not present and was represented by Counsel, Mr. Dwight Slater, Esquire, present. After discussion, Commissioner Price moved to approve the claim as recommended by the Department; seconded by Commissioner Kanyar. The motion passed with a 4-1 vote.

Tab C – Case Number 2021-058816 – RFC Malvicini v. Thompson

Claimant was not present and was not represented by Counsel; Licensee was not present and was not represented by Counsel. After discussion, Commissioner Kanyar moved to approve the claim as recommended by the Department; seconded by Commissioner Butler. The motion passed unanimously.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 24 docket items with the following results:

Tab A – Nadia Debache, SL3484940, Case No. 2021-051959 – Respondent’s Request for Informal Hearing

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

After discussion, Commissioner Kanyar moved; seconded by Vice-Chair Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Price; to impose the following sanctions: **probation for 12 months; administrative fine of \$1,000.00; investigative costs of \$379.50; 3-hour Core Law Education Course; 3-hour Code of Ethics/Best Practices**; the motion passed without dissent.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab B – Amneris Hernandez, SL3357057, Case No. 2021-048308 – Respondent’s Request for Informal Hearing

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

After discussion, Commissioner Ketcham moved; seconded by Vice-Chair Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. The case was continued to May for sentencing.

Violation(s): Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Tab C – Ritu Rani Pahwa, SL3308085, Case No. 2020-052609 – Informal – Continued from March Legal

The Respondent was present and was represented by Counsel, Mr. Daniel Villazon, Esquire, present. Ms. Bova represented the Department. Chair Schwartz and Commissioner Butler served on probable cause and were recused.

After discussion, Commissioner Ketcham moved; seconded by Commissioner Price; to dismiss the case in the Administrative Complaint; the motion passed without dissent.

Tab D – Robert Swanbeck, BK3246054, Case No. 2021-050527 – Respondent’s Request for Informal Hearing

The Respondent was present and was not represented by Counsel. Mr. Childers represented the Department. Commissioner Barbara served on probable cause and was not present.

After discussion, Commissioner Kanyar moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Butler; to impose the following sanctions: **investigative costs of \$412.50**; the motion passed without dissent.

Violation(s): Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the board or, if there is no board, to the department within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction.

Tab E – Jennifer Rae Weigle, SL3398975, Case No. 2021-046260 – Respondent’s Request for Informal Hearing

The Respondent was not present and was not represented by Counsel. Ms. Medich represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Ketcham; to impose the following sanctions: **probation for 6 months; administrative fine of \$2,000.00; investigative costs of \$734.25; 3-hour Core Law Education Course; 3-hour Code of Ethics/Best Practices**; the motion passed without dissent.

Violation(s): Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Tab F – Frank Williams Bernard IV, SL3380753, Case No. 2021-038190 – Respondent’s Request for Informal Hearing – Continued from March Meeting

The Respondent was present and was represented by Counsel, Mr. Daniel Villazon, Esquire. Ms. Medich represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **probation for 6 months; administrative fine of \$250.00; investigative costs of \$478.50**; the motion passed without dissent.

Violation(s): Section 475.25(1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the

activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Tab G – Michael Belcher, SL629848, Case No. 2021-044878 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Mr. W. Nathan Meloon, Esquire. Ms. Medich represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Kanyar moved; seconded by Commissioner Butler; to dismiss the duplicate case; the motion passed without dissent.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab H – Michael Belcher, SL629848, Case No. 2021-045123 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Mr. W. Nathan Meloon, Esquire. Ms. Medich represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Ketcham moved; seconded by Commissioner Kanyar; to reject the Settlement Stipulation; the motion passed with a 5-1 vote.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab I – Edward Albert Carlson, BK3260260, Case No. 2021-042576 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Mr. Alex Alvarez, Esquire. Ms. Bova represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to accept the Settlement Stipulation; the motion passed without dissent.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value.

Tab J – Lei Cheng, SL3410867, Case No. 2021-044360 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Ms. Hongling Han-Ralston, Esquire. Mr. David represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Kanyar; to accept the Settlement Stipulation; the motion passed without dissent

Violation(s): Section 475.25(1)(h), Florida Statutes, Has shared a commission with, or paid a fee or other compensation to, a person not properly licensed as a broker, broker associate, or sales associate under the laws of this state, for the referral of real estate business, clients, prospects, or customers, or for any one or more of the services set forth in s. 475.01(l)(a). For the purposes of this section, it is immaterial that the person to whom such payment or compensation is given made the

referral or performed the service from within this state or elsewhere; however, a licensed broker of this state may pay a referral fee or share a real estate brokerage commission with a broker licensed or registered under the laws of a foreign state so long as the foreign broker does not violate any law of this state.

Tab K – Cornerstone Florida Realty, CQ1054077, Case No. 2021-042568 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Mr. Alex Alvarez, Esquire. Ms. Bova represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to accept the Settlement Stipulation; the motion passed without dissent.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value.

Tab L – Michael Mandel, BK3303307, Case No. 2021-045801 – Settlement Stipulation

The Respondent was present and was represented by Counsel, Mr. Tom Runayn, Esquire. Ms. Bova represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Price moved; seconded by Vice-Chair Fitzgerald; to accept the Settlement Stipulation; 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; Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value.

Tab M – Susan Caljean, SL3451798, Case No. 2021-048860 – Voluntary Relinquishment of License

Commissioner Kanyar moved; seconded by Commissioner Price; to accept the voluntary surrender; the motion passed without dissent.

Tab N – Karen Anise, SL3077477, Case No. 2021-044184 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Ms. Pareja represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Kanyar moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **revocation; administrative fine of \$3,500.00, investigative costs of \$429.00;** the motion passed without dissent.

Violation(s): Section 475.25(1)(d)1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value. Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab O – First 2 pass LLC, ZH1002249, Case No. 2021-037175 – Motion For Waiver And Entry of Final Order

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

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **revocation; administrative fine of \$1,000.00, investigative costs of \$610.50;** the motion passed without dissent.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab P – Robert Goldstein, BK3008285, Case No. 2021-042279 – Motion For Waiver And Entry of Final Order

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

After discussion, Commissioner Kanyar moved; seconded by Commissioner Ketcham; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Ketcham; to impose the following sanctions: **probation for 6 months; administrative fine of \$1,000.00, investigative costs of \$825.00; 28-hour Re-Activation Education Course;** the motion passed with a 5-1 vote.

Violation(s): Section 475.25(1)(b), Florida Statutes, by being guilty of fraud, misrepresentation, and dishonest dealings, concealment, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme.

Tab Q – Catherine Lobello, SL3476921, Case No. 2021-047073 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Mr. Childers represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Price moved; seconded by Commissioner Kanyar; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **revocation (reapplication allowed); investigative costs of \$396.00;** the motion passed without dissent.

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

Tab R – Jose Martinez Jr., ZH1002650, Case No. 2021-037180 – Motion For Waiver And Entry of Final Order

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

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **revocation; administrative fine of \$1,000.00, investigative costs of \$627.00**; 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.

Tab S – Maria Muzaurieta, SL3474725, Case No. 2021-043984 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Mr. Childers represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Kanyar moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation (reapplication allowed); investigative costs of \$495.00**; the motion passed without dissent.

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

Tab T – Hanna Ray, SL3475614, Case No. 2021-043832 – Motion For Waiver And Entry of Final Order

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

After discussion, Commissioner Kanyar moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to impose the following sanctions: **revocation (reapplication allowed); investigative costs of \$330.00**; the motion passed without dissent.

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

Tab U – Michelle Sexton, BK3046587, Case No. 2021-045784 – Motion For Waiver And Entry of Final Order

The Respondent was present and was represented by Counsel, Mr. Keith Bell, Esquire, present. Ms. Bova represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Price moved; seconded by Commissioner Kanyar; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Ketcham; to impose the following sanctions: **probation for 6 months; administrative fine of \$500.00, investigative costs of \$313.50; 4-hour Escrow Management Course**; the motion passed without dissent.

Violation(s): Section 475.25(1)(v), Florida Statutes, by failing as a broker, to review the brokerage's trust accounting procedures; Section 475.25(1)(e), Florida Statutes, through a violation of Rule 61J2-14.012, Florida Administrative Code, by failing to maintain monthly reconciliation statements.

Tab V – Laura Slack, SL3475272, Case No. 2021-044105 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Mr. Childers represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Ketcham; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Vice-Chair Fitzgerald moved; seconded by Commissioner Kanyar; to impose the following sanctions: **revocation (reapplication allowed); investigative costs of \$330.00**; the motion passed without dissent.

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

Tab W – Romulo Sotelo, SL3474701, Case No. 2021-044114 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Mr. Childers represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Kanyar moved; seconded by Commissioner Price; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Kanyar moved; seconded by Commissioner Price; to impose the following sanctions: **revocation (reapplication allowed); investigative costs of \$330.00**; the motion passed without dissent.

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

Tab X – Cheryl Stein, SL440037, Case No. 2021-047669 – Motion For Waiver And Entry of Final Order

The Respondent was not present and was not represented by Counsel. Mr. Braaten represented the Department. Commissioner Barbara served on probable cause and was recused.

After discussion, Commissioner Kanyar moved; seconded by Vice-Chair Fitzgerald; to find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Vice-Chair Fitzgerald; to impose the following sanctions: **administrative fine of \$1,000.00, investigative costs of \$511.50**; the motion passed with a 5-1 vote.

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.

Special Agenda

Tab A – Legal – Request for Extension of Final Order 2020-014817 – Robert Uhls

The petitioner not was present and was not represented by counsel. After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Price; to grant the petitioner's request.

Tab B – Legal – Request for Extension of Final Order 2020-001954 – Pedro Gonzalez

The petitioner was present and was not represented by counsel. After discussion, Vice-Chair Fitzgerald moved; seconded by Commissioner Kanyar; to grant the petitioner's request.

Meeting Minutes

FREC Executive Director Corona requested to continue the March and April 2022 Meeting Minutes to May 2022.

Reports

FREC Executive Director Corona presented the Division Reports for March 2022. FREC Chief Attorney, Mr. Cheneler, Esquire, presented the Legal Reports for March 2022. FREC Counsel, Mr. Harris, Esquire, presented the Rules Report for March 2022.

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

Public Comments

The Commission did not receive any public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 1:00 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for May 18, 2022, in Orlando and via Hybrid.

ATTEST:



Randy Schwartz, Chair
Florida Real Estate Commission



Giovanna Corona, Executive Director
Florida Real Estate Commission