

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

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

September 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 Tuesday, the 20th day of September 2022.

Commissioners

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

Mr. Christopher Dierlam, Chief Assistant Attorney General, was present as counsel for the Commission. Mr. Dierlam declared quorum present.

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
Camille Royal, Senior Consumer Service Analyst – in person
Jose Jimenez, Regulatory Specialist III – in person
Damon Boodram, Operations Specialist – in person
Jocelyn Pomales, Education Coordinator – in person
Janice Lugo, Operations Support Supervisor – via Live-Stream
Linda Doolittle, Regulatory Consultant – in person
Bradley De Los Ramos, Regulatory Specialist III – in person
Amanda Bova, Assistant General Counsel – in person
Heather Page, Assistant General Counsel – in person
Katie Pareja, Assistant General Counsel – in person
Leah Matos, Legal Intern – in person

Education Agenda

Giuvanna Corona, Executive Director, presented 8 Real Estate Education Courses for the Commission's review and consideration.

Tab A – Understanding the Home Inspection and Insurance Reports – New Course (3 hours Specialty, Classroom) - application number 56898 – Internachi

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

Tab B – Understanding the Insurance Reports and their effect to the Real Estate Transaction - New Course (4 hours Specialty, Classroom) -application number 56899 – Internachi

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

Tab C – Pinellas County Property Appraiser Essentials & Real Estate - New Course (4 hours Specialty, Classroom) - application number 57655– Pinellas Suncoast Association of Realtors Inc
The application was withdrawn by the applicant.

Tab D – VidPro Certification - New Course (3 hours Specialty, Classroom) -application number 57792 – Moscillo, John
The applicant was present in support of the application. After discussion, Vice Chair Fitzgerald moved to approve the course; seconded by Commissioner Butler. The motion passed without dissent.

Tab E – Core Law: Avoiding the Danger Zone - New Course (3 hours Core Law, Distance) - application number 57814 – Van Education Center LLC
The applicant was present in support of the application. After discussion, the applicant withdrew the application.

Tab F – Core Law: Staying Out of Trouble with FREC - New Course (3 hours Core Law, Classroom) -application number 57832 – Florida Realtors School of Real Estate
The applicant was not present in support of the application. After discussion, Commissioner Kanyar moved to approve the course with conditions; seconded by Vice Chair Fitzgerald. The motion passed without dissent.

Tab G – Core Law: Staying Out of Trouble with FREC - New Course (3 hours Core Law, Live Stream) -application number 57833 – Florida Realtors School of Real Estate
The applicant was not present in support of the application. After discussion, Commissioner Kanyar moved to approve the course with conditions; seconded by Vice Chair Fitzgerald. The motion passed without dissent.

Tab H – Understanding 1031 Exchanges - New Course (2 hours Specialty/Core Law, Classroom) - application number 57844 – Steven E. Gurian
The application was withdrawn by the applicant.

Special Agenda

Tab A – Request for Exemption from the 28-hour Reactivation Education or Request for a 6-month Hardship Extension – Leslie Gross

The Petitioner was present and not represented by counsel. After discussion, Commissioner Barbara moved to deny the exemption and approve the hardship, seconded by Commissioner Butler; the motion passed without dissent.

Tab B – Victor Jesus Carnero - Request for Multiple Broker License – Application #1532012

The Petitioner was not present and not represented by counsel. After discussion, Commissioner Price moved to deny the Petitioner’s request, seconded by Commissioner Barbara; the motion passed without dissent.

Tab C – Jane Sue Hurst – Request for Multiple Broker License – Application #1541160

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

Summary of Applicants – Agenda A

Executive Director Giovanna Corona presented 25 Applicants requesting to sit for the real estate examination. Results are as follows:

Approved by Unanimous Vote (16)

Barney-Fuentes, Yolanda	Present
Bryant, T C Jr	Present
Canterbury, Maibritt Ann	Present
Clarke, Richard Carl	Present

Cosme, Melissa Crystal	Present
Fee, Jacob Miles	Present
Gross, Larry Scott	Present
Phillips, Darius Dwaine	Present
Ramos, Milton Alain	Present
Richardson, Sheri A	Present
Rivera Figueroa, Gabriel E	Present
Rosado, Emil Joseph	Present
Stroman, Chantori	Present
Walker, Jonee Melanie	Present
Witter, Andrew E	Present

Approved by Majority Vote (4)

Jadotte, Maryann	Present
Rich, Andre J	Present
Skeene, Kevin Karl	Present
Soto, Melissa Candy	Present

Denied by Unanimous Vote (4)

Amos, Lancelot	Not present
Gill, William	Not present
Penichet Tarrau, Valia	Not present
Thompson, Kirk A Jr	Not present
Tompkins, Nadica Monique	Not present

Withdraw (1)

Myers, Barbara Brandon	Not present
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Summary of Applicants – Agenda B

Executive Director Giuvanna Corona presented 30 Applicants requesting to sit for the real estate examination. Results are as follows:

Informal Hearings (4)

Colon, Marvin	The applicant was present and not represented by counsel. After discussion, Vice Chair Fitzgerald moved to vacate the Notice of Intent to Deny and approve the application with conditions; seconded by Commissioner Kanyar; the motion passed without dissent.
House, George Edward Jr	The applicant was present and not represented by counsel. After discussion, Commissioner Price moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Kanyar; the motion passed without dissent.
Lipis, Danny	The applicant was present and represented by Daniel Villazon, Esq., present. After discussion, Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Kanyar; the motion passed with a vote of 4-2.
Rosario, Sandra	The applicant was present and not represented by counsel. After discussion, Commissioner Butler moved to vacate the Notice of Intent to Deny and approve the application; seconded by Commissioner Barbara; the motion passed without dissent.
Salley, Matthew	The applicant was present and not represented by counsel. After discussion, Commissioner Barbara moved to vacate the Notice of Intent to Deny and approve the application with conditions; seconded by Commissioner Kanyar; the motion passed without dissent.

Approved by Unanimous Vote (14)

Brigham, Michael James	Present, represented by Daniel Villazon, Esq., present
Checa, Camila	Not present
Daggett, Nadia Tora	Present
Filthaut, Adam Robert	Present
Foreman, Kristina	Present
Hobson, Meghan Ann	Present
Kelly, Gordon Lee	Present
Langley, Wanda	Present
Nadal, Vilma I	Present
Owens, Amber Marie	Not present
Pena, Cinthya	Present
Riley, Jane Darlene	Present
Shorter-Arnold, Chrissy	Present
Walford, Krystal Shante'	Present, represented by Daniel Villazon, Esq., present

Approved by Majority Vote (7)

Bahammou, Rashon Andre	Not present
Ortiz, Miguel Orlando Jr	Present
Pesantes, Frank E	Present
Serrano, Carolina	Present
Smith, Nicholas Adam	Not present
Tate, Adam Douglas	Present, represented by Daniel Villazon, Esq., present
Torres Osorio, Barbaro A	Present

Denied by Unanimous Vote (1)

Garzon, Andrew	Present. During the initial consideration of the application, the applicant was no longer present online. The applicant was able to reconnect and the Commission granted a reconsideration and allowed the applicant to present on his behalf. After discussion, the Commission upheld the decision to deny the application.
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Rescheduled and Waived 90-days (3)

Hernandez, Hector Alejandro	Not present, represented by Daniel Villazon, Esq., present
Reynolds, Clifford	Not present, represented by James Samaan Esq., present

Withdraw (1)

Gomez, Emily	Not present, represented by Daniel Villazon, Esq., present
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Agenda C

Executive Director Givanna Corona presented 1 Applicant requesting to sit for the real estate examination. Results are as follows:

Approved by Majority Vote (1)

Pavon, Vivian Yexenia	Present
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Consent Agenda A

The Commission considered 58 applicants from the Consent Agenda A; Commissioner Barbara moved; Commissioner Kanyar seconded the motion to approve 33 applicants and require 25 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Aikins, Reginald	Irizarry, Enrique	Smith, Patrick Steven
Ali, Neha Aisha	James, Adam Jeffrey	Stallworth, Delvis Latra
Anderson, Trinity	James, Jacob Robert	Tillo, Mary Catherine
Benoit, Cleevens John	Jones Roach, Kim Marie	Trammell, Leah Michelle
Cardozo, Humberto Marcelo	Mezquita, Jannil	Travers, Claude
Coombs, Gary George	Moreno, Henry	Vaillancourt, Kyle
Crenshaw Zayas, Kevin Bernard	Oberg, Jason	Vargas, Alejandro Jose
Cundiff, Tamara	Penn, Karisma	Vaught, Steven Glen
Gillispie, Angela	Perry, Delbert Ken	Viscosi, Adriana Dawn
Hernandez, Albania	Powell, Jeremy R	Wiles, Dustin
Hook, Sarah	Rivera, Alfred	Yanez-Vazquez, Sarah Nicole

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

Butler, Cheyenne	Hayre, Jovan Singh	Perez Lugo, Michael
Causey, Triston Blake	Ingram, Shamari O S	Reyes, Sheila
Conroy, Chasiti Nicole	Jack, Jahlen Bryce	Rosado-Torres, Carmen Milagros
Decubas Mira, Daniel	Lopez, Kelyn	Rothschild, Thomas Etienne
Dennison, Franklin	Mckinnie, Alexander Jamar	Sadenwater, Shannon Lynn
Desai, Dylan M	Morales, Carlos Antonio Jr	Sanchez, Edgardo
Desenti, Quinttin A	Moudarri, Kiana	Smith, Jermaine Lavarius
Fussell, Stephanie	Nguyen, Kathy	Walker, Priscilla Ann
Guthrie, Trevor Frank		

Consent Agenda B

The Commission considered 63 applicants from the Consent Agenda B; Commissioner Barbara moved; Commissioner Kanyar seconded the motion to approve 37 applicants and require 26 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Alva, Milagros D	Grant, Melissa D	Mitchell, Jermaine Christopher
Alvarez, Claudia Patricia	Greenwood, Xiomara Marie	Morgan, Ashley Star
Barrett, Steven Robert	Hill, Lakeya S	Murphy, Tequila
Beckton, Dale Ivan	Holguin, Elizabeth Mae	Ortiz, Corazon Argentina
Boyko, Olga	I, Zaellocka	Oswald, Katelyn Marie
Brady, Herbert	Jean, Sideste	Patterson, Jordan Tabor
Daughtry, Tyler Robert	Klaff, Shalee Diane	Peterson, Irina E
Davis, Derrin Lee	Kohl, Robert Lawrence	Quintero, Nelson
Duncan, Jaynean	Lawson, Patrick William	Rodriguez Santiago, Kenny
Eadie, Kimberly Darlene	Major, Rumi	Sanchez, Bedford
Francois, Caleb	Mcconnell, Vincent Hale	Shelton, Thadrin Tronold
Glachman, Lisa M	Mcgee, Justin Seth	Walp, Jacob Alan
Gonzalez, Hailey Joan		

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

Baker, Sandra Monique	Davis, Jamie Norman	Meran, Madeleine K
Becchinelli, Zachary Vincent	Galo, William	Morris, Tonya D
Brown, Michael Shane	Hallenbeck, Barbara Fendley	Rivera-Berges, Heather B

Brunson, James	Hubbard, Benjamin	Rogers, Dalicia Shalynque
Cashmareck, Michael Anthony	Jackson, Keyona	Salazar, Michael
Cerny, Amanda	Johnson, Sara	Stephenson, Shantrell Sharae
Child, Lucas William	Jones, Trenton Clary	Van Meter, Chase
Clark, Jayda	Khan, Venood	Zepka, Victor Robert
Dapagio, Ciro	Lherisson, Stephane	

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 public comment.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 1 p.m. The next general meeting – Legal of the Florida Real Estate Commission is scheduled for September 21, 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
September 21, 2022
Hybrid Meeting**

September 21, 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 21st day of September, 2022.

Commissioners

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

Ms. Deborah Loucks, Senior Assistant Attorney General, appeared in person as counsel for the Commission.

Staff

Giuvanna Corona, Executive Director – in person
Al Cheneler, Chief Attorney – in person
James Fortunas, Deputy Chief Attorney – via livestream
Mackenzie Medich, Deputy Chief Attorney – via livestream
Gene Aldridge, Assistant General Counsel – via livestream
Amanda Bova, Assistant General Counsel – in person
Delhon Braaten, Assistant General Counsel – via livestream
William Childers, Assistant General Counsel – via livestream
Dan David, Assistant General Counsel – via livestream
Katie Pareja, Assistant General Counsel – in person
Christie Earls, Legal Intern – in person
Camille Royal, Regulatory Consultant – in person
Jose Jimenez, Regulatory Specialist – in person
Jocelyn Pomales, Education Specialist – in person
Damon Boodram, Operation Review Specialist – in person

Escrow Disbursement Orders – Agenda

Miss Katie Pareja, Assistant General Counsel, presented 1 Escrow Disbursement Orders.

Commissioner Barbara moved to approve Tab A of the Escrow Disbursement Order, seconded by Commissioner Butler; the motion passed unanimously. Commissioner Kanyar was recused.

Legal Appearance Docket

The Commission addressed the Legal Appearance Docket, hearing 32 docket items with the following results:

Tab A – Assis, Nilza Kelly, SL 3340220, Case No. 2022-001838 - Petitioner’s Request for Informal Hearing

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

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation; investigative costs of \$595.00; administrative fine of \$2,500.00**. 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 475.25(1)(d), Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value;

Tab B-D – Chester, Melissa, ZH 1003420, Case No. 2022-003403, 2022-003467 and 2022-003686 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by counsel. Mr. Braaten represented the department. Commissioner Ketcham served on probable cause and was recused.

After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and 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: **investigative costs of \$181.50, \$225.75 and \$222.75; administrative fine of \$250.00**. The motion passed without dissent.

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

Tab E-F – Chester, Melissa, ZH 1003420, Case No. 2022-003754 and 2022-003759 - Respondent's Request for Informal Hearing

The Respondent was present and was not represented by counsel. Mr. Braaten represented the department. Commissioner Kanyar served on probable cause and was recused.

After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Vice Chair Fitzgerald; to impose the following sanctions: **probation for 6 months; investigative costs of \$511.50 and \$5280.00; administrative fine of \$500.00**. The motion passed with a 4-2 vote.

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

Tab G – Daniels, James E., BK 308370, Case No. 2022-008240 - Respondent's Request for Informal Hearing

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

After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Price; to impose the following sanctions: **reprimand; investigative costs of \$990.00; administrative fine of \$500.00.** 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 H – Deak, Gyorgyne, SL 3486687, Case No. 2022-013595 - Petitioner’s Request for Informal Hearing

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Commissioner Kanyar served on probable cause and was recused.

After discussion, Commissioner Butler moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Vice Chair Fitzgerald; to impose the following sanctions: **revocation not permanent; investigative costs of \$189.75.** 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 I – Fadis, Raymond, SL 3326834, Case No. 2022-006107 - Respondent's Request for Informal Hearing

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

After discussion, Commissioner Barbara moved; seconded by Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Price; to impose the following sanctions: **reprimand; investigative costs of \$478.50; administrative fine of \$250.00.** The motion passed without dissent.

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

Tab J – Fitzgerald, Jonathan, BL 3188563, Case No. 2022-010956 - Petitioner’s Request for Informal Hearing

The Respondent was not present and was represented by counsel, Mr. Daniel Villazon, Esq., present. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. Chair Schwartz was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price, to grant the motion for a continuance to the October FREC meeting. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee’s current address.

Tab K – Goldware, Stephen, SL 3485014, Case No. 2022-005317 - Petitioner's Request for Informal Hearing

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Commissioner Kanyar served on probable cause and was recused.

After discussion, Commissioner Price moved; seconded by Vice Chair Fitzgerald; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Butler; to impose the following sanctions: **reprimand; investigative costs of \$561.00**. 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 L – Lane, Leah Elaine, SL 3482506, Case No. 2022-054752 - Petitioner's Request for Informal Hearing

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Commissioner Barbara and Commissioner Price served on probable cause and were recused.

After discussion, Commissioner Kanyar moved; seconded by Vice Chair Fitzgerald; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Ketcham moved; seconded by Commissioner Butler; to impose the following sanctions: **reprimand; investigative costs of \$330.00; administrative fine of \$250.00**. 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 M – Matlock, Matthew, SL 3396412, Case No. 2022-002543 - Respondent's Request for Informal Hearing

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

After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Barbara; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation; investigative costs of \$1,006.50; administrative fine of \$2,500.00**. 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.

Tab N – Turner, Carolyn L., SL 3098009, Case No. 2022-013119 - Respondent's Request for Informal Hearing

The Respondent was present and was represented by counsel, Mr. Rickey Strong, Esq., present. Ms. Bova represented the department. Commissioner Kanyar served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Butler; to impose the following

sanctions: **probation to run concurrent with court ordered probation; investigative costs of \$280.50; administrative fine of \$1,000.00.** The motion passed with a 5-1 vote.

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

Tab O – West, Kevin D., II, SL 3484218, Case No. 2022-002874 - Petitioner’s Request for Informal Hearing

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Kanyar; to impose the following sanctions: **reprimand; investigative costs of \$657.36; administrative fine of \$250.00.** 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; Section 455.275(1) Each licensee of the department is solely responsible for notifying the department in writing of the licensee’s current mailing address, e-mail address, and place of practice, as defined by rule of the board or the department when there is no board. A licensee’s failure to notify the department of a change of address constitutes a violation of this section, and the licensee may be disciplined by the board or the department when there is no board.

Tab P – Beckham, Quincy Denise, SL 3147617, Case No. 2022-013904 - Settlement Stipulation

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Commissioner Butler served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the settlement stipulation and impose the following sanctions: **probation for 6 months; investigative costs of \$330.00.** The motion passed without dissent.

Violation(s): Section 475.25(1)(e), Florida Statutes, by failing to timely complete a lawful order imposed by FREC. 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 Q – Grobman, Ronald, BK 3270821, Case No. 2022-003237 - Settlement Stipulation

The Respondent was present and represented by counsel, Mr. Rickey Strong, Esq., present. Ms. Bova represented the department. Commissioner Butler served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the settlement stipulation and impose the following sanctions: **probation for 6 months; investigative costs of \$363.00, administrative fine of \$250.00; 4-hour Escrow Management Education Course.** The motion passed with a 5-1 vote.

Violation(s): Section 475.5015, Florida Statutes, through Section 475.285(1)(e), Florida Statutes, by failing to keep and make available to the brokerage bank statements, monthly reconciliation statement, and other documents necessary to ensure the brokerage’s compliance.

Tab R – Marjo Realty Co. CQ 1055466, Case No. 2022-003763 - Settlement Stipulation

The Respondent was present and represented by counsel, Mr. Rickey Strong, Esq., present. Ms. Bova represented the department. Commissioner Butler served on probable cause and was recused.

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the settlement stipulation and dismiss the Administrative Complaint with prejudice. The motion passed with a 5-1 vote.

Violation(s): Section 475.5015, Florida Statutes, through Section 475.285(1)(e), Florida Statutes, by failing to keep and make available to the brokerage bank statements, monthly reconciliation statement, and other documents necessary to ensure the brokerage's compliance.

Tab S – Morales, Ana Ivelisse, SL 3377853, Case No. 2022-047887 - Settlement Stipulation

The Respondent was not present and was represented by counsel, Ms. Michelle Rodriguez-Gerena, Esq., not present. Mr. Childers represented the department. Commissioner Barbara and Commissioner Price served on probable cause and were recused.

After discussion, Commissioner Butler moved; seconded by Vice Chair Fitzgerald; to accept the settlement stipulation and impose the following sanctions: **probation for 6 months; investigative costs of \$330.00, administrative fine of \$1,500.00.** The motion passed with a 4-1 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 T – Anderson, Kathryn, SL 3486303, Case No. 2022-012834 - Motion for Waiver and Entry of Final Order

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the waiver hearing.

After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Butler; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Kanyar; to impose the following sanctions: **revocation not permanent; investigative costs of \$132.00; administrative fine of \$250.00.** 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab U – Castellano, Nicholas A., SL 3485436, Case No. 2022-002961 - Motion for Waiver and Entry of Final Order

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

After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Kanyar; to impose the following sanctions: **revocation not permanent; investigative costs of \$255.75; administrative fine of \$250.00.** 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab W – Clark, Preston Tyler, SL 3483368, Case No. 2022-002975 - Motion for Waiver and Entry of Final Order

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Butler; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Price; to impose the following sanctions: **reprimand; investigative costs of \$404.25; administrative fine of \$250.00**. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab W – Gibson, Michael John Roy, SL 3484069, Case No. 2022-005312 - Motion for Finding of Waiver and Entry of Final Order

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Commissioner Kanyar served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Price; to impose the following sanctions: **reprimand; investigative costs of \$323.80; administrative fine of \$250.00**. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab X – Joseph, Walker, SL 3468983, Case No. 2022-005212 - Motion for Waiver and Entry of Final Order

The Respondent was present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and 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: **revocation; investigative costs of \$726.00**. 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 475.42(1)(b), Florida Statutes, a person licensed as a sales associate may not act as a broker or a sales associate for any person not registered as his employer.

Tab Y – Lopez, Ariana, SL 3484358, Case No. 2022-004765 - Motion for Waiver and Entry of Final Order

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Barbara; to impose the following sanctions: **revocation not permanent; investigative costs of \$313.50; administrative fine of \$250.00.** The motion passed with a 5-1 vote.

Violation(s): Section 475.25(1)(m), Florida Statutes, has obtained a license by means of fraud, misrepresentation, or concealment; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab Z – Matos, Francisco Manuel, SL 3486488, Case No. 2022-011341 - 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 Kanyar served on probable cause and was recused. The Commission granted the waiver hearing.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Barbara; to impose the following sanctions: **revocation not permanent; investigative costs of \$82.50; administrative fine of \$250.00.** 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AA – Oliver, Savannah, SL 3485647, Case No. 2022-005179 - Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Ketcham moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Barbara; to impose the following sanctions: **revocation not permanent; investigative costs of \$214.50; administrative fine of \$250.00.** 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AB – Schoenfeld, Andrea Nicole, SL 3486046, Case No. 2022-010969 - Motion for Finding of Waiver and Entry of Final Order

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Commissioner Kanyar served on probable cause and was recused. The Commission

granted the waiver.

After discussion, Commissioner Butler moved; seconded by Commissioner Barbara; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Barbara moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation not permanent; investigative costs of \$90.75; administrative fine of \$250.00**. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AC – Silva Alvarez, Yaudeli M., SL 3486744, Case No. 2022-012442 - 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 Kanyar served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Ketcham moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Butler; to impose the following sanctions: **revocation not permanent; investigative costs of \$102.30; administrative fine of \$250.00**. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AD – Tabares, Nicole, SL 3484946, Case No. 2022-003294 - Motion for Waiver and Entry of Final Order

The Respondent was not present and was not represented by counsel. Mr. Childers represented the department. Vice Chair Fitzgerald served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without dissent. Commissioner Price moved; seconded by Commissioner Barbara; to impose the following sanctions: **revocation not permanent; investigative costs of \$107.25; administrative fine of \$250.00**. 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AE – Tonihka, Alyssa, SL 3486131, Case No. 2022-010080 - 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 Kanyar served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and find the Respondent guilty as charged in the Administrative Complaint; the motion passed without

dissent. Commissioner Price moved; seconded by Commissioner Barbara; to impose the following sanctions: **revocation not permanent; investigative costs of \$247.50; administrative fine of \$250.00.** 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; Section 455.275(1), Florida Statutes, by failing to notify the department in writing of the licensee's current address.

Tab AF – Young, Amy Michelle, BK 3453614, Case No. 2022-004812 - 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 Kanyar served on probable cause and was recused. The Commission granted the waiver.

After discussion, Commissioner Barbara moved; seconded by Commissioner Butler; to accept the findings of fact and conclusion of law are supported by competent, substantial evidence in the record and 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: **revocation; investigative costs of \$495.00; administrative fine of \$1,000.00.** 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.

Petitions

Petition for Declaratory Statement – OnlineED, Inc. – DS2022-033

The Petitioner was present and was not represented by Counsel. After discussion, Commissioner Barbara moved; seconded by Commission Kanyar, to accept the Declaratory Statement Final Order draft as presented; the motion passed without dissent.

Petition for Declaratory Statement – Joined Development Partners LLC et al – DS2022-036

The Petitioner was not present and was represented by Counsel. After discussion, Commissioner Barbara; moved to grant the Declaratory Statement; seconded by Commissioner Ketcham; the motion passed without dissent.

Rules

61J2-1.001 License Fees

The purpose of this rule discussion is to clarify and revise the language, if needed. Proposed language and comments from the Joint Administrative Procedures Committee was provided to the Commission for review and consideration. There was no public comment request. After discussion, Vice Chair Fitzgerald moved; seconded by Commissioner Kanyar; to accept the proposed language as drafted; the motion passed without dissent.

61J2-17.011 School Instructor Requirements and Qualifications

The purpose of this rule discussion is to clarify and revise the language, if needed. Proposed language was provided to the Commission for review and consideration. There was no public comment request. After discussion, Commissioner Ketcham moved; seconded by Commissioner Kanyar; to accept the proposed language as drafted; the motion passed without dissent.

61J2-17.013 Interpretation of Particular Phrases

The purpose of this rule discussion is to clarify and revise the language, if needed. There was no public comment request. After discussion, Commissioner Barbara moved; seconded by Commissioner Kanyar; to withdraw the rule from development and leave the language as is.

61J2-17.016 Renewal of Instructor Permits

The purpose of this rule discussion is to clarify and revise the language, if needed. Proposed language was provided to the Commission for consideration. There was no public comment request. After discussion, Commissioner Barbara moved; seconded by Commissioner Price; to accept the proposed language as drafted; the motion passed without dissent.

Special Agenda – General

Nomination for Chair and Vice Chair

Chair Schwartz moved to; seconded by Commissioner Ketcham; to nominate Vice Chair Fitzgerald as 2022-2023 Chair of the Florida Real Estate Commission; the motion passed without dissent. Chair Schwartz moved to; seconded by Commissioner Price; to nominate Commissioner Barbara as 2022-2023 Vice Chair of the Florida Real Estate Commission; the motion passed without dissent.

Meeting Minutes

FREC Executive Director Corona requested to continue Meeting Minutes. The Commission granted the request.

Reports

FREC Executive Director Corona presented the August 2022 Division Reports; Chief Attorney Cheneler presented the Legal Report; and Board Counsel Harris presented the Rules Report.

Executive Director's Comments

Executive Director Corona shared that Secretary Griffin recognized by Proclamation several Real Estate Licensees to include Commissioner Price, Former Commissioner and past Chair Dick Fryer, Former Commissioner Sanchez and Karen Climer to name a few. Executive Director Corona recognized Division of Real Estate employees for their years of service with the State of Florida and introduced the new Division of Real Estate staff. Finally, 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 received a public comment from Karen Climer.

Adjournment

There being no other business, the Chair adjourned the meeting at approximately 12:50 p.m. The next general meeting – licensing of the Florida Real Estate Commission is scheduled for October 18, 2022, in Orlando and via Hybrid.

ATTEST:

Randy Schwartz, Chair
Florida Real Estate Commission


Giuvanna Corona, Executive Director
Florida Real Estate Commission