

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
January 13 and 14, 2015
General Meeting**

Chair Darla Furst, called the meeting of the Florida Real Estate Commission to order, at approximately 8:35 a.m., in Orlando, Florida, on this 13th day of January, 2015.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring, Lee Chotas and Poul Hornsleth. Commissioner Enzor had an excused absence. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Andrew Fier, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Daniel Brackett and Jennie Schwartz, Assistant General Counsels; Appearing via teleconference: Al Cheneler, Daniel David, David Folley, Josh Kendrick, Alison Lamont, Brande Miller and Crystal Stephens, Assistant General Counsels; Sara Kimmig, Bureau Chief of Enforcement; Mike Johnson, Complaint Analyst; Jocelyn Pomales, Education Coordinator; Mike Davis, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

Approval of the Minutes

Vice-Chair Fryer moved to approve the Minutes of the December 16 and 17, 2014, General Meeting, as written. Commissioner Boring seconded the motion. The motion passed without dissent.

Reports

Enforcement Trends and Escrow Audits Reports

Bureau Chief Sara Kimmig presented the report regarding Enforcement Trends and Escrow Audits Summary and addressed questions and comments from the Commission.

Unlicensed Activity Report

Bureau Chief Sara Kimmig presented the Unlicensed Activity Report and addressed questions from the Commission.

Monthly Exam Performance Summary Report

Deputy Director Johnson presented the monthly Exam Performance Summary Report and addressed questions and comments from the Commission.

Application and License Count Reports

Deputy Director Johnson presented the Application and License Count Report and addressed questions and comments from the Commission.

Legal Case Activity Report

Chief Attorney Fier presented the monthly report regarding legal case activity and addressed questions and comments from the Commission.

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Cheneler presented 14 Escrow Disbursement Orders and 9 Orders for the Commission's consideration. Tab P was settled and withdrawn. The Commission entered into discussion. Commissioner Hornsleth moved to accept 13 Escrow Disbursement Orders; issue an Order for Tab A; and accept 9 Orders as recommended. Commissioner Vice-Chair Fryer seconded the motion; the motion passed without dissent.

Recovery Fund Cases

Tab A – Albert Vigh v. Albert Deering, DBPR Case No. 2011-043991

Mr. Brackett presented this matter to the Commission. Neither the Claimant nor the Respondent was present. Mr. Brackett advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab B – ACM Browncroft, etc. v. Teresa B. Reilly-O'Doherty, et al., DBPR Case No. 2013-047612

Mr. David presented the above matter to the Commission. The Claimant was not present. Mr. Daniel Villazon, Esquire, appeared on behalf of the Licensee. Mr. David advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab C – George & Henrietta Beck v. Marilyn C. Campbell, DBPR Case No. 2012-029181

Mr. David presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. ^{David} Folley advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Hornsleth moved to approve the Final Order Denying Recovery Fund Claim. Vice-Chair Fryer seconded the motion. The motion passed without dissent.

Tab D – Sandra Gibson v. Henrietta Suskevich, DBPR Case No. 2011-043992

Mr. Folley presented the above matter to the Commission. The Claimant was not present. Mr. Steven Johnson, Esquire, appeared on behalf of the Licensee. Mr. Folley advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab E – Kim Kluck v. Anne Woodward, DBPR Case No. 2011-015214

Mr. Folley presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Folley advised that the Claimant qualifies statutorily to receive payment from the recovery fund and recommended the Commission approve the request. The Commission considered the facts and circumstances. Commissioner Boring moved to approve the Final Order Granting the Recovery Fund Claim in the amount of \$7,280.41. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Tab F – Ron Mastrodonato & Renee Manning, DBPR Case No. 2011-020122

Mr. David presented the above matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. David advised that the statutes do not allow the Claimant to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Vice-Chair Fryer moved to approve the Final Order Denying Recovery Fund Claim. Commissioner Hornsleth seconded the motion. The motion passed without dissent.

Legal Appearance Docket

Tab N – John A. Sanchez, BK 3109450; Case No. 2014007779 – Settlement Stipulation

Respondent was present; Respondent was represented by Jeff Howell, Esquire, also present. Chair Furst was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,000.00 fine; investigative costs; complete 10 hours of CE which shall include a 4-hour escrow management course and a 3-hour ethics course; attend 2 complete FREC meetings. **Violation(s):** Respondent neither admits nor denies allegedly violating Section 475.25(1)(v), Florida Statutes when Respondent did not know how much escrow was to be held, when closings or move-ins were taking place or if any problems were occurring; Rule 61J2-14.012(2), Florida Administrative Code, and thus Section 475.25(1)(e), Florida Statutes, when Respondent admitted he did not reconcile the Highlight Realty Escrow Account; Section 475.25(1)(e), Florida Statutes, by leaving the Corrective Action Taken section blank on monthly reconciliations for the Highlight Realty Escrow Account even though the reconciliations showed overages, by leaving the Corrective Action Taken section blank on monthly reconciliations for the Ibero Property Management Account even though the reconciliations show overages and a shortage and by placing a single indecipherable handwritten word in the Corrective Action Taken section of the monthly reconciliation for the September 1-September 30, 2013 for the Ibero Property Management Account.

Action taken: Settlement Stipulation accepted.

Tab O – Brian C. Schmitt, BK 147809 and 3005629; Case No. 2014010369 – Settlement Stipulation

Respondent was present; Respondent was represented by Randy Schwartz, Esquire, also present. Commissioner Boring was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Chotas moved; seconded by Vice-Chair Fryer to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,000.00 fine; investigative costs. **Violation(s):** Respondent admits violating Section 475.25 (1)(r), Florida Statutes, when Respondent failed to include a definite expiration date for the Listing Agreement in the Listing Withdrawal.

Action taken: Settlement Stipulation accepted.

Tab K – Scott Douglas Mathis, SL 3148502; Case No. 2014037169 – Settlement Stipulation

Respondent was present; Respondent was represented by Steven Johnson, Esquire, also present. Commissioner Chotas was recused due to participation on the probable cause panel.

Mr. David represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Hornsleth to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,000.00 fine; investigative costs; attend 2 complete FREC meetings; probation for 1 year. **Violation(s):** Respondent neither admits nor denies allegedly violating Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission in writing within 30 days after entering a plea of nolo contendere and being adjudicated guilty to DUI with Serious Personal Injury.

Action taken: Settlement Stipulation accepted.

Tab M – Carlton Conant Rowand, BK 3111849; Case No. 2014020928 – Settlement Stipulation

Respondent was not present; Respondent was represented by Nancy Campiglia, Esquire, present. Commissioner Chotas was recused due to participation on the probable cause panel.

Ms. Lamont represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$500.00 fine; investigative costs; attend 2 complete FREC meetings; probation for 1 year. **Violation(s):** Respondent neither admits nor denies allegedly violating Section 475.25(1)(c), Florida Statutes, by listing properties on his website as his own properties when these listings were actually owned by other brokerages.

Action taken: Settlement Stipulation accepted.

Tab T – Nancy Jimenez, SL 3186831; Case No. 2014019874 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Respondent was present and was not represented by counsel. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not present.

Ms. Lamont represented the department and presented the case to the Commission. The Commission granted the waiver hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: Probation for 6 months; extension granted for 6 months to comply with the provisions of the previous Final Order regarding Case No. 2010027007. **Violation(s):** Section 475.25(1)(e), Florida Statutes, by failing to comply with the terms of the above Final Order.

Tab E – Carolyn Yvonne Landon, SL 3230432; Case No. 2012024463 – Respondent’s Request for Informal Hearing

Respondent was not present; Respondent was represented by James Harwood, Esquire, present. Vice-Chair Fryer was recused due to participation on the probable cause panel.

Ms. Miller represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved, seconded by Commissioner Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Boring moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: Suspension for 2 years; \$1,000.00 fine; investigative costs; probation for 2 years; complete a 3-hour ethics course. **Violation(s):** Section 475.25(1)(g), Florida Statutes, when Respondent’s sales associate’s license was revoked by the real estate licensing agency of Hawaii.

Tab F – Rebekah Carter Neely, BK 3229444, Case No. 2014005636 – Respondent’s Motion for Informal Hearing

Respondent was not present; Respondent was represented by James Harwood, Esquire, present. Vice-Chair Fryer was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Chotas moved, seconded by Commissioner Hornsleth; motion passed 3 to 1 to defer the penalty phase until a future meeting.

Action taken: Penalty phase deferred.

Tab L – Michael Powell, SL 3228666; Case No. 2012028603 – Settlement Stipulation

Respondent was not present; Respondent was represented by James Harwood, Esquire, present. No current members participated on the probable cause panel.

Mr. Kendrick represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Chotas to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$1,500.00 fine; investigative costs; complete a 3-hour FREC-approved ethics course. **Violation(s):** Respondent admits violating Section 475.25(1)(b), Florida Statutes, when Respondent committed a breach of trust or misrepresentation by failing to disclose Respondent’s \$3,000.00 payment on the contract or HUD-1 or failing to pay the \$3,000.00 to the Complainant out of his commission.

Action taken: Settlement Stipulation accepted.

Tab A – Anthony Jerome Cantey, BK 605941; Case No. 2014017740 – Respondent’s Request for Informal Hearing

Respondent was present via teleconference; Respondent was represented by Paul Moor, Esquire, also present via teleconference. Commissioner Chotas was recused due to participation on the probable cause panel.

Mr. Brackett represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion

passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Penalty: \$250.00 fine; investigative costs; attend one complete FREC meeting; probation for 6 months. **Violation(s):** Section 475.25(1)(b), Florida Statutes, by providing Wells Fargo a sale and purchase contract for Subject Property with a selling agent who did not work for Respondent's brokerage or have any knowledge of the contract.

Tab P – Paul E. Toppino, BK 3007351; Case No. 2013011880 – Settlement Stipulation

Respondent was not present; Respondent was represented by Richard J. Fowler, Esquire, present via teleconference. Chair Furst was recused due to participation on the probable cause panel. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not present.

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved; seconded by Commissioner Boring to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: Suspension for 12 months; \$1,000.00 fine; investigative costs; attend 2 complete FREC meetings; probation for 1 year. **Violation(s):** Respondent admits violating Section 475.25(1)(f), Florida Statutes (2012), by pleading nolo contendere to a crime which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing; Section 455.227(1)(t), Florida Statutes (2012), by failing to report in writing to the Florida Real Estate Commission the aforementioned crime within 30 days after the date of the pleading nolo contendere.

Action taken: Settlement Stipulation accepted.

Tab J – Graciela Lozano, SL 3125250; Case No. 2013006561 – Settlement Stipulation

Respondent was not present; Respondent was represented by Richard J. Fowler, Esquire, present via teleconference. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not present.

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Boring moved; seconded by Commissioner Hornsleth to accept the Stipulation for Nolle Prosequi. The motion passed 3 to 2.

Action taken: Stipulation for Nolle Prosequi accepted.

Tab G – Randal Thomas Rosado, SL 3233789, Case No. 2014013275 – Petitioner's Motion for Informal Hearing

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

Ms. Miller represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

Action taken: Revocation, \$1,000.00 fine; investigative costs. **Violation(s):** Section 475.42(1)(b), Florida Statutes, by operating as a broker while licensed as a sales associate and by operating as a sales associate for a company not registered as his employer; Section 475.25(1)(k), Florida Statutes, by receiving a deposit which Respondent failed to place in escrow, while acting as a broker, and/or by failing to place Deposit with his registered employer; Section 475.42(1)(d), Florida Statutes, when Respondent collected money as a deposit in connection with a rental transaction,

not in the name of his employer or with the express consent of his employer; Section 475.25(1)(e), Florida Statutes, through a violation of Rule 61J2-10.038, Florida Administrative Code, when Respondent failed to notify the DBPR of a change in his current mailing address within 10 days after the change; Section 475.25(1)(e), Florida Statutes, by violating Rule 61J2-14.009, Florida Administrative Code, by failing to deliver a deposit to the broker or employer no later than the end of the next business day.

Tab I – Anne De Lacour, BK 704741; Case No. 2014028151 – Settlement Stipulation

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

Mr. Brackett represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Vice-Chair Fryer to accept the Stipulated Settlement. The motion passed without dissent.

Penalty: \$250.00 fine; investigative costs; must complete a 3-hour escrow course. **Violation(s):** Section 475.25(1)(k), Florida Statutes, when she failed to immediately place the Tenant 2 and the Tenants' escrow deposits into an account holding trust powers.

Action taken: Settlement Stipulation accepted.

Commissioner Hornsleth was excused for the remainder of the day.

Tab B – John Earles IV, BK 3045494; Case No. 2011053266 – Petitioner's Motion for Informal Hearing

Case withdrawn.

Tab C – John Earles IV, BK 3045494; Case No. 2011061023 – Petitioner's Motion for Informal Hearing

Case withdrawn.

Tab D – Marily De Assis Hyler, SL 3245355, Case No. 2014022155 – Respondent's Request for Informal Hearing

Respondent was not present and was not represented by counsel. Commissioner Enzor served on the probable cause panel. Commissioner Enzor was excused and not present.

Mr. David represented the department and presented the case to the Commission. Vice-Chair Fryer moved, seconded by Commissioner Chotas; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Vice-Chair Fryer moved, seconded by Commissioner Chotas; motion passed without dissent to impose the following sanctions:

Action taken: \$250.00 fine; investigative costs; attend 1 complete FREC meeting; probation for 6 months.

Violation(s): Section 475.25(1)(r), Florida Statutes, by failing to include in the written listing agreement a description of the property and by failing to include in the written listing agreement the price and terms.

Tab H – Isis V. Canales, SL 3048107; Case No. 2014016625 – Settlement Stipulation

Case withdrawn.

Tab Q – Luigi Gallegos, SL 572662; Case No. 2014017722 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Miller represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Chotas to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

Action taken: Accepted Voluntary Relinquishment of License for Permanent Revocation.

Tab R – Stefanie Rachel Stein, SL 3127082; Case No. 2014038031 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present and was not represented by counsel. No current members were recused due to participation on the probable cause panel.

Ms. Miller represented the department and presented the cases to the Commission. The Commission entered into discussion. Vice-Chair Fryer moved, seconded by Commissioner Chotas to accept the Settlement Agreement to Relinquish License for Permanent Revocation. The motion passed without dissent.

Action taken: Accepted Voluntary Relinquishment of License for Permanent Revocation.

Tab S – Paulina O. Fajeraizen, SL 3169193; Case No. 2013047132 – Petitioner’s Motion for Waiver Hearing and Enter a Final Order

Case withdrawn.

General Session continued

Review and Consideration of the Real Estate Education Courses continued

Tab A – *How New Government Consumer Protections Impact Real Estate Transactions* - New Course (3 hours Specialty CE; classroom) – Application No. 22192 – Dana R. Ward, Real Estate Closing Solutions, LLC

Ms. Ward was present. The Commission entered into discussion. Vice-Chair Fryer moved to approve the course for 3 hours of Specialty CE; Commissioner Boring seconded the motion. The motion passed without dissent.

Rules Report

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

Rules Discussion

Rule 61J2-10.015 – Advertising

Director Watkins stated that the Commission requested the Division research how other states address the advertisement of “teams”. Deputy Director Johnson stated that she reached out to her fellow ARELLO members and provided a brief summary of the information she received from five states that address “teams” in their statutes or rules. The

Commission thanked Ms. Johnson for her presentation and entered into discussion. After discussion, the Commission present concluded not to open this rule for development at this time.

Special Agenda

Communication from Jasmin Thelemaque

Education Coordinator Pomales presented correspondence received from Jasmin Thelemaque requesting the Commission allow her a 6-month extension to complete the 45-hour post-licensing course due to economic and financial hardship. The Commission entered into discussion. Vice-Chair Fryer moved to deny the extension request. Commissioner Boring seconded the motion; the motion passed without dissent.

Consent Agenda A

The Commission considered 75 applicants from the Consent Agenda A; Vice-Chair Fryer moved; seconded by Commissioner Boring to approve 36 applicants and require 39 applicants to be placed on the Summary of Applicant Agenda; the motion passed 3 to 1. Tab D was withdrawn.

The following applicants were approved:

Antoine, Julia	Marin, Luis	Potts, Sarah Endicott
Bamberg, John Paul II	Mleko, Ronald Michael	Reese, Donald John
Beck, Christine	Monroe, Shanna Lynn	Renny, Gustav
Bharath, Ravi L.	Ostrovsky, Leonard	Saavedra, Oscar
Bondar, Stacey Ruth	Padilla, Mauricio Luis	Tyde, Krystn Lorraine
Bushbye, Tammy Ann	Pettengil, Travis James	Vargas, Alvaro
Ebanks, Eddie Rogers	Hewitt, Charles	Vega, Kenneth
Ecker, Edward	Holguin, Adam	Vignola, Michelle Lisa
Flathman, Shaya Rae	Holzinger, Therese Arlene	Vincent, William J.
Gonzalez, Omar	Hutnick, Joseph Andrew Jr.	Walker, Andrew Dallas
Gonzalez, Vanessa Maria	Justice, Winston Frederick	Williams, Bryan
Hess, Edwin	Juvert, Luz M.	Wonn, Perl Jay IV

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

Aronov, Albert	Garcia, Ana Esther	Montgomery, Wiley J.
Bennett, Diana Marie	Gomez, John Alexander	Murphy, Mark James Jr.
Bills, Ronald Lee	Graziano, John Jude	O'Donnell, Peter James
Cameron, Douglas Edward	Harris, Christopher Bruce	Otero, Carlos Jr.
Caselli, Anthony	Henley, Joan	Powell, Buck
Chanquet, Sergio	Huff, Brittany	Ray, Abraham
Charlson, Cilicia Obadiah	Kemna, Troy Alan	Reiter, Mark Jared
Cianciolo, Tristan	Kogan, Mark	Rodriguez, Julia
Cook, Naika	Libreros, Antonio	Russell, Eric
Elhosseiny, Adam	Lindbergh, Mitchell Scott	Scribner, Elisa Lowe
Fuller, Roman	Lloyd, Rachel Eve	Troyan, Jason
Gajardo, Mauricio Alejandro	Martinez, Stephen	Valdes, Kin
Galpin, Justin	McCabe, Michael Jay	Walters, Latasha Nichole

Consent Agenda B

The Commission considered 34 applicants from the Consent Agenda B; Commissioner Boring moved; seconded by Vice-Chair Fryer to approve 23 applicants and require 11 applicants to be placed on the Summary of Applicant Agenda; the motion passed 3 to 1. Tab Q was withdrawn.

The following applicants were approved:

Akins, Ethel Sharonda	Dunkley, Emile	Myers, Yirayma Elizabeth
Barriffe, Jennifer Flemister	Eidson, Keith	Rondinone, Steven Anthony
Bermudez, Edgardo Noel	Flores, Jose Antonio Jr.	Rubio Fleischer, Alexander F.
Bonilla, Ramon	Johnson, Keely Bedgood	Sherman, Bradley Allen
Brown, Lisa Jeanette	Kassimis, Jimmy	Stratos, Michael
Bushbye, Tammy Ann	Linan, Julian A. Sr.	Suarez, Danny
Cintron, Jose	Marr, Sandi Gene	Theodore, Regine
Daniels, Joy Lynn	Morel, Richard Kirk	

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

Calimano Ferreira, Elisa	Maus, Richard Wayne	Reich, Scott
Cardo, Elda	Milosevic, Marko	Romano, Salvatore Anthony
Castilla, Lisandra	Pefanis, James Louis	Trouy, Angela Jewel
Domenech, Paul	Rago, Michelle	

Public Comments

The Commission offered but did not receive any comments from the audience.

Recess

There being no objection, the Chair recessed the meeting at approximately 12:40 p.m. until 8:30 a.m. tomorrow.

January 14, 2015

Chair Furst reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 14th day of January, 2015.

The following Commission members were in attendance: Chair Darla Furst, Vice-Chair Dick Fryer, Chip Boring and Lee Chotas. Commissioner Enzor and Commissioner Hornsleth had an excused absence. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Denise Johnson, Deputy Director; Andrew Fier, Chief Attorney; Dan Brackett, Assistant General Counsel; Jeannie Adkinson, Regulatory Specialist III; Mike Johnson, Complaint Analyst; Susan Bailey, Administrative Assistant II; Mike Davis, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

Summary of Applicants

Deputy Director Johnson presented 59 Summary of Applicants requesting to sit for the real estate examination.

Tab T – Nelson Castineira, present; was represented by Steven Johnson, Esquire, also present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AC – Leticia Goncalves, not present; was represented by Daniel Villazon, Esquire, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for broker; the motion passed without dissent.

Tab AG – Steven C. Jewels, present; was represented by Jay Livingston, Esquire, also present – Vice-Chair Fryer moved; seconded by Commissioner Chotas to approve the application for broker; the motion passed without dissent.

Tab E – Gloria Alfonso, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab G – Damon E. Ash, present – Applicant withdrew the application.

Tab I – Abiel Ballesteros, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for broker; the motion passed without dissent.

Tab K – Pablo Barreneche, present – Applicant withdrew the application.

Tab L – Larry Bean, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab M – John Bosco, present – Applicant withdrew the application.

Tab O – Ryan B. Buchholz, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab P – Thomas P. Caffrey, Jr., present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Q – Nathan M. Calhoun, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab R – Joanne Carter, present with interpreter – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 1.

Tab V – Nicholas A. Cwikla, present – Applicant withdrew the application.

Tab W – Robert C. Di Pano, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab X – Dennis M. Di Vico, present – Applicant withdrew the application.

Tab Y – Christopher T. Feamster, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AB – Ramses Ghanem, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab Z – John J. Flynn, III, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed 3 to 1.

Tab AD – Andres Gonzalez, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AE – Katrina Guerra, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AF – Mohammad Y. Ismail, present – Commissioner Chotas moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab AI – Cynthia L. Judd, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AK – Donna R. Lawrence, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AL – Toby D. Lowry, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AP – Ricardo Orjuela, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AR – Predrag Ostojic, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate with conditions; the motion passed without dissent.

Tab AT – Jaime A. Rojas, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AU – Marie E. Sanford, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 1.

Tab AV – Juan E. Soto, present – Commissioner Chotas moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AX – Nicole L. Stonestreet, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate with conditions; the motion passed 3 to 1.

Tab AY – Scott S. Stubbs, present – Applicant withdrew the application.

Tab AZ – Paul Sukholinskiy, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BA – Jerry Taylor, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BB – Gary Washington, present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for broker; the motion passed without dissent.

Tab BC – Terry A. Welch, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab BD – Shantaya Williams, present – Vice-Chair Fryer moved; seconded by Commissioner Chotas to approve the application for sales associate; the motion passed without dissent.

Tab BE – Justin M. Wyckoff, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab A – Albina Bekova, present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AM – Barbara McCloud, present – Applicant withdrew the application.

Tab B – Fatimah F. Haq, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab C – William T. Ackland, not present – Applicant requested a continuance and waived the 90-day requirement.

Tab D – Fernando J. Aguilera, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab F – Armando Arias, not present – Applicant withdrew the application.

Tab H – Jason Bales, not present – Commissioner Boring moved; seconded by Vice-Chair Fryer to approve the application for sales associate; the motion passed without dissent.

Tab J – Christopher Barnett, not present – Applicant requested a continuance until February 2015 and waived the 90-day requirement.

Tab N – Tara Brown, not present – Vice-Chair Fryer moved; seconded by Commissioner boring to deny the application for sales associate; the motion passed without dissent.

Tab S – Nicholas Case, not present – Applicant requested a continuance until March 2015 and waived the 90-day requirement.

Tab U – Michael B. Curran, not present – Applicant requested a continuance until a future meeting and waived the 90-day requirement.

Tab AA – Matthew G. Fredericks, not present – Applicant requested a continuance until February 2015 and waived the 90-day requirement.

Tab AH – Canaan M. Johnson, not present – Applicant withdrew the application.

Tab AJ – Tiallondra N. Kemp, not present – Commissioner Boring moved; seconded by Vice-Chair Fryer to deny the application for sales associate; the motion passed without dissent.

Tab AN – Shahzad Nawaz, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AO – Samuel A. Nicolas, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Tab AQ – Ernesto Ortega, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed 3 to 1.

Tab AS – Silvio P. Rocco, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to approve the application for sales associate; the motion passed without dissent.

Tab AW – Michael Still, not present – Applicant requested a continuance until February 2015 and waived the 90-day requirement.

Tab BF – John A. Yalacki, not present – Vice-Chair Fryer moved; seconded by Commissioner Boring to deny the application for sales associate; the motion passed without dissent.

Agenda B, Tab A – William Morrissey, not present; was represented by James Harwood, Esquire, not present – Informal – Mr. Harwood requested a continuance on behalf of the applicant until February 2015.

Director's Comments

Ms. Johnson provided the following comments:

- ARELLO is April 15 through April 18, 2015, in Albuquerque, New Mexico. Ms. Johnson stated that the budget allows 1 Commissioner to attend and requested the Commission let the Division know next month who will be attending.

Chair's Remarks

Chair Furst stated that Commission Enzor misses participating at the General Meeting and suggested reaching out to him to let him know he is missed by all.

Public Comments

The Commission offered but did not receive any comments from the members of the audience.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 1:30 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for February 17 and 18, 2015, in Orlando, Florida.



Darla Furst, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission