

Ken Lawson, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
June 13, 2016
General Workshop**

Chair Dick Fryer, called the meeting of the Florida Real Estate Commission to order, at approximately 10:00 a.m., in Orlando, Florida, on this 13th day of June, 2016.

The following Commission members were in attendance: Dick Fryer, Patricia Fitzgerald, Darla Furst, Poul Hornsleth and Thomas Luzier. Vice-Chair Boring was excused and not in attendance. 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; Josh Kendrick, Chief Attorney; Maureen White, Assistant General Counsel; Jocelyn Pomales, Education Coordinator; Mike Davis, Regulatory Specialist III; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

Other attendees:

Linda Crawford, Dearborn Publishing
Renee Butler, Brokers Realty of Central Florida, Inc.
Margy Grant, Florida Realtors Vice President/General Counsel of Law and Policy
William Glenn East, Walter Williams Property Management, Inc.
Sean Frank, Uown Real Estate, Inc.
Ron Shuffield, EWM Realty International
Jeff Fagan, Watson Realty
Randy Schwartz, Esquire
Matey Veissi, Florida Realtors President
Kristy Harrington, Esquire
Marcia Tabak, General Counsel, Florida Realtors

Chair Fryer stated that the purpose of this workshop is to discuss legislative issues and recommendations for the 2017 Legislative Session and Rule 61J2-10.025 – Advertising, relating to team advertising.

Chapter 475 Legislation

Chair Fryer presented a list of his recommendations to present to the Legislature, which includes: Auditing schools and providers; permanent revocation; definition of a broker relating to property management, distance education, advertising by real estate schools and team advertising. Chair Fryer provided a brief summary of the reasons for his proposals. The Commissioners entered into discussion and expressed their support of these suggestions.

Permanent Revocation

The Commission discussed submitting a proposal to include language in Chapter 475.25 (3) to reflect revocation of a license shall be permanent. The Commission received comments from the audience. FREC Counsel Barnhart stated that Section 455 may require an amendment as well. Chair Fryer suggested deleting the second and third sentence in 455.227, F.S. Director Watkins stated an amendment to 455 would require the consensus of all the professions; however, she would make this proposal to the department. The Commission was in agreement with the proposals.

Team Advertising

Chair Fryer presented this topic for discussion and stated that the issue relating to team advertising is a discussion being had nationally. This topic was discussed at length. Director Watkins suggested that the Commissioners establish points that they most would like to address and establish rulemaking authority, if required, to allow rulemaking for any issues.

The Commission received comments from Matey Veissi, Jeff Fagan, Ron Shuffield, Margy Grant, Renee Butler, Linda Crawford, Kristy Harrington and Marcia Taback.

The Commissioners discussed how to move forward with this issue. Upon conclusion, Chair Fryer asked for a motion requesting language in Section 475, Florida Statutes to address team or group advertising; specifically, to reflect that the team or group name shall not be larger than the broker's name and to include the rulemaking authority language. Commissioner Hornsleth so moved; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Property Management

Director Watkins requested direction relating to the property management issue. In particular, wanted to find out the Commission's position be in the event the industry proposes defining in property management in statute. The Commissioners stated that they would support it.

Chair Fryer expressed his appreciation to everyone for their interest and participation.

Director Watkins also wanted to thank Christy Harrington for her contributions as a great deal of the team research information was provided by Ms. Harrington.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 4:50 p.m.



Dick Fryer, Chair
Florida Real Estate Commission



Juana Watkins, Director
Florida Real Estate Commission