

Jonathan Zachem, Secretary

Rick Scott, Governor

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
July 18 and 19, 2017
General Meeting**

Vice-Chair Thomas Luzier called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 18th day of July, 2017.

The following Commission members were in attendance: Vice-Chair Thomas Luzier, Patricia Fitzgerald, Dick Fryer, Poul Hornsleth, Patti Ketcham, and Randy Schwartz. Mr. Tom Barnhart, Senior Assistant Attorney General appeared as counsel for the Commission. Mr. Barnhart declared a quorum present. Chair Chip Boring arrived late.

Department and Division staff present at the meeting: Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; Allison McDonald, Deputy Chief Attorney; Nick Duval, Assistant General Counsel; Warren Sanger, Operations Support Unit Supervisor; Janice Lugo, Regulatory Consultant; Mike Davis, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

July 18, 2017

Summary of Applicants

Operations Support Supervisor Warren Sanger presented 73 Summary of Applicants requesting to sit for the real estate examination.

1. Tab M – Yeasterly Churio, present; interpreter, present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
2. Tab X – Damaris Gil, present; interpreter, present – Applicant withdrew application
3. Tab BB – Uban Rojo, present; interpreter, present – Commissioner Hornsleth moved; seconded by Commissioner Ketcham to deny the application for sales associate; the motion passed 4-2.
4. Tab BD – Eileen Santos, present; interpreter, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate with conditions; the motion passed without dissent.
5. Tab AA – Rafael Antonio Guilarte, present; was represented by Steve Johnson, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
6. Tab BK – Joseph Sweeney, present; was represented by Steve Johnson, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
7. Tab B – Jason Timothy Bodkin, present; was represented by Steve Johnson, Esquire, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
8. Tab G – Aron Bronstein, present; Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed 5-1.

9. Tab H – Michael Brun, present; Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
10. Tab S – Michael Clyde Douglass, present; Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to deny the application for sales associate; the motion passed 4-3.
11. Tab AG – Christopher Aaren Krumbholz, not present; Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
12. Tab AI – Andre Lancaster, present; Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
13. Agenda B, Tab A – Carolina Espinosa, present; Daniel Villazon, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed 4-3.
14. Tab AL – Anthony Joshua Lozada, present; Brandon Gans, Esquire, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
15. Tab BN – Max Valdes, present; Nancy Campiglia, Esquire, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
16. Tab AF – Patricia A. Jackson, present; Mike Swindle, Esquire, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for broker; the motion passed without dissent.
17. Tab AS – Marilyn Mirus, present, informal – Vice-Chair Luzier moved; seconded by Commissioner Schwartz to uphold the notice of intent to deny for sales associate; the motion passed 5-2.
18. Tab A – Sanjay C. Amin, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
19. Tab C – Craig Robert Boggs, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
20. Tab E – Steven Bombino, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
21. Tab F – Charles Benjamin Bouwkamp, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
22. Tab J – Randall Norman Cales, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
23. Tab L – Heather Christine Celeste, present – Commissioner Fryer moved; seconded by Commissioner Ketcham to approve the application for sales associate; the motion passed without dissent.
24. Tab P – Ann M. Cortelli, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
25. Tab Q – Austin Douglas Craig, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.

26. Tab U – Thomas Evans, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
27. Tab V – Gretchen Lee Fenn, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 5-2.
28. Tab W – Rochell Fulford, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.
29. Tab AB – Djinnee O. Gunning, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
30. Tab AH – Youlande Labidou, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
31. Tab AJ – William Landers, present – Commissioner Schwartz moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
32. Tab AO – Randolph Lee Mike Jr., present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
33. Tab AP – Thomas A. Miller Jr., present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
34. Tab AQ – Shawn Milligan, present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to approve the application for sales associate with conditions; the motion passed without dissent.
35. Tab AR – Carmen Mirabal, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
36. Tab T – David Espinosa, present – Commissioner Schwartz moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed 5-1.
37. Tab AT – Ricelda Aurora Molina Hernandez, present – Applicant withdrew application
38. Tab AU – Jenny Nasimos, present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to approve the application for sales associate with conditions; the motion passed 6-1.
39. Tab AW – Joseph E. Oster, present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to approve the application for broker; the motion passed without dissent.
40. Tab AX – Ivon Palenzuela, present – Applicant withdrew application.
41. Tab AY – Josue Pierrissaint, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
42. Tab BE – Jeffrey Schroeder, present – Commissioner Fryer moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
43. Tab BF – Tina Scroggins, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
44. Tab BG – Christine Siddiq, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed 6-1.
45. Tab BH – Tim Simpson, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
46. Tab BI – Cameron Slagle, present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.

47. Tab BJ – Amy Spielman, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
48. Tab BP – Christopher Kyle Voigt, present – Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
49. Tab BM – Adrian Dwoyne Terry, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
50. Tab BQ – Mary Elizabeth Waltrip, present – Commissioner Fryer moved; seconded by Commissioner Fitzgerald to approve the application for sales associate; the motion passed without dissent.
51. Tab BS – David Christopher Weigel, present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
52. Tab BT – Darren William Zimmerman, present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 6-1.
53. Tab D – Srecko Bokun, not present – Applicant continued and waived 90 days
54. Tab I – Nancy Cajaraville, not present – Vice-Chair Luzier moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.
55. Tab K – Pamela Carpenter, not present – Commissioner Fryer moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.
56. Tab N – Sadie Comfort, not present – Applicant continued
57. Tab O – Eduardo Guillermo Coquelet, not present – Applicant continued and waived 90 days
58. Tab R – Vanessa Cruz, not present – Applicant continued and waived 90 days
59. Tab Y – Bianca Nicole Glass, not present – Applicant continued and waived 90 days
60. Tab Z – Michele Gochie, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.
61. Tab AC – Katherine Marie Heysel, not present – Applicant continued and waived 90 days
62. Tab AD – Anthony Tywon Hughes, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
63. Tab AE – Kevin Washington Isaacs Sr., not present – Applicant continued
64. Tab AK – Joel Arthur Lewetag, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
65. Tab AM – Dennis Mason, not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve the application for sales associate; the motion passed without dissent.
66. Tab AN – Tara Jade Melvin, not present – Commissioner Hornsleth moved; seconded by Commissioner Schwartz to approve the application for sales associate; the motion passed without dissent.
67. Tab AV – Jesus Manuel Neyra, not present – Applicant continued and waived 90 days
68. Tab AZ – Michael Powell, not present – Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.
69. Tab BA – Nancy Restrepo, not present – Applicant withdrew application

70. Tab BC – Hathaikarn Russo, not present – Commissioner Hornsleth moved; seconded by Vice-Chair Luzier to deny the application for sales associate; the motion passed without dissent.

71. Tab BL – Joseph Teague Jr., not present – Commissioner Hornsleth moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

72. Tab BO – Marcos Valentin, not present – Commissioner Fitzgerald moved; seconded by Commissioner Fryer to deny the application for sales associate; the motion passed without dissent.

73. Tab BR – Harold Dean Weeks, not present – Applicant continued and waived 90 days

Consent Agenda A

The Commission considered 52 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve 36 applicants and require 16 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Noel Alvarez	Tresa Godwin	Fernando Penalver
Abela Amelia	Emmanuel Gonzalez Marquez	Kleber Educardo Peralta
Joseph John Barbaro	Rachel Kathleen Hallman	Adam Mikael Polsky
Dustin Michael Brody	James Austin Hazel	Paris Purce
Nataliya Cashen	Stephen Heckman	Dorys Rey
Toney Damascus Coney	Bryan Christopher Holtz	Ricardo J. Reyes
Jay Loy Cormany	Jared Michael Johnson	Zane Seneca Stearns
Thomas Davanaugh	Adam Luis Leon	Laura Catina Walker
Tiawain Elbert	Mark Andrew McHale Jr.	Capri Wiedemann
Sharon Gloria Erickson	Stephen Mosier	Tiffanie Wood
Lori M. Faircloth	Jamil Marquette Paris	Austin Chandler
Neri M. Fajardo	Diane Lauren Parker	Isaiah Wright Rosa

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

Christopher Jordan Barclay	Yosarian Diaz Rodriguez	Carlos Medina Espeche
Kristopher Clifford Bower	Juan Hurtado	Mayra Sarahi Navarro
Michael Brusco	Kyrie Velary Koykar	Joseph Anthony Sassarini
Antione R. Butler Jr.	Melody Marshall	Walter Winchell Singletary Sr.
Douglas Paul Craig	Mark McMullen	Bruce Allen Wilson Jr.
Jason Davidek		

Consent Agenda B

The Commission considered 18 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Fryer to approve 8 applicants and require 10 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

David Arthur Auerbach	Constance Louise Dusek	Lyndsay Alexandria Roberts
James L. Coll III	Eduardo Estremadoyro	Beatriz Villarejo
Michael Durr	Andres Munoz	

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

Edison Parker Guintivano	Martell Aimee Otero	Daniel Maxfield Tobey
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Rickey Collon Lawhorn
Christopher Mercado
Jose Antonio Ochoa

Ananias Purkett
Alethea Rae Lynn Reyes

Niurcaivelis Torres
Steven Whitfield

Public Comments

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

Recess

There being no objection, the Chair recessed the meeting at approximately 3:45 p.m. until 8:30 a.m. tomorrow.

July 19, 2017

Chair Chip Boring reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 19th day of July, 2017.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Luzier, Patricia Fitzgerald, Dick Fryer, Poul Hornsleth and Randy Schwartz. Commissioner Ketcham was excused and not present. 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; Lori Crawford, Executive Director; Josh Kendrick, Chief Attorney; Nick Duval, Maureen White; Assistant General Counsels; Brandy Miller, Deputy Chief Attorney; appearing via video conference: Dan David, Alicia Bhambhani, Tabitha Herrera and Crystal Stephens, Assistant General Counsels (via video conference); Sara Kimmig, Chief of Enforcement; Warren Sanger, Licensing Supervisor; Jocelyn Pomales, Education Coordinator; Mike Davis, Regulatory Supervisor. American Court Reporting, Inc. (407) 896-1813, provided court reporter services.

The Commission welcomed attendees from ERA Grizzard Real Estate, Royal Palm Coast Realtor Associations and the Venice Area Board of Realtors.

Reports

Enforcement Trends and Escrow Audits Reports

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

Unlicensed Activity Report

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

Monthly Exam Performance Summary Report

Executive Director Crawford presented the monthly Exam Performance Summary Reports and addressed questions and comments from the Commission.

Application and License Count Reports

Operations Support Unit Supervisor, Warren Sanger presented the Application and License Count Report and addressed questions and comments from the Commission.

Legal Case Activity Report

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

Legal Agenda Schedule

Escrow Disbursement Orders

Deputy Chief Attorney Miller presented 6 Escrow Disbursement Orders, and 4 Orders for the Commission's consideration. The Commission entered into discussion. Tab C was pulled at the Commission's request. Commissioner Hornsleth moved to accept 5 Escrow Disbursement Orders; seconded by Commissioner Fitzgerald; the motion passed without dissent. Commissioner Fryer moved to accept the 4 remaining orders; seconded by Commissioner Hornsleth; the motion passed without dissent.

Recovery Fund Claims

Tab A – Mark R. Coughlin v. Wanda Collier, DBPR Case No. 2015-038231

Mr. David presented the above matter to the Commission. The Licensee was not present. Mr. David recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Fryer moved to deny the Final Order Granting the Recovery Fund Claim in the amount of \$50,000. Vice-Chair Luzier seconded the motion. The motion passed without dissent.

Tab B – Sherri Hagerman v. Edward DiMarco, DBPR Case No. 2017-019973

Mr. David presented the above matter to the Commission. The Licensee was not present. Mr. David recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Fryer moved to deny the Final Order Granting the Recovery Fund Claim in the amount of \$9,335.54. Commissioner Schwartz seconded the motion. The motion passed without dissent.

Legal Appearance Docket

Tab D – Jerad Withrow, SL 3226275; Case No. 2016031333 – Respondent's Request for Informal Hearing

Respondent was present; Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Fryer was recused due to participation on the probable cause panel.

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

Penalty: Administrative fine \$500.00; investigative costs of \$239.25; two complete FREC general meetings; 6 months of probation. Violation(s): Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes. Respondent violated Section 455.227(1)(t), Florida Statutes, in one or more of the following ways: a. by failing to submit a written report to the Department within thirty (30) days of pleading no contest and being adjudicated guilty of one count of Battery, a first degree misdemeanor; b. by failing to submit a written report to the Department within thirty (30) days of pleading no contest to and being adjudicated guilty of one count of Resisting Officer Without Violence, a first degree misdemeanor; c. by failing to submit a written report to the Department within thirty (30) days of pleading no contest to one count of Resisting an Officer with Violence, a third degree felony, and one count of Battery on a Law Enforcement Officer, a third degree felony; d. by failing to submit a written report to the Department within thirty (30) days of pleading no contest to, and being adjudicated guilty of two counts of Battery, a first degree misdemeanor.

Agenda B, Tab B – Brian Stanfield, BK 3071074; Case No. 2016006534 – Respondent's Request for Reconsideration

Respondent was present; Respondent was not represented by counsel. Vice-Chair Luzier was recused due to participation on the probable cause panel.

Ms. White represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved to reconsider the Final Order; seconded by Commissioner Fitzgerald; motion passed 5-1. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald; the motion passed 5-1 to impose the following sanctions:

Penalty: Suspension for 1 year; administrative fine of \$2,000.00; investigative costs of \$726.00; 2 complete FREC general meetings; complete a 3-hour core law course; 1 year of probation. Violation(s): Section 455.227 (1)(o), Florida Statutes (2015), and thereby violating Section 475.25(1)(e), Florida Statutes (2015), by being licensed as a broker sales associate and preparing and filing the Deed between Daisey and his daughter, Sharon Daisey, for Subject Property for compensation. Section 475.42(1)(d), Florida Statutes, by being licensed as a broker sales associate and collecting compensation for preparing Lease between Daisey and his daughter, Sharon Daisey, for Subject Property.

Tab F – Enri Pinto, SL 3344235; Case No. 2016044565 – Settlement Stipulation

Respondent was present; Respondent was not represented by counsel. Vice-Chair Luzier was recused due to participation on the probable cause panel.

Ms. Herrera represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved to accept the Settlement Stipulation, with conditions; Commissioner Schwartz seconded the motion; the motion passed without dissent:

Penalty: Administrative fine \$250.00; investigative costs of \$168.30; 1 complete FREC general meeting; 3-hour core law course. Violation(s): Section 475.25(1)(f), Florida Statutes, by pleading guilty to one count of "Possession of Cannabis with intent to sell, manufacture, or deliver," a third degree felony.

Action Taken: Settlement Stipulation accepted

Tab A – Joaquin Cossio, BK 3096687; Case No. 2016032756 – Petitioner's Motion for Informal Hearing

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Luzier 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 to find the Respondent guilty as charged in the Administrative Complaint; Commissioner Fryer seconded; the motion passed without dissent. Commissioner Hornsleth moved; seconded by Commissioner Fryer; the motion passed without dissent to impose the following sanctions:

Penalty: Revocation. Violation(s): Section 475.25(1)(f), Florida Statutes in one or more of following ways: by being found guilty of the felony of Conspiracy to Commit Bank Fraud; Section 475.25(1)(p), Florida Statutes (2013), in one or more of the following ways: by failing to inform the Commission in writing within 30 days after entering a plea of guilty to the felony of Conspiracy to Commit Bank Fraud; by failing to inform the Commission in writing within 30 days after being adjudicated guilty of the felony of Conspiracy to Commit Bank Fraud.

Tab B – Brandon Piegari, SL 3281809; Case No. 2015049594 – Respondent's Request for Reconsideration

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

Action Taken: Case Continued

Tab C – Raul Rodriguez, SL 3149610; Case No. 2016031285 – Respondent’s Request for Entry of Final Order

Respondent was not present; Respondent was not represented by counsel. Vice-Chair Luzier was recused due to participation on the probable cause panel.

Ms. Herrera represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved to find the Respondent guilty as charged in the Administrative Complaint; Commissioner Fitzgerald seconded; the motion passed without dissent. Commissioner Fryer moved; seconded by Commissioner Fitzgerald; the motion passed without dissent to impose the following sanctions:

Penalty: Administrative fine \$300.00; investigative costs of \$353.10; one complete FREC general meeting; 6 month probation. Violation(s): Section 455.227(1)(t), Florida Statutes, by failing to submit a written report to the Department within 30 days of pleading no contest to one count of Reckless Driving, a second degree misdemeanor; Section 475.25(1)(a), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes; Section 475.25(1)(p), Florida Statutes, if the licensee “[h]as failed to inform the commission in writing within 30 days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony.” ; Section 475.25(1)(p), Florida Statutes, by pleading nolo contendere to Felony Battery, a third degree felony, and failing to report the conviction to the commission within 30 days.

Tab E – Jason Nazzaro, BK 3323011; Case No. 2016045313 – Settlement Stipulation

Respondent was not present; Respondent was not represented by counsel.

Ms. Herrera represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Fryer moved to deny the Settlement Stipulation; Commissioner Hornsleth seconded the motion; the motion passed without dissent.

Action Taken: Settlement Stipulation denied.

Tab G – Shainae Sampson, SL 3177381; Case No. 2016056457 – Settlement Stipulation

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

Ms. White represented the department and presented the case to the Commission. The Commission entered into discussion. Vice-Chair Luzier moved to accept the Settlement Stipulation; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Penalty: Administrative fine \$1,000.00; investigative costs of \$214.50; one complete FREC general meeting; 3-hour core law course. Violation(s): Section 455.227(1)(t), Florida Statutes (2016), and thereby 475.25(1)(e), Florida Statutes (2016), by failing to inform the commission in writing within 30 days after entering a plea of guilty to one count of Misprision of a Felony, in violation of Title 18, U.S.C. 4, a felony; Section 475.25(1)(f), Florida Statutes (2013), by being convicted of Misprision of a Felony, in violation of Title 18, U.S.C. 4, a felony, a crime which directly relates to the activities of a licensed sales associate, or involves moral turpitude or fraudulent or dishonest dealing.

Action Taken: Settlement Stipulation accepted

Tab H – Chinqua Williams, SL 691424; Case No. 2016027004 – Settlement Stipulation

Respondent was not present; Respondent was not represented by counsel. Commissioner 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 entered into discussion. Commissioner Hornsleth moved to accept the Settlement Stipulation; Commissioner Schwartz seconded the motion; the motion passed without dissent.

Penalty: Administrative fine \$500.00; 14-hour core law course; to be completed in 6 months. Violation(s): Section 455.227(1)(j), Florida Statutes (2015), by aiding the unlicensed company SPEIS LLC in broker activities; Section 475.42(1)(b), Florida Statutes (2015), when she operated as a broker; Section 475.42(1)(d), Florida Statutes (2015), when she collected rental deposits in a name other than that of her employer.

Action Taken: Settlement Stipulation accepted

Tab I, J, & K – Demetrius Mitchell, SL 3255211; Case Nos. 2016038891, 2017001880, 2017001897 – Voluntary Relinquishment of License for Permanent Revocation

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

Mr. Duval represented the department and presented the case to the Commission. Commissioner Hornsleth moved; seconded by Commissioner Fitzgerald 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 L – Demetrius Mitchell, SL 3255211; Case No. 2017002112 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present; Respondent was not represented by counsel. Commissioner Vice-Chair Luzier was recused due to participation on the probable cause panel.

Mr. Duval represented the department and presented the case to the Commission. Commissioner Hornsleth moved; seconded by Commissioner Fryer 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 M – Lissette Rosario, SL 681956; Case No. 2016050892 – Voluntary Relinquishment of License for Permanent Revocation

Respondent was not present; Respondent was not represented by counsel. There was no probable cause panel.

Ms. Herrera represented the department and presented the case to the Commission. Commissioner Fryer moved; seconded by Commissioner Hornsleth 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 N – Ken O'Malley, SL 3202533; Case No. 2016027837 – Motion for Waiver and Entry of Final Order

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

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

Penalty: Revocation; investigative costs of \$1,386.00. Violation(s): Section 475.42(1)(d), Florida Statutes, by collecting money via checks that were not made out to his employer; Section 475.25(1)(b), Florida Statutes, when Respondent committed fraud, misrepresentation, false promises, false pretenses,

dishonest dealings by trick, scheme or devise, culpable negligence, or breach of trust in a business transaction; Section 475.25(1)(k), when Respondent failed to immediately place funds with his employer that were entrusted to him as an agent of his registered employer.

Tab O – Steve St Felix, SL 3344252; Case No. 2016028462 – Motion for Waiver and Entry of Final Order

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

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

Penalty: Administrative fine of \$500.00; investigative costs of \$82.50; attend 2 complete FREC general meetings; 2 years of probation. Violation(s): Section 455.227(1)(t), Florida Statutes, by failing to inform the Commission, in writing, of his plea of nolo contendere to disorderly conduct within 30 days of making the plea.

Agenda B, Tab A – Raymond Lee Butterfield, SL 3281809; Case No. 2015039399 – Respondent’s Request for Reconsideration

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

Ms. Stephens represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved to continue case to August; seconded by Commissioner Fryer;

Action Taken: Case Continued to August 2017

General Session continued

Review and Consideration of the Real Estate Education Courses

Tab A – Real Estate Contracts 4HR CE – New Course (4 hours, distance) – Application No. 30120 – Real Estate Training Institute, A Division of Certified Training

The applicant was not present in support of the application. The Commission entered into discussion. Commissioner Fryer moved to deny the course; Commissioner Schwartz seconded the motion. The motion passed without dissent.

Rule Discussion

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.

General Session continued

Special Agenda

Mr. Sanger presented communication received from Licensee Seema M. Kara Vira requesting Commission grant her Multiple Broker License. The Commission entered into discussion. Commissioner Fryer moved to deny request; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Rules

Rule 61J2-1.011 – License Fees and Examination Fees

Executive Director Crawford presented this rule for discussion to address the reduction of the late fee from \$45.00 to \$25.00 which will bring this rule with Chapter 455, Florida Statutes. The Commission entered into discussion. Commissioner Fryer moved; seconded by Commissioner Hornsleth to approve the language as amended and to accept the department's proposed determination that there is no impact on small businesses; the motion passed without dissent.

FREC Counsel Barnhart requested the Commission determine whether a violation of this rule or any part of this rule be designated a minor violation. Commissioner Fryer moved that a violation of this rule is not applicable to notices of non-compliance; Commissioner Hornsleth; the motion passed without dissent.

Rule 61J2-3.009 – Continuing Education for Active and Inactive Broker and Sales Associate Licensees

FREC Counsel Barnhart presented the language reflecting changes discussed last meeting. Deputy Director Johnson addressed questions and comments from the Commission. The Commission entered into discussion. Commissioner Fryer moved to approve the language as provided; Commissioner Fitzgerald seconded the motion; the motion passed without dissent. The approved language is amended as follows:

(1) No change.

(2)(a) No change.

(b) Licensees must take the 3-hour Core Law course once during each renewal period. A licensee who takes the 3-hour Core Law course in each year of the renewal period shall be allowed a total of 3 hours of Core Law education and 3 hours of specialty education toward the 14 hour requirement. Real estate licensees who hold a license that expires on September 30, 2018, or thereafter Beginning October 1, 2017, licensees must also take the 3-hour Ethics and Business Practices course once during each licensure renewal period. A licensee who takes the 3-hour Ethics and Business Practices course in each year of the renewal period shall be allowed a total of 3 hours of Ethics and Business Practices and 3 hours of specialty education toward the 14 hour requirement. Licensees who complete the Core Law course and Ethics and Business Practices course will receive 6 hours credit toward the 14 hour requirement. The "specialty" course hours must total at least 8 hours.

(3) through (7) No change.

Commissioner Fryer moved to accept the department's proposed determination that there is no impact on small businesses; seconded by Commissioner Fitzgerald; the motion passed without dissent.

FREC Counsel Barnhart requested the Commission determine whether a violation of this rule or any part of this rule be designated a minor violation. Commissioner Fryer moved that a violation of this rule is not applicable to notices of non-compliance; Commissioner Schwartz seconded the motion; the motion passed without dissent.

Mr. Barnhart requested the Commission move that the Chair delegate authority to Executive Director Crawford to sign rule certifications. Commissioner Fryer moved that the Chair delegate authority to sign rule certifications; Commissioner Fitzgerald seconded the motion; the motion passed without dissent.

Rule 61J2-10.026 – Team or Group Advertising

FREC Counsel Barnhart presented a proposed draft of Rule 61J2-10.026 for discussion. The Commission entered into discussion and received comments from several members of the audience. Upon conclusion of the discussion the proposed language was amended. The Commission requested that this rule be brought back next month for further review and discussion.

Annual Rule Review for 61J2, Florida Administrative Code and Annual Regulatory Plan

FREC Counsel Barnhart presented the Annual Regulatory Plan to the Commission for discussion and requested the Commission review 61J2 to provide any rules which they feel may need to be developed. The Commission received suggestions and comments from the audience. Mr. Barnhart will provide a report of the results of this rule review upon completion.

Minutes

Commissioner Hornsleth moved to approve the Minutes of June 6, 2017 and June 20 and 21, 2017. Commissioner Fryer seconded the motion; the motion passed without dissent.

Director's Comments

Director Watkins reported that in response to the Commission's request for the financial projections to discuss the possibility of a fee holiday, the projections will not be available in August. Ms. Watkins stated that the report will be provided and placed on the agenda upon completion; possibly in September. Ms. Watkins addressed comments and questions from the Commission.

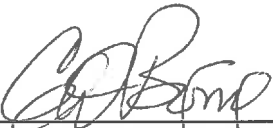
Director Watkins also reported that the Division will be setting a date very soon for Commissioner training and addressed questions and comments from the Commission.

Public Comments

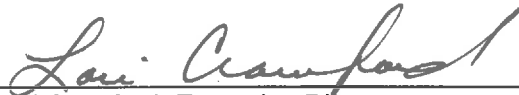
The Commission received and addressed comments from members of the audience.

Adjournment

There being no further business and no objection, the Chair adjourned the meeting at approximately 1:15 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for August 15 and 16, 2017, in Orlando, Florida.



Claude "Chip" Boring, Chair
Florida Real Estate Commission



Lori Crawford, Executive Director
Florida Real Estate Commission