



Florida Real Estate Commission Disciplinary Activity Report 2011

NAMES	CASE NO.	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Acosta, Alexis	2008019315	2011-05484	Miami, FL - Alexis Acosta, License no. SL 3025826. Violation: Respondent violated r.61J2-14.008(2)(b) and there s. 475.25(1)(e), F.S., when she failed to indicate in the Subject contract the address for the escrow agent and failed to obtain and retain written verification upon delivery of the Buyer's deposit. Penalty: fined \$250, 90 day probation, Respondent shall take and pass a real estate escrow class of at least 2 hours.
Alexis, Brahms	2008043166	2011-02482	Sunrise, FL - Brahms Alexis, License no. SL 3206812. Violation: guilty of having had a registration suspended, revoked, or otherwise acted against in any jurisdiction in violation of s.475.25(1)(s), F. S. Penalty: revoked effective 4/7/2011, costs.
Anderson, Joyce	2009063141	2011-02746	Miami, FL - Joyce B. Anderson, License no. BK 177288. Violation: guilty of operating as a broker for a corporation without the corporation being the holder of a valid current registration in violation of ss.475.42(1)(k) and 475.25(1)(e), F.S. Penalty: fined \$1,000, costs, 1 yr probation, attend one (2-day) FREC general meeting.
Asker, April	2009007222	2011-01587	Tallahassee, FL - April Asker, License no. BK3191221. Violation: guilty of failure to preserve and make available to the Petitioner, all books, records, and supporting documents and failed to keep an accurate account of all trust fund transactions in violation of r.61J2-14.012(1), F.A.C. and s.475.5015, F.S. and, therefore, in violation of s.475.25(1)(e), F.S.; guilty of failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S.; guilty of failure to direct, control or manage a broker associate employed by him in violation of s.475.25(1)(u), F.S.; guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence, or breach of trust in any business transaction in violation of s.475.25(1)(b), F.S. Penalty: revoked effective 3/2/2011, fined \$1,000, costs.
Asker, April	2008058677	2011-04279	Tallahassee, FL - April Asker, License no. BK 3191221. Violation: guilty of failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S.; guilty of failure to direct, control or manage a broker associate employed by him in violation of s.475.25(1)(u), F.S. Penalty: revoked effective 6/20/2011, fined \$5000, costs.
Bankers Realty Services, Inc.	2008051812	2011-04272	Sunrise, FL - Bankers Realty Services, Inc., License no. CQ 1012108. Violation: respondent violated s.475.25(1)(e), F.S., by violating r.61J2-14.010(1), F.A.C., when he failed to immediately deposit Buyer's check into an escrow or trust account. Penalty: Respondent shall pay \$346.50 in costs; respondent is hereby reprimanded.

BK: Broker

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Barr, Scott George	2010051831 2010050655 2010056763	2011-04293	Bradenton, FL - Scott George Barr, License no. BK 593361. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Barra, Jose S.	2008055200	2011-05287	Palm Coast, FL - Jose S. Barra, License no. SL 145302. Violation: Respondent violated s.475.25(1)(e), F.S. by violating s.475.42(1)(b), F.S.; Respondent violated s.475.25(1)(e), F.S., by violating s.475.42(1)(d), F.S. Penalty: revoked effective 8/5/2011, costs.
Batmasian, James H.	2010029631	2011-05292	Boca Raton, FL - James H. Batsamian, License no. BK 422234. Violation: respondent violated s.475.25(1)(f), F.S. Penalty: fined \$1000, costs, 60 day suspension, attend one (2-day) FREC general meeting.
Baumer, Jeffrey Anton	2009031473	2011-04287	North Palm Beach, FL - Jeffrey Anton Baumer, License no. SL 3137695. Violation: guilty of having failed to successfully complete all terms and conditions of the Final Order issued in DBPR Case Number 2007044654. Penalty: revoked effective 6/20/2011, costs.
Berman, Kevin David	2008043682	2011-04274	Sunrise, FL - Kevin D. Berman, License no. BK 694673. Violation: respondent violated s.475.25(1)(e), F.S., by violating r.61J2-10.010(1), F.A.C., when he failed to immediately deposit Buyer's check into an escrow or trust account. Penalty: fined \$500 and costs, respondent must attend one (1) FREC general meeting.
Blacker, James	2009020288	2011-02747	Ft. Lauderdale, FL - James Blacker, License no. BK 3066945. Violation: violated s.475.25(1)(b), by entering the property of others without their permission and removing their property. Penalty: revoked effective 4/20/2011, fined \$5000, costs.
Bowie, Tyrone R.	2008035267 2008035266 2008038665	2011-05471	Maitland, FL - Tyrone R. Bowie, License no. BK 3025986, 3200451. Violation: guilty of having operated as a broker without being the holder or a valid and current license as a broker in violation of s.475.42(1)(a), F.S. and, therefore, in violation of s.475.25(1)(e), F.S.; guilty of aiding and assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to c.455, 475 or the Rules of the Petitioner in violation of s.455.227(1)(j), F.S. Penalty: fined \$500, costs, attend one (2-day) FREC general meeting.
Burnstein, Martin	2009049535 2009065497 2009066094 2010020347 2010017301	2011-02480	Longwood, FL -Martin W. Burnstein, License no. BK 3054831. Violation: voluntary surrender of license for permanent revocation effective 4/7/2011.

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Carter, Letriona	2009023529	2011-01506	Champions Gate, FL - Letriona Carter, License no. SL 3130318. Violation: guilty of having operated as a broker while licensed as a sales associate in violation of s.475.42(1)(b), F.S. and, therefore, in violation of s.475.25(1)(e), F.S.; guilty of having collected any money in connection with any real estate brokerage transaction except in the name of the employer in violation of s.475.42(1)(d), F.S. and, therefore, in violation of s.475.25(1)(e), F.S.; guilty of having operated as a broker or sales associate without being the holder of a valid and current license in violation of s.475.42(1)(a), F.S. and, therefore, in violation of s.475.25(1)(e), F.S. Penalty: revoked effective 3/1/2011, costs.
Chastain, Terry Eugene Jr.	2007055197	2011-01509	Tampa, FL - Terry E. Chastain, Jr., License no. BK 652865. Violation: respondent violated s.475.25(1)(d)1, F.S., by failure to account or deliver to any person, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, or other document or thing of value; respondent violated s.475.25(1)(b), F.S., by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealings by trick, scheme or device, culpable negligence, or breach of trust in any business transaction. Penalty: revoked effective 3/1/2011, costs.
Cosmopolitan Realty, Inc.	2009045438	2011-06735	Doral, FL - Cosmopolitan Realty, Inc., License no. CQ 1005572. Violation: failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S.; guilty of failure to properly prepare the required written monthly escrow statement-reconciliations in violation of r.61J2-14.012(2) and (3), F.A.C. and is, therefore, in violation of s.475.25(1)(e), F.S.; guilty of failure to take corrective action for trust overages in violation of r.61J2-14.012(3), F.A.C. and is, therefore, in violation of s.475.25(1)(e), F.S. Penalty: reprimand, costs.
Cropper, Frances M.	2008046189	2011-04285	Bradenton, FL - Frances M. Cropper, License no. SL 3072758. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Curbelo, Roberto Jr.	2008041295	2011-02483	Miami, FL - Roberto Curbelo, Jr., License no. BK 452793. Violation: violated s.475.25(1)(f), F.S., when convicted of a crime which directly relates to the activities of a licensed broker, or involves moral turpitude; violated s.485.25(1)(p) for failure to inform the commission in writing within thirty (30) days after pleading guilty to any felony. Penalty: fined \$2000, costs, 1 yr probation, one (2-day) FREC general meeting.
D. Linton & Associates Realty, Inc.	2011024785	2011-05284	Miami, FL - d. Linton & Associates Realty, Inc., License no. CQ 1021006. Violation: voluntary surrender of license for permanent revocation effective 8/5/2011.
D'Lando, Kathleen	2008061717	2011-01970	Boca Raton, FL - Kathleen D'Lando, License no. SL 3061920. Violation: guilty of having operated as a sales associate without a registered employer due to failure to renew or properly register in violation of r.61J2-24.002(2)(n), F.A.C. and s.475.42(1)(b), F.S. and, therefore, in violation of s.475.25(1)(e), F.S. Penalty: fined \$100, costs.

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Daugherty, Tom	2010008460	2011-05476	Fort Myers, FL - Tom Daugherty, License no. SL 374280. Violation: Respondent violated s.475.25(1)(f), F.S., when he was convicted of Income Tax Evasion in the United States District Court, Middle District of Florida, Fort Myers Division in case number 2:09-cr-22FtM-29DNF. Penalty: revoked effective 8/16/2011, costs.
Delvalle, Martin A.	2008066582	2011-06728	Winter Garden, FL - Martin A. Delvalle, License no. BK 321016. Violation: failure to account or deliver to any person, including a licensee 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 demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft in violation of s.475.25(1)(d)1, F.S.; failed to immediately return Complainant's escrow deposit in violation of s.475.25(1)(b), F.S.; Respondent gave a false promissory note to a person acting under the authority of c.475 in violation of s.475.42(1)(i), F.S. Penalties: revoked effective 10/3/2011, \$4,500 fine, costs.
Ditinno, Dennis	2009023658	2011-01960	Treasure Island, FL - Dennis Ditinno, License no. BK 435183. Violation: respondent violated s.475.42(1)(k), F.S., by operating as a broker and as an officer of a corporation under a trade name without causing the trade name to be noted in the records of the commission and placed on the person's license; respondent violated s.475.25(1) and 475.25(1)(c), F.S., by failing to correct deceptive and misleading advertisements and by falsely representing himself as the broker of records for the Property Owners of St. Petersburg, Inc. Penalty: fined \$2000, costs, 1 yr probation, attendance to two (2-day) FREC general meetings.
Durley, Cheryl Sue	2008021048	201104290	New Smyrna Beach, FL - Cheryl Sue Durley, License no. SL 494098. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Dyer, Kevin Michael	2008066306	2011-04277	St. Petersburg, FL - Kevin M. Dyer, License no. SL 3125260. Violation: respondent violated s.475.25(1)(f), F.S., when he entered a plea of no contest to obtaining Property n Return for Worthless Checks in case number 08-25940MMANO-O-G; respondent violated s.455.227(1)(t), F.S., when he failed to inform the Commission in writing within 30 days after the enactment of s.455.227(1)(t), F.S. (2010) that he pled nolo contendere, in case number 08-25940MMANO-G. Penalty: revoked effective 6/20/2011, costs.
Ellison, Patricia Eilenn	2010062557 2009029833	2011-04294	Ft. Myers Beach, FL - Patricia Eileen Ellison, License no. SL 411683. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Ellison, William Jr. LLC	2009027002	2011-01505	Altamonte Springs, FL - William Ellison Jr, LLC, License no. BK 3129188. Violation: respondent violated s.475.25(1)(f), F.S., when convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, to a crime in any jurisdiction which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing; respondent violated s.475.25(1)(p) for failure to inform the commission in writing within thirty (30) days after pleading guilty or nolo contendere to, or being convicted or found guilty of, any felony. Penalty: revoked effective 3/1/2011, costs.

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Esterson, Clifford L.	2008020297	2011-01591	Weston, FL - Clifford Esterson, License no. SL25322. Violation: Respondent violated s.475.25(1)(e), by violating s.475.42(1)(b), F.S. Penalty: 14 day suspension, costs.
Estremera, Iris J.	2008019331	2011-01963	Coral Springs, FL - Iris Estremera, License no. BK 637817. Violation: respondent violated s.475.25(e), when respondent violated s.475.5015, F.S., by failing to preserve, retain and deliver to Petitioner, Respondents brokerage business records; violated s.475.25(1)(e), F.S., by violating r.61J2-14.012(1), F.A.C., when Respondent, as broker failed to preserve and make available to petitioner all books and accounts subject to inspection by Petitioner or its authorized representatives of the attempted purchase of the Subject property. Penalty: fined \$1000, costs, 1 yr probation, respondent shall provide the records requested by Petitioner within sixty (60) days of the filing date of the Final Order, attendance to one (2-day) FREC general meeting.
Fernandez, Jesus	2009000838	2011-01158	Doral, FL - Jesus Fernandez, License no. BK 3027388. Violation: failure to account or deliver to any person, any personal property such as money, fund, deposit, check, draft, or thing of value in violation of s.475.25(1)(d)1, F.S.; obstructing or hindering the enforcement of this chapter or the performance of any lawful duty by any person acting under the authority of this chapter in violation of ss.475.42(1)(j) and 475.25(1)(e), F.S.; failure to keep an make available to the Department such books, accounts, and records as will enable the department to determine whether such broker is in compliance with the provisions of this chapter in violation of ss.475.5015 and 425.25(1)(e), F.S. Penalty: revoked effective 3/2/11, fined \$1000, costs.
Fernandez, Rosa	2009049696	2011-02742	Miami, FL - Rosa Fernandez, License no. BK 300310. Violation: voluntary surrender of license for permanent revocation effective 4/20/2011.
Fountain, Eric S.	2008052972	2011-04282	Tallahassee, FL - Eric S. fountain, License no. SL 3045527. Violation: guilty of failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S.; guilty of breach of trust in any business transaction in violation of s.475.25(1)(b), F.S. Penalty: revoked effective 6/20/2011, fined \$5000, costs.
Garrido, Yadira	2009002470	2011-05478	Miami Beach, FL - Yadira Garrido, License no. SL 3011244. Violation: voluntary surrender of license for permanent revocation effective 8/16/2011.
Giordano, Charity Dawn	2010016254 2010032653 2010046231 2010050495 2010056361	2011-05479	Palm Bay, FL - Charity Giordano, License no. BK 3042462. Violation: voluntary surrender of license for permanent revocation effective 8/16/2011.

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Giordano, Marc F.	2009063146	2011-01961	Lake Worth, FL - Marc F. Giordano, License no. BK 0629461. Violation: violated s. 475.25(1)(d)1, F.S., when he failed to forward rental proceeds from the tenant to complainant; violated s.475.25(1)(e), when Respondent violated s.475.42(1)(i), F.S. Penalty: revoked effective 3/17/2011, costs.
Giordano, Marc Francis	2009024278	2011-01502	Wellington, FL - Marc Francis Giordano, License no. BK 629461. Violation: failure to account or deliver to any person, any personal property such as money, fund, deposit, check, draft, or other thing of value in violation of s.475.25(1)(d)1, F.S.; failure to keep and make available to the Department such books, accounts, and records as will enable the department to determine whether such broker is in compliance with the provisions of this chapter in violation of ss.475.5015 and 425.25(1)(e), F.S.; aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter in violation of ss.455.227(1)(j) and 475.25(1)(e), F.S. Penalty: fined \$1000, costs, 60 day suspension, 1 yr probation, 4 hr escrow education class and attend two (2-day) FREC general meetings.
Gonzalez, Ralph	2008049760	2011-02746	St. Cloud, FL - Ralph Gonzalez, License no. BK 3031011. Violation: violated s. 475.25(1)(d)1, when respondent failed to account or deliver to complainant upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; respondent violated s. 475.25(1)(e), F.S., by violating r.61J2-10.010(1), F.A.C., when he failed to immediately deposit tenants check in escrow or trust account. Penalty: revoked effective 4/20/2011, costs.
Gray, John Charles	2010057002	2011-06731	Lake Mary, FL - John Charles Gray, License no. BK 414987. Violation: respondent violated s.475.25(1)(p), F.S. when he failed to inform the Commission in writing within thirty (30) days after pleading nolo contendere to Aggravated Assault with a Deadly Weapon in Case 2007-CF-000541-A-O; respondent violated s.475.25(1)(f), F.S., when he entered a plea of nolo contendere and adjudication was withheld in Case 2007-CF-000541-A-O. Penalty: \$1,000 fine, costs, attend two (2-day) FREC general meetings.
Greeney, Zoe	2010035827	2011-02743	Daytona, Beach, FL - Zoe Greeney, License no. SL 3072758. Violation: violated s. 475.25(1)(f), F.S., when she entered a plea of no contest to Possession of a Controlled substance in case number 2009-33274ACFAES; violated s. 475.25(1)(p), F.S., when she failed to inform the Commission in writing within thirty (30) days after pleading nolo contendere, in case 2009-33274CFAES, to a felony criminal offense. Penalty: 6 mth probation, costs, attend one (2-day) FREC general meeting.
Guia, Antonia	2008035051	2011-04283	Miami Beach, FL - Antonia Guia, License no. SL 3175918. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.

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Gutierrez, Medardo	2009037333	2011-06735	Doral, FL - Medardo Gutierrez, License no. BK 539233. Violation: failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S.; guilty of failure to properly prepare the required written monthly escrow statement-reconciliations in violation of r.61J2-14.012(2) and (3), F.A.C. and is, therefore, in violation of s.475.25(1)(e), F.S.; guilty of failure to take corrective action for trust overage in violation of r.61J2-14.012(3), F.A.C. and is, therefore, in violation of s.475.25(1)(e), F.S. Penalty: fined \$1,500, costs, 6 mth suspension, attend one (2-day) FREC general meeting.
H & H Real Estate Development	2008011475	201106729	Sunrise, FL - H & H Real Estate Development, License no. CQ 1028193. Violation: failure to preserve and make available to the Petitioner, all books, records and supporting documents and failed to keep an accurate account of all trust fund transactions in violation of r.61J2-14.012(1), F.A.C. and ss.475.5015 and 475.25(1)(e), F.S.; guilty of having obstructed or hindered in any manner the enforcement of c.475, F.S. in violation of ss.475.42(1)(i), and 475.25(1)(e), F.S. Penalty: \$500 fine, costs.
H & H Real Estate Development	201106727	201106727	Sunrise, FL - H & H Real Estate Development, License no. CQ 1028193. Violation: failure to preserve and make available to the Petitioner, all books, records and supporting documents and failed to keep an accurate account of all trust fund transactions in violation of r.61J2-14.012(1), F.A.C. and ss.475.5015 and 475.25(1)(e), F.S.; guilty of having obstructed or hindered in any manner the enforcement of c.475, F.S. or the performance of any lawful duty by any person acting under the authority of c.475, F.S. in violation of ss.475.42(1)(i), and 475.25(1)(e), F.S.; operated as a broker under a trade name without causing the same to be noted in the records of the Commission and placed on his license or so operate as a member of a partnership or as a corporation or as an officer or manager thereof, without the partnership or corporation being the holder of a valid current registration in violation of ss.475.42(1)(k), and 475.25(1)(e), F.S. Penalty: \$750 fine, costs.
Hansen, Robert G	2009006963	2011-04273	Ft. Lauderdale, FL - Robert G. Hansen, License no. SL 3103924. Violation: guilty of having failed to advertise property or services in a manner in which reasonable persons would know they are dealing with a real estate licensee; failed to include the licensed name of the brokerage firm; and having placed or caused to be placed an advertisement which is fraudulent, false, deceptive, or misleading in form or content in violation of r.61J2-10.025, F.A.C. and s.475.25(1)(c), F.S. Penalty: fined \$1,000, costs, attend on FREC general meeting.
Harrington, Cindy Jane	2010039931	2011-03118	Port Orange, FL - Cindy J. Harrington, License no. SL 634204. Violation: voluntary surrender of license for permanent revocation effective 5/10/2011.

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Hicks, Terry Ray	2011010457 2011008494 2011008583 2011007692 2011008753 2011040040 2011003094 2011003159 2011009071	2011-04292	Miami, FL - Terry Ray Hicks, License no. 515447. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Home Owners Realty Depot, Inc.	2008056683	2011-02744	St. Cloud, FL - Home Owners Realty Depot, Inc., License no. CQ 1014673. Violation: Respondent violated s. 475.25(1)(d)1, when respondent failed to account or deliver to complainant upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check draft; respondent violated s. 475.25(1)(e), F.S., by violating r.61J2-14.010(1), F.A.C., when he failed to immediately deposit Tenants checks into an escrow or trust account. Penalty: revoked effective 4/20/2011, costs.
Johncola, Michelle	2008066878	2011-04280	Tarpon Springs, FL - Michelle Johncola, License no. BK 3211011. Violation: respondent violated s.475.25(1)(d)1, F.S., when she failed to pay to the judgment amount of \$7,735.00 in case number 08-644-CO-40. Penalty: costs, reprimand, 6 mth probation, attend one (2-day) FREC general meeting.
Johnson, Terri	2007040969	2011-00470	Jacksonville, FL - Terri Johnson, License no. SL 706026. Violation: failure to immediately place with the registered employer any money, fund, deposit, check or draft entrusted to her as agent of the registered employer in violation of r.61J2-14.009, F.A.C. and ss.475.25(1)(k) and 475.25(1)(e), F.S.; guilty of dishonest dealing by trick, scheme, or device, culpable negligence, or breach of trust in any business transaction in violation of s.475.25(1)(b), F.S.; guilty of having collected any money in connection with any real estate brokerage transaction except in the name of the employer and with the express consent of the employer in violation of ss.475.42(1)(d) and 475.25(1)(e), F.S. Penalty: revoked effective 1/18/2011.
Linton, Dawn P.	2011024783	2011-05284	Miami, FL - Dawn P. Linton, License no. BK 629327. Violation: voluntary surrender of license for permanent revocation effective 8/5/2011.
Marro, Marie	2008030685	2011-02841	Cape Coral, FL - Marie Ann Marro, License no. BK 3127851. Violation: s. 475.25(1)(E), F.S.; s. 475.42(1)(b), F.S. (2007); s. 475.25(1)(e), F.S.; s. 475.42(1)(d), F.S. (2007). Penalty: fined \$1,000, costs, attend one (2-day) FREC general meeting.

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Mora, Sherry A.	2008052843	2010-01508	Dunellon, FL - Sherry A. Mora, License no. SL 3196991. Violation: respondent violated s.475.25(1)(b), F.S. by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealings by trick, scheme or devise, culpable negligence, or breach of trust in any business transaction when she failed to deliver to the broker, the contract for the subject property, the \$500.00 escrow deposit for the purchase of the Subject Property, and when she informed the buyer that the \$500.00 escrow deposit was being held by Brick City Title; respondent violated s.475.25(1)(e), F.S., by violating r.61J2-14.008(2)(b), F.A.C., when she failed to indicate in the sales and purchase contract for the subject property the address and phone number of Brick City Title; violated s.475.25(1)(k), Florida Statutes, by failure to immediately place with her or his registered employer any money, fund, deposit, check, or draft entrusted to her or him by any person dealing with her or him as agent of the registered employer when she failed to place with her broker, Mollie M. Hale, the \$500.00 deposit for the purchase of the Subject Property. Penalty: fined \$000, costs, 90 day suspension, 1 yr probation, attendance to two (2-day) FREC general meetings.
Moseley, Scott	2008058050	2011-05473	Coco Beach, FL - Scott Moseley, License no. SL 564117. Violation: Respondent violated s.455.227(1)(a), F.S. Penalty: fined \$500, costs, 3 mth probation, attend one (2-day) FREC general meeting. Respondents license and renewal requirements are in addition to the discipline imposed by this final order.
Moxley, James	2008049679	2011-04269	Hallandale, FL - James Moxley, License no. BK 3014412. Violation: Respondent violated s.475.25(1)(d)1, F.S., by failing to return Complainants escrow deposit funds; Respondent violated s.475.25(1)(b), F.S., by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealings by trick, scheme or device, culpable negligence, or breach of trust in any business transaction. Penalty: revoked effective 6/20/2011, costs.
Newell, Warren H.	2008033896	2011-05474	Palm Beach Gardens, FL - Warren Newell, License no. SL 347150. Violation: Respondent is guilty of having been convicted or found guilty of, or entered a plea of nolo contendere to , regardless of adjudication, a crime which directly relates to activities of a licensed real estate sales associate or that involves moral turpitude or fraudulent or dishonest dealing in violation of s.475.25(1)(f), F.S.; Respondent is guilty of not having informed the Florida Real Estate Commission in writing within thirty (30) days of having pled guilty or having been convicted of a felony and, therefore, is in violation of s.475.25(1)(p), F.S. Penalty: revoked effective 8/16/2011, fined \$500, costs.
Patton, A. Ken	2010007701	2011-01972	Ft. Myers Beach, FL - A. Ken Patton, License no. BK 695959. Violation: respondent violated s.475.25(1)(e), by violating s.475.42(1)(e), F.S., when the Florida Real Estate Commission found Respondent guilty of violations of c.475, F.S. and Respondent failed to comply with a lawful order issued by the Florida Real Estate Commission. Penalty: revoked effective 3/17/2011, costs.

NAMES	CASE NO.	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Plunkett, Quince	2008039265	2011-01962	Ft. Lauderdale, FL - Quince Plunkett, License no. BK700438. Violation: guilty of misrepresentation and dishonest dealing by trick, scheme or device, in violation of s.475.25(1)(b), F.S.; guilty of failure to preserve and make available to the Petitioner, all books, records, and supporting documents and failed to keep an accurate account of all trust fund transactions in violation of r.61J2-14.012(1), F.A.C. and s.475.5015, F.S., and, therefore, in violation of s.475.25(1)(e), F.S. Penalty: revoked effective 3/17/2011, costs.
Pornovets, Kenneth Frank	2008034856	2011-04284	Middleburg, FL - Kenneth Frank Pornovets, License no. SL 653290. Violation: violated s.475.25(1)(p), F.S., for failure to inform the Commission in writing within thirty (30) days after entering a plea of guilty in Case Number 2008-CF-002031, to Grand Theft, More Than \$20,000, a Second Degree Felony; violated s.475.25(1)(f), F.S., when he was convicted of Grand Theft, More Than \$20,000, in the Circuit court of the Fourth Judicial Circuit in and for Clay County Florida, Division A. Penalty: revoked effective 6/20/2011, costs.
Qiao, Changyu	2009011108	2011-01593	Celebration, FL - Changyu Qiao, License no. BK3099475. Violation: guilty of failing to once monthly, a broker shall cause to be made a written statement comparing the broker's total liability with the reconciled bank balance(s) of all trust accounts. The broker's trust liability is defined as the sum total of all deposits received, pending and being held by the broker at any point in time. The minimum information to be included in the monthly statement-reconciliation shall be the date the reconciliation was undertaken, the date used to reconcile the balances, the name of the bank(s), the names of the account(s), the account number(s), the account balances(s) and date(s), deposits in transit, outstanding checks identified by date and check number, an itemized list of the broker's trust liability, and any other items necessary to reconcile the bank account balances(s) with the balance per the broker's checkbook(s) and other trust account books and records disclosing the date of receipt and the source of the funds. The broker shall review, sign and date the monthly statement-reconciliation, in violation of r.61J2-14.012(2), F.A.C., and violated r.61J2-14.011, F.A.C., which requires a broker who receives a deposit shall not have any right to or lien upon said deposit, except upon the written agreement or order of the depositor so long as the depositor or depositor's legal representative has sole control of said deposit, until the transaction involved has been closed, and no person has any claim except the party ultimately to receive the same, in which case the broker may deduct the agreed commission unless the amount or time of payment is disputed. In case of a dispute as to the amount of the commission, or the time of payment, the broker may retain only the amount of the claim in said account and in trust, until the dispute is settled by agreement, arbitration, mediation or court proceedings, as provided in s.475.25(1)(d)1, F.S. Penalty: fined \$1000, costs, respondent must attend one (1) FREC general meeting and complete the 4 hour escrow class.
Rosell, Herling Ana a/k/a Herling Milian	2008058335	2011-01966	Miami, FL - Herling Ana Rosell a/k/a Herling Milian, License no. BK 3052685. Violation: respondent violated s.475.25(1)(b), F.S., by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealings by trick, scheme or device, culpable negligence, or breach of trust in any business transaction when Respondent misrepresented the earning record of Cenedo as an employee of Realty Company to Homesamerica Mortgage Services. Penalty: revoked effective 3/17/2011, costs.

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NAMES	CASE NO.	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Rodriguez, Claudio	2008048325	2011-01968	Miami, FL - Claudio Rodriguez, License no. SL 3124496. Violation: respondent violated s.475.25(1)(e), by violating s.475.42(1)(d), F.S., when Respondent demanded, received and accepted a deposit check in the amount of \$20,000 payable to Respondent for a real estate transaction, except in the name of the employer and without the express consent from Respondent's broker; violated s.475.25(1)(d)1, F.S. when Respondent failed to account or deliver to Ortiz, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft; violated s.475.25(1)(b), F.S., by committing fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealings by trick, scheme or devise, culpable negligence, or breach of trust when respondent failed to deliver to Ortiz or employer, money collected to the purchase of a real property. Penalty: revoked effective 3/17/2011, costs.
Rodriguez, Frank	2009048448	2011-06730	Miami, FL - Frank Rodriguez, License no. BK 3028519. Violation: voluntary surrender of license for permanent revocation effective 10/3/2011.
Rubin, Jeffrey	2010009548	2011-04289	Jacksonville, FL - Jeffrey Rubin, License no. SL 592541. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Salmon, Nelia A.	2008037470	2011-01589	Plantation, FL - Nelia A. Salmon, License no. BK 698632. Violation: committed fraud, misrepresentation, concealment, false promises, false pretense, dishonest dealings by trick, scheme or devise, culpable negligence, or breach of trust in any business transaction in violation of s.475.25(1)(b), F.S.; failure to account or deliver to any person, including a licensee 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 demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract of title, mortgage, conveyance, lease or other document or thing of value in violation of s.475.25(1)(d)1, F.S.; a person may not obstruct or hinder in any manner the enforcement of this chapter or the performance of any lawful duty by any person acting under the authority of this chapter or interfere with intimidate, or offer any bribe to any member of the commission or any of its employees or any person who is, or is expected to be, a witness in any investigation or proceeding relating to a violation of this chapter in violation of ss.475.42(1)(j) and 475.25(1)(e), F. S. Penalty: revoked effective 3/2/2011, costs.
Seigler, William D.	2010062949	2011-05480	Siesta Key, FL - William D. Seigler, License no. SL 3139049. Violation: voluntary surrender of license for permanent revocation effective 8/16/2011.
Serle, Steven	2008061713	2011-01970	Palm Beach, FL - Steven Serle, License no. BK 3009356, BK 364606, Violation: guilty of failure to ensure that each officer, director, and sales associate is properly licensed with the Petitioner in violation of r.61J2-5.019, F.A.C. and, therefore, in violation of s.475.25(1)(e), F.S. Penalty: fined \$279.50, costs.

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NAMES	CASE NO.	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Shevlin, Timothy	2008044414	2011-04270	Ft. Myers, FL - Timothy M. Shevlin, License no. SL 3139546. Violation: Respondent violated s.475.42(1)(e), F.S., when Respondent failed to comply with a lawful Final Order issued by the Florida Real Estate Commission in case no. 2007024160. Penalty: revoked effective 6/20/2011, costs.
Silver, David Marc	2009065171	2011-04295	Lake Mary, FL - David Marc Silver, License no. BK 3177114. Violation: guilty of pleading nolo contendere, regardless of adjudication, to a felony of a third degree. Penalty: fined \$500, costs, reprimand, attend one (2-day) FREC general meeting.
Simmons, Karle J	2008021976	2011-04278	Jacksonville, FL - Karle J. Simmons, License no. SL 3106888. Violation: guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence, or breach of trust in any business transaction in violation of s.475.25(1)(b), F.S. Penalty: revoked effective 6/20/2011, fined \$1000.
Simmons, Pamela S	2008021977	2011-04278	Jacksonville, FL - Pamela S. Simmons, License no. SL 695141. Violation: guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence, or breach of trust in any business transaction in violation of s.475.25(1)(b), F.S. Penalty: revoked effective 6/20/2011, fined \$1000.
Sinker, Geoffrey L.	2008066281	2011-01501	Panama - Geoffrey L. Sinker, License no. BK 700758. Violation: guilty of failure to account or deliver funds in violation of s.475.25(1)(d)1, F.S. Penalty: revoked effective 3/1/2011, fined \$5000, costs.
Smith, Glenn	2008066937	2011-04271	Clewiston - Glenn Smith, License no. BK 694718. Violation: Respondent violated s.475.25(1)(f), F.S., when he entered a plea of no contest in case number 08-221CF; respondent violated s.475.25(1), F.S., when he failed to inform the Commission in writing within 30 days after pleading nolo contendere, in case number 08-221CF, to felony criminal offense, Penalty: Respondent shall pay a fine of \$500.00, costs, 1 yr. probation, attend two (2-day) FREC general meetings.
Smith, Larry	2007057469	2011-04281	Port St. Lucie, FL - Larry Smith, License no. SL 3111715. Violation: violated s.475.25(1)(f), F.S., when he was adjudicated guilty in Case No. 07-CF004147A of First Degree Grand Theft; violated s.475.25(1)(p), F.S., when he failed to inform the Commission in writing within thirty (30) days after being convicted of Grand Theft, in Case No. 07-CF004147A; violated s.455.227(1)(t), F.S., when he was convicted of First Degree Grand Theft in Case No. 07-CF004147A within thirty (30) days of the effective date of s.455.227(1)(t), F.S. Penalty: revoked effective 6/20/2011, costs.
Souffrant, Garry R.	2040017203	2011-01967	Pembroke Pines, FL - Garry R. Souffrant, License no. BK 684631. Violation: respondent violated s.475.25(1)(f), F.S., by having been convicted and found guilty on November 23, 2009, case number 09-20407-CR-HUCK, of forty-six (46) criminal counts which involve crimes of moral turpitude or fraudulent and dishonest conduct; violated s.475.25(1)(p), F.S., by failing to inform the Florida Real Estate Commission in writing within thirty (30) days after being convicted or found guilty of any felony; violated s.475.25(1)(n), F.S., by being confined in a federal prison. Penalty: revoked effective 3/17/2011, costs.

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NAMES	CASE NO.	FINAL ORDER #	VIOLATION AND DISCIPLINARY ACTION
		(BPR-)	
Souza, Gabriel	2008053953 2008046501	2011-02135	Ft. Lauderdale, FL - Gabriel Souza, License no. BK 3104515. Violation: respondent is guilty of two counts of having failed to include a definite expiration date; failed to include proper signatures or Figueroa; failed to give the principal a legible, signed, true and correct copy of a listing agreement within twenty-four (24) hours of obtaining the written listing agreement in violation of s.45.25(1)(r), F.S. Penalty: fined \$2000, costs, 90 day probation, attendance to one (2-day) FREC general meeting.
Starich, Kenneth	2007063678	2011-05470	Mesa, Arizona - Kenneth Starich, License no. SL 3114163. Violation: guilty of failure to account and deliver to any person, funds when a civil judgment relating to the practice of the licensee's profession has been obtained against the licensee and said judgment has not been satisfied in accordance with the judgment or within a reasonable time in violation of s.475.25(1)(d), F.S. Penalty: fined \$1,000, costs.
Studeman, James M.	2009042620	2011-01971	Boone, NC - James M. Studeman, License no. BK 3005062. Violation: respondent violated s.475.25(1)(e) and s.475.25(1)(s), F.S. Penalty: revoked effective 3/17/2011, costs.
Taylor, Terry	2010037353	2011-04286	Miami, FL - Terry Taylor, License no. SL 3219674. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Thermilus, Quental	2009014297	2011-01500	Miramar, FL - Quental Thermilus, License no. BK 526176. Violation: guilty of having violated a lawful order of the Florida Real Estate Commission in violation of s.475.25(1)(e), F.S. and, therefore, in violation of s.475.25(1)(e), F.S. Penalty: revoked effective 3/1/2011, costs.
Thomas, Michael P.	2010028212	2011-01510	Ocala, FL - Michael P. Thomas, License no. SL 3098954. Violation: voluntary surrender of license for permanent revocation effective 3/1/2011.
Tomlin, Craig John	2010010281	2011-01507	Wellington, FL - Craig John Tomlin, License no. SL 3069006. Violation: respondent violated s.475.25(1)(d)1, F.S., when he failed to account or deliver to seller, within a reasonable time, the judgment amount of \$21,788.00, awarded in case number 2007 CA 012405 xxxxMB. Penalty: fined \$250, costs, 30 day suspension, 6 mth probation, attendance to one (2-day) FREC general meeting.
Valdes, Jeannie Y.	2010056725	2011-04288	Key Largo, FL - Jeannine Y. Valdes, License no. SL 3202248. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.

NAMES	CASE NO.	FINAL ORDER # (BPR-)	VIOLATION AND DISCIPLINARY ACTION
Valdes, Yvette Gonzalez	2010055768	2011-04291	Key Largo, FL - Yvette Gonzalez Valdes, License no. SL 3194017. Violation: voluntary surrender of license for permanent revocation effective 6/20/2011.
Vizirgianakis, Pirene	2010007451	2011-02480	Palm Coast, FL - Pirene Vizirgianakis, License no. BK 3133942. Violation: violated s. 475.25(1)(e), F.S., by failing to comply with a lawful order issued by the Florida Real Estate Commission. Penalty: revoked, costs.
Wagner, Margrit	2010012164	2011-01590	Georgia - Margrit Wagner, License no. BK498161. Violation: Respondent violated s.475.25(1)(s), F.S. Penalty: revoked effective 3/2/2011, costs.
Willberg, Mark	2009064642	2011-05477	Ft. Lauderdale, FL - Mark Willberg, License no. BK 584550. Violation: Respondent violated s.475.25(1)(f), F.S., when he was convicted in case number 2:09-cr84-FtM-29DNF of Federal Housing Administration Loan and Credit Application Fraud; Respondent violated s.475.25(1)(p), F.S., when he failed to inform the commission, in writing within thirty (30) days, after being convicted, in Case Number 2:09-0cr-84-FtM-29DFN of Federal Housing Administration Loan and Credit Application Fraud. Penalty: fined \$500, costs, 60 day suspension, 12 mth probation, attend two (2-day) FREC general meetings.
Winkelman, Charles	2008023336	2011-04275	Miami, FL - Charles Winkelman, License no. BK3098931. Violation: Respondent violated ss.475.5015 and 475.25(1)(e), F.S., by failing to preserve at least one copy and make available to the Petitioner, all books, accounts, and records pertaining to the broker or transaction files of the Subject Property; Respondent violated r.61J2-14.012, F.A.C., by failing to preserve and make available to the Petitioner, the agreements between the parties to the transaction for the Subject Property. Penalty: costs, 6 mth suspension, 90 day probation, attend on (2-day) FREC general meeting.
Wolf, Natalia	2008013903	2011-01969	North Miami Beach, FL - Natalia Wolf, License no. BK 3011902. Violation: respondent violated s.475.25(1)(b), F.S., when respondent failed to account or deliver, to buyers, the deed for the subject property; and when respondent failed to account or deliver to buyers, the money paid for the subject property, in lieu of a recorded deed. Penalty: revoked effective 3/17/2011, costs.
Woodward, Anne M.	2011002105	2011-05285	Tallahassee, FL - Anne M. Woodward, License no. BK 416510. Violation: voluntary surrender of license for permanent revocation effective 8/5/2011.
Yeary, Karen	2010012377	2011-05286	Palm Bay, FL - Karen Yeary, License no. SL 3135744. Violation: Respondent violated s.475.25(1)(d)1, F.S., when Respondent failed to account or deliver to the Landlord the rental/lease payments and security deposits for the Subject Properties 1 and 2; Respondent violated s.475.5015, F.S., when the Respondent failed to retain and deliver to the Petitioner, the Respondent's broker business records outlined in paragraph 25 above. Penalty: fined \$500, costs.

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NAMES	CASE NO.	FINAL ORDER # VIOLATION AND DISCIPLINARY ACTION (BPR-)
Yeary, Karen	2010015310	2011-05286 Palm Bay, FL - Karen Yeary, License no. SL 3135744. Violation: Respondent violated s.475.25(1)(d)1, F.S., when Respondent failed to account or deliver to the Landlord the security deposit for the Subject Property; Respondent violated s.475.5015, F.S., when the Respondent failed to retain and deliver to the Petitioner, the Respondent's broker business records outlined in paragraph 24 above. Penalty: fined \$1,000, costs.