

**FLORIDA REAL ESTATE COMMISSION
DISCIPLINARY ACTIVITY REPORT
2019**

NAME	CASE NUMBER	LICENSE NUMBER	VIOLATION AND DISCIPLINARY ACTION
Ashkar, George F.	2017-008967	SL 3133106	Tallahassee, FL: Respondent violated Section 475.25 (1)(k) Florida Statutes; by having failed, if a broker, to immediately place, upon receipt, any money, fund, deposit, check, or draft entrusted to her or him by any person dealing with her or him as a broker in escrow with a title company, banking institution, credit union, or savings and loan association located and doing business in this state, or to deposit such funds in a trust or escrow account maintained by her or him with some bank, credit union, or savings and loan association located and doing business in this state, wherein the funds shall be kept until disbursement thereof is properly authorized; Section 475.25(1)(d)2., Florida Statutes (2016), by having failed to deposit money in an escrow account when the licensee is the purchaser of real estate under a contract where the contract requires the purchaser to place deposit money in an escrow account to be applied to the purchase price if the sale is consummated; Section 475.25(1)(b), Florida Statutes (2016), 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. Penalty: Suspension for 12 months; administrative fine of \$1,250.00; investigative costs of \$750.00; attend 2 complete FREC general meetings. Effective: 03/07/2019.
Byrd, Kaylyn Knopes	2018-010748 2017-026883 2017-040629	BK 3081557	Crestview, FL: Respondent violated (Case Nos. 2017040629 and 2017026883) Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d) 1, Florida Statute, by failing to produce certain rental statements and rental proceeds to the Property Owner. (Case No. 2018010748) Section 475.25(1)(e), Florida Statutes, through a violation of 61J2-14.012(2) Administrative Code, by failing to make a written statement comparing the broker's total liability with the reconciled bank balance(s) of all trust accounts. Penalty: Revocation. Effective: 03/29/2019.
Coleman III, John Franklin	2017-047066	SL 3311180	Trinity, FL: Respondent violated Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission within 30 days after adjudication of guilt. Penalty: Suspension for 60 days; administrative fine of \$2,000.00; investigative costs of \$181.50; probation for 6 months. Effective: 03/29/2019.
Cooper, Melissa Ann	2018-004091	SL 3311180	Pembroke Pines, FL: Voluntary surrender for permanent revocation. Effective: 03/19/2019.
Darrell Elmore and Associates	2016-059265	CQ 1035793	Gainesville, FL: Respondent violated Section 475.25 (1)(d) through a violation of 475.227(1)(t) Florida Statutes, by failing to report in writing to the board or the department within 30 days after the Respondent is convicted or found guilty of, or entered a plea of nolo contendere or guilty, regardless of adjudication, a crime in any jurisdiction. Penalty: Revocation; investigative costs of \$495.00. Effective: 03/25/2019.
De Jesus Ocaio, Joel	2016-046305 2017-053276	SL 3271625	Kissimmee, FL: Respondent violated (Case No.201604635) Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 455.227(1)(m), Florida Statutes, by making deceptive, untrue or fraudulent representation in or related to the practice of a profession or employing a trick or scheme in or related to practice of a profession. Section 475.25(1)(e), Florida Statutes, when Respondent violated Final Order under the provisions of chapter 455 or 475 by failing to complete two 2-day FREC meetings, by failing to pay an administrative fine of \$1,000.00 and investigative costs of 874.50 to DBPR within 12 months of the filing date of the order. Penalty: Revocation; administrative fine of \$3,500.00; investigative costs of \$486.00 (Case No. 2016046305). Revocation; administrative fine of \$5,000.00; investigative costs of \$206.25 (Case No. 2017053276). Effective: 03/22/2019.
Elmore Darrell			Gainesville, FL: Respondent violated Section 475.25(1)(d) 1, Florida Statutes, by failing to timely account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value. Penalty: Revocation. Effective: 04/01/2019.
Fonaris, Mercedes	2018-004619	SL 3261723	Homestead, FL: Respondent violated Section 475.25(1)(f), Florida Statutes, by being convicted of a crime which involves dishonest dealings; Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission within 30 days after adjudication of guilt; Section 475.25(1)(p), Florida Statute, by failing to inform the Commission in writing in 30 days after a plea, or being convicted or found guilty of a felony. Penalty: Revocation; investigation costs of \$198.00. Effective: 03/13/2019.
Fortress Realty LLC	2017-014478	CQ 1046672	Tallahassee, FL: Respondent violated Section 475.25 (1)(k) Florida Statutes; by having failed, if a broker, to immediately place, upon receipt, any money, fund, deposit, check, or draft entrusted to her or him by any person dealing with her or him as a broker in escrow with a title company, banking institution, credit union, or savings and loan association located and doing business in this state, or to deposit such funds in a trust or escrow account maintained by her or him with some bank, credit union, or savings and loan association located and doing business in this state, wherein the funds shall be kept until disbursement thereof is properly authorized. Penalty: Suspension for 12 months; administrative fine of \$1,250.00; investigative costs of \$750.00; attend 2 complete FREC general meetings. Effective: 03/07/2019.
Friesen, Jim M.	2018-023341	SL 695082	Valrico, FL: Voluntary surrender for permanent revocation. Effective: 03/13/2019.
Gonzalez, Imelda Pangilinan	2017-047741 2017-057301 2017-060997 2017-061128	SL 3069735	Pompano, FL: Respondent violated Section 475.25(1)(e) Florida Statutes, through a violation of Rule 61J2-5.016, Florida Administrative Code, by being an officer and or director of Arcadia, even after notice from the Department in 2012 regarding the impropriety of such an arrangement; Section 475.42(1)(b), Florida Statutes, by holding an officer and /or director position in Arcadia and Maintaining signatory authority over an escrow account; Section 475.25(1)(k), Florida Statutes, by contrary to the terms of both the Contract and the Deposit Receipt, misdirecting Buyer's Escrow into Respondent's and Arcadia's operating account; Section 455.227(1)(m), Florida Statutes, by making untrue statements in or related to the practice of a profession; Section 475.42(1)(a), by facilitating a real estate transaction while her license was inactive; Section 475.25(1)(d)1, Florida Statutes, by failing to timely account for or deliver the escrow and commingling the escrow deposit with the operating funds and commingling the escrow deposit with the operating funds. Penalty: Revocation; pay investigative costs as follows: Case No. 2017-000568, \$577.20; Case No. 2017-046895, \$173.25; 2017-049525, \$214.50; 2017-051511, \$272.75; 2016-043860, \$684.75; 2017-009966, \$678.15; 2017-047946, \$173.25; 2017-049720, \$346.50; 2017-046390, \$288.75; 2017-051490, \$280.50; 2017-054011, \$445.50; 2017-055475, \$313.50; 2017-055479, \$338.25; 2017-059931, \$264.00. Effective: 03/26/2019.

Gouth, John	2016-047224 2017-032929 2018-008462	BK 3252586	Youngstown, FL: Case No. (2016047224, 2017032929)Section 475.25 (1)(b) Florida Statutes, by being guilty of committing fraud, misrepresentation, concealment, false promises, dishonest dealing by trick, scheme, or device, culpable negligence or breach of trust in any business transaction in this state or any other state, nation or territory; has violated a duty imposed upon her or him by law or by the terms or a listing contract, written, oral, express or implied in a real estate transaction. (Case No. 2016047224) Section 475.25(1)(e), Florida Statutes, through a violation of 61J2-14.012(2) Administrative Code, by failing to make a written statement comparing the broker's total liability with the reconciled bank balance(s) of all trust accounts.(Case No. 2016047224, 2017032929) Section 475.25(1)(d) 1, Florida Statute, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value. (Case No. 2018008462) Section 475.25 (1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing; Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission nor the Department writing 30days after adjudications(s) of guilt. Penalty: Revocation. Effective: 03/07/2019.
Harney, Reno O'Brien	2017-032936	SL 3308418	Indian Springs, FL: Respondent vioated Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme. Penalty: Suspension for 60 days; administrative fine of \$1,000.00; investigative costs of \$363.00, probation for 6 months and compliance. Effective: 03/14/2019.
Heredia, Lazaro	2017-042438	BK 672363	Miami, FL: Respondent violated Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme. Section 475.25(1)(d) 1, Florida Statute, by failing to produce certain rental statements and rental proceeds to the Property Owner. Section 475.42 (1)(c) Florida Statutes, by employing or continuing to employ a person as a sales associate who is not the holder of a valid and current license as sales associate. Penalty: Revocation; investigative costs of \$201.30. Effective: 03/13/2019.
Hess, Jody	2017-031346	SL 3032041	Pompano Beach, FL: Respondent violated Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.42 (1)(b), Florida Statute, A person licensed as a sales associate may not operate as a broker. Section 475.25 (1)(k) Florida Statute, Respondent failed to immediately place, upon receipt, any money, fund, deposit, check or draft entrusted to her or him by any person dealing with her or him as a broker in escrow with a title company banking institution credit union or savings and loans association located or doing business in this state, or to deposit such funds in a trust or escrow account maintained by her or him with some bank, credit union, or savings and loans association located and doing business in this state, wherein that funds shall be kept until disbursement thereof properly authorized; or has failed, if sales associate 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. Penalty: Revocation; investigative costs of \$627.00. Effective: 03/26/2019.
Houston, Richard Jahmar	2018-037608 2018-040059 2018-040933 2018-042417 2018-042429 2018-047031	BK 3251587	Miami, FL: Voluntary surrender for permanent revocation. Effective: 03/07/2019.
JGS Beachfront Condo Rentals LLC	2017-013823 2017-042858	CQ 1047566	Panama City Beach, FL: Respondent violated Section 475.25(1)(d) 1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value. Penalty: Revocation; administrative fine of \$1,000.00; investigative costs of \$613.80 (Case No. 201701013823); Revocation; administrative fine of \$1,000.00; investigative costs of \$613.80 (Case No. 2017042858). Effective: 03/07/2019.
Joagab Realty Inc.	2017-049453	CQ 1039128	Orlando, FL: Respondent violated Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme. Section 475.25(1)(d) 1, Florida Statute, by failing to produce certain rental statements and rental proceeds to the Property Owner. Penalty: Revocation. Effective: 03/13/2019.
Kuk, Peter M	2017-004344	SL 3016416	Santa Rosa Beach, FL: Respondent violated Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme. By stipulation, the respondent agreed to the following penalty: Suspension for 90 days; administrative fine of \$2,000.00; investigative costs of \$272.25; attend 1 complete FREC general meeting; complete a 14-hour continuing education course; probation for 6 months. Effective: 03/13/2019.
Larson, Jacqueline	2018-005531 2017-040137 2017-045155 2018-007469	SL 3032041	Pompano Beach, FL: Respondent violated (Case No. 2018005531, 2017040137,2018007469) Section 475.25(1)(b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.42 (1)(b), Florida Statute, A person licensed as a sales associate may not operate as a broker. Section 475.25(1)(d), Florida Statute, as a sales associate, by collecting any money in connection with any real estate brokerage transaction, whether as a commission, deposit, payment, rental or otherwise, except in the name of the employer and with the express consent of the employer. (Case No. 2017045155) Section 475.227(1)(t) Florida Statutes, when Respondent failed to report in writing to the board or the department within 30 days after the Respondent is convicted or found guilty of, or entered a plea of nolo contendere or guilty, regardless of adjudication, a crime in any jurisdiction. Penalty: Revocation. Effective: 03/25/2019.
Musgrave, Jeff Edward	2017-045848	SL 3046422	Orlando, FL: Respondent violated Section 475.25(1)(f), Florida Statutes, by being convicted of a crime which involves dishonest dealings; Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission within 30 days after adjudication of guilt. Penalty: Administrative fine of \$1,000.00; investigative costs of \$250.80, probation for 6 months; attend two 2-day meetings. Effective: 03/07/2019.

Neser, Debra Ann	2016-007944	BK 665569 BK 3044744 BK 3318045	Boyton Beach, FL: Respondent violated Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d) 1, Florida Statutes, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value; Section 475.25 (1)(k) Florida Statutes, by failing to immediately place, upon receipt, any money, fund, deposit, check or draft entrusted to her or him by any person dealing with her or him as a broker in escrow with a title company banking institution credit union or savings and loans association located or doing business in this state, or to deposit such funds in a trust or escrow account maintained by her or him with some bank, credit union, or savings and loans association located and doing business in this state, wherein that funds shall be kept until disbursement thereof properly authorized; or has failed, if sales associate 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; Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission within 30 days after adjudication of guilt; Rule 61J2-14.012(2), Administrative Code, by failing to make a written statement comparing the broker's total liability with the reconciled bank balance(s) of all trust accounts; Section 475.5015, Florida Statutes, through Section 475.285 (1)(e), Florida Statutes, by failing to keep and make available to the brokerage bank states, monthly reconciliation statement, and other documents necessary to ensure the brokerage's compliance. Penalty: Revocation; administrative fine of \$3,500.00; investigative costs of \$1,625.25. Effective: 03/13/2019.
Next One Realty Inc.	2018-038719 2018-040947 2018-041135 2018-042489 2018-042509 2018-047450	CQ 1055011	Miami Gardens, FL: Voluntary surrender for permanent revocation. Effective: 03/07/2019.
Schimborski a/k/a Schacklette Joy	2018-005409	BK 3095109	Ocala, FL: Respondent violated Section 475.25 (1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing. Penalty: Administrative fine of \$1,000.00; investigative costs of \$297.00; probation for 9 months and 1 FREC meeting. Effective: 03/13/2019.
Southern Key Properties Inc.	2017-032088 2017-046644	CQ 1045132	Crestview, FL: Respondent violated Section 475.25(1) (b), Florida Statutes, by being guilty of dishonest dealings, culpable negligence or breach of trust, or has formed an intent, design or scheme to engage in any such misconduct and committed an overt act in furtherance of such intent, design or scheme; Section 475.25(1)(d) 1, Florida Statute, by failing to account or deliver to any person, including a license under this chapter, at the time which has been agreed upon or is required by law or, in the absence of a fixed time, upon a demand of the person entitled to such accounting and delivery, any personal property such as money, fund, deposit, check, draft, abstract title, mortgage, conveyances, lease or other document or things of value. Penalty: Revocation; investigative costs of \$1,130.25 in Case No. 2017032088; investigative costs of \$1,122.00 in Case No. 2017046644. Effective: 03/29/2019.
Tischbin, Zoe Linn	2018-006809	BK 3252586	Ft. Lauderdale, FL: Respondent violated Section 475.25 (1)(e) through a violation of 475.227(1)(t) Florida Statutes, by failing to report in writing to the board or the department within 30 days after the Respondent is convicted or found guilty of, or entered a plea of nolo contendere or guilty, regardless of adjudication, a crime in any jurisdiction. Penalty: Administrative fine of \$1,000.00; investigative cost of \$72.60; attend 1 complete FREC general meeting; probation for 6 months. Effective: 03/13/2019.
Waserstrom, Monica	2018-026589	SL 3250650	Ft. Lauderdale, FL: Respondent violated Section 475.25 (1)(f), Florida Statutes, by being convicted or being found guilty of or entered a plea of nolo contendere to, regardless of adjudication, a crime in which directly relates to the activities of a licensed broker or sales associate, or involves moral turpitude or fraudulent or dishonest dealing. Penalty: Administrative fine of \$1,000.00; investigative costs of \$297.00; probation for 9 months and 1 FREC meeting. Effective: 03/13/2019.
Waysman, Jonathan	2017-046162	SL 3336485	Tampa, FL: Respondent violated Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), by failing to report in writing to the Commission nor the Department within 30 days after his adjudication of guilt. By stipulation, the respondent agreed to the following penalty: Administrative fine of \$1,000.00; investigative costs of \$140.25. Effective: 03/07/2019.
Wilson, Scott	2018-033476	SL 695082	Cape Coral, FL: Respondent violated Section 475.25(1)(e), Florida Statutes, through a violation of Section 455.227(1)(t), Florida Statutes, by failing to report in writing to the Commission within 30 days after adjudication of guilt. Penalty: Administrative fine of \$250.00; investigative costs of \$198.00; probation for 6 months. Effective: 03/07/2019.