

**INDIANA REAL ESTATE COMMISSION  
Indiana Government Center South  
402 West Washington St., Room W064  
Indianapolis IN 46204**

**MINUTES OF MAY 8, 2024**

Troy Helman, R.B., Chair, called the meeting to order at 9:02 a.m. and declared a quorum in accordance with IC § 25-34.1-2-3(b), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present: Troy Helman, Chair  
Tracy Hutton, Vice Chair  
John De Souza, Member  
Charlie Shook, Member  
Pamela Lumley, Member  
Cheryl Stuckwich, Member  
Grace Nossett, Consumer Member  
Molly Kitchell, Consumer Member

Member(s) Absent: John Briscoe, Member  
Donna Spears, Member  
Beth Walker, Member  
Brian Thompson, Member

Staff Present: Jody Edens, Board Director  
Professional Licensing Agency  
James Green, Assistant Board Director  
Professional Licensing Agency  
Bradley Repass, Litigation Specialist  
Professional Licensing Agency  
Adam Harvey, J.D., Deputy Attorney  
General, Office of the Attorney General

The Board voted to adopt the agenda.

Shook/Kitchell, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none

The following board members abstained: none

The Board voted to adopt the minutes for March 13, 2024, as written.

Shook/Lumley, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

### **PERSONAL APPEARANCES**

#### **Raina Billington, Initial Application – Positive Response**

Ms. Billington appeared in person and was not represented by counsel regarding the positive response on her initial application.

Ms. Billington explained that she has had several OWI's as follows:

- June 20, 2005 – Minor Possession of Alcohol
- September 20, 2005 – Minor Possession of Alcohol
- November 16, 2005 – Minor Consumption of Alcohol
- July 24, 2006 – Operating while Intoxicated and Minor Possession of Alcohol
- May 31, 2011 – Operating while Intoxicated Minor in Passenger Vehicle; OWI Endangering Person; OWI with Prior OWI within 5 years; OWI w/BAC .15% or more
- September 26, 2023 – Operating a Vehicle While Intoxicated Endangering a person less than 18 years; Resisting Law Enforcement

From the 2023 charge she entered into a Plea Agreement for the following: 730 Days in the IN Dept of Corrections; 365 days executed; 365 days suspended. Executed time shall be served as 20 days in the Department of Corrections or Hamilton County Jail followed by 345 days as a direct commitment to Hamilton County Community Corrections Electronic Home Monitoring program with Soberlink and court costs. She is on probation for a period of 365 days with standard terms and conditions.

She indicated she went to a one (1) month residential treatment program, then continued as an outpatient with Fairbanks. She sees a therapist weekly and goes to several AA meetings per week. Her sobriety date is November 2023.

At this time, she is still on court probation.

After discussion, the Commission moved to APPROVE Ms. Billington's initial application

on INDEFINITE PROBATION with terms and conditions.

Lumley/Kitchell, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Ana Gutierrez Bravo, Initial Application – Positive Response**

Ms. Gutierrez Bravo appeared in person and was not represented by counsel regarding the positive response on her initial application.

Ms. Gutierrez Bravo explained that on December 11, 2022, she was charged with Operating a Vehicle While Intoxicated Endangering a Person and Neglect of a Dependent, places dependent in situation that endangers the dependent.

On March 14, 2023, she was placed on 350 days probation in lieu of imprisonment. She has completed her court probation at this time.

After discussion, the Commission APPROVED Ms. Gutierrez Bravo's initial application.

Shook/Kitchell, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Shawnette Johnson, Initial Application – Positive Response**

Ms. Johnson appeared in person and was not represented by counsel regarding the positive response on her initial application.

Ms. Johnson was charged with Resisting Law Enforcement, a level 6 Felony. She entered a diversion agreement which she has not completed at this time.

She must do fifty (50) hours of community service.

After discussion, the Commission moved to APPROVE Ms. Johnson's initial application on INDEFINITE PROBATION.

Shook/Lumley, 8/0/0

Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Thomas Fithian, Initial Application – Positive Response**

Mr. Fithian appeared in person and was not represented by counsel regarding the positive response on his initial application.

August 30, 2022, Mr. Fithian was charged with an OVI Endangering a Person and OVI.

A deferral agreement for 1 year was entered into on May 19, 2023, in which he must complete the Pre-Trial Deferral Program/CSAP with other terms and conditions. He is currently still in the deferral agreement.

After discussion, the Commission moved to APPROVE Mr. Fithian's initial application on INDEFINITE PROBATION.

Shook/Lumley, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Tiffany Penn, Initial Application – Positive Response**

Ms. Penn appeared in person and was not represented by counsel regarding the positive response on his initial application.

June 19, 2023, Ms. Penn was charged with the following:

- Operating a Vehicle while Intoxicated Endangering a Person
- Battery Against a Public Safety Official
- Resisting Law Enforcement-knowingly/intentionally forcibly resist/obstruct
- Leaving the Scene of an Accident
- Operating a Vehicle with a ACE of .15 or more

She is on probation for one (1) year and indicated she has completed MADD and is in Alpa Counseling and working with a non-profit charity program.

After discussion, the Commission moved to APPROVE Ms. Penn's initial application on

INDEFINITE PROBATION.

Shook/Lumley, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwisch  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

### **ADMINISTRATIVE HEARINGS**

The following administrative hearing(s) were continued:

- **Dustin Southwood, License No. RB19000217, Cause No. 2023 IREC 0046**

#### **Jennifer Luttrell, License No. RB14052239, Cause No. 2022 IREC 0022**

Respondent appeared virtually without a camera and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was represented by A.J. Holbrook, Deputy Attorney General, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

Ms. Luttrell informed the Commission that she has paid the \$5,000 fine and has taken the additional courses required.

She sold the rental business and is no longer involved in it.

Respondent Exhibits:

Exhibit 1 – Proof of courses taken

Exhibit 2 – copies of check

States Exhibits:

Exhibit A – Affidavit

The State does not object to the withdrawal of the probation.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Hutton/Kitchell, 8/0/0  
Motion carries

The following board members voted aye:

Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**James Cornell, License No. RB14044210, Cause No. 2023 IREC 0046**

Respondent appeared and was not represented by counsel regarding a Petition to Modify Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

In Mr. Cornell's probation order it states under "B. Licensee shall petition to have the probation modified and/or withdrawn upon successful reporting the final judgment and outcome in Licensee's criminal matter. At that time, Licensee shall submit all documentation demonstrating the final judgment and terms of compliance."

Mr. Cornell explained that he completed his electronic monitoring (house arrest). He also attended IOP at Fairbanks where he is still going to better himself.

He submitted a letter from his Probation Officer who indicated he had been negative for illegal substances and alcohol and that he successfully completed the 240 days of electronic monitoring.

Respondent Exhibits:

- A – Corrections Continuation of Care Plan
- B – Letter from Probation Officer

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to DENY Modification and Withdrawal of Probation. Indicating the Probation Order would remain as it currently is.

Hutton/DeSouza, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Melissa Trahan, License No. RB14046886, Cause No. 2023 IREC 0023**

Respondent appeared and was not represented by counsel regarding a Proposed Settlement Agreement scheduled before the Commission. The State of Indiana was represented by A.J. Holbrook, Deputy Attorney General, and the court reporter sworn in

for this matter was Lindy Meyer, with Accurate Reporting Services.

The proposed settlement agreement was presented to the Commission for review. The proposed settlement agreement included INDEFINITE SUSPENSION for no less than three (3) months and the \$5.00 fee.

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Commission moved to APPROVE the Settlement Agreement

Kitchell/Huton, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Prestige 1 Realty & Stacy Bejarano, Unlicensed, Cause No. 2023 IREC 0035**

Respondent appeared and was represented by counsel, Jasmine Schlick regarding a Motion to Cease and Desist scheduled before the Commission. The State of Indiana was represented by A.J. Holbrook, Deputy Attorney General, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

Ms. Holbrook submitted a Motion to Dismiss this matter as both parties have obtained appropriate licensure in Indiana.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to APPROVE the Motion to Dismiss.

Shook/Kitchell, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Stephen Schwering, License No. RB14024654, Cause No. 2023 IREC 0011**

Respondent appeared and was not represented by counsel regarding an Administrative Complaint/Motion to Dismiss scheduled before the Commission. The State of Indiana was represented by Kelsey McNight, Deputy Attorney General, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

Respondent submitted a motion to dismiss this matter before the Commission. Ms. McNight indicated that the State does not object to the dismissal request.

Respondent Exhibits:  
A – Motion to Dismiss

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to APPROVE the Dismissal of this Matter.

Kitchell/DeSouza, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**William Bass, III, License No. RB14043299, Cause No. 2023 IREC 0018**

Respondent appeared virtual/on camera and was represented by counsel, Justin Endress regarding an Administrative Complaint/Settlement Agreement scheduled before the Commission. The State of Indiana was represented by A.J. Holbrook, Deputy Attorney General, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

The proposed settlement agreement was presented to the Commission for review. The proposed settlement agreement included INDEFINITE PROBATION for no less than one (1) year; a \$2,000 Fine; total of twelve (12) hours of Continuing Education (6 in Brokerage Ethics/Legalities and 6 in Managing Broker Responsibilities)

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Commission moved to APPROVE the Settlement Agreement and to Vacate the Administrative Complaint.

Kitchell/Hutton, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none



**Investors Property Management & Christopher Stockamp, Unlicensed & License# RB14039235, Cause Nos: 2023 IREC 0049 and 2023 IREC 0050**

Respondents did not appear and were not represented by counsel regarding a Motion to Cease and Desist/Administrative Complaint/Motion to Dismiss/Proposed Settlement Agreement scheduled before the Commission. The State of Indiana was represented by Robert Fox, Deputy Attorney General, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services.

A Motion to Dismiss was submitted regarding Investors Property Management as they are now licensed. A Proposed Settlement Agreement was submitted on behalf of Christopher Stockamp.

The Proposed Settlement Agreement included a LETTER OF REPRIMAND and a \$60 FINE.

After having considered the evidence presented and reviewing the proposed settlement agreement, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to DISMISS the Motion to Cease and Desist and to APPROVE the Proposed Settlement Agreement.

Kitchell/DeSouza, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwisch  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT**

**CONTINUING EDUCATION**

The REEAC met on May 6, 2024, and issued the following recommendations to the Commission:

**The education council met at 3:00 p.m. and reviewed the following applications:**

**In attendance from 3:00 p.m. to 3:25 p.m.: Rick Ogden, Jim Bitner, Cheryl Butcher, and Tim Reed.**

**1. McKissock, LLC, CE10600460 – Significant Change Form**

- a. Serving Generational Clients – 3 hours
- b. Online Correspondence: Serving Generational Clients – 3 hours
- c. Fair Housing Laws and Compliance – 2 hours

- d. Charting Your Success: The Code of Ethics, Buyer Presentation, and Your Value Proposition – 3 hours

**The Committee recommended to APPROVE a, b, c, and d.  
Butcher/Bitner, 4/0/0 motion carries**

**2. Exchange Resource Group, LLC**

- a. New CE Sponsor-RE Broker Application

**The Committee recommended to APPROVE the application.  
Butcher/Ogden, 4/0/0 motion carries**

**3. Lighthouse School of Real Estate, CE22200018 – Significant Change Form**

- a. Property Management Fundamentals – 4 hours MB/Broker

**The Committee recommended to APPROVE a.  
Butcher/Bitner, 4/0/0 motion carries**

**4. Dakota J. James, RB14052309**

- a. Pre-Licensing Instructor Permit Application

**The Committee recommended to APPROVE the application.  
Butcher/Bitner, 4/0/0 motion carries**

**5. Meridian Title Corporation, CE10600461**

- a. FIRPTA and Fraud Combo Class – 2 hours

**The Committee recommended to APPROVE a.  
Ogden/Butcher, 4/0/0 motion carries**

**6. Real Estate Certification Program (RECP), CE10600303 – Significant Change Form**

- a. Navigating Buyer Agency Changes – 6 hours/Broker
- b. NinjaSelling – 12 hours/Broker only

**The Committee recommended to APPROVE a and b.  
Butcher/Ogden, 3/0/1, with Bitner abstaining, motion carries**

**7. Indiana Commercial Board of REALTORS, CE10600375 – Significant Change Form**

- a. New Director – Lisa Moore

**The Committee recommended to APPROVE the new director.  
Ogden/Bitner, 4/0/0 motion carries**

**8. Northwest Indiana REALTORS Association, CE10600438 – Significant Change Form**

- a. Property Management Fundamentals – 4 hours MB/Broker
- b. General Water Treatment – 3 hours

**The Committee recommended to APPROVE a and b.  
Butcher/Bitner, 4/0/0 motion carries**

**9. Colibri Real Estate, LLC, CE21300021 – Significant Change Form**

- a. Fair Housing Laws and Compliance – 2 hours
- b. Charting Your Success: The Code of Ethics, Buyer Representation, and Your Value Proposition – 3 hours

**The Committee recommended to APPROVE a and b.  
Ogden/Bitner, 4/0/0 motion carries**

**10. Tucker School of Real Estate, CE10600410 – Significant Change Form**

- a. Property Inspection Issues – 3 hours
- b. Assistance Animals and Fair Housing – 3 hours
- c. Did You Serve? Identifying Home buying Advantages for Veterans – 3 hours
- d. Document Diligence – Safeguarding Your Transactions – 4 hours

**The Committee recommended to APPROVE a, b, c, and d.  
Butcher/Bitner, 4/0/0 motion carries**

**11. Reed School of Real Estate, CE41200006 – Significant Change Form**

- a. Indiana Land Trusts – 2 hours

**The Committee recommended to APPROVE a.  
Ogden/Bitner, 3/0/1, with Reed abstaining, motion carries**

**12. Brett Dull – New Instructor Application**

**The Committee recommended to APPROVE the application.  
Ogden/Bitner, 4/0/0 motion carries**

After reviewing all the recommendations, the Commission moved to APPROVE all recommendations.

DeSouza/Nossett, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell

The following board members objected: none  
The following board members abstained: none

**DISCUSSION**

**CE Audit:**

Ms. Edens gave an update on the CE Audit. The list has been pulled and includes 1,172 brokers. There are 282 Brokers that do not have the 36 hours of CE; 76 Brokers that have the 36 hours but not in the correct time frames and 803 that are compliant and have been sent approval letters.

Ms. Edens informed the Commission that the next step is to send out an email to the 282 brokers that do not have the 36 hours of CE giving them time to upload their certificates for review.

During discussion the commission determined that the following CE fines will be issued to those that are not compliant.

- Those that have 36 hours but are not in the correct time frame will be issued a \$250.00 Fine
- Those that have 25 to 35 hours of CE will be issued a \$500 Fine
- Those that have 0 to 24 hours of CE will be issued a \$1,000 Fine

The Commission approved the notice of non-compliance to be sent to all those on the list that have the 36 hours but not in the correct time frame.

Kitchell/Hutton, 8/0/0  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

**Application Review:**

Jude Rasmuss applied by reciprocity from the state of Utah and David Bolos applied by reciprocity from the state of Georgia. The application information was submitted to the Commission for review after Brian Thompson reviewed them himself.

The Commission had questions for Mr. Thompson and since he was not in attendance for this meeting, the Commission TABLED both applications.

CONSENSUS  
Motion carries

The following board members voted aye:  
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich  
Tracy Hutton, John De Souza, Pam Lumley, Molly Kitchell  
The following board members objected: none  
The following board members abstained: none

There being no further business, the Board ADJOURNED at 12:46 p. m.

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Troy Helman, Chair