MINUTES
INDIANA REAL ESTATE COMMISSION
January 23, 2007

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM
Commissioner Reed called the meeting to order at 10:20 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-34.1-2-3(b).

Commission Members Present:
Timothy M. Reed
Charles (Charlie) W. Shook
Susan Daniel
Mark Bock
Paul Boyter
Norman E. McClain
Sue Cox
Carolyn McClintock
Michael Lunsford

Commission Members Absent:
H. James Litten
DJ Hines

State Officials Present:
Nicholas W. Rhoad, Commission Director, Indiana Professional Licensing Agency
Jim Schmidt, Commission Advisory Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA
A motion was made and seconded to adopt the agenda
Motion Carried
9-0-0

III. ADOPTION OF MINUTES FROM December 6, 2007
A motion was made and seconded to adopt the agenda
Motion Carried
9-0-0

IV. ADVISORY COUNSEL’S REPORT
No report was offered

V. INDIANA ATTORNEY GENERAL’S OFFICE REPORT
The Indiana Attorney General’s office provided a report to the Commission
VI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. Indy REO
   IREC 07-36
   Re: Dismissal Order

   A motion was made and seconded to approve the Motion to Dismiss
   McClintock / Boyter
   Motion Carried
   9-0-0

B. State of Indiana v. Kenneth Blaudow
   IREC 07-53
   Re: Administrative Law Judge Panel’s Order

   A motion was made and seconded to approve the Administrative Law Judge
   Order
   McClintock / McClain
   Motion Carried
   9-0-0

C. State of Indiana v. David Roefer
   IREC 07-57
   Re: Administrative Law Judge Panel’s Order

   A motion was made and seconded to approve the Administrative Law Judge
   Order
   McClain / Boyter
   Motion Carried
   9-0-0

D. State of Indiana v. Shirley Kiel
   IREC 07-62
   Re: Administrative Law Judge Panel’s Order
   Re: Objection to Administrative Law Judge Panel’s Order

   A motion was made and seconded to set a March 13, 2008 deadline for filing
   briefs in this matter and the Commission would make a decision at their March
   26, 2008 meeting.

   McClain / Shook
   Motion Carried
   9-0-0

E. State of Indiana v. Patricia Wilcox-McClung
   IREC 05-02
   Re: Administrative Law Judge Panel’s Order

   A motion was made and seconded to approve the Administrative Law Judge
   Order
   Daniel / McClintock
   Motion Carried
   9-0-0
F. State of Indiana v. Marvin Michael Stephenson  
IREC 07-20  
Re: Administrative Law Judge Panel's Order  

A motion was made and seconded to approve the Administrative Law Judge Order  
Boyter / Lunsford  
Motion Carried  
9-0-0

G. State of Indiana v. Michael Whitaker  
IREC 07-21  
Re: Administrative Law Judge Panel's Order  

A motion was made and seconded to approve the Administrative Law Judge Order  
Lunsford / McClintock  
Motion Carried  
9-0-0

H. State of Indiana v. Mary E. Amos  
IREC 07-25  
Re: Administrative Law Judge Panel's Order  

A motion was made and seconded to approve the Administrative Law Judge Order  
Daniel / Cox  
Motion Carried  
9-0-0

I. State of Indiana v. Ann Wells  
IREC 07-59  
Re: Dismissal Order  

A motion was made and seconded to approve the Motion to Dismiss  
Daniel / Boyter  
Motion Carried  
9-0-0

J. State of Indiana v. Judith Joseph  
IREC 07-71  
Re: Dismissal Order  

A motion was made and seconded to approve the Motion to Dismiss  
McClintock / Lunsford  
Motion Carried  
9-0-0
K. **State of Indiana v. Brandon Steffen**  
IREC 07-55  
Re: Proposed Findings of Fact, Conclusions of Law and Order

A motion was made and seconded to accept the Proposed Findings of Fact, Conclusions of Law and Order.

McClintock / McClan

Motion Carried

9-0-0

VII. OLD/NEW BUSINESS

A. **ARELLO**  
Mr. Rhoad provided an update regarding ARELLO to the Commission

B. Filing of consumer complaints  
No action was taken on this item

C. Exam passage requirements  
The Commission discussed changing the exam pass score requirement

D. Rules Committee Update  
The Rules Committee notified the Commission that at the March meeting they will discuss the working document that will revise the current administrative rules.

E. Telephone based settlement conferences  
The Commission discussed the use of telephone based settlement conferences

F. Home based offices  
The Commission discussed home based offices. They decided to address this matter in their current administrative rule changes.

G. Legislative Update  
Mr. Rhoad provided an update on current legislative matters

- SB 143 - Childhood Lead Issues:
- HB 1360 – Mortgage Lending Issues
- HB 1346 – Loan Broker Commission
- SB 40 – Permits for Shoreline Activities:
- HB 1211 – Various Home Loan Matters:
- SB089 - Regulation of Loan Brokers:
- SB 009 - Real Estate Disclosure Forms:
- SB 275 - Mortgage lending issues:
- SB 302 - PLA Omnibus Bill:
- Other information: 34 other bills have direct impact on PLA and 68 other bills are “of interest” to PLA that could have an impact on the agency, Board, or Commission session.
VIII. Administrative Rules Hearings

1. LSA #07-338 – Begins at 10:45
   A motion was made and seconded to approve LSA #07-338
   McClain / Lunsford
   Motion Carried
   9-0-0

2. LSA 07-744 - Begins at 10:50
   A motion was made and seconded to approve LSA #07-774
   McClain / McClintock
   Motion Carried
   9-0-0

IX. Education Committee

A. Waiver of One Year Experience Requirement
   1. Michael K. Grant - Withdraw

B. Positive Responses
   1. Silvia Alvarez T
   2. Thomas Ames A
   3. Richard Burge T
   4. Sharon Fultz T
   5. Howard Junker III A
   6. Douglas Kosek A
   7. Erick Macias T
   8. Hannah Ott A
   9. Jason Schafer A
   10. Ryan Christopher Scott A
   11. Luke Shepard A
   12. Jimmy Snyder A
   13. Tahaun Darnell Squires A
   14. James Swain A
   15. Kristy Nicole Wilkes A
   16. Jamie Mitchell Wilson A
   17. Larry Anthony Wise A
   18. Edwin Keller A
   19. D. Charles Gantz (personal appearance) – did not appear
   20. Nathan Gomez A

C. Application for Acceptance of College Course Credits
   1. William Ansty A
   2. Andrew Boxberger A
   3. Ryan Stairhime A

D. Pre-Licensing Providers
   1. Ivy Tech Community College- Northeast   Sales course approval only
      3800 North Anthony Blvd, Fort Wayne A
   2. Real Estate Career Institute   Broker course approval
      8310 Allison Pointe Blvd, Suite 201 Indianapolis A
E. Continuing Education Providers

1. Appraisal Institute Hoosier State Chapter - A
   Spotlight on USPAP: Hypothetical Conditions and Extraordinary Assumptions 2.0E Sales and Brokers

2. McKissock, LP
   a. RESPA 2.0E online course Sales and Brokers ARELLO approved A
   b. Real Estate Related Investments & Qualified Plans 4.0E online Sales and Brokers ARELLO approved A
   c. Even Odder: More Oddball Appraisals 7.0E Sales and Brokers A
   d. Introduction to Expert Witness Testimony 7.0E Sales and Brokers A
   e. Mortgage Fraud-Protect Yourself 7.0E Sales and Brokers A
   f. Environmental Issues for Appraisers 7.0E Sales and Brokers A

3. Continuing Ed Express LLC Online courses - ARELLO approved A
   a. Vacation Property Investment Guide 4.0E Sales and Brokers A
   b. Fraud is Not an Option: Causes and Cures 4.0M Sales and Brokers A
   c. Agency and Fair Housing Best Practices 2.0M Sales and Brokers T

4. The CE Shop, Inc. Online approval requested for Sales and Brokers
   Director: Michael McAllister
   Course(s):
   a. Basics of Real Estate Taxation 5.0E A
   b. From Contract to Keys: the Mortgage Process 5.0E A
   c. Foundations of Real Estate Finance 5.0E A
   d. Real Estate Appraisal for Agents 5.0E A
   e. Selling to Your Sphere of Influence 3.0E A
   f. Keeping it Honest: Understanding Real Estate & Mortgage Fraud 2.0M (Anti-Trust) A
   g. Title & Escrow: Two Families, One Transaction 2.0M A
   h. Breaking Barriers: Fair Housing 2.0M A

5. Southeastern Indiana Board of Realtors
   a. Clandestine Drug Labs 1.0E D
   b. Carbon Monoxide 1.0E D
   c. Mold 1.0E D

6. Institute for Continuing Education, Inc. Online courses for Sales and Brokers
   Instructor: Elizabeth Tigner A
   Courses:
   a. About Real Estate Accounting 4.0E A
   b. About Critters, Pests & Real Estate 4.0E A
   c. About Commercial Leasing 4.0E A
   d. About Custom Homes 4.0E A
   e. About Home Inspections 4.0E A
   f. About Home Construction 4.0E A
   g. Understanding Real Estate Appraising and Math 4.0E A
   h. About Sexual Harassment 4.0E A
   i. About Real Estate And Water 4.0E A
   j. About Modern Mortgaging 4.0E A

7. HomeServices Real Estate Academy All courses for Sales and Brokers
   a. Avoiding FSBO Fizzle- Working the "For Sell by Owner" 3.0E A
   b. You Said what!?- Understanding the Intent of the Anti-Trust Laws 2.0M/1.0E APPROVED
   c. Expireds- Like Catching Fish in a Barrel 3.0E A
   d. Understanding RESPA- Avoiding the government Paid Condo 2.0M/1.0E APPROVED
   e. ANSI Residential Measuring Standard 3.0E D
F. Continuing Education Instructor Applications
1. Lynn Generette A
2. Edward W. Hardig, Jr. A
3. Dianna M. Jackson A
4. Michael McAllister A
5. Richard J. Madden A
6. Patricia Pachak A
7. Stephanie A. Perry A
8. Elizabeth Tigner A
9. Ed Meadows A
10. Douglas Hodges A

G. Pre-Licensing Instructor Applications
1. Michael Glazer A
2. Dena M. Lee A
3. Daniel R. Smith A
4. Catherine S. Wheat A

X. Adjournment

A motion was made and seconded to adjourn the meeting at 11:25 a.m.
Motion Carried
9-0-02

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Tim Reed, Chairman     Date