

MINUTES
INDIANA REAL ESTATE COMMISSION
WEDNESDAY, NOVEMBER 16, 2022
9:00 a.m.
402 WEST WASHINGTON STREET
INDIANAPOLIS, INDIANA 46204

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chair, Donna Spears called the meeting to order at a.m. and declared a quorum in accordance with Ind. Code § 25-34.1-2-3(b).

Commission Members Present

Donna Spears, Chairwoman
Beth Walker
Pam Lumley
Charlie Shook
Tracy Hutton
Cheryl Stuckwish
John De Souza
Troy Helman
John Briscoe
Brian Thompson

Commission Members Absent:

Molly Kitchell

State Officials Present:

Amy Hall, Commission Director
Chris Shea-Russell, Commission Assistant Director, Indiana Professional Licensing Agency
Brad Repass – Compliance Officer
James Harry, Commission Advisory Counsel, Office of the Attorney General

Court Reporter: Lindy Meyer

II. ADOPTION OF THE AGENDA

Brian Thompson made a motion and was seconded by Tracy Hutton to adopt the agenda.

Motion Passes
10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

III. APPROVAL OF THE MINUTES OF THE WEDNESDAY, OCTOBER 5, 2022 MEETING

Cheryl Stuckwish made a motion and was seconded by John DeSouza to approve the minutes as presented.

Motion Passes
10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

IV. PERSONAL APPEARANCES

1. Mackenzie Copeland – Positive Response Application

Mackenzie Copeland appeared to discuss the positive response on her application. She is currently on criminal probation until August 2023 for a criminal DUI. She has been trying to change her life since this occurrence and has obtained her associate degree as a medical assistant.

A motion was made by Charlie Shook and was seconded by Pam Lumley to approve for licensure on indefinite probation to run concurrent with her criminal probation.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

2. Ashley Ile – Positive Response Application

Ashely Ile appeared to discuss the positive response on her application. Criminal charges in 2015 and 2018. She is currently on probation for under the influence and battery. Her probation is a monthly reporting to her criminal probation officer. She is due to be on criminal probation until April 2024.

A motion was made by John Briscoe and was seconded by Troy Helman to approve for licensure on indefinite probation to run concurrent with her criminal probation.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

3. Kimberly Furr – Positive Response Application

Kimberly Furr appeared to discuss the positive response on her application. The was in an accident while under the influence. Her fiancé was with her at that time and he passed away in the accident. She is no longer on criminal probation.

A motion was made by Tracy Hutton and was seconded by Pam Lumley to approve for licensure.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

V. ADMINISTRATIVE HEARINGS

1. Parker Jones – Cause No: 2022IREC0023

Petition to be Removed from Probation

Parker appeared before the Commission in regards to his petition to withdraw from probation. His criminal probation is complete now, provided a dismissal order stating his probation is complete, There have been no further incidents with law enforcement.

A motion was made by Charlie Shook and was seconded by Pam Lumley to approve his Petition to Withdraw from Probation.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

2. Robert Collins – Cause No: 2017IREC0022

Petition to be Removed from Probation

Robert Collins appeared before the Commission for his Petition to Withdraw from Probation. He did not submit any documentation as he was under the impression that the probation status automatically dropped from his license once six months elapsed. The charges that he was initially charged with are in the process of being expunged. He did submit the documentation electronically to support his Petition to remove from probation. The correct documents were not submitted.

A motion was made by John De Souza and was seconded by Beth Walker to deny his Petition to Withdraw from Probation.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwisch	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

3. Brian Charles Nordan – Cause No: 2022IREC0006
Administrative Complaint / Notice of Proposed Default

John DeSouza recused.

Brian Nordan appeared before the Commission with counsel.

First motion is to continue with the hearing

The state is willing to set aside the the default, have a hearing on a summary suspension.

A motion was made by Tracy Hutton and was seconded by Brian Thompson to set the default aside and have a hearing for a summary suspension.

Motion Passes

9/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza		
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	

Cheryl Stuckwish	✓
Pam Lumley	✓
Beth Walker	✓
Troy Helman	✓
John Briscoe	✓
Brian Thompson	✓

A motion was made by John Briscoe and was seconded by Brian Thompson to approve the Summary Suspension with in 90 days and to schedule and ALJ hearing.

Motion Passes

9/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza		
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

VI. ALJ DELIBERATIONS & SETTLEMENT AGREEMENTS

1. Lincoln Crum Realty, LLC – Cause 2022IREC0026

Motion to Dismiss

John Briscoe and Brian Thompson to approve the Motion to Dismiss.

Motion Passes

10/0/0

The following Commission Members Voted	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwish	✓	
Pam Lumley	✓	
Beth Walker	✓	

Troy Helman	✓
John Briscoe	✓
Brian Thompson	✓

Discussion Items

1. Report From The Office Of The Attorney General

Ian Matthews provided a report from the Office of Attorney General. Most cases have roughly a one year life span currently, roughly under 9 months.

2. Real Estate Education Advisory Council Report

The Commission reviewed the REEAC Report and the information provided about the classes that were approved, denied or tabled.

A motion was made by Troy Helman and was seconded by John De Souza to approve the REEAC report as submitted.

Motion Passes

10/0/0

The following Commission Members Voted

	“Aye”	“Nay”
John De Souza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Cheryl Stuckwisch	✓	
Pam Lumley	✓	
Beth Walker	✓	
Troy Helman	✓	
John Briscoe	✓	
Brian Thompson	✓	

Anne Johnson stood up to discuss the Seller’s Disclosure Form changes. Sh will discuss more information in January.

ADJOURNMENT 11:35 p.m.

1/18/23
Date


Donna Spears, Chair

