

**Indiana Real Estate Commission
November 14, 2018
Minutes**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chair, Doug Rose called the meeting to order at **8:59 a.m.** in Conference Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum in accordance with Ind. Code § 25-34.1-2-3(b).

Commission Members Present: Roll Call

Jack McCombs, Vice Chairperson
Sue Cox
Paul Boyter
Doug Rose, Chairperson
Charles (Charlie) W. Shook
James Litten

Commission Members Absent:

Justin Busch
Pam Lumley
John Briscoe
Sahara Williams

State Officials Present:

Deanna Alexander, Director, Indiana Professional Licensing Agency
Toby Davis, Assistant Director, Indiana Professional Licensing Agency
Nate Black, Compliance Officer, Indiana Professional Licensing Agency
Jim Schmidt, Commission Advisory Council, Office of the Attorney General

Transcriptionist:

Sherri Rutledge, Rutledge Court Reporting

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

8:45 a.m.

III. APPROVAL OF MINUTES OF THE OCTOBER 3, 2018 MEETING OF THE COMMISSION

Correction of the minutes to put Doug as the Chairperson calling the meeting to order and delete Norm McClain from the check list vote.

A motion was made and seconded to approve the minutes from the October 2, 2018 meeting.

Cox/Boyter
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	

Sue Cox	✓
Jack McCombs	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓
James Litten	✓

IV. INDIANA ATTORNEY GENERAL’S OFFICE REPORT

Jennifer Williams, presented the Attorney General’s report.

V. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

REEAC, Kathy Harbaugh presented the Real Estate Education Advisory Council Report.

Boyster/Litten
6/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

VI. PERSONAL APPEARANCES

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Bolutife Olorunda
Re: Positive Response

A motion was made and seconded to Approve the Application on Probation to run concurrent with his criminal probation.

Shook/Litten
6/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

A motion was made and seconded to Table the Application.

Shook/Litten
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

B. IN THE MATTER OF THE LICENSE OF: James Gore
 Re: Positive Response

A motion was made and seconded to Approve the Application.

McCombs/Boyter
 4/2

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox		✓
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose		✓
James Litten	✓	

C. IN THE MATTER OF THE LICENSE OF: Mary Garrett
 Re: Positive Response

A motion was made and seconded to Reinstate the license on Probation. She must complete the 12 hours of CE with 4 of being Managing Broker CE to reinstate her license.

Shook/Litten
 6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

D. IN THE MATTER OF THE LICENSE OF: Cory Reed
 Re: Positive Response

A motion was made and seconded to Approve the Application on Probation until December 31, 2019.

Shook/Litten
5/1

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox		✓
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

E. IN THE MATTER OF THE LICENSE OF: Jeremy Martin
Re: Positive Response

A motion was made and seconded to Deny the Application based on the Criminal Convictions.

Shook/Cox
4/2

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose		✓
James Litten		✓

VII. ADMINISTRATIVE HEARINGS

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Teri Lemus
2014 IREC 0062
Re: Probation Withdrawal

Respondent: Teri Lemus
Attorney: William Maschmeyer

Motion was first and seconded to Remove from Probation.

Boyter/Litten
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	

Doug Rose ✓
James Litten ✓

B. IN THE MATTER OF THE LICENSE OF: Thomas Nickols
2017 IREC 0043
Re: Probation Withdrawal

Respondent: Thomas Nickols

Motion was first and seconded to Grant Withdrawal from Probation.

Boyer/Shook
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

C. IN THE MATTER OF THE LICENSE OF: Real Estate Career Network
2018 IREC 0027
Re: Petition for Review of Course Denial

Respondent: Jeff Gilliam, Real Estate Career Network

Witness for REEAC, Kathy Harbaugh

Motion was first and seconded to Deny the course for CE credit.

Cox/Litten
4/2

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter		✓
Sue Cox	✓	
Jack McCombs		✓
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. Nothing for review

IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

- A. Nothing for review

X. APPLICATION REVIEW

- A. Nothing for review

XI. OLD/NEW BUSINESS

- A. Possible adoption of Agency Correction to Appraiser Board rules, 876 IAC 3 (from final rule in LSA Document #18-65 rulemaking).

Motion was first and seconded to Adopt the Agency Corrections.

McCombs/Litten
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

- B. Possible adoption of agency correction to 876 IAC 8-1 to make clear, concise and easy to interpret and apply to directly state managing broker for certain references to managing broker that uses other terminology.

Motion was first and seconded to Adopt the Agency Corrections.

Litten/McCombs
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

- C. Rule changes concerning continuing education requirements updating language describing continuing education renewal cycle, clarifying permissible use of post licensing and managing broker courses, correct a reference to broker company in 876 IAC 8-1-9 and eliminating a licensure examination passage rate that a real estate school's students must meet.

Motion was first and seconded to Delay and have Jim look into the CE credit.

Litten/Boyter
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

D. Hotel Rates for Board/Commission Members

XII. Broker CE Audit Review

Motion was first and seconded to issue a Notice of Non-Compliance and fine of \$27.78 per CE hour missed, make up the CE deficiency. If they missed all of the CE for the three year CE cycle they have a Civil Penalty of \$1000.00. 6 months to make up the CE and 21 days to pay the Civil penalty.

McCombs/Boyter
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
James Litten	✓	

- 1. Matt Armstrong** RB14027070
 - No CE for 2014-2015
 - 18 hours completed for 2015-2016
 - No CE for 2016-2017
- 2. Wayne Ryan** RB14042852
 - No CE for 2014-2015
 - 3 Hours for 2015-2016,
 - 12 hours plus 24 hour MB course for 2016-2017
- 3. Frances Spooner** RB14031347
 - No CE for 2014-2015 and 2015-2016
 - 12 Hours for 2016-2017
- 4. Therome Buford** RB14026689
 - No CE for 2014-2015, 2015-2016
 - 37 Hours CE for 2016-2017

5. **Jeff Smith** RB14042221
 - (a) No CE Completed
6. **Kenneth Cary** RB14037031
 - (a) 2014-2015 7 Hours
 - (b) 2015-2016 12 Hours
 - (c) 2016-2017 2 Hours
7. **Dawn Whitaker** RB14038761
 - (a) 2014-2015 No CE
 - (b) 2015-2016 No CE
 - (c) 2016-2017 6 Hours CE
8. **Michelle Smith** RB14003442
 - (a) 2014-2015 No CE
 - (b) 2015-2016 14 Hours CE
 - (c) 2016-2017 10 Hours CE
 - (d) 07/01/2017 12 Hours
9. **Susan Todd** RB14028298
 - (a) 2014-2015 8 Hours CE
 - (b) 2015-2016 12 Hours CE
 - (c) 2016-2017 12 Hours CE
10. **Angela Davis** RB14035836
 - (a) 2014-2015 12 Hours CE
 - (b) 2015-2016 4 Hours CE
 - (c) 2016-2017 12 Hours CE
 - (d) 2013-2014 21 Hours
11. **Jeremy Tucker** RB14035834
 - (a) 2014-2015 26 Hours CE
 - (b) 2015-2016 9 Hours CE
 - (c) 2016-2017 15 Hours CE
12. **Synthia Noble** RB14039247
 - (a) 2014-2015 No CE
 - (b) 2015-2016 No CE
 - (c) 2016-2017 39 Hours CE
13. **David Schulte** RB14008586
 - (a) 2014-2015 12 Hours CE
 - (b) 2015-2016 11 Hours
 - (c) 2016-2017 No CE
14. **Larry Jordan** RB14037365
 - (a) 2014-2015 12 Hours CE
 - (b) 2015-2016 12 Hours CE
 - (c) 2016-2017 No CE
15. **Melanie Reusze** RB14038886
 - (a) 2014-2015 12 Hours CE
 - (b) 2015-2016 12 Hours of CE
 - (c) 2016-2017 8 Hours of CE 4 Hours completed by a unapproved provider.

- 16. Gary Lewis** RB14024029
(a) 2014-2015 No CE
(b) 2015-2016 12 Hours CE
(c) 2016-2017 12 Hours CE
- 17. Robert Coble** RB14016486
(a) 2014-2015 No CE
(b) 2015-2016 No CE
(c) 2016-2017 12 Hours CE
- 18. Michael Platt Jr.** RB14028399
(a) 2014-2015 14 Hours CE
(b) 2015-2016 9 Hours CE
(c) 2016-2017 15 Hours CE
- 19. Lisa Treadwell** RB14042174
(a) 20104-2015 No CE
(b) 2015-2016 15 Hours CE
(c) 2016-2017 12 Hours CE
- 20. Elaine Albertson** RB14033167
(a) 2014-2015 12 Hours CE
(b) 2015-2016 No CE
(c) 2016-2017 No CE
- 21. Brandi Woods** RB14041382
(a) 2014-2015 9 Hours
(b) 2015-2016 8 Hours CE
(c) 2016-2017 28 Hours CE
- 22. Steve Rupp** RB14023387
(a) 2014-2015 No CE
(b) 2015-2016 12 Hours CE
(c) 2016-2017 24 Hours CE
- 23. Yvette Williams** RB14026892
(a) 2014-2015 6 Hours CE
(b) 2015-2016 8 Hours CE
(c) 2016-2017 13 Hours CE
(d) 2017-2018 21 Hours of CE
- 24. Arzella Wiliams** RB14011365
(a) 2014-2015 No CE
(b) 2015-2016 No CE
(c) 2016-2017 36 Hours CE
- 25. Michael Moore** RB14023170
(a) 2014-2015 No CE
(b) 2015-2016 24 Hours CE
(c) 2016-2017 9 Hours CE
- 26. David Boeglin** RB14009202
(a) 2014-2015 No CE
(b) 2015-2016 12 Hours CE
(c) 2016-2017 12 Hours CE
- 27. Clay Whaley** RB14036901

- (a) 2014-2015 12 Hours CE
- (b) 2015-2016 No CE
- (c) 2016-2017 No CE

28. Wayne Ryan RB14042852

- (a) 2014-2015 No CE
- (b) 2015-2016 3 Hours CE
- (c) 2016-2017 36 Hours CE

29. Lesa Miller RB14023899

- (a) 2014-2015 No CE
- (b) 2015-2016 13 Hours CE
- (c) 2016-2017 35 Hours CE

30. Connie Hughes RB14005171

- (a) 2014-2015 No CE
- (b) 2015-2016 No CE
- (c) 2016-2017 36 Hours CE

31. Chad Davis RB14042514

- (a) 2014-2015 12 Hours CE
- (b) 2015-2016 No CE
- (c) 2016-2017 32 Hours CE

32. Janet Lavender RB14008206

- (a) 2014-2015 24 Hours CE
- (b) 2015-2016 12 Hours CE
- (c) 2016-2017 No CE

33. Larry Wattenbarger RB14000443

- (a) 2014-2015 No CE
- (b) 2015-2016 12 Hours CE
- (c) 2016-2017 12 Hours CE

34. Sarah Hutton RB14023835

- (a) 2014-2015 No CE
- (b) 2015-2016 24 Hours CE
- (c) 2016-2017 12 Hours CE
- (d) Did Complete 24 Hours of CE for the 2013-2014 CE Cycle.

35. Antwain Sherrod RB14036766

- (a) 2014-2015 22 Hours CE
- (b) 2015-2016 No CE
- (c) 2016-2017 36 Hours CE

36. Emilia Jagier RB14041717

- (a) 2014-2015 8 Hours CE
- (b) 2015-2016 12 Hours
- (c) 2016-2017 12 Hours CE.
- (d) Completed 24 Hours 11/07/2013

37. Mitch Rolsky RB14042173

- (a) 2014-2015 No CE
- (b) 2015-2016 6 Hours CE
- (c) 2016-2017 15 Hours CE

38. Jaswinder Kaur Samra RB14042693

- (a) 2014-2015 No CE
- (b) 2015-2016 No CE
- (c) 2016-2017 19 Hours CE

39. Dee Ann Siems RB14041303

- (a) 2014-2015 6 Hours CE
- (b) 2015-2016 9 Hours CE
- (c) 2016-2017 12 Hours CE

40. Deborah Crowder RB14034923

- (a) 2014-2015 10 Hours CE
- (b) 2015-2016 6 Hours
- (c) 2016-2017 12 Hours CE

41. John Kruse RB14025282

- 2014-2015 12 Hours CE
- 2015-2016 No CE
- 2016-2017 12 Hours CE

42. Christine Teibel RB14036172

- 2014-2015 12 Hours CE
- 2015-2016 **9 Hours CE**
- 2016-2017 12 Hours CE

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned @ 12:03 p.m.

**Next Meeting:
December 19, 2018
W064**