

**Indiana Real Estate Commission
December 19, 2018
Minutes**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Vice Chair, Jack McCombs called the meeting to order at 8:47 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
Charles (Charlie) W. Shook
James Litten
John Briscoe
Sahara Williams

Commission Members Absent:

Doug Rose, Chairperson
Pam Lumley

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:

Margie Addington, Accurate Reporting of Indiana

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

8:45 a.m.

III. APPROVAL OF MINUTES OF THE NOVEMBER 14, 2018 MEETING OF THE COMMISSION

A motion was made and seconded to approve the minutes from the November 14, 2018 meeting.

Cox/Litten
6/1

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

John Briscoe ✓
Sahara Williams ✓

IV. INDIANA ATTORNEY GENERAL’S OFFICE REPORT

Sam Dayton, presented the Attorney General’s report.

V. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

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

A motion was made and seconded to approve the REEAC recommendations.

Boyer/Litten
7/0

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

VI. PERSONAL APPEARANCES

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Jeffrey Tegethoff – CONTINUED

Re: Positive Response

B. IN THE MATTER OF THE LICENSE OF: Ronnika Drane

Re: Positive Response

A motion was made and seconded to Approve the Application on a Probation status.

Shook/Williams
7/0

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

VII. ADMINISTRATIVE HEARINGS

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Jason King
2018 IREC 0021
Re: Summary Suspension Extension

Sam Dayton, Office of the Attorney General
Witness:

Respondent: Not Present
Attorney: No attorney present to represent respondent

Motion was first and seconded to renew the 90 Day Suspension.

Boyter/Briscoe
6/0

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

B. IN THE MATTER OF THE LICENSE OF: Rodney Boyd
2018 IREC 0034
Re: Petition for Summary Suspension

Jessica Hilger, Office of the Attorney General
Witness:

Respondent: Not Present
Attorney: No Attorney present to respresent respondent

Motion was first and seconded to issue a 90 Day Suspension.

Boyter/Briscoe
7/0

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

C. IN THE MATTER OF THE LICENSE OF: Todd Woodmansee
2017 IREC 0004
Re: Petition for Summary Suspension

Sam Dayton, Office of the Attorney General
Witness:

Respondent: Not Present
Attorney: No Attorney present to represent respondent

Motion was first and seconded to Approve the Settlement

Boyer/Litten
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Charles (Charlie) W. Shook	✓	
James Litten	✓	
John Briscoe	✓	
Sahara Williams	✓	

Sue Cox has recused herself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Jack McCombs, Sahara Williams, John Briscoe, Charlie Shook and Jim Litten.

D. IN THE MATTER OF THE LICENSE OF: Sara Stone
2015 IREC 0027
Re: Probation Withdrawal

Respondent: Sara Stone
Attorney: No Attorney present to represent respondent

Motion was first and seconded to Removal of Probation.

Respondent submitted exhibits: 1, 2, 3 ,4

Litten/Cox
6/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
James Litten	✓	
John Briscoe	✓	
Sahara Williams	✓	

Charlie Shook has recused himself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Jack McCombs, Sahara Williams, John Briscoe, Sue Cox and Jim Litten.

E. IN THE MATTER OF THE LICENSE OF: Charles Charleston
2009 IREC 0018
Re: Probation Withdrawal

Sam Dayton, Office of the Attorney General
Witness:

Respondent: Not Present
Attorney: No Attorney present to represent respondent

Motion was first and seconded to Reschedule this for the January meeting.

Boyter/Litten
7/0

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

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. IN THE MATTER OF THE LICENSE OF: Gina Mehringer
2018 IREC 0022
Re: Administrative Law Judge Panel Order

A motion was made and seconded to Delay till the January meeting.

Litten/Cox
7/0

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

B. IN THE MATTER OF THE LICENSE OF: Lisa Furniss - Continued

2018 IREC 0016

Re: Administrative Law Judge Panel Order

C. IN THE MATTER OF THE LICENSE OF: Cathy Norman

2018 IREC 0011

Re: Administrative Law Judge Panel Order

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

Cox/Briscoe

7/0

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

D. IN THE MATTER OF THE LICENSE OF: Juan Carrasquel

2018 IREC 0023

Re: Proposed Findings of Fact, Conclusions of Law and Order

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

Boyter/Briscoe

6/0

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

Jim Litten has recused himself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Jack McCombs, Sahara Williams, John Briscoe, Charlie Shook and Sue Cox

E. IN THE MATTER OF THE LICENSE OF: Brian Schaper

2018 IREC 0024

Re: Proposed Findings of Fact, Conclusions of Law and Order

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

Briscoe/Shook
6/0

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

Jim Litten has recused himself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Jack McCombs, Sahara Williams, John Briscoe, Charlie Shook and Sue Cox

F. IN THE MATTER OF THE LICENSE OF: Todd Woodmansee – Settlement was accepted no further action needed.

2017 IREC 0004

Re: Proposed Findings of Fact, Conclusions of Law and Order

IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

A. Nothing for review

X. APPLICATION REVIEW

A. Nothing for review

XI. OLD/NEW BUSINESS

A. 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.

A motion was made and seconded to have Jim draft our current rules to add the CE credit for Commission members and licensees who attend Commission meetings. We will have a draft at the next meeting for review at the January meeting.

B. Shane Tilton

Re: Motion to Dismiss Respondent's Probation Withdrawal Request

A motion was made and seconded to Dismiss the Pending Petition for Probation Withdrawal.

Williams/Cox
7/0

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

Sue Cox	✓
Jack McCombs	✓
Charles (Charlie) W. Shook	✓
James Litten	✓
John Briscoe	✓
Sahara Williams	✓

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned @ 10:32 p.m.

**Next Meeting:
January 16, 2019
W064**