

**Indiana Real Estate Commission
April 18, 2018
Minutes**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chair, Pam Lumley called the meeting to order at 5:54 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

Paul Boyter
Jack McCombs
Michael Lunsford
Pam Lumley, Chair
Charles (Charlie) W. Shook
Sue Cox
John Briscoe
Doug Rose
Sahara Williams
Norman McClain
Justin Busch
James Litten

Commission Members Absent:

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

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| I. COMMITTEE MEETINGS | 8:30 a.m. |
| II. CALL TO ORDER & ESTABLISHMENT OF QUORUM | 8:45 a.m. |
| III. APPROVAL OF MINUTES OF THE MARCH 7, 2018 MEETING OF THE COMMISSION | |

A motion was made and seconded to approve the minutes from the March 7, 2018 meeting.

Box/McClain

12/0

The following Board Members Voted "Aye" "Nay"

Paul Boyter	✓
Sue Cox	✓
Jack McCombs	✓
Justin Busch	✓
Michael Lunsford	✓
Pam Lumley	✓
Norman McClain	✓
Sahara Williams	✓
John Briscoe	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓
Jim Litten	✓

IV. INDIANA ATTORNEY GENERAL’S OFFICE REPORT

Hilary Egan, presented the Attorney General’s report.

V. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

REEAC, Doug Dickman presented the Real Estate Education Advisory Council Report.

CE not completed within the correct CE cycle:

In the case of Debbie Lane a Motion was made and seconded to issue a civil penalty of \$333.33 and issue a letter of Non-Compliance and not to make up any hours and to accept the completed hours.

Cox/McClain
11/1

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose		✓
Jim Litten	✓	

Motion was made and seconded to approve report.

Boyter/McCombs

12/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jim Litten	✓	

VI. PERSONAL APPEARANCES

9:00 a.m.

A. Nothing for review

VII. ADMINISTRATIVE HEARINGS

9:00 a.m.

A. In the Matter of the License of: Randy Wasmuth

2017 IREC 0040

Re: Probation withdrawal

Respondent: Randy Wasmuth

Attorney: No Attorney

Motion was made and seconded to **Withdrawal from Probation.**

Litten/Briscoe

11/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jim Litten	✓	

Doug Rose has recused himself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Sue Cox, Jack McCombs, Justin Busch, Michael Lunsford, Pam Lumley, Norman McClain, Sahara Williams, John Briscoe, Charlie Shook and Jim Litten.

B. In the Matter of the License of: Kristina Kinney
2018 IREC 0012
Re: Petition for Summary Suspension

Matthew Rayman, Attorney General's Office
Witness: Denise Singleton, Case Analyst

Respondent: Not Present
Attorney: No Attorney Present for the Respondent

Motion was made and seconded to **Suspend License for 90 Days.**

Boyter/Lunsford

12/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jim Litten	✓	

Sue Cox had to leave the meeting early at 10:17 a.m.

C. In the Matter of the License of: Todd Woodmansee
2017 IREC 0004
Re: Petition for Summary Suspension

Sam Dayton, Attorney General's Office
Witness: Breann Gross
Witness: Robert T. Tresslar
Witness: Ryan Gardner
Witness: Cynthia Crispin

Respondent: Respondent not Present
Attorney: No Attorney present for Respondent

Motion was made and seconded to **Suspend the license for 90 Days.**

Williams/Rose
10/0

Jim Litten had to leave the meeting early @ 11:10 a.m.

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

Jim Litten has recused himself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Doug Rose, Jack McCombs, Justin Busch, Michael Lunsford, Pam Lumley, Norman McClain, Sahara Williams, John Briscoe, Charlie Shook and Jim Litten.

VIII.DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

A. In the Matter of the License of: William Bryant
2016 IREC 0012
Re: Administrative Law Judge Panel's Order

Brief filed by May 14, 2018

A motion was made and seconded to **Affirm the Law Judge Panel's Order.**

Williams/Shook

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

B. In the Matter of the License of: Deborah Swan
 2017 IREC 0037
 Re: Administrative Law Judge Panel's Order

A motion was made and seconded to **Affirm the Law Judge Panel's Order.**

Lunsford/Briscoe

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

C. In the matter of the License of: Robert J. Fersch
 2016 IREC 0028
 Re: Administrative Law Judge Panel's Order

A motion was made and seconded to **Affirm the Law Judge Panel's Order.**

McCombs/Williams

10/0

The following Board Members Voted	"Aye"	"Nay"
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Paul Boyter	✓
Jack McCombs	✓
Justin Busch	✓
Michael Lunsford	✓
Pam Lumley	✓
Norman McClain	✓
Sahara Williams	✓
John Briscoe	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓

D. In the Matter of the License of: Jerry Morrow

2018 IREC 0005

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

A motion was made and seconded to **Affirm the Law Judge Panel's Order.**

Lunsford/Boyter

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

E. In the Matter of the License of: Ryan Gehris

2017 IREC 0035

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

A motion was made and seconded to **Affirm the Law Judge Panel's Order.**

Boyter/Lunsford

10/0

The following Board Members Voted	"Aye"	"Nay"
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Paul Boyter	✓
Jack McCombs	✓
Justin Busch	✓
Michael Lunsford	✓
Pam Lumley	✓
Norman McClain	✓
Sahara Williams	✓
John Briscoe	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓

F. In the Matter of the License of: Ken Gehris

2017 IREC 0036

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

A motion was made and seconded to **Approve the Law Judge Panel’s Order.**

Lunsford/McCombs

10/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

G. In the Matter of the License of AH4R Management – IN LLC dba American Homes For Rent

2017 IREC 0019

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

A motion was made and seconded to **Approve the Law Judge Panel’s Order.**

Lunsford/McCombs

10/0

The following Board Members Voted	“Aye”	“Nay”
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Paul Boyter	✓
Jack McCombs	✓
Justin Busch	✓
Michael Lunsford	✓
Pam Lumley	✓
Norman McClain	✓
Sahara Williams	✓
John Briscoe	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓

H. In the Matter of the License of: John Walsh

2017 IREC 0020

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

A motion was made and seconded to **Approve the Law Judge Panel's Order.**

Briscoe/McCombs

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

A. Nothing for Review

X. APPLICATION REVIEW

A. Nothing for Review

XI. OLD/NEW BUSINESS

A. Thomas Vitello Indiana Resident applying by Reciprocity

A motion was made and seconded to **Grant the license based on the Illinois license.**

Lunsford/Briscoe

9/1

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain		✓
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

B. Donald Shapiro – Petitioner’s Motion to Voluntary Dismiss

A motion was made and seconded to **Grant the Motion.**

Boyer/Briscoe

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

C. William Warfield-Tennessee Resident applying by Reciprocity from Florida

A motion was made and seconded to **Deny reciprocity and has to complete the 90 hour broker course and exam.**

Briscoe/McCombs

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

D. John Lewis-Resubmit approval for property management services

A motion was made and seconded to **Deny**.

Lunsford/Shook

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

E. Megan Herrold Extension on 90 hour pre-licensing certificate

A motion was made and seconded to **Deny an extension**.

Lunsford/Briscoe

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	

Norman McClain	✓
Sahara Williams	✓
John Briscoe	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓

F. Kristina Hill completed 30 Hour Post Licensing and needed 24 Hour Educational course.

A motion was made and seconded to **Accept the 30 Hour Post Licensing course in place of the 24 Hour Educational course.**

McCombs/Busch

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	

**G. Everett Powell 2018 IREC 0009
Re: Emergency Petition to Lift Summary Suspension**

A motion was made and seconded to **Deny the request to lift the Summary Suspension.**

Rose/McCombs

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Jack McCombs	✓	
Justin Busch	✓	
Michael Lunsford	✓	
Pam Lumley	✓	
Norman McClain	✓	
Sahara Williams	✓	
John Briscoe	✓	
Charles (Charlie) W. Shook	✓	

Doug Rose



XII. ADJOURNMENT @ 12:38 p.m.

**Next Meeting:
May 23, 2018
W064**