

**Indiana Real Estate Commission
November 13, 2019
Minutes**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chairperson, Doug Rose called the meeting to order at **8:58 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

Sue Cox
Paul Boyter
Charles (Charlie) W. Shook
Pam Lumley
Doug Rose, Chairperson
Sahara Williams
John Briscoe
Jack McCombs, Vice Chairperson
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
James Schmidt, Commission Advisory Council, Office of the Attorney General
Travis Lovett, Commission Advisory Council, Office of the Attorney General

Transcriptionist:

Margie Addington, Accurate Reporting of Indiana

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

8:52 a.m.

III. APPROVAL OF MINUTES OF THE OCTOBER 2, 2019 MEETING OF THE COMMISSION

A motion was made and seconded to approve the minutes from the October 2, 2019 meeting.

McCombs/Briscoe
9/0

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

IV. INDIANA ATTORNEY GENERAL’S OFFICE REPORT

Jenifer Barth, presented the Attorney General’s report.

V. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

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

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

Boyter/Litten
9/0

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

Sahara Williams ✓
Jim Litten ✓

VI. PERSONAL APPEARANCES

9:00 a.m.

A. IN THE MATTER OF THE APPLICATION OF: Alexandria Avelino Garcia
Re: Positive Response

A motion was made and seconded to Issue a license.

Shook/McCombs
8/1

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

B. IN THE MATTER OF THE APPLICATION OF: Steven Peigza
Re: Positive Response

A motion was made and seconded to Issue a license on Probation.

Briscoe/Boyter
9/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Sue Cox	✓	
Pam Lumley	✓	
Charles (Charlie) W. Shook	✓	
John Briscoe	✓	
Doug Rose	✓	

Jack McCombs	✓
Sahara Williams	✓
Jim Litten	✓

C. IN THE MATTER OF THE APPLICATION OF: Derrick Stewart
 Re: Positive Response

A motion was made and seconded to Issue a license on Probation.

Shook/Boyster
 8/1

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

D. IN THE MATTER OF THE APPLICATION OF: Caelon Priddy
 Re: Positive Response

A motion was made and seconded to Issue a license.

Shook/Litten
 9/0

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

E. IN THE MATTER OF THE APPLICATION OF: James Mann IV
Re: Positive Response

A motion was made and seconded to Issue a license on Probation.

Shook/Boyster
9/0

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

VII. ADMINISTRATIVE HEARINGS

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Justin Cicillian
2017 IREC 0048
Re: Probation Withdrawal

Respondent: Justin Cicillian
Attorney: No Attorney present

A motion was made and seconded to Withdrawl Probation.

McCombs/Cox
9/0

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

Sue Cox	✓
Pam Lumley	✓
Charles (Charlie) W. Shook	✓
John Briscoe	✓
Doug Rose	✓
Jack McCombs	✓
Sahara Williams	✓
Jim Litten	✓

B. IN THE MATTER OF THE LICENSE OF: Mary Siders (Garrett)
 2018 IREC 0033
 Re: Probation Withdrawal

Respondent: Mary Siders (Garrett)
 Attorney: No Attorney present

A motion was made and seconded to Withdrawl Probation.

Lumley/Boyter
 9/0

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

C. IN THE MATTER OF THE LICENSE OF: Christopher Smith
 2019 IREC 0024
 Re: Summary Suspension

Heidi Adair, Deputy Attorney General

State Exhibits – A, B and C

Respondent: Christopher Smith
 Attorney: No Attorney present

Respondents Exhibits - 1

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

Boyster/McCombs
8/1

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

D. IN THE MATTER OF THE LICENSE OF: Clark Klemme
2017 IREC 0003
Re: Probation Withdrawal

Heidi Adair , Deputy Attorney General
Kelsey Miller, Deputy Attorney General

Witness: Nathaniel Black
Witness: Clark Klemme

Respondent: Clark Klemme
Attorney: Dereck Peterson

Witness: Nathaniel Black
Witness: Clark Klemme

A motion was made and seconded to Withdrawl Probation.

Briscoe/Williams
7/2

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter		✓
Sue Cox	✓	
Pam Lumley	✓	

Charles (Charlie) W. Shook	✓	
John Briscoe	✓	
Doug Rose	✓	
Jack McCombs		✓
Sahara Williams	✓	
Jim Litten	✓	

E. IN THE MATTER OF THE LICENSE OF: John Larkin

2019 IREC 0026

Re: Petition for Summary Suspension

Anjelica Violi, Attorney General
 Witness – Heather Buell

States Exhibits – A

Respondent: John Larkin
 Attorney: Dorthy Maryan

Witness – John Larkin

Respondents Exhibits – 1

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

Shook/Litten
 9/0

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

F. IN THE MATTER OF THE LICENSE OF: Lifestyl Real Estate

2019 IREC 0022
Re: Petition for Summary Suspension

Jennifer Barth, Attorney General

Wittness – Nate Black
Wittness – Valarie Kubacki
Wittnes - Kristen Morasam
Wittness – Jaclyn Meza

State Exhibits – A1, A, B, C, D, E, F and G

Respondent: Lifestyl Real Estate
Attorney: No Attorney present

A motion was made and seconded to Grant the States Summary Suspend Lifestyl Real Estate Company.

Cox/Lummley
9/0

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

A motion was first and seconded to give 7 days to submit a report to the Commission identify any trust accounts and if none approxamitly when did they close them.

Lummley/Willians
8/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Sue Cox	✓	

Pam Lumley	✓
John Briscoe	✓
Doug Rose	✓
Jack McCombs	✓
Sahara Williams	✓
Jim Litten	✓

Charlie Shook stepped out and was not present to vote.

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

A. IN THE MATTER OF THE LICENSE OF: Patrick McDonald
 2019 IREC 0010
 Re: Administrative Law Judge Panel’s Order

A motion was made and seconded that both parties have till December 16, 2019 to file Briefs. The parties will have Oral Arguments will be January 15, 2020.

Boyter/Cox
 9/0

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

X. APPLICATION REVIEW

A. Loubbertha Nalls-Wanting to apply by reciprocity from Texas

A motion was made and seconded to Deny reciprocity license.

Boyter/McCombs
 9/0

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

XI. OLD/NEW BUSINESS

A. LisaMarie Taillon- Returned check from 2014-2017 renewal. Owes \$85.50.

Table and have Toby reach out to her one last time.

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned @ 3:14p.m.

**Next Meeting:
December 18, 2019
W064**

Doug Rose, Chairman