

**Indiana Real Estate Commission  
March 4, 2020  
Minutes**

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**I. CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Chairperson, Doug Rose called the meeting to order at **8:52 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  
Charles (Charlie) W. Shook  
Doug Rose, Chairperson  
Sahara Williams  
Jack McCombs, Vice Chairperson  
John Briscoe  
John De Souza  
Donna Spears

**Commission Members Absent:**

Pam Lumley  
James Litten

**State Officials Present:**

Deanna Alexander, Director, Indiana Professional Licensing Agency  
Nate Black, Compliance Officer, Indiana Professional Licensing Agency  
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 JANUARY 15, 2019 MEETING OF THE COMMISSION**

**Motion was made and seconded to remove William R. Richards P.C. from the Agenda.**

McCombs/Boyer  
8/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

**A motion was made and seconded to approve the minutes from the January 15, 2020 meeting.**

McCombs/Spears  
8/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

#### **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.**

Boyer/McCombs  
8/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

**VI. PERSONAL APPEARANCES**

**9:00 a.m.**

**VII. ADMINISTRATIVE HEARINGS**

**9:00 a.m.**

**A. IN THE MATTER OF THE LICENSE OF: Bradley Springer**  
 2019 IREC 0012  
 Re: Probation Withdrawal Hearing

Respondent: Bradley Springer  
 Attorney: No Attorney present

**A motion was made and seconded to Remove from Probation**

Shook/Williams  
 7/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

Jack McCombs has recused herself from the hearing. The following members continued to take part in the hearing: Paul Boyter, Charlie Shook, Doug Rose, John Briscoe, John De Souza, Donna Spears and Sahara Williams.

**B. IN THE MATTER OF THE LICENSE OF: Donald Kohler**

2018 IREC 0003

Re: Probation Withdrawal Hearing

Hillary Egan, Attorney General Office

Respondent: Donald Kohler

Attorney: No Attorney present

States Exhibits: A

**A motion was made and seconded to Deny Removal from Probation**

Briscoe/Williams

8/0

The following Board Members Voted

“Aye” “Nay”

Paul Boyter	✓
Charles (Charlie) W. Shook	✓
Doug Rose	✓
Jack McCombs	✓
John Briscoe	✓
John De Souza	✓
Donna Spears	✓
Sahara Williams	✓

**C. IN THE MATTER OF THE LICENSE OF: Joshua & Magdalena Lybolt**

2019 IREC 0022

Re: Summary Suspension Extension

Leif Johnson, Attorney General Office

Witness: Jaclyn Meza

State Exhibits: A

Respondent: Not present

Attorney: No Attorney present

**A motion was made and seconded to Extend the Summary Suspension an additional 90 days.**

Williams/McCombs

8/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

**D. IN THE MATTER OF THE LICENSE OF: Melissa McClendon**  
 2018 IREC 0013  
 Re: Summary Suspension Extension

Heidi Adair, Attorney General Office  
 Witness: Jaclyn Meza

State Exhibits: A,

Respondent: Not present  
 Attorney: No Attorney present

**A motion was made and seconded to extend the Summary Suspension an additional 90 days.**

Williams/Spears  
 8/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

**VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS**

**A. IN THE MATTER OF THE LICENSE OF: David Moudy**  
 2019 IREC 0039

Re: Proposed Agreed Indefinite Summary Suspension

**A motion was made and seconded to Accetp the Proposed Agreed Indefinite Summary Suspension.**

McCombs/Briscoe  
8/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams	✓	

**B. IN THE MATTER OF THE LICENSE OF: Jerry Morrow**  
2018 IREC 0005  
Re: Proposed Findings of Fact

**A motion was made and seconded to Approve the Proposed Findings of Fact**

Boyter / McCombs  
8/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	

Sahara Williams has abstained from the vote.

**C. IN THE MATTER OF THE LICENSE OF: Angela Miracle**  
2019 IREC 0032  
Re: Proposed Agreed Indefinite Summary Suspension

**A motion was made and seconded to Approve Proposed Agreed Indefinite Summary Suspension**

Boyter/McCombs  
7/1

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	
Sahara Williams		✓

**IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS**

**X. APPLICATION REVIEW**

**XI. OLD/NEW BUSINESS**

**A. 2<sup>nd</sup> 2020/2021 Emergency USPAP Rule**

**A motion was made and seconded to Approve the 2<sup>nd</sup> 90 Day emergency Rule**

Shook/Boyter  
8/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
John Briscoe	✓	
John De Souza	✓	
Donna Spears	✓	

Sahara Williams



**B. William R Richards P.C. – Has been removed off the agenda and approved at the beginning of the meeting**

Re: Expiration of their School

## **XII. ADJOURNMENT**

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned @ 10:51 a.m.

**Next Meeting:  
April 15, 2020  
W064**

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Doug Rose, Chairman