

**MINUTES**  
**INDIANA REAL ESTATE COMMISSION**  
**WEDNESDAY, JULY 20, 2022**  
**9:00 a.m.**  
**402 WEST WASHINGTON STREET**  
**INDIANAPOLIS, INDIANA 46204**

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

Chairman, John DeSouza called the meeting to order at 9:08 a.m. and declared a quorum in accordance with Ind. Code § 25-34.1-2-3(b).

**Commission Members Present**

John De Souza, Chairman  
Beth Walker  
Pam Lumley  
Brian Thompson  
Charlie Shook  
Molly Kitchell  
Tracy Hutton  
Troy Helman  
Cheryl Stuckwisch  
John Briscoe  
Donna Spears, Vice chair

**Commission Members Absent:**

**State Officials Present:**

Amy Hall, Commission Director, Indiana Professional Licensing Agency  
Chris Shea-Russell, Commission Assistant Director, Indiana Professional Licensing Agency  
James Harry, Commission Advisory Counsel, Office of the Attorney General

**Court Reporter: NONE**

**II. ADOPTION OF THE AGENDA**

**Molly Kitchell made a motion and was seconded by Donna Spears to adopt the amended agenda.**

**Thompson/Hutton**  
11/0/0

The following Commission Members Voted

“Aye”    “Nay”

John DeSouza	✓
Charlie Shook	✓
Donna Spears	✓
Tracy Hutton	✓
Troy Helman	✓
Cheryl Stuckwish	✓
Brian Thompson	✓
Molly Kitchell	✓
Pam Lumley	✓
John Briscoe	✓
Beth Walker	✓

**III. APPROVAL OF THE MINUTES OF THE WEDNESDAY, MAY 18, 2022 MEETING**

**A motion was made by Molly Kitchell and was seconded by Brian Thompson to approve the minutes from the May 18, 2022 meeting.**

**Hutton/Spears**  
11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

John DeSouza announced that Beth Walker is a new Commissioner that was recently appointed.

**IV. PERSONAL APPEARANCES**

**1. Alexander Hour = Positive Response**

Alexander Hour appeared before the Commission to discuss the positive response on his application. Four years ago he was arrested for a driving under the influence, creating a wreck which caused bodily harm to another driver. He did leave the scene of the accident. He did go to prison for this incident. He has attended therapy and

completed a class to help him cope with society today. He is currently on criminal probation which is scheduled for three years, in August of 2025. He has been sober since that occurrence.

**A motion was made by Pam Lumley and was seconded by Molly Kitchell to approve his license on probation, to run concurrent with his criminal probation, assuming there are no further arrests or convictions. Indefinite probation of at least three years.**

**Lumley/Hutton**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

## **2. Jessica DeSantis – Reciprocity Request**

Jessica DeSantis did not appear before the commission to discuss the possibility of applying as a reciprocal licensee. Indiana does not have reciprocity with Florida nor are the licensing requirement similar.

**A motion was made by John Briscoe and was seconded by Tracy Hutton to deny the request.**

**Lumley/Hutton**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	

Brian Thompson	✓
Molly Kitchell	✓
Pam Lumley	✓
John Briscoe	✓
Beth Walker	✓

**3. William Oliver - Reciprocity Request**

William Oliver appeared before the commission to discuss the possibility of applying as a reciprocal licensee. He is licensed in multiple jurisdictions and has not requested for a waiver in any of the other states that he is licensed. He is wishing to become a managing broker role in a firm. James Harry, reviewed statutes and equivalency for a waiver. Prelicensing education must substantially similar to the requirements of Indiana. He must use Michigan as his home state since he resides there. It is dependent on if Michigan would grant an Indiana licensee a waiver the same waiver he is requesting.

**Table the waiver request pending on information provided by William Oliver and is waiver request.**

**V. ADMINISTRATIVE HEARINGS - DISMISSAL FILED 7.20.22**

**1. Lawrence Clark - Cause No: 2021 IREC 0053  
Administrative Complaint**

**A motion was made by Molly Kitchell and was seconded by Tracy Hutton to approve the Motion of Dimiss.**

**Kitchell/Hutton**  
11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

**VI. ALJ DELIBERATIONS & SETTLEMENT AGREEMENTS**

**1. Stephen Toyra – Cause No: 2021IREC0029**

Motion to Dismiss Pending Matter

**A motion was made by Molly Kitchell and was seconded by John Briscoe to approve the Motion to Dismiss.**

**Kitchell/Briscoe**

10/0/1

The following Commission Members Voted

John DeSouza

“Aye” “Nay”

✓

Charlie Shook

ABSTAINED

Donna Spears

✓

Tracy Hutton

✓

Troy Helman

✓

Cheryl Stuckwish

✓

Brian Thompson

✓

Molly Kitchell

✓

Pam Lumley

✓

John Briscoe

✓

Beth Walker

✓

**2. Brian Bell – Cause No: 2022IREC0004**

Proposed Settlement Agreement

**A motion was made by Molly Kitchell and was seconded by Donna Spears to approve the Proposed Settlement.**

**Kitchell/Spears**

11/0/0

The following Commission Members Voted

John DeSouza

“Aye” “Nay”

✓

Charlie Shook

✓

Donna Spears

✓

Tracy Hutton

✓

Troy Helman

✓

Cheryl Stuckwish

✓

Brian Thompson

✓

Molly Kitchell

✓

Pam Lumley

✓

John Briscoe

✓

Beth Walker

✓

**3. Aaron M. Ruemler – Cause No: 2021IREC0033**  
Proposed Findings of Fact, Conclusions of Law and Order

**A motion was made by John Briscoe and was seconded by Brian Thompson to approve the Proposed Settlement.**

**BriscoeThompson**

10/0/1

The following Commission Members Voted

John DeSouza  
Charlie Shook

“Aye” “Nay”  
✓  
ABSTAINED

Donna Spears  
Tracy Hutton  
Troy Helman  
Cheryl Stuckwish  
Brian Thompson  
Molly Kitchell  
Pam Lumley  
John Briscoe  
Beth Walker

✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓

**4. Christopher A. Spurr – Cause No: 2021IREC0054**  
Proposed Settlement Agreement

**A motion was made by Tracy Hutton and was seconded by Cheryl Stuckwish to approve the Proposed Settlement.**

**Hutton/Stuckwish**

11/0/0

The following Commission Members Voted

John DeSouza  
Charlie Shook  
Donna Spears  
Tracy Hutton  
Troy Helman  
Cheryl Stuckwish  
Brian Thompson  
Molly Kitchell  
Pam Lumley  
John Briscoe  
Beth Walker

“Aye” “Nay”  
✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓  
✓

**5. Glenda Perry - Cause No: 2021IREC0044**

Proposed Findings of Fact, Conclusions of Law and Order

Motion to Withdraw Proposed Settlement Agreement and Motion to Continue

**A motion was made by Molly Kitchell and was seconded by Troy Helman to approve the the Motion to Withdraw Proposed Settlement and Motion to Continue.**

**Kitchell/Helman**

11/0/0

The following Commission Members Voted

	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

**6. Daniel Norton – Cause No: 2021IREC0043**

Proposed Findings of Fact, Conclusions of Law and Order

Motion to Withdraw Proposed Settlement Agreement and motion to Continue

**A motion was made by Molly Kitchell and was seconded by Troy Helman to approve the the Motion to Withdraw Proposed Settlement and Motion to Continue.**

**Kitchell/Helman**

11/0/0

The following Commission Members Voted

	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	

Pam Lumley	✓
John Briscoe	✓
Beth Walker	✓

**7. CPC Real Estate LLC – Cause No: 2021IREC0045**

Motion for Voluntary Dismissal with Prejudice

**A motion was made by Brain Thompson and was seconded by Tracy Hutton to approve the Motion for Voluntary Dismissal with Prejudice**

**Thompson/Hutton**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

**8. Complete Property Care, LLC – Cause No: 2021IREC0046**

Motion for Voluntary Dismissal with Prejudice

Motion to Withdraw State’s Motion to Dismiss

**A motion was made by Beth Walker and was seconded by John Briscoe to approve the the Motion to Withdraw Proposed Settlement and Motion to Continue.**

**Walker/Briscoe**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	



Pam Lumley	✓
John Briscoe	✓
Beth Walker	✓

**9. Rebecca Wezensky -Cause No: 2022IREC0010**  
 Administrative Law Judge Panel’s Recommended Order

**A motion was made by John Briscoe and was seconded by Pam Lumley to approve the Proposed Settlement.**

**Brsicoc/Lumley**  
 11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

**Todd. J. Stein - Cause No: 2021 IREC 0062**  
 Notice of Intent of Voluntary Surrender License and Proposed Settlement Agreement

**A motion was made by Pam Lumley and was seconded by Tracy Hutton to approve the Proposed Settlement.**

**Kitchell/Thompson**  
 10/0/1

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook		ABSTAINED
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	

John Briscoe	✓
Beth Walker	✓

**1. Report From The Office Of The Attorney General**

Chase Haller provided a report from the Office of Attorney General. Most cases have roughly a one year life span currently. There have been 121 investigations closed this year. There are open litigation cases. There are multiple avenues of data that he can provide, at the Commission’s request. He can submit requests for modifications of the tracking data. What kind of enhancements would the Commission like to see as result of the various data. There have been 116 investigative complaints opened year to date. What is the oldest case currently open at this time was asked, there are three remaining complaints from 2018. Kudos the Chase Haller and his staff on the way and expediency in investigating of cases was given.

**2. Real Estate Education Advisory Council Report**

The Commission reviewed the REEAC Report and the information provided about the classes that were approved, denied or tabled.

**A motion was made by Troy Helman and was seconded by Brian Thompson to approve the REEAC report as submitted.**

**Helman/Thompson**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

**3. New REEAC Appointee – Cheryl Butcher**

**A motion was made by Molly Kitchell and was seconded by Beth Walker to approve REEAC new appointee.**

**Kitchell/Walker**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

#### 4. Commission Elections

##### CHAIR

**A motion was made by John Briscoe and was seconded by Pam Lumley to nominate Donna Spears as Commission Chair. (DeSouza will maintain as the Hearing officer in the open litigation for Troski matter).**

**Briscoe/Lumley**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	
Charlie Shook	✓	
Donna Spears	✓	
Tracy Hutton	✓	
Troy Helman	✓	
Cheryl Stuckwish	✓	
Brian Thompson	✓	
Molly Kitchell	✓	
Pam Lumley	✓	
John Briscoe	✓	
Beth Walker	✓	

##### VICE

**A motion was made by Molly Kitchell and was seconded by Pam Lumley to nominate Troy Helman as Commission Vice - Chair.**

**Kitchell/Lumley**

11/0/0

The following Commission Members Voted	“Aye”	“Nay”
John DeSouza	✓	

Charlie Shook	✓
Donna Spears	✓
Tracy Hutton	✓
Troy Helman	✓
Cheryl Stuckwish	✓
Brian Thompson	✓
Molly Kitchell	✓
Pam Lumley	✓
John Briscoe	✓
Beth Walker	✓

**ADJOURNMENT 11:37 a.m.**

  
Donna Spears, Chair

8/24/22  
Date