

**INDIANA REAL ESTATE COMMISSION
Indiana Government Center South
402 West Washington St., Room W064
Indianapolis IN 46204**

MINUTES OF SEPTEMBER 20, 2023

Troy Helman, R.B., Chair, called the meeting to order at 9:02 a.m. and declared a quorum in accordance with IC § 25-34.1-2-3(b), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present: Tracy Hutton, Vice Chair
John Desouza, Member
Beth Walker, Member (arrived 9:17a.m.)
Charlie Shook, Member
Cheryl Stuckwish, Member
Pamela Lumley, Member
Donna Spears, Member
Grace Nossett, Consumer Member

Member(s) Absent: Troy Helman, Chair
Brian Thompson, Member
Molly Kitchell, Consumer Member
John Briscoe, Member

Staff Present: Jody Edens, Board Director
Professional Licensing Agency
Brad Repass, Litigation Specialist
Professional Licensing Agency
Clarence Leatherbury, J.D., Deputy Attorney
General, Office of the Attorney General

The Board voted to adopt the agenda as amended.

DeSousa/Spears, 7/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

There Board voted to approve the August 9, 2023, minutes as presented.

Stuckwish/Lumley, 7/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

The following personal appearances did not appear:

- **Ashby Gurgon, License Renewal – Positive Response**

Jodi Meeks, Initial Application – Positive Response

Ms. Meeks appeared in person and was not represented by counsel regarding the positive response on her initial application.

Ms. Meeks was charged with the following:

- Felony 6 – Auto Theft: Theft of the entire vehicle
- Class A Misdemeanor – Theft
- Class A Misdemeanor – Driving while suspended

In a plea agreement, she was placed on three hundred forty-five(345) days on probation and have a mental health evaluation, and a fine.

She submitted documentation from the court showing her probation was completed on August 2, 2022.

She also stated she has been sober for eight hundred ninety-four (894) days and continues to go to twelve (12) step meetings.

After discussion, the Commission moved to APPROVE Ms. Meek's initial application.

Shook/Lumley, 7/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Cameron Matthews, Initial Application – Positive Response:

Mr. Matthews appeared in person and was not represented by counsel regarding the positive response on his initial application.

Mr. Matthews was charged with the following:

- 2006 – Dealing in Marijuana or Hash – Felony D and Possession of Marijuana/Hash/Syn/Cannabinoid – Felony D, both of which he pled guilty.
- 2007 – Illegal possession of alcohol – Misdemeanor C – was placed on court probation and issued a fine.
- 2021 – Domestic Battery committed in the presence of a child less than 16 – Felony 6; Kidnapping – this is the basic kidnapping offence – Felony 6; Domestic Battery – Misdemeanor A – All dismissed by the court.
- 2023 – Residential Entry break and enter dwelling – Felony 6; Criminal Mischief Damage between \$750 & \$50K – Still pending with the courts

Commission reminded him he needs to report the 2023 outcome within thirty (30) days once completed.

After discussion, the Commission moved to APPROVE Mr. Matthew’s initial application.

Shook/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Christopher Tokarski, Initial Application – Positive Response:

Mr. Tokarski appeared in person and was not represented by counsel regarding the positive response on his initial application.

Mr. Tokarski has the following arrests/convictions:

- 2009 – Public Intoxication
- 2011 – Theft and Criminal Recklessness, Class D Felonies
- 2013 – Resisting Law Enforcement – Criminal Misdemeanor
- 2014 – Operating a Vehicle with a BAC of at least .15
- 2017 – Possession of Cocaine and Possession of Marijuana – Felony 4

After discussion, the Commission moved to APPROVE Mr. Tokarski’s application.

Shook/Lumley, 8/0/0

Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Greg Kelly, Initial Application – Positive Response:

Mr. Kelly did not appear in person and was not represented by counsel regarding the positive response on his initial application.

This is the second meeting Mr. Kelly has been scheduled to appear.

After discussion, the Commission moved to DENY Mr. Kelly's initial application.

Shook/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Erianna Loller, RB22000969A, License Renewal – Positive Response:

Ms. Loller did not appear in person and was not represented by counsel regarding the positive response on her license renewal application.

This is the second meeting in which Ms. Loller was requested to appear and she did not show.

After discussion, the Commission moved to DENY Ms. Loller's license renewal.

Lumley/Stuckwish, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Leeann Balta, RB14041020, License Renewal – Positive Response:

Ms. Balta appeared in person and was not represented by counsel regarding the positive response on his license renewal application.

Let the record reflect that Tracy Hutton recused herself from this matter and left the room.

In 2022 she was charged with an OWI and Public Intoxication. She was placed on court probation which was completed July 25, 2023.

She had to do counseling, take courses on drinking and how drunk driving effected people.

After discussion, the Commission moved to APPROVE Mr. Balta’s license renewal.

Lumley/Stuckwish, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John Desouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Kenneth Mullen, RB19001755, License Renewal – Positive Response:

Mr. Mullen appeared in person and was not represented by counsel regarding the positive response on his license renewal application.

Let the record reflect that Beth Walker recused herself from this matter and left the room.

Mr. Mullen explained that on Super Bowl Sunday, he got a OWI and is on a pre-trial diversion program. His pretrial diversion program was signed May 15, 2023 and he was placed on 1 year probation.

After discussion, the Commission moved to APPROVE Mr. Mullen’s license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

DeSouza/Lumley, 7/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett,
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Amber Arciniega, RB16001901, License Renewal – Positive Response:

Ms. Arciniega appeared in person and was not represented by counsel regarding the positive response on her license renewal application.

In 2020 she was accused of Theft a Felony 6 and Burglary a Felony 4, which were pled down to Residential Entry a Felony 6.

She said she went to a friend's house with her dog, and they went swimming in the friend's swimming pool. The friend said she stole \$20,000 in jewelry.

She also had a DUI in 2017 and a recent DUI in August 2023.

She is currently on court probation for the DUI until August 2024 and for the Residential Entry until February 2024.

After discussion, the Commission moved to APPROVE Ms. Arciniega's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Lumley/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwisch, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Billy Albright, RB14035895, License Renewal – Positive Response:

Mr. Hanna appeared in person and was not represented by counsel regarding the positive response on his license renewal application.

Mr. Albright informed the Commission that in August 202 he had a dispute with his ex-girlfriend and mother of his two (2) sons. He went to her house to see his sons, but since they weren't ever married, he didn't have legal access to the boys. He was arrested. He entered a plea agreement, and the Judge sentenced him to the following:

- Four (4) years - one (1) year work release, one (1) year home detention and two (2) years' probation.
- He also had to complete counseling classes, domestic violence program and was ordered to stay away from the ex-girlfriend through a no contact order and court costs/fine. Currently everything is completed except for the two (2) years' probation.

After discussion, the Commission moved to APPROVE Mr. Albright's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Shook/Lumley, 8/0/0

Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Mary Cossey, RB14051491, License Renewal – Positive Response:

Ms. Cossey appeared in person and was not represented by counsel regarding the positive response on her license renewal application.

Ms. Cossey explained that in 2018 her petition for bankruptcy was resolved. Then in 2020 some of her financial records were obtained by the U.S. Attorney General's office in an investigation not related to her, but some discrepancies were noted regarding her bankruptcy case. She had used a credit card of a friend of hers who allowed her to charge some items as long as she paid the friend back for them, they found several issues.

The government accused her of violating the wire fraud statute. She eventually resolved the case by pleading guilty to one (1) count of wire fraud and to pay restitution of \$81,000 to the bankruptcy trustee.

She was discharged from probation on September 19, 2023.

After discussion, the Commission moved to APPROVE Ms. Cossey's license renewal.

Lumley/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Jerry Hanna, RB16001735, License Renewal – Positive Response:

Mr. Hanna appeared virtually and was not represented by counsel regarding the positive response on his license renewal application.

Mr. Hanna received a DUI in July 2022. He entered a plea agreement which contained one (1) year probation, complete a CARE assessment and comply with any recommendations, no alcoholic beverages and fines.

On September 1, 2023 all requirements were complete and he was released from

probation.

After discussion, the Commission moved to APPROVE Mr. Hanna's license,

DeSouza/Stuckwish, 8/0/0

Motion carries

The following board members voted aye:

Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears

The following board members objected: none

The following board members abstained: none

Aaron Wilson, RB14034509, Broker Renewal – Positive Response:

Mr. Wilson appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

He was separated from his wife; he went to their house and a man answered the door. He got into a physical fight with the man.

He pled guilty to count two (2) Battery resulting in bodily injury, a Class A Misdemeanor. He was sentenced to two hundred seventy (270) days incarceration, all suspended and placed on two hundred seventy (270) days probation with fee/fines to pay.

His probation should end in October 2023.

After discussion, the Commission moved to APPROVE Mr. Wilson's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Lumley/Stuckwish, 8/0/0

Motion carries

The following board members voted aye:

Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears

The following board members objected: none

The following board members abstained: none

Matthew Leckrone, RB14041567, Broker Renewal – Positive Response:

Mr. Leckrone appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

Charges:

- 3/30/2010 – Child Molesting – Intercourse or deviant sex with victim less than 14
- 3/30/2010 – Child Molesting

- 3/30/2010 – Sexual Misconduct with a Minor
- 3/3/2012 – Sexual Misconduct with a Minor

Mr. Leckrone pled guilty to the following:

- Count 4 – Sexual misconduct with a Minor, Class C Felony, committed between March 3, 2012 and March 2, 2014.

He was sentenced to the following:

- Six (6) years in the Indiana Department of Corrections
- 545 days executed in work release as a direct commitment to HCCC
- Balance of the total sentence (minus 545 days) is suspended
- Pay court costs/fine and program costs.
- Three (3) years' probation with terms and conditions.

Mr. Leckrone informed the Commission that the person was his step-daughter and she was living in his basement in 2020 and she started doing drugs so he kicked her out and that was when she brought charges against him.

He is currently on a work release program, which will be completed in February 2024, when he will then be on his three (3) years' probation. He did have to register as a child molester.

After discussion, the Commission moved to DENY Mr. Leckrone's license renewal.

Shook/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Kane Lauck, RB14052327, Broker Renewal – Positive Response:

Mr. Lauck appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

In 2019, he was charged with Criminal Recklessness committed with a Deadly Weapon to which he received one (1) year probation with terms and conditions.

2021 he was charged and pled guilty to OWI endangering a Person, Class A Misdemeanor to which he received 1 year probation with terms and conditions.

2022 he was charged and pled guilty to OWI endangering a Person a Level 6 Felony to which he received nine hundred ten days in the department of corrections. Seven hundred thirty days were converted to Probation with terms and conditions.

He informed the Commission that his house arrest ends this coming Friday and he will then have one (1) more year of probation.

After discussion, the Commission moved to APPROVE Mr. Lauck's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Stuckwish/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Steven Coston, RB160000954, Broker Renewal – Positive Response:

Mr. Coston appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

Let the record reflect that Tracy Hutton recused herself from this matter and left the room.

Mr. Coston informed the Commission that he had drank a few Beers and then drove home, he was stopped because his car was registered as "blue" but it is silver in color.

He was charged with and pled to OVI a Felony 6/prior within seven (7) years. He had a DUI in California about six (6) years ago. He is currently on court probation which is scheduled to be completed in May 2024.

After discussion, the Commission moved to APPROVE Mr. Coston's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Shook/Stuckwish, 7/0/0
Motion carries

The following board members voted aye:
Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Anthony Fesi, RB14039211, Broker Renewal – Positive Response:

Mr. Fesi appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

September 17, 2022, he received a OVI endangering a person. He pled guilty in a agreement of Operating a Vehicle with a ACE of .08 or more, a Class C Misdemeanor. He was placed on court probation, which is scheduled to end on October 27, 2023 and other terms and conditions.

Th has completed the twelve (12) hour class he was required to take.

After discussion, the Commission moved to APPROVE Mr. Fesi's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

DeSouza/Spears, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Ryan Keller, RB18001974, Broker Renewal – Positive Response:

Mr. Keller appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

November 2022 he was arrested for an OWI, he plead guilty. He received one (1) year probation which should be completed November 10, 2023.

He has completed the fresh start classes and victim impact program.

After discussion, the Commission moved to APPROVE Mr. Keller's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Shook/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Dustin Southwood, RB19000217, Broker Renewal – Positive Response:

Mr. Southwood appeared in person and was not represented by counsel regarding information received by the Commission that he did not report on his broker license renewal application.

He received a DUI in August 2022 and has successfully completed the alcohol classes. His probation ends September 25, 2023.

After discussion, the Commission moved to APPROVE Mr. Southwood's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

DeSouza/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Lori Hunter, RB21001793, Broker Renewal– Positive Response:

Ms. Hunter appeared in person and was not represented by counsel regarding information received by the Commission that she did not report on his broker license renewal application.

She told the Commission that she reported the OWI on her initial application, but it was still pending in the court system at the time. She neglected to report the outcome of the OWI.

She was arrested for the OWI on December 10, 2019, and she received her sentencing on December 14, 2021. She was placed on sixty (60) days probation with fines/court costs. She indicated to the Commission that her probation is now completed.

After discussion, the Commission moved to APPROVE Ms. Hunter's license renewal. Spears/Lumley, no vote, Ms. Lumley withdrew her second (2nd) on this motion.

After further discussion, the Commission moved to APPROVE Ms. Hunter's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Spears/Lumley, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Jade Perry, RB21000230, Broker Renewal – Positive Response:

Mr. Perry appeared in person and was not represented by counsel regarding the positive

response on his broker renewal application.

On September 25, 2022, he was charged with the following:

- Residential Entry Break and Enter dwelling – Felony 6
- Confinement – This is the basic criminal confinement charge – Misdemeanor A
Filed as Confinement – This is the basic criminal confinement charge – Felony 6
- Domestic Battery – Misdemeanor A
- Battery resulting in Bodily Injury – Misdemeanor A
- Criminal Mischief – Misdemeanor B
- Battery resulting in Bodily Injury – Misdemeanor A

In a plea agreement all charges were dropped except for the following:

- Confinement – This is the basic criminal confinement charge – Misdemeanor A
- Domestic Battery – Misdemeanor A

He was sentenced to court probation with random testing and other terms. His probation ends on July 27, 2024.

After discussion, the Commission moved to APPROVE Mr. Perry's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Walker/Spears, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears

The following board members objected: none
The following board members abstained: none

Thomas McNulty, RB14052273, Broker Renewal – Positive Response:

Mr. McNulty appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

He was pulled over and charged with a DWI while on his way to play golf. He had been drinking alcoholic beverages.

He was evaluated by the court system where he admitted he had a drinking issue. He was then sent to Amethyst House in Bloomington for another evaluation.

He completed eight (8) hours of community service, and his court probation is scheduled to conclude on November 8, 2023.

After further discussion, the Commission moved to APPROVE Mr. McNulty's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Lumley/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley, Donna Spears
The following board members objected: none
The following board members abstained: none

Brody McCulloch, RB19002009, Broker Renewal – Positive Response:

Mr. McCulloch appeared in person and was not represented by counsel regarding the positive response on his broker renewal application.

Mr. McCulloch informed the Commission that he started dealing right out of High School. In November 2022 he was arrested for the following:

- Operating a vehicle while intoxicated
- Possession of a legend drug
- Reckless Driving
- Dealing in Marijuana/Hashish

He entered a guilty plea for the following:

- Operating a vehicle while intoxicated – Class C Misdemeanor
- Dealing in Marijuana/Hashish – Felony 6

He was sentenced to one (1) year plus one hundred eighty (180) days consecutively on supervised probation and ordered to pay court costs and fees with other terms and conditions.

He indicated that about a month before he got the OWI he started going to counseling. The last time he consumed an alcoholic beverage was December 31, 2022. He goes to ABC Counseling, and they do drug tests.

After discussion, the Commission moved to APPROVE Mr. McCullough's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Lumley/Spears, 2/5/0
Motion Fails

The following board members voted aye:
Pam Lumley, Donna Spears
The following board members objected:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza,
The following board members abstained: none

After further discussion, the Commission moved to DENY Mr. McCullough's license renewal.

DeSouza/Stuckwish, 7/0/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, John DeSouza, Pam Lumley
The following board members objected: Donna Spears
The following board members abstained: none

Jaclyn White, RB19001724, Broker Renewal – Positive Response:

Ms. White appeared in person and was not represented by counsel regarding a positive response on her broker license renewal application.

On February 23, 2023, she was convicted of a Level 5 Felony and sentenced to one (1) year house arrest and three (3) years' probation pursuant to the plea agreement.

She pled guilty to the following:

- Dealing in Cocaine, a Level 5 Felony as a lesser included offense under 35-48-4-1 then, the state agrees to move to dismiss: Possession of Cocaine, a Level 4 Felony.

Her sentence was: Six (6) years in the Indiana Department of Corrections; 1 year to be executed and five (5) years suspended with three (3) years' probation and other terms and conditions.

She also informed the Board that she will be taking the LSTATS in November to become an attorney.

After further discussion, the Commission moved to APPROVE Ms. White's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Shook/Lumley, 7/1/0
Motion carries

The following board members voted aye:
Tracy Hutton, Charlie Shook, Grace Nossett, Beth Walker
Cheryl Stuckwish, Pam Lumley, Donna Spears
The following board members objected: John DeSouza
The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following administrative hearing was continued:

- **Jacqueline Barnett, License No. RB14047767, Cause No. 2023 IREC 0022**

Angela Marie Jiminez, License No. RB19001841, Cause No. 2022 IREC 0008

Respondent appeared and was represented by counsel, Bruce Huntington regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was represented by Jeremy Weddle, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Let the record reflect that John DeSouza recused himself from the matter and left the room.

Respondent Exhibit:

A – Letter from Gregory Coleman

Ms. Jiminez testified that she completed her court probation on February 10, 2023, and has paid the \$68,000 in restitution as well as all court costs/fines.

A letter from Gregory Coleman indicated that Ms. Jiminez has completed her court probation and all requirements.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation on Ms. Jiminez's license.

Lumley/Stuckwish, 7/0/0
Motion carries

The following board members voted aye:

Troy Helman, Charlie Shook, Brian Thompson, John Briscoe,
Cheryl Stuckwish, Pam Lumley, Molly Kitchell

The following board members objected: none

The following board members abstained: none

Vilgar Property Management, License No. None, Cause No. 2023 IREC 0001

Respondent appeared by counsel, Kristianna Roper Nikitaras regarding a Motion to Cease and Desist scheduled before the Commission. The State of Indiana was represented by A.J. Holbrook, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Brad Repass, Litigation Specialist with PLA and Lauren Judd, Investigator with the OAG were sworn in as witnesses for the State.

Mr. Repass testified that he has searched PLA's licensing system and did not find a license for Vilgar Property Management, nor did he find an initial application on file for them at this time.

Ms. Judd testified that she was the one that investigated the consumer complaint against Vilgar. She stated that their license with the Secretary of State's office was active when she investigated this matter but did not find a license with PLA.

States Exhibits:

A – SOS document

B – Copy of Website

C – Copy of Website – this exhibit was admitted by the Respondent's counsel

After having considered the evidence presented, testimony of the witnesses, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to ISSUE a CEASE & DESIST Order for the Respondent.

Lumley/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Brian Thompson, John Briscoe,
Cheryl Stuckwish, John Desouza, Pam Lumley, Molly Kitchell
The following board members objected: none
The following board members abstained: none

REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

CONTINUING EDUCATION

The REEAC met on July 31, 2023, and issued the following recommendations to the Commission:

In attendance from 2pm to 2:55pm: Kathy Harbaugh; Jim Bitner; Tim Reed and Cheryl Butcher at 2:55pm Rick Ogden joined the meeting.

1. Colibri Real Estate, LLC CE21300021 – Significant Change App

- a. Online: A New Look at Contract Law – 3 hours (Robert Fleck)
- b. Online: Americans with Disabilities Act ADA: – 3 hours (Paul Lorenzen)
- c. Online: Educating Homebuyers – 3 hours (Paul Lorenzen)
- d. Online: Educating Sellers – 2 hours (Paul Lorenzen)
- e. Online: Ethics in the Age of Disruption- 3 hours (Robert Fleck)
- f. Online: Fair Housing – 4 hours (Robert Fleck)
- g. Online: Finding Your Focus: Niche Marketing for Real Estate- 3 hours (Robert Fleck)
- h. Online: Going Green: Elements of an Eco-friendly Home – 3 hours (Robert Fleck)
- i. Online: Handling Multiple Offers – 2 hours (Robert Fleck)

- j. Online: How to Work with Real Estate Investors - Part 1 – 3 hours (Thomas Lundstedt)
- k. Online: How to Work with Real Estate Investors - Part 2 – 3 hours (Thomas Lundstedt)
- l. Online: Implicit Bias Awareness and Cultural Competency – 4 hours (Robert Fleck)
- m. Live Webinar: NAR: May the Code Be With You – 3 hours
- n. Online: Managing a Real Estate Brokerage – 4 hours
- o. Online: NAR: May the Code Be With You – 3 hours (Robert Fleck)
- p. Online Correspondence: A Day in the Life of a Buyer Agent – 3 hours (Robert Fleck)
- q. Online Correspondence: A Home Buyer's Guide to Credit Scores – 2 hours
- r. Online Correspondence: A New Look at Contract Law – 3 hours (Robert Fleck)
- s. Online Correspondence: Ethics in the Age of Disruption – 3 hours (Robert Fleck)
- t. Online Correspondence: How to Work with Real Estate Investors - Part 1 – 3 hours (Thomas Lundstedt)
- u. Online Correspondence: Listing Agreements – 3 hours
- v. Online Correspondence: Managing a Real Estate Brokerage – 4 hours
- w. Online Correspondence: Navigating a Hot Sellers' Market – 3 hours (Robert Fleck)
- x. Online Correspondence: Real Estate Safety: Protect Yourself and Your Clients – 3 hours (Robert Fleck)
- y. Online: Real Estate Investing: Beyond the Basics – 4 hours (Thomas Lundstedt)
- z. Online: Real Estate Safety: Protect Yourself and Your Clients – 3 hours (Robert Fleck)
- aa. Online: Real Estate Trust Accounts – 2 hours (Robert Fleck)
- bb. Online: Taking the Distress Out of Distressed Properties – 3 hours (Robert Fleck)

**The Committee Recommended APPROVAL for BROKER ONLY for the following: a, b, c, d, e, f, h, i, j, k, l, m, n, o, y, z, aa, and bb.
Bitner/Reed 4/0/0 motion carries**

**The Committee further Recommended to DENY item g: Online: Finding Your Focus: Niche Marketing for Real Estate- 3 hours (Robert Fleck)
Reed/Bitner, 4/0/0 motion carries**

**For Explanation of Online Correspondence: p, q, r, s, t, u, v, w, and x
Reed/Bitner, 4/0/0 motion carries**

2. Monica Decker – New Instructor Permit Application – CE

Let the record reflect that Tim Reed recused himself from this matter.

**The Committee moved to APPROVE Monica Decker's application.
Butcher/Bitner, 3/0/0 motion carries**

3. Empire Learning – Significant Change Form

- a. Going Green: Energy Efficient Upgrades and Tax Credits – 4 hours
- b. Commercial Updates: Opportunity Zones & Tax Credits – 3 hours

**The Committee recommended to APPROVE both Empire Learning courses.
Reed/Butcher, 4/0/0 motion carries**

4. Beverly Roberts – New Instructor Permit Application – Pre-Licensing
The Committee recommended to APPROVE Beverly Roberts application.
Reed/Butcher, 4/0/0 motion carries

5. Real Estate Sales Academy, SC421000074 – Significant Change Application & School Site Application

- a. Indiana Broker Pre-Licensing Course – 90 hours
- b. New School Site Application

The Committee recommended to APPROVE both a & b for Real Estate Sales Academy.
Reed/Butcher, 4/0/0 motion carries

6. Real Estate Career Network, CE10600513 – Significant Change Application

- a. Help! My Transaction is Falling Apart – 2 hours
- b. Earnest Money – MB Approval – 2 hours

The Committee recommended to APPROVE both classes.
Reed/Bitner, 4/0/0 motion carries

7. Cressy & Everett Real Estate, CE20900914 – Significant Change Application

- a. Better Homes: An American Story of Courage – 3 hours

The Committee recommended to APPROVE Better Homes class.
Reed/Bitner, 4/0/0 motion carries

8. Rachel Huitsing – New Instructor Permit Application – CE

The Committee recommended to APPROVE Rachel Huitsing's application.
Butcher/Reed, 4/0/0 motion carries

9. The CE Shop, CE10800853 – Significant Change Application

- a. Growing Green: Environmental Awareness and Your Real Estate Practice – 3 hours

The Committee recommended to APPROVE Growing Green class.
Butcher/Bitner, 4/0/0 motion carries

10. Real Estate Certification Program, SC00000002 – New Site Location Application

- a. Site for Pre-Licensing Course – Columbus

Let the record reflect that Kathy Harbaugh recused herself from this matter
The Committee recommended to APPROVE the Columbus site.
Butcher/Bitner, 3/0/0 motion carries

11. Southern Indiana Realtors Association, CE21200049 – Significant Change Application

- a. A Day in the Life of Title – 3 hours

Let the record reflect that Rich Ogden joined the meeting at this time.
The Committee recommended to APPROVE A Day in the Life class.
Harbaugh/Bitner, 5/0/0 motion carries

12. REAL University, CE21200008 – Significant Change Application

- a. Real Estate Wholesale Buyers: Identifying Risks and Protecting Seller Clients – 4 hours

The Committee recommended to APPROVE Real Estate Wholesale Buyers class.
Reed/Bitner, 5/0/0 motion carries

13. Reed School of Real Estate, CE21100017 – Significant Change Application

- a. Indiana License and Escrow Law (Broker & Managing Broker) – 4 hours
- b. Next Level Drying – 6 hours

Let the record reflect that Tim Reed recused himself from this matter.

The Committee recommended to APPROVE both classes.

Bitner/Butcher, 4/0/0 motion carries

14. Executive School of Real Estate – Demotte IN – New School

- a. Real Estate Broker Course Application – New
- b. School Site Application

The Committee recommended to APPROVE both classes.

Butcher/Ogden, 5/0/0 motion carries

15. Indiana Business and Real Estate Academy, CE21800026 – Significant Change Application

- a. Advanced Listing Presentations (live and online) Managing Broker – 2 hours
- b. The Real Estate Commission and What it Does (live and online) Managing Broker – 2 hours
- c. How Can You Violate the Code of Ethics (Live and online) Managing Broker – 3 hours
- d. Actual Requests for Information and the Answers (live and online) – 2 hours

The Committee recommended to APPROVE classes b and c for Broker Only.

Reed/Ogden, 5/0/0 motion carries

The Committee further recommended to DENY the following classes:

a. Advanced Listing Presentations (live and online) Managing Broker – 2 hours

d. Actual Requests for Information and the Answers (live and online) 2 hours

Reed/Ogden, 5/0/0 motion carries

After discussion the Commission moved to ACCEPT all RECOMMENDATIONS as presented.

Lumley/DeSouza, 8/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Brian Thompson, John Briscoe,
Cheryl Stuckwish, John Desouza, Pam Lumley, Molly Kitchell

The following board members objected: none

The following board members abstained: none

DISCUSSION

Continuing Education Audit:

The Commission discussed the continuing education audit, specifically what percent of practitioners are going to be pulled for the Audit.

Ms. Edens indicated that depending on a report she can get from the IT department, it will be anywhere from four (4) to five (5) percent.

There being no further business, the Board ADJOURNED at 3:24 p. m.

Troy Helman, Chair

Tracy Hutton, Vice Chair