

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

MINUTES OF JANUARY 21, 2026

Tracy Hutton, Broker, Chair, called the meeting to order at 9:00 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.

Member(s) Present: Tracy Hutton, Chair
Donna Kreps, Member
John De Souza, Member
Charlie Shook, Member
Donna Spears, Member
Beth Walker, Member
Pamela Lumley, Member
John Briscoe, Member

Member(s) Absent: Brian Thompson, Vice Chair
Valerie Rosenblum, Member

Staff Present: Jody Edens, Board Director
Professional Licensing Agency
Bradley Repass, Litigation Specialist, OLM
Professional Licensing Agency
James Harry, J.D., Deputy Attorney General
Office of the Attorney General

The Commission voted to adopt the amended agenda.

Briscoe/Walker, 8/0/0
Motion carries

The following board members voted aye:
Beth Walker, Tracy Hutton, John De Souza,

Donna Spears, Pamela Lumley, John Briscoe
Charlie Shook, Donna Kreps
The following board members objected: none
The following board members abstained: none

The Commission voted to adopt the minutes for December 17, 2025, as written.

Briscoe/De Souza, 8/0/0
Motion carries

The following board members voted aye:
Beth Walker, Tracy Hutton, John De Souza,
Donna Spears, Pamela Lumley, John Briscoe
Charlie Shook, Donna Kreps
The following board members objected: none
The following board members abstained: none

Tracy Hutton, Chair welcomed the new Commission member Donna Kreps.

PUBLIC HEARING FOR PROPOSED RULE LSA #25-707

Tracy Hutton, Chair read the script for proposed rule LSA 25-707.

There were no comments made. The Commission voted to move the rule forward.

Briscoe/Walker, 8/0/0
Motion carries

The following board members voted aye:
Beth Walker, Tracy Hutton, John De Souza,
Donna Spears, Pamela Lumley, John Briscoe
Charlie Shook, Donna Kreps
The following board members objected: none
The following board members abstained: none

ADMINISTRATIVE HEARINGS

**Middletown Property Group, LLC & Dane A. Wilson, License No's
LC19400089 & RB15001613, Cause No. 202509 IREC 0085**

Respondent appeared in person and was represented by counsel, Brent Embry regarding an Administrative Hearing scheduled before the Commission. The State of Indiana was represented by Chase Haller, Deputy Attorney General, Section Chief/Homeowner Protection Unit and Timothy Fox, Deputy Attorney General in this matter, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

A preliminary matter of Exhibits on both sides was stipulated to that all exhibits are to be admitted into evidence, with Mr. Embry having the ability to indicate the exhibit is hearsay. The following were admitted:

States Exhibits:

- | | |
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| 01 – AVC | 02 – AVE Motion to Show Cause |
| 03 – Consumer Complaint Bailey | 04 – Consumer Complaint Berry 2023 |
| 05 – Consumer Complaint Berry 2024 | 06 – Consumer Complaint Brackett |
| 07 – Consumer Complaint Bradshaw | 08 – Consumer Complaint Clay |
| 09 – Consumer Complaint Hart | 10 – Consumer Complaint Hinshaw |
| 11 – Consumer Complaint Holt | 12 – Consumer Complaint Isaacson |
| 13 – Consumer Complaint Moriarty | 14 – Consumer Complaint Padgett |
| 15 – Consumer Complaint Reed | 16 – Consumer Complaint Wood |
| 17 – Consumer Complaint Wright | 18 – Consumer Complaint Against Middletown |
| 19 – Muncie Housing Code | 20 – Middletown Docs related Isaacson |
| 21 – Holt Lease | 23 – Middletown Docs related to Holts |
| 25 – Bailey Lease | 26 – Middletown Docs related to Bailey |
| 27 – Wright Lease | 28 – Middletown Docs related to Wright |
| 29 – Middletown Docs related to Wood | 30 – Middletown Docs related to Clay |
| 31 – Middletown Docs related to Berry | 32 – Padgett Leases |
| 33 – Middletown Docs related to Padgett | 34 – Middletown Docs related to Hinshaw |
| 35 – Hare Leases | 36 – Middletown Docs Related to Hart |
| 38 – Brackett Lease | 39 – Middletown Docs Related to Brackett |
| 40 – Brackett Photos | 41 Bradshaw Lease |
| 43 – Middletown Docs Related to Bradshaw | 44 – Bradshaw Correspondence |
| 45 – Bradshaw Photos | 46 – Moriarty Leases |
| 47 – Middletown Docs Related to Moriarty | 48 – Isaacson Lease |
| 49 – Isaacson Photos | 50 – Isaacson Texts |
| 51 – Isaacson Electric Bill | 52 – Holt Photos |
| 53 – Holt Electric Bill | 54 – Bailey Photos |
| 55 – Bailey Communications | 56 – Wright Emails re: HVAC issues |
| 57 – Wright Email with Mayor | 58 – OSHA Complaint |
| 59 – Wright Email about Repairs | 60 – Wright Email re: Clogged Toilet |
| 61 – Wright Emails/Carpet Installer | 62 – Wright Email Regarding Leaving Unit |
| 63 – Wood Photos | 64 – Clay Lease |
| 65 – Charges from Middletown | 66 – Berry Lease |
| 67 – Berry Texts | 68 – Padgett Photo |
| 69 – Hinshaw Lease | 70 – Hinshaw Call with Middletown |

71 – Hinshaw Photos	72 – Reed Lease
73 – Middletown Docs Related to Reed Compliance	74 – Correspondence to MPG re: AVC
75 – Master AVC Workbook	76 – Wood Lease
77 – Property Card 902 W. Rex St	78 – Parker City Housing Code
79 – Middletown Notice of Default 1.08.24	80 – Late Responses

Respondent Exhibits:

A – Letter from Chase Haller, J.D.	D – Employee Discharge Form
F – Chart	H – Chart of Complaints
I – Letter from Steve Slaven	J – Letter from Paul Olson
K – Letter from Ed Conatser	L – Letter from Shannel Lampkins
M – Maintenance Chart	N – Maintenance descriptions
P – Letter from Mayor of Muncie	

The following were sworn in as witnesses for the State: Natalie Christy, Kevin Isaacson, Jeffrey Holt, Angela Bailey, Samuel Hinshaw and Chasity Wright, Joshua Wood

The following were sworn in as a witness for the Respondent: Jeremy Pettigrew and Dane Wilson and Dakota Crabtree, COO.

The Attorney General’s office informed the Commission that they have received over one hundred (100) complaints so far on Middletown Property Group and Dane Wilson. This hearing represents approximately fifteen (15) of those complaints.

Back in August 2022, Ball State University move in day, there were thirteen (13) units that were not ready for students to move into. Mr. Wilson testified that the units were ready the next day, but because it received so much media attention, it didn’t matter. August 2023, they hoped to resolve the issues by signing an Assurance of Voluntary Compliance (AVC) with the Attorney General’s Office, where they agreed to make changes and restitution in the amount of forty-five thousand dollars (\$45,000) that went into a fund with the AG’s Office to be used for pay outs.

August 19, 2025, the State filed a Verified Notice of Noncompliance with AVC and Rule to Show Cause was filed in the Marion County Superior Court 5, Civil Division. In the documents submitted with this noncompliance was a report on the total number of complaints per year: 2022-18; 2023-31; 2024-40; 2025-25. The breakdown of complaints by category are as follows: 90-Habitability or Lease Servicing Concerns; 10-Failure to Return Security Deposit; 6-Professional Incompetence; 2-Fraud; 4-Unreasonable Fees; 2-Unsatisfactory Performance.

Natalie Christy, Investigator with the Attorney General’s Office testified that she has been with the AG’s office for seven (7) years and has done approximately two hundred (200) investigation each year. She did the investigation into Middletown Property Management. She did a special excel document to keep track of all the complaints that were received. She indicated the following complaints were received: 2022-20; 2023-40; 2024-41; 2025-43.

Kevin Isaacson testified that he signed a lease for April 15, 2025, through April 15, 2026. He indicated he wanted to be able to move in and have his daughter visit him but could not do that because nothing was fixed. He stated the windows were sealed shut with paint, holes in the wall with a racoon living in it, spiders were all over and he mentioned several other things wrong with the living conditions.

Jeffrey Holt testified that the kitchen and bathroom had leaks in the ceilings. The bathroom had black mold in it. He made the report shortly after moving in as it was raining and both rooms were leaking. He stated that in 2025 they patched the roof in two (2) spots, this happened two (2) years after he reported it.

Angela Bailey testified that she rented a house from February 10, 2024, to February 10, 2025. She broke the lease and moved out early because her roommate passed away. She submitted pictures of an uneven floor and had tripped over it a few times.

Samuel Hinshaw testified that he signed a lease on August 9, 2024, for an apartment. He eventually bought a house but told them he was not moving out early. He went back to the apartment on July 16, 2024, and could not get into it to get some of his items. A maintenance person got him in, and the apartment was completely empty. All his belongings were gone. They offered him three thousand dollars (\$3,000) for his belongings after he requested six thousand (\$6,000). They gave him six thousand-one hundred dollars (\$6,100) and that still did not cover the cost of all his items.

Chasity Wright testified that she had issues with the HVAC system in the building she was renting.

Joshua Wood testified that the house he rented smelled like cat urine and there were water stains on the ceiling. Items from the previous occupants were left in the house. He told them he wanted his downpayment and first month's rent back totaling \$1,350. The money was not refunded.

Dakota Crabtree, COO with Middletown Property Management testified that he didn't know if Middletown made the final payment for the AVC. He indicated that there are approximately forty (40) management staff and he reports directly to Dane Wilson who is the managing broker for the company.

Dane Wilson testified that he owns Middletown Property Management as he purchased it in 2016. They had three hundred (300) units they were managing and by 2019 they were up to eight hundred (800). He indicated that the business grew very quickly and they were up to thirty-six hundred (3,600) units with one hundred fifty (150) different owners. In August 2022 everything blew up in Muncie with the press reporting all the issues of apartments/housing. They decided to downsize the number of different owners they represented as well as the units they handled. They went down from thirty-six hundred (3,600) units to one thousand two hundred (1,200). By 2023 they were down to representing five (5) different owners. They currently have third party owners from FL, NY and CA.

After discussion, the Commission moved to CONTINUE this hearing to January 29, 2026. All parties agreed to this request.

CONSENSUS, 8/0/0
Motion Carries

The following board members voted aye:
Beth Walker, Tracy Hutton, John De Souza,
Donna Spears, Pamela Lumley, John Briscoe
Charlie Shook, Donna Kreps
The following board members objected: none
The following board members abstained: none

This hearing has been continued until January 29, 2026 at 9:00a.m.

DISCUSSION

Proposed Late Fee Rule:

Ms. Edens explained that the renewal late fee must now be put in all Boards/Commissions fee rules.

The Commission moved to APPROVE to move forward with the late fee rule.

Briscoe/Walker, 8/0/0
Motion carries

The following board members voted aye:
Pam Lumley, Beth Walker, John DeSouza
Donna Spears, Tracy Hutton, Donna Kreps
Charlie Shook, John Briscoe,
The following board members objected: none
The following board members abstained: none

Public Hearing from Proposed Rule LSA #25-707

No comments were made by the public.

The Commission moved to APPROVE Proposed Rule LSA#25-707.

DeSouza/Briscoe, 8/0/0
Motion carries

The following board members voted aye:
Pam Lumley, Beth Walker, John DeSouza
Donna Spears, Tracy Hutton, Donna Kreps
Charlie Shook, John Briscoe,
The following board members objected: none
The following board members abstained: none

REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT **CONTINUING EDUCATION**

REEAC met on JANUARY 20, 2026, and issued the following recommendations to the Commission:

The education council met at 2:01 p.m. and reviewed the following applications:

In attendance from 2:01 p.m. to 2:15 p.m.: Tim Reed, Rick Ogden, Cheryl Butcher (arrived 2:10pm), Jim Bittner, Kathy Harbaugh

1. Listing Leaders MVP Real Estate School – New School – 90 Hour Pre-Licensing Course

Recommended to APPROVE
Reed/Ogden, 4/0/0

2. Colibri Real Estate, CE21300021

a. Property Management Essentials and Legal Foundations – 2 hours/Broker Only

Recommended to APPROVE
Reed/Ogden, 4/0/0

3. McKissock, CE10600460

a. Property Management Essentials and Legal Foundations – 2 hours/Broker Only

Recommended to APPROVE
Ogden/Reed, 4/0/0

4. Fairway Home Mortgage, CE22600001

a. Empowering the Senior Buyer/ Reverse Mortgage – 2 hours/Broker only

Recommended to APPROVE
Reed/Bittner, 4/0/0

5. New Day Realty, CE21800093 – Significant Change Application

- a. REAL Pros – Real Estate Referrals – Legal & Ethical Issues - 3 hours/Managing Broker & Broker / wants reconsideration for managing broker**

Recommended to APPROVE for MANAGING BROKER

Bittner/Reed, 5/0/0

(Cheryl in attendance)

- b. REAL Indiana Weather – Helping Clients Prepare – 3 hours Broker Only –**

Recommended to DENY

Reed/Ogden, 5/0/0

(Cheryl in attendance)

All recommendations were APPROVED by the Commission.

Briscoe/Walker, 8/0/0

Motion carries

The following board members voted aye:

Pam Lumley, Beth Walker, John DeSouza

Donna Spears, Tracy Hutton, Donna Kreps

Charlie Shook, John Briscoe,

The following board members objected: none

The following board members abstained: none

There being no further business, the COMMISSION ADJOURNED at 6:11 p.m.

Tracy Hutton, Chair