



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

RICK SNYDER
GOVERNOR

MIKE ZIMMER
DIRECTOR

**MICHIGAN BOARD OF REAL ESTATE BROKERS
AND SALESPERSONS
December 7, 2015 MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Real Estate Brokers and Salespersons met on December 7, 2015, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Matthew Davis, Chairperson, called the meeting to order at 10:05 AM.

ROLL CALL

Members Present: Matthew Davis, Chairperson, Real Estate Associate Broker
Shawn Huston, Vice Chairperson, Real Estate Associate Broker
Lola Audu, Real Estate Associate Broker
Robert Craig, Public Member
Patrick Dean, Public Member
Karen Greenwood, Real Estate Salesperson
James Lance, Public Member
Samuel Sterk, Real Estate Salesperson
Ronald Zupko, Real Estate Associate Broker

Staff: Andrew Brisbo, Director, Licensing Division
Cheryl Wykoff Pezon, Manager, Boards and Committees Section
Belinda Wright, Manager, Prelicensure Section
Virginia Abdo, Manager, Compliance Section
Janielle Houston, Secretary, Boards and Committees Section
Elaine Barr, Analyst, Boards and Committees Section
Pamela Millben, Analyst, Compliance Section
Robin Sirls, Analyst, Licensing Section
Bridget Smith, Assistant Attorney General
Andrew Hudson, Assistant Attorney General

APPROVAL OF AGENDA

MOTION by Sterk, seconded by Craig, to approve the agenda with the addition of the Personal Interview Subcommittee Report under Old Business.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Lance, seconded by Craig, to approve the minutes from September 14, 2015 as written.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Petitions

Laquinta Terry

MOTION by Huston, seconded by Sterk that, after careful consideration of the written petition for review, and the oral presentation of Mr. Laquinta Terry, the Board recommended to overturn the Department's denial of Mr. Terry's Real Estate Salespersons licensure application with the following conditions: Mr. Terry's application has been extended for an additional 60 days and he shall obtain an employing broker prior to issuance of the license; there shall be a 3 year limitation placed on the license with a broker who agrees to adhere to the terms of the limitation. If the broker severs the relationship, the licensee must appear in person before the Board with a new employing broker for approval and the remaining 3 years will be completed with the new broker. All earnest money transactions must be completed by the employing broker and all transactions involving Mr. Terry shall be signed off by the employing broker on agency disclosure forms. The first year of limitation shall include submission of quarterly status reports by the employing broker to the Department and shall indicate any departures from or failures to conform to the minimal standards of acceptable practice.

Discussion was held.

MOTION PREVAILED

Hearing Reports

MOTION by Sterk, seconded by Dean, to receive all hearing reports on the agenda.

MOTION PREVAILED

Polo Realty, LLC

MOTION by Audu, seconded by Craig, that the following penalty be assessed: Immediate revocation of Respondent's license; a civil fine in the amount of \$10,000.00, made payable to the State of Michigan; and payment of restitution in the amount of \$8,000.00 to Cathy Ramon. The civil fine and restitution shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 65-14-002801. If the civil fine and restitution are not paid within sixty (60) days from the date of mailing of the Final Order, then the fine shall increase to \$15,000.00. It is also the intent of the Board that payment of the civil fine and proof of payment of restitution will satisfy Final Orders issued for Complaint Nos. 65-14-002801 and 65-14-001281.

Discussion was held.

MOTION PREVAILED

Paul R. Tozzi

MOTION by Craig, seconded by Greenwood, that the following penalty be assessed: Immediate revocation of Respondent's license; a civil fine in the amount of \$10,000.00, made payable to the State of Michigan; and payment of restitution in the amount of \$8,000.00 to Cathy Ramon. The civil fine and restitution shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 65-14-001281. If the civil fine and restitution are not paid within sixty (60) days from the date of mailing of the Final Order, then the fine shall increase to \$15,000.00. It is also the intent of the Board that payment of the civil fine and proof of payment of restitution will satisfy Final Orders issued for Complaint Nos. 65-14-001281 and 65-14-002801.

Discussion was held.

MOTION PREVAILED

OLD BUSINESS

Personal Interview Subcommittee Report

Davis explained that the subcommittee conducted a personal interview to Ethan Weisman at the PSI Southfield Exam Center on October 8, 2015, due to Mr. Weisman's disability.

MOTION by Sterk, seconded by Huston, to approve the recommendation of the Subcommittee to issue Mr. Weisman a real estate salespersons license with the following limitations: remain licensed to the broker that agrees to adhere to the terms of the limitation; the license shall remain limited for two (2) years from the issue date; if the broker severs this relationship, the license shall be placed in a "No Employer" status; if

Mr. Weisman applies for transfer of the license, he must appear personally before the Board with the new employing broker for approval; all earnest money for transactions involving Mr. Weisman must be handled by the employing broker; the employing broker must sign the agency disclosure forms on all transactions involving Mr. Weisman; during the limitation period, the employing broker must submit a quarterly status report to the Department and indicate any departures from or failure to conform to the minimal standards of acceptable practice.

MOTION PREVAILED

NEW BUSINESS

Approval of 2016 Meeting Schedule

Monday, February 8, 2016
Monday, May 16, 2016
Monday, August 8, 2016
Monday, December 5, 2016

MOTION by Zupko, seconded by Sterk, to approve the 2016 meeting schedule.

MOTION PREVAILED

Election of 2016 Officers

Chairperson

Barr ran the election.

MOTION by Huston, seconded by Sterk, to elect Mr. Matthew Davis as Chairperson for 2016.

MOTION PREVAILED

Vice Chairperson

Barr ran the election.

MOTION by Sterk, seconded by Greenwood, to elect Mr. Shawn Huston as Vice Chairperson for 2016.

MOTION PREVAILED

Department Update

Brisbo updated the Board on how renewals were going and whether it was successful with the Michigan Realtors Association keeping track of Continuing Education for licensees. Brisbo stated that it has been working well.

PUBLIC COMMENT

Kathie Feldpausch, Senior Vice President and Chief Financial Officer of the Michigan Realtors Association, stated that the association is pleased with the number of licensees connecting with the system to keep track of their Continuing Education. The association is working on reaching out to more licensees. They are also waiting on legislation that is more specific on the reporting of attestation schedules.

ANNOUNCEMENTS

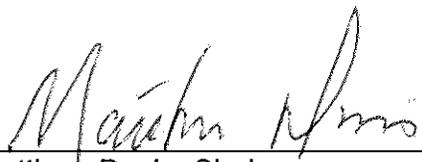
The next regularly scheduled meeting will be held February 8, 2016, at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

ADJOURNMENT

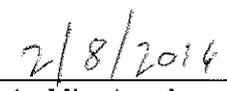
MOTION by Craig, seconded by Sterk to adjourn the meeting.

MOTION PREVAILED

Davis adjourned the meeting at 10:50 a.m.



Matthew Davis, Chairperson



Date Minutes Approved

Janielle Houston, Board Secretary

Date Minutes Prepared: 12-11-15