

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

MINUTES OF MARCH 13, 2024

Troy Helman, R.B., Chair, called the meeting to order at 9:04 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: Troy Helman, Chair
Tracy Hutton, Vice Chair
John De Souza, Member
Beth Walker, Member
Charlie Shook, Member
Brian Thompson, Member
Pamela Lumley, Member
Donna Spears, Member
Cheryl Stuckwich, Member
Grace Nossett, Consumer Member
Molly Kitchell, Consumer Member

Member(s) Absent: John Briscoe, Member

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

The Board voted to adopt the agenda.

Stuckwich/Thompson, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,

Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

The Board voted to adopt the minutes for January 17, 2023, as written.

Hutton/Kitchell, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

Laurie Horlacher, Initial Application – Positive Response

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

Ms. Horlacher informed the Commission that she was charged with a DUI on May 26, 2023. She is currently on court probation, but is us for early termination next month.

She stated that she was not given her BAC.

After discussion, the Commission moved to APPROVE Ms. Horlacher's initial application on INDEFINITE PROBATION with terms and conditions.

Landis/Hutton, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Jermira Sanders, Initial Application – Positive Response

Ms. Sanders appeared in person and was not represented by counsel regarding the

positive response on her initial application.

Ms. Sanders discussed the following arrests with the Commission. She informed the Commission that at Eighteen (18) years old she was a single parent and stressed over upcoming Christmas she wrote checks on a friend's account. While out on Bond for the check fraud, she went to a specialty store with a friend; the friend was holding and robbed the store. While trying to get out she pushed a person in the store.

- May 2012 she was charged with check fraud, a Class D Felony; plea by agreement – 3 years in the Indiana Department of Correction, 1 year probation, \$644.32 monetary award to Target, \$489.90 monetary award to New Castle Correctional Facility. Her amended sentence included \$686.67 monetary award to Target and \$644.32 monetary award to Telecheck as well as all others above.
- She has a court amount of \$266.00 due as of January 29, 2024.
- March 2015 she was charged with Robbery – Defendant armed OR Bodily Injury Results To One Other Than Defendant and Interfering with Reporting a Crime, a Class B Felony;
- A plea by agreement was entered into, dismissing the Interfering with Reporting a Crime. She was sentenced to 8 years in the Indiana Department of Corrections; 53 days credit; 6 years suspended; 2 years' probation; 10 hours community service if not employed. Monetary judgment entered \$322,788.00 to Yong Yang. In an Amended Sentenced the Monetary judgment was corrected to \$3,227.00 to Yong Yang.

She stated she served twenty (20) months in prison and was released seven (7) months early.

She stated that her kid's father used her food stamp card for something it shouldn't have been used for.

- May 2013 she was charged with Corrupt Business Influence and theft, a Class C Felony.
- In a plea agreement she was sentenced 1 year Indiana Department of Corrections, with 52 days credit, Concurrent with Prior Sentence, \$129.84 monetary judgment to FSSA claims recovery.

She informed the Commission that she went to a Wedding and had a few drinks. While going home she dropped a lit cigarette in between her legs while driving. She hit a parked car while trying to get the cigarette.

- May 2018 she was charged with Operating While Intoxicating Endangering a Person, Operating a Vehicle with Alcohol Concentrate Equivalent to .15 or More a Criminal Misdemeanor.
- She was sentenced to 365 days in County jail; with 365 days suspended; Terms and Conditions of suspended sentence and ACP.
- She admitted to violating her suspended sentence; sentenced to additional 60 days; served. The ACP was also dropped.

She has not had any issues with the law since 2018. She currently works for Dana Inc.

After discussion, the Commission APPROVED Ms. Sanders initial application.

Lumley/Spears, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Carter Forsythe, Initial Application – Positive Response

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

Mr. Forsythe explained he graduated high school a semester early. He went to a friends party and he was pulled over for speeding. They searched his vehicle and found a False Government ID stating he was 21; Marijuana; Paraphernalia.

He was charged with the following:

- False Government Identification – A Misdemeanor
- Possession of Marijuana – B Misdemeanor
- Reckless Driving at an unreasonably high speed to endanger safety – C Misdemeanor
- Possession of Paraphernalia – C Misdemeanor

He entered into a pre-trial diversion agreement, which included twelve (12) months of no further issues and thirty (30) hours of community service.

He will have a hearing in May 2024 for possible dismissal.

After discussion, the Commission moved to APPROVE Mr. Forsythe's initial application on INDEFINITE PROBATION.

Hutton/Lumley, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Robert Wray, Initial Application – Positive Response

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

He had an attorney's license, which was suspended on April 8, 2018, for nine (9) months for soliciting business.

In the Supreme Court Judgment, the Commission alleged, and the hearing concluded following an evidentiary hearing that the Respondent (Mr. Wray) violated the Indiana Rules of Professional Conduct:

- Failing to reasonably consult with a client about means by which the client's objectives are to be accomplished.
- Failing to keep client reasonably informed about the status of the matter.
- Failing to comply promptly with a client's reasonable request for information.
- Making an agreement for, charging, or collecting an unreasonable fee or amount for expenses.
- Failing to maintain and preserve records of client trust account funds.
- Failing to make reasonable efforts to ensure that the conduct of a nonlawyer employee over whom the lawyer has direct supervisory authority is compatible with the professional obligations of the lawyer.
- Ordering or ratifying the misconduct of nonlawyer assistants or failing to take reasonable remedial action with respect to the misconduct of nonlawyer assistants under the nonlawyer's supervision.
- Improperly sharing legal fees with a nonlawyer.
- Improperly soliciting employment in-person, by phone, or by real time electronic contact from a person with whom the lawyer has no prior relationship with a significant motive the lawyer's pecuniary gain.
- Improperly giving something of value for a recommendation of employment.
- Accepting employment when the lawyer knows, or reasonably should know, that the person seeking the lawyer's services does so as a result of lawyer conduct prohibited under Rule 7.3.
- Knowingly making a false statement of material fact to the Disciplinary Commission in connection with a disciplinary matter.
- Violating the Rules of Professional Conduct through the acts of another.
- Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.
- Failing to create, maintain or retain appropriate trust account records.
- Failing to maintain a ledger with separate records for each client with funds deposited into a trust account.

The following conclusion was reached by the court: "For Respondent's Professional Misconduct, the Court suspends Respondent from the practice of law in this state for a period of not less than nine (9) months, without automatic reinstatement, effective April 9, 2018. Respondent shall fulfil all duties of a suspended attorney under Admission and Discipline Rule 23(26). At the conclusion of the minimum period of suspension, Respondent may petition this Court for reinstatement to practice law in this state, provided Respondent pays the costs of this proceeding, fulfills the duties of a suspended attorney and satisfies the requirements of reinstatement of Admission and Discipline Rule 23(18).

After the nine (9) months were up Mr. Wray applied to have his attorney license reinstated

and it was denied by the Court.

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

Thompson/ Walker, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following administrative hearing(s) were continued:

- **Prestige 1 Realty and Stacy Bejarano, Unlicensed, Causes No. 2023 IREC 0035**
- **Investors Property Management, Unlicensed, Cause No. 2023 IREC 0025 and Christopher Stockamp, License No. RB14039235, Cause No. 2023 IREC 0050**
- **Dustin Southwood, License No. RB19000217, Cause No. 2023 IREC 0046**

Susanne Kindred, License No. RB22000042, Cause No. 2023 IREC 0016

Respondent appeared and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Let the record reflect that Brian Thompson recused himself from this matter and left the room.

Ms. Kindred submitted a court document showing that she has completed her court probation.

Respondent Exhibit A - court documents

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Hutton/Walker, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Ryan Keller, License No. RB18001974, Cause No. 2023 IREC 0040

Respondent appeared and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Mr. Keller submitted a letter from the court probation department showing that he has completed the court probation.

Respondent Exhibit A - court document

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Walker/Thompson, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Heather Gorney, License No. RB21001911, Cause No. 2023 IREC 0013

Respondent appeared and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Ms. Gorney submitted a court document showing that she has completed the court probation.

Respondent Exhibit A - court document

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the

Order of Probation from the Respondent's license.

Shook, Thompson, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Christina Worman, License No. RB17001258, Cause No. 2023 IREC 0052

Respondent appeared and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Ms. Worman submitted a letter from the courts showing that she has completed probation.

Respondent Exhibit A - court document

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Shook/Lumley, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Mackenzie Copeland, License No. RB22002694, Cause No. 2022 IREC 0031

Respondent appeared and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Ms. Copeland submitted a letter from the courts showing that she has completed probation.

Respondent Exhibits:

A – Letter from Probation Department

B – Chronological Case Summary

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Thompson/Spears, 11/0/0

Motion carries

The following board members voted aye:

Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich

Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,

Brian Thompson, Donna Spears, Molly Kitchell

The following board members objected: none

The following board members abstained: none

Gerard Donohue, Jr., License No. RB22001086, Cause No. 2023 IREC 0051

Respondent appeared virtually and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Commission. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Mr. Donohue submitted documents showing that his California license has been taken off of probation.

Respondent Exhibit

A – California license history

B – Proof of Payment of Fines in CA

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to WITHDRAW the Order of Probation from the Respondent's license.

Hutton/Thompson, 11/0/0

Motion carries

The following board members voted aye:

Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich

Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,

Brian Thompson, Donna Spears, Molly Kitchell

The following board members objected: none

The following board members abstained: none

Michael Henderson & Anna Long, Both Unlicensed, Cause Nos: 2023 IREC 0025 and 2023 IREC 0026

Respondents did not appear and was not represented by counsel regarding a Motion to Cease and Desist for Both/Motion to Dismiss for Both scheduled before the Commission. The State of Indiana was represented by Kelsie McNight, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Ms. McNight discussed the motion to dismiss with the Commission.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to DISMISS both Motions to Cease and Desist.

Kitchell/Lumley, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Theresa Brough-Cavacini, License No. RB20002158, Cause No. 2023 IREC 0056

Respondent did not appear and was not represented by counsel regarding an Administrative Complaint and Proposed Settlement Agreement / Motion to Vacate Administrative Hearing scheduled before the Commission. The State of Indiana was represented by Kelsie McNight, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

The proposed settlement agreement was presented to the Commission for review. The proposed settlement agreement included a LETTER OF REPRIMAND and the \$5.00 fee.

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE the Settlement Agreement.

Shook/Spears, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Lumen Property Management, LLC, Unlicensed, Cause No. 2023 IREC 0057

Respondent appeared and was represented by counsel, Jerry Ferguson regarding a Motion to Cease and Desist / Motion to Dismiss scheduled before the Commission. The State of Indiana was represented by Robert Fox, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

The Respondent is now properly licensed.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to DISMISS the Motion to Cease and Desist.

Shook/De Souza, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Patricia Harrison, License No. RB14047603, Cause No. 2024 IREC 0001

Respondent did not appear and was not represented by counsel regarding an Administrative Complaint and Motion to Dismiss scheduled before the Commission. The State of Indiana was represented by Kelsie McNight, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

After having considered the evidence presented, and taking official, judicial notice of the pleadings, evidence, and orders in this matter, the Commission moved to APPROVE the Motion to Dismiss

Walker/Stuckwich, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, 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 January 16, 2024, and issued the following recommendations to the Commission:

The education council met at 3:30 p.m. and reviewed the following applications.

In attendance from 3:30 p.m. to 4:15 p.m.: Rick Ogden, Jim Bitner, Cheryl Butcher, and Tim Reed

1. PDH Academy, SC41700008 – Significant Change Form

- a. New Director – Sara Glassmeyer

**The Committee recommended to APPROVE
Bitner/Ogden, 4/0/0 motion carries**

2. WebCE, Inc., CE21900012 – Significant Change Form,

- a. Certified Real Estate Negotiator – 2 hours

**The Committee recommended to APPROVE
Bitner/Ogden, 4/0/0 motion carries**

3. Jeffery Ratanapool – Instructor Permit Application

- a. Please review section A specifically

**The Committee recommended to DENY (not a broker, not a licensed attorney and not an expert in the field)
Reed/Bitner, 4/0/0 motion carries**

5. International Right of Way Association, CE10600454 – Significant Change Form

- a. 2024 Transportation Forum – 6 hours

**The Committee recommended to APPROVE pending additional information.
Bitner/Ogden, 4/0/0 motion carries**

6. Cressy & Everett Real Estate, CE20900914 – Significant Change Form

- a. Understanding Agency in Real Estate – 2 hours

**The Committee recommended to APPROVE
Butcher/Bitner, 4/0/0 motion carries**

8. Real Estate Certification Program (RECP), CE10600202 – Significant Change Form

- a. Deep Dive into Indiana Agency Law – Asynchronous & Synchronous – 4 hours
b. Navigating the Antitrust Landscape – Asynchronous & Synchronous – 3 hours
c. Property Management Essentials for Real Estate Professionals – 3 hours

**The Committee recommended to APPROVE
Ogden/Butcher, 3/0/0 motion carries (Jim Bitner abstained)**

9. Maria Kauffman

- a. CE Instructor Permit Application

**The Committee recommended to APPROVE
Bitner/Butcher, 4/0/0 motion carries**

10. Jason Brown

- a. Pre-Licensing Instructor Permit Application

**The Committee recommended to APPROVE
Butcher/Ogden, 4/0/0 motion carries**

11. Colibri Real Estate, CE21300021 – Significant Change Form 1

- a. OC: Service, Support and Companion Animals – 2 hours
- b. Service, Support and Companion Animals – 2 hours
- c. OC: Workforce Housing: Solutions for Homes and Financing – 4 hours
- d. Workforce Housing: Solutions for Homes and Financing – 4 hours
- e. OC: Property Condition Discovery and Disclosure Compliance – 3 hours
- f. Property Condition Discovery and Disclosure Compliance – 3 hours
- g. OC: Cybersecurity: Protecting the Real Estate Transaction – 3 hours
- h. Cybersecurity: Protecting the Real Estate Transaction – 3 hours

Significant Change Form 2

- i. OC: Serving Generational Clients – 3 hours
- j. Serving Generational Clients – 3 hours

**The Committee recommended to APPROVE
Ogden/Butcher, 4/0/0 motion carries**

12. Northwest Indiana REALTORS Association, CE10600438 – Significant Change Form

- a. New Director – Joseph Wszolek

**The Committee recommended to APPROVE
Ogden/Bitner, 4/0/0 motion carries**

13. Jeffrey Miles

- a. Pre-Licensing Instructor Permit Application

**The Committee recommended to APPROVE
Butcher/Ogden, 4/0/0 motion carries**

14. Gregory Orr

- a. CE Instructor Permit Application

**The Committee recommended to APPROVE
Butcher/Ogden, 4/0/0 motion carries**

15. LaPorte County Association of REALTORS, CE21500006 – Significant Change Form

- a. Understanding Contingencies – Broker and Managing Broker – 2 hours
- b. Buyer Agency – Broker and Managing Broker – 2 hours

**The Committee recommended to APPROVE
Bitner/Ogden, 4/0/0 motion carries**

- 16. Lighthouse School of Real Estate, CE22200018 – Significant Change Form (tabled at the December meeting)**
- a. Representing Buyer Clients – Broker – 2 hours
 - b. Indiana License Law – Broker and Managing Broker – 4 hours
 - c. Managing the Real Estate Transaction - Broker and Managing Broker – 6 hours

**The Committee recommended to APPROVE
Ogden/Butcher, 4/0/0 motion carries**

17. Tiffany Dearman

- a. CE Instructor Permit Application

**The Committee recommended to APPROVE
Ogden/Butcher, 4/0/0 motion carries**

18. Lisa Wozniakowski

- a. CE Instructor Permit Application

**The Committee recommended to APPROVE
Ogden/Butcher, 4/0/0 motion carries**

19. Southern Indiana REALTORS Association, CE21200049 – Significant Change Form

- a. Mortgage Pitfalls – 3 hours
- b. Bias Override: Overcoming Barriers to Fair Housing – 3 hours

**The Committee recommended to APPROVE
Butcher/Ogden, 4/0/0 motion carries**

20. Peter Parnegg

- a. CE Instructor Permit Application

**The Committee recommended to APPROVE
Bitner/Butcher, 4/0/0 motion carries**

21. Sarah Sanders

- a. Pre-Licensing Instructor Permit Application

**The Committee recommended to APPROVE
Ogden/Bitner, 4/0/0 motion carries**

DISCUSSION

CE Audit:

Ms. Edens gave an update on the CE Audit. The list has been pulled and includes 1,172 brokers. Also received was a list of programs uploaded CE classes. Before sending out a CE letter, staff will review the uploaded classes and mark out those that have complied. Once this is accomplished, a letter will be sent out by email to those that need to send in their continuing education.

Diane Brazier – Requests an extension of time:

The Commission again reviewed Ms. Brazier's request for an extension of time to take the exam as her 90-hour pre-licensing course expired at the end of December and she was not able to take the National and State exams due to health issues.

According to the Commissions Statute and Rules both the National and State exams must be taken within one (1) year of completing the 90-hour pre-licensing course. They do not have the ability to waive this requirement.

The Commission DENIED Ms. Brazier's request for an extension.

Helman/Walker, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

Rules Readoption:

The Commission reviewed all rules submitted for readoption which includes the following:

TITLE 876 INDIANA REAL ESTATE COMMISSION

Readopted Final Rule
LSA Document #23-829

DIGEST

Readopts rules in anticipation of IC 4-22-2.6, providing that an administrative rule adopted under IC 4-22-2 expires January 1 of the fifth year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

SUMMARY/RESPONSE TO COMMENTS

Indiana Professional Licensing Agency requested public comment from February 14, 2024, through March 15, 2024. Indiana Professional Licensing Agency received no comments in response to the Notice of Public Comment Period for Rule Readoption. Repealed 876 IAC 3-3-13.2 due to outdated and in conflict with other rule.

876 IAC 3-3-1; 876 IAC 3-3-2; 876 IAC 3-3-2.5; 876 IAC 3-3-2.7; 876 IAC 3-3-3.1; 876 IAC 3-3-4.1; 876 IAC 3-3-5.1; 876 IAC 3-3-6; 876 IAC 3-3-7; 876 IAC 3-3-9; 876 IAC 3-3-10; 876 IAC 3-3-11; 876 IAC 3-3-13.1; 876 IAC 3-3-14; 876 IAC 3-3-15; 876 IAC 3-3-16; 876 IAC 3-3-17; 876 IAC 3-3-18; 876 IAC 3-3-19; 876 IAC 3-3-21; 876 IAC 3-3-22; 876 IAC 5; 876 IAC 6; 876 IAC 7; 876 IAC 8; 876 IAC 9; 876 IAC 10

SECTION 1. UNDER IC 4-22-2.6-6, THE FOLLOWING ARE READOPTED:

876 IAC 3-3-1	Scope of rule
876 IAC 3-3-2	Admittance to examination
876 IAC 3-3-2.5	Criminal history background check requirement
876 IAC 3-3-2.7	Incorporation of criteria applicable to all appraiser classifications
876 IAC 3-3-3.1	Educational requirements for Indiana licensed trainee appraiser
876 IAC 3-3-4.1	Educational requirements for Indiana certified residential appraiser
876 IAC 3-3-5.1	Educational requirements for Indiana certified general appraiser
876 IAC 3-3-6	Credit for courses obtained after June 30, 1990
876 IAC 3-3-7	Credit for courses completed prior to July 1, 1990
876 IAC 3-3-9	Experience requirements for three licenses issued by the board
876 IAC 3-3-10	Credit for appraisal performance
876 IAC 3-3-11	Property defined under residential category
876 IAC 3-3-13.1	Hour value of appraisal work established
876 IAC 3-3-14	Examination for three licenses issued by the board
876 IAC 3-3-15	Application for examination
876 IAC 3-3-16	Special administration of examination
876 IAC 3-3-17	Instructions for scheduling examinations; deadline
876 IAC 3-3-18	Examination content
876 IAC 3-3-19	Individuals licensed in another state; licensing requirements; reciprocity
876 IAC 3-3-21	Permit for temporary practice Indiana Administrative Code
876 IAC 3-3-22	Indiana licensed trainee appraiser; examination; licensure procedures
876 IAC 5	General Provisions
876 IAC 6	Real Estate Schools; Pre licensing Education; Examination
876 IAC 7	Managing Broker Education; Post licensure Education; Continuing Education; Instructor Education
876 IAC 8	Operation of Broker Companies and Other Provisions Concerning Real Estate Practice
876 IAC 9	Residential Real Estate Sales Disclosure
876 IAC 10	Convictions of Concern

SECTION 2. UNDER IC 4-22-2.6-6, THE FOLLOWING ARE REPEALED:

876 IAC 3-3-13.2 Hour value of general category appraisal work established

[text added by publisher to end of document]

LSA Document #23-829

Notice of Public Comment Period for Rule Readoption: [DIN]

Filed with Publisher: [date]

**INDIANA REAL ESTATE COMMISSION
Non-rule Policy Document #: 24-112**

**MAXIMUM VALUE OF APPRAISAL WORK FOR
EXPERIENCE CREDIT**

NOTICE: Under [IC 4-22-7-7](#), this document is required to be published in the Indiana Register

and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of this document will provide the public with information about the board's official position concerning a specific issue.

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Overview

To provide clarification with respect to the Real Estate Appraiser experience credit requirements contained in 876 IAC 3-3.

Background

In 2023, the Real Estate Commission ("Commission") promulgated rules to include amending 876 IAC 3-3-13.1 to update the licensure requirements for experience credit and update the associated table that states the maximum values for hour value for the type of appraisal performed. The amendment of 876 IAC 3-3-13.1 now conflicts with 876 IAC 3-3-13.2. This policy establishes the Commission's interpretation of what experience credit rule and associated table shall be followed for purposes of evaluating applications for real estate appraiser licensure.

Policy

For the purposes of establishing the maximum value of appraisal work that may qualify for experience credit, the Commission interprets that 876 IAC 3-3-13.1 with the associated table be used to determine the maximum value of appraisal work that may qualify for experience credit.

After reviewing the above the Commission moved to RE-ADOPT rules and the non-rule policy that were listed.

Shook/Hutton, 11/0/0
Motion carries

The following board members voted aye:
Troy Helman, Charlie Shook, Grace Nossett, Cheryl Stuckwich
Tracy Hutton, Beth Walker, John De Souza, Pam Lumley,
Brian Thompson, Donna Spears, Molly Kitchell
The following board members objected: none
The following board members abstained: none

There being no further business, the Board ADJOURNED at 12:09 p. m.

Troy Helman, Chair