

Indiana Real Estate Commission

July 8, 2015

Minutes

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chair Sue Cox called the meeting to order at 9:01 a.m. in Conference Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum in accordance with Ind. Code § 25-34.1-2-3(b).

Commission Members Present: Roll Call

Sue Cox, Chair
Charles (Charlie) W. Shook
Paul Boyter
Michael Lunsford
Justin Busch
Mark Bock
Norman McClain
John Briscoe
Doug Rose

Commission Members Absent:

Susan Daniel
Pam Lumley
James Litten

State Officials Present:

Blake Weaver, Director, Indiana Professional Licensing Agency
Deanna Alexander, Assistant Director, Indiana Professional Licensing Agency
Jim Schmidt, Commission Advisory Council, Office of the Attorney General

Transcriptionist:

Sherri Rutledge

II. APPROVAL OF MINUTES OF THE May 27, 2015 MEETING OF THE COMMISSION

Motion was made and seconded to approve the minutes.
Boyter/McClain
9/0/0

III. INDIANA ATTORNEY GENERAL'S OFFICE REPORT

Derek Peterson gave the Attorney General report.

IV. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

Kathy Harbaugh gave report

Motion was made and seconded to approve Kathy's report.
Boyter/McClain
9/0/0

V. PERSONAL APPEARANCES

A. John M. Taylor

Re: Broker Application / Salesperson – Commission requested personal appearance.

Motion made and seconded to deny application. Mr. Taylor required taking 90 hr. course and exam for broker's license.

McClain/Shook
7/1/1

VI. ADMINISTRATIVE HEARINGS

**A. In the matter of the license of Michael Hajek
IREC 13-65**

Re: Withdrawal of Probation

Continued to August 19th meeting.

**B. In the matter of the license of Michelle Turner
IREC 15-18**

Re: Petition for summary suspension

Motion was made and seconded to grant the petition for summary suspension for 90 days.

McClain/Boyter
9/0/0

VII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

**A. In the matter of the unlicensed of Rodney Tressler
IREC 14-25**

Re: Administrative Law Judge Panel Order

Motion was made and seconded to approve the ALJ panel order.

Boyter/Bock
9/0/0

**B. In the matter of the license of Glenn X. Miller
IREC 14-78**

Re: Administrative Law Judge Panel Order

Motion was made and seconded to approve the ALJ panel order.

Cox/Bock
9/0/0

**C. In the matter of the license of Frank Alford
IREC 15-07**

Re: Notice of Proposed Default (relating to CE Audit)

Motion was made and seconded to find Mr. Alford in default.

McClain/Boyter
9/0/0

**D. In the matter of the license of Steven M. Butler
In the matter of the license of Sharon D. Dosen
In the matter of the license of Integrity Living LLC
IREC 14-77**

Re: Proposed Findings of Fact, Conclusions of Law and Order

Motion was made and seconded to approve.

Bock/Boyster
9/0/0

**E. In the matter of the license of Ryan Sheals Johnson
IREC 14-70**

Re: Proposed Findings of Fact, Conclusions of Law and Order

Motion was made and seconded to approve.

McClain/Briscoe
9/0/0

VIII. PETITIONS FOR REVIEW ON NOTICE OF NON-COMPLIANCE

A. David W. Dumas

Re: Completed his CE within the time frame. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to rescind the Notice of Non-Compliance and find the Petition moot.

McClain/Rose
9/0/0

B. James A. Stafford

Re: Completed his CE within the time frame. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to rescind the Notice of Non-Compliance and find the Petition moot.

McClain/Rose
9/0/0

C. Timothy J. Mitchell

Re: Completed his CE within the time frame. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to rescind the Notice of Non-Compliance and find the Petition moot.

Lunsford/McClain
9/0/0

D. James Leffel

Re: Missing the 8 additional hours completed within the time line of 7/1/2013 – 6/30/2014, Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to grant the petition for review.

McClain/Bock
9/0/0

E. Brenda Ryan

Re: Completed her CE within the time frame. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to rescind the Notice of Non-Compliance and find the Petition moot.

McClain/Rose
9/0/0

F. Neil Smith

Re: Missing 10 hours of CE. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to grant the petition for review.

Boyter/McClain
9/0/0

G. Sharon Hughes

Re: Made up her License Law CE. Petitioning the Commission on the Civil Penalty of \$1000.00.

Motion was made and seconded to grant the petition for review.

Boyter/McClain
9/0/0

IX. CE AUDIT REVIEW

A. Wanda Elkins

Re: Civil Penalty not paid by 6/30/2015.

A motion was made and seconded to send a letter to the Managing Broker with no other action taken yet.

Boyter/McClain
9/0/0

B. Robyn Spoon

Re: Civil Penalty not paid by 6/30/2015.

A motion was made and seconded to send a letter to the Managing Broker with no other action taken yet.

Boyter/McClain
9/0/0

C. Jane DeMarino

Re: Civil Penalty not paid by 6/30/2015.

A motion was made and seconded to suspend the license.

Boyter.McClain
9/0/0

D. Lincoln Crum

Re: Civil Penalty not paid by 6/30/2015.

A motion was made and seconded to suspend the license.

Boyter.McClain
9/0/0

XI. OLD/NEW BUSINESS

A. **Kahn Dees Donovan & Kahn, LLP**

Requesting CE course that was approved on May 27, 2015 be approved retroactively to May 19, 2015.

A motion was made and seconded to approve retroactive date for students in course.

Lunsford/Bock
9/0/0

B. **Amy Runyan**

Re: License Status – transfer never completed.

A motion was made and seconded to place her Sales Person license in referral due to her Managing Broker not approving the online transfer she initiated on June 27, 2014. Also give her RB number and she will complete the 24 hour educational course and pay the \$115.50 (Broker renewal fee & the \$50.00 late fee) to become active.

C. **Michelle Komyanek**

Re: Requesting waiver of 24 hr. Managing Broker Course

Motion was made and seconded to deny the waiver.

McClain/Briscoe
9/0/0

D. **Stephanie Jordan**

Re: Expired Transition Certificate

Motion was made and seconded to deny the request.

Shook/Boyster
9/0/0

E. **Rule Revisions**

Re: Jim Schmidt suggestions

F. **Resolution**

Re: Board Signature Approval

Motion was made and seconded to approve the resolution.

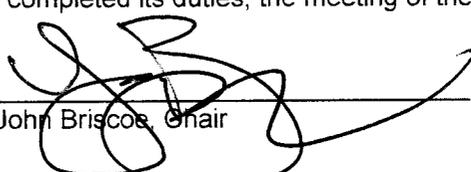
G. **New Board Chair and Vice Chair**

Motion was made and seconded to approve John Briscoe as Chair and Norm McClain as Vice Chair.

Shook/Rose
6/0/0

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned at 12:15 p.m.



John Briscoe, Chair