I. CALL TO ORDER & ESTABLISHMENT OF QUORUM
Commissioner Shook called the meeting to order at 10:00 a.m. in Conference Center Rooms 1 & 2 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-34.1-2-3(b).

Commission Members Present:
Charles (Charlie) W. Shook
H. James Litten – excused absence after discussion regarding attendance at closings
Susan Daniel
Mark Bock
Sue Cox
Paul Boyter
Timothy M. Reed
DJ Hines
Michael Lunsford
Carolyn McClintock
Norman E. McClain

State Officials Present:
Nicholas W. Rhoad, Commission Director, Indiana Professional Licensing Agency
Pat Price, Commission Assistant Director, Indiana Professional Licensing Agency
Stephanie Sims, Commission Litigation Specialist, Indiana Professional Licensing Agency
Jim Schmidt, Commission Advisory Counsel, Office of the Attorney General
Stefanie Krevda, Governor's Fellow

II. ADVISORY COUNSEL’S REPORT
Mr. Schmidt provided an update on advisory requests to the Commission.

III. INDIANA ATTORNEY GENERAL’S OFFICE REPORT
Ms. Owens provided a report on the status of consumer and administrative cases currently under investigation and/or litigation.

IV. GOVERNOR’S FELLOW
Stefanie Krevda a Governor’s Fellow provided an introduction and an explanation on a litigation management project she is coordinating for the IREC and REAB.

V. PETITION FOR SUMMARY SUSPENSION (10:00 a.m.)
A. State of Indiana v. Gregory Knapp
Re: Petition for Summary Suspension

A motion was made and seconded to deny the Petition for Summary Suspension
Boyter / Reed
7-4-0
Motion Carried

VI. RENEWAL OF SUMMARY SUSPENSION HEARING
A. State of Indiana v. Michelle Bailey Austin
IREC 09-23
Re: Renewal of summary suspension

A motion was made and seconded to renew the Petition for Summary Suspension
Motion Carried
McClintock / Hines
VII. WITHDRAWAL OF PROBATION HEARING

A. State of Indiana v. Wayne Kirsch
IREC 07-66
Re: Withdrawal of Probation

A motion was made and seconded to grant the withdraw of probation
Cox / Litten
Motion Carried
11-0-0

VIII. RENEWAL OF POSITIVE RESPONSE PERSONAL APPEARANCES

A. Brian Smallwood
License No.: IB20500183

A motion was made and seconded to renew the license of Mr. Smallwood XXXXX
Motion carried
11-0-0

B. Dan Wait
License No. IB29400397

A motion was made and seconded to renew the license of Mr. Wait
Motion Passed
10-1-0

IX. CONSIDERATION OF THE MOTION TO DISMISS

A. State of Indiana v. Randy Gerber
IREC 09-04
Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to grant the motion for voluntary dismissal
Motion Carried
11-0-0

X. UPDATE OF LICENSEES ON PROBATION

A. PLA Report
Mr. Rhoad provided an update on PLA activities; including budget, legislative and license reports.

B. State of Indiana v. Milton Booth
IREC 08-32
Re: Deliberations and Possible Issuance of Show Cause Order

A motion was made and seconded to issue a Notice of Show Cause Order
Motion Carried
11-0-0

XI. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER
A. State of Indiana v. Gregory Knapp  
IREC 08-56  
Re: Administrative Law Judge Order  
A motion was made and seconded to approve the Administrative Law Judge Order  
Motion Carried  
10-0-0

B. State of Indiana v. Krishna Lundgard  
IREC 08-59  
Re: Administrative Law Judge Order  
A motion was made and seconded to approve the Administrative Law Judge Order  
Motion Carried  
10-0-0

C. State of Indiana v. Donald M. Johnson  
IREC 08-51  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0

D. State of Indiana v. Tetyana V. Crismore  
IREC 09-02  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0

E. State of Indiana v. Andrew T. Barr  
IREC 09-07  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0

F. State of Indiana v. Ben Li  
IREC 09-11  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0
G. State of Indiana v. Dan A. Wait  
IREC 09-14  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0  

H. State of Indiana v. William J. Trail  
IREC 08-52  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0  

I. State of Indiana v. John Kelly  
IREC 08-58  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0  

J. State of Indiana v. Shirley Hash  
IREC 09-30  
Re: Proposed Findings of Fact, Conclusions of Law, and Order  
A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order  
Motion Carried  
10-0-0  

XII. MOTION TO WITHDRAW APPEARANCE  
A. State of Indiana v. James Clayborn  
IREC 09-37  
Re: Motion by counsel to withdraw appearance  
No action was necessary on this item  

IX. OLD/NEW BUSINESS  
A. Legislative Update  
1. PLA Update  
   Mr. Rhoad provided an update on the PLA  
2. Request from Commissioner Cox  
   Ms. Cox discussed the Cap and Trade bill and how it relates to the sale of real estate
B. Continuing education providers – Commissioner Reed
   No discussion was held on this

C. IREC Rule changes
   Mr. Rhoad provided an update on the various rule changes in progress

D. Discussion regarding attendance at closings
   The Commission discussed attendance at closings. Public comment was also taken. The Commission decided to further explore this subject and appointed a special committee of Mr. Litten; Mr. Lunsford; Ms. Daniel; and Mr. Hines to further research the topic.

E. CE audit
   The Commission decided to audit 1% of the total brokers who recently renewed their license.

F. ARELLO
   • BOD Update
   • Federal Update
   • Social Networking
   • Appointment of ARELLO 2012 Meeting and Finance Committee

   Mr. Rhoad provided an update to the Commission on ARELLO, reported that Indiana is now a member of the Board of Directors; reported that Indiana successfully won the bid to host the 2012 ARELLO meeting – the Commission appointed Commissioner McClintock to chair the finance committee.

X. Application Review Committees

A. Positive Responses
   1. Juan Cardenas  A
   2. Darrell Cummings  T
   3. Becky Dale  A
   4. Carlos Darden  2nd review  T
   5. Joshua Dauscher  2nd review  Probation license
   6. John Robert Kaag  Probation license
   7. Debra Kuhl  A
   8. Abby E. Miller  A
   9. Lindi Miller  A
   10. Larry Phillips  A
   11. Gina Ramirez  Probation license
   12. Kerri Slaton  A
   13. David Wright  A
   14. Lyndsey Crandall  A
   15. David Rupp  A
   16. Daniel Hertel  A

B. Application for Acceptance of College Course Credits
   1. Brian M. Giffin  A
   2. Terry D. Hughes III  A
   3. Donald L. Miller, Jr.  A
   4. Laurie A. Mitchener-Oncheck  A
   5. Michael J. Davis  A
   6. John A. Harris  Denied

C. Application for Waiver of One Year Experience
1. Donald L. Miller, Jr.  A  
2. John A. Harris  Denied

D. Continuing Education Instructors
1. Teri Kendrick  A  
2. Dave Beson  A  
3. James Rumell  A

E. Pre-Licensing Education School Site
1. Home Services Real Estate Academy  A  
   4967 U.S. Highway 42, Suite 140  Louisville, KY

F. Continuing Education Providers
1. Partners Real Estate School  
   Going Green in Real Estate  3.0E  A  
   Instructor: William Schiller  A

2. Cressy & Everett Real Estate  
   Social Networking  2.0E  A  
   Social Networking (Updated)  3.0E  A

3. Coldwell Banker West Shell  
   The Realtors Toolbox  2.0 E  A  
   Generational Dynamics  3.0E  A

4. Educational Resources, LLC  
   CE1078 Residential Case Studies III  4.0 E  A

G. Continuing Education Waiver
Frank Pressel  A

XIII. Adjournment
A motion was made and seconded to adjourn the meeting.  
Motion Carried  
10-0-0

Charlie Shook, Chairman  Date