

**Indiana Real Estate Commission
January 15, 2020
Minutes**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Chairperson, Doug Rose called the meeting to order at 8:52 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

Paul Boyter
Charles (Charlie) W. Shook
Doug Rose, Chairperson
Sahara Williams in @ 9:12 a.m.
Jack McCombs, Vice Chairperson
James Litten
John Briscoe
Pam Lumley
John De Souza
Donna Spears

Commission Members Absent:

State Officials Present:

Deanna Alexander, Director, Indiana Professional Licensing Agency
Nate Black, Compliance Officer, Indiana Professional Licensing Agency
Travis Lovett, Commission Advisory Council, Office of the Attorney General

Transcriptionist:

Marggie Addington, Accurate Reporting of Indiana

II. CALL TO ORDER & ESTABLISHMENT OF QUORUM

8:52 a.m.

III. APPROVAL OF MINUTES OF THE DECEMBER 18, 2019 MEETING OF THE COMMISSION

A motion was made and seconded to approve the minutes from the December 18, 2019 meeting.

McCombs/Litten
9/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
John De Souza	✓	
Donna Spears	✓	

IV. INDIANA ATTORNEY GENERAL'S OFFICE REPORT

Jenifer Barth, presented the Attorney General's report.

V. REAL ESTATE EDUCATION ADVISORY COUNCIL REPORT

REEAC, Kathy Harbough presented the Real Estate Education Advisory Council Report.

A motion was made and seconded to Approve the REEAC recommendations.

Boyter/Litten
9/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
John De Souza	✓	
Donna Spears	✓	

VI. PERSONAL APPEARANCES

9:00 a.m.

VII. ADMINISTRATIVE HEARINGS

9:00 a.m.

A. IN THE MATTER OF THE LICENSE OF: Jeffrey Kocel

2015 IREC 0050
Re: Probation Withdrawal

Respondent: Jeffrey Kocel
Attorney: No Attorney present

A motion was made and seconded to Remove from Probation

Briscoe/McCombs
9/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
John De Souza	✓	
Donna Spears	✓	

B. IN THE MATTER OF THE LICENSE OF: Patrick McDonald
2019 IREC 0010
Re: Oral Arguments

Leif Johnson, Deputy Attorney General

Respondent: Patrick McDonald
Attorney: No Attorney present

A motion was made and seconded to find Guilty of all 3 counts and Suspend license indefinitely and can't petition for reinstatement of license after 90 days.

McCombs/Lumley
6/3

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter		✓
Charles (Charlie) W. Shook		✓
Doug Rose	✓	
Jack McCombs	✓	

Jim Litten	✓	
John Briscoe		✓
Pam Lumley	✓	
John De Souza	✓	
Donna Spears	✓	

C. IN THE MATTER OF THE LICENSE OF: Melissa McClendon
 2018 IREC 0013
 Re: Summary Suspension Extension

Heidi Adair, Deputy Attorney General
 Witness – Jaclyn Meza

State Exhibits: A,

Respondent: Not present
 Attorney: No Attorney present

A motion was made and seconded to Grant the extension.

Briscoe/Williams
 10/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	

D. IN THE MATTER OF THE LICENSE OF: A Prime Real Estate Corporation
 2019 IREC 0022
 Re: Summary Suspension Extension

Leif Johnson, Deputy Attorney General
 Witness – Jaclyn Meza

State Exhibits: A

Respondent: Not Present

Attorney: No Attorney present

A motion was made and seconded to extend the 90 Day Suspension.

Lumley/Williams

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	

E. IN THE MATTER OF THE LICENSE OF: David Moudy

2019 IREC 0039

Re: Summary Suspension

Kelsey E. Miller, Deputy Attorney General

Respondent: Not Present

Attorney: No Attorney present

A motion was made and seconded to Agree to the Summary Suspension Order.

Litten/McCombs

10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	

Jim Litten	✓
John Briscoe	✓
Pam Lumley	✓
Sahara Williams	✓
John De Souza	✓
Donna Spears	✓

VIII. DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDERS

- A. Rollins Rentals & Rehabs 2, LLC
2019 IREC 0033
Re: Proposed Agreed Order

A motion was made and seconded to Approve Proposed Agreed Order.

Briscoe/Litten
10/0

The following Board Members Voted	“Aye”	“Nay”
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	

IX. OBJECTIONS TO ADMINISTRATIVE LAW JUDGE PANEL ORDERS

X. APPLICATION REVIEW

XI. OLD/NEW BUSINESS

- A. Sue Cox replacement for AG’s office Liaison

A motion was made and seconded to replace Sue Cox for liaison with Pam Lumley as AG’s office Liason and Sahra Williams.

Briscoe/Boyter
10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	

B. Kentucky Reciprocity – Working on a letter for Kentucky regarding coming to a reciprocity agreement.

C. LisaMarie Taillon – Returned Check

A motion was made and seconded to file a complaint with the Attorney General's Office.

McCombs/Boyter
10/0

The following Board Members Voted	"Aye"	"Nay"
Paul Boyter	✓	
Charles (Charlie) W. Shook	✓	
Doug Rose	✓	
Jack McCombs	✓	
Jim Litten	✓	
John Briscoe	✓	
Pam Lumley	✓	
Sahara Williams	✓	
John De Souza	✓	
Donna Spears	✓	

XII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana Real Estate Commission adjourned @ 11:22 a.m.

**Next Meeting:
March 3, 2020
W064**

Doug Rose, Chairman