



REAL ESTATE EXAMINING BOARD
Room 121A, 1400 East Washington Avenue, Madison
Contact: Brittany Lewin (608) 266-2112
December 1, 2016

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

10:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A) Adoption of Agenda (1-3)**
- B) Approval of the Minutes of October 20, 2016 (4-6)**
- C) Administrative Matters**
 - 1. Staff Updates
 - 2. Board Member Introductions
- D) Legislative and Administrative Rule Matters**
 - 1. Update on Legislation and Pending or Possible Rulemaking Projects
- E) Real Estate Contractual Forms Advisory Council Update**
- F) Discussion and Consideration of Items Received After Preparation of the Agenda:**
 - 1. Introductions, Announcements and Recognition
 - 2. Election of Board Officers
 - 3. Appointment of Board Liaison(s)
 - 4. Administrative Updates
 - 5. Education and Examination Matters
 - 6. Credentialing Matters
 - 7. Practice Matters
 - 8. Legislation/Administrative Rule Matters
 - 9. Liaison Report(s)
 - 10. Informational Items
 - 11. Disciplinary Matters
 - 12. Requests for Disciplinary Proceeding Presentations
 - 13. Motions
 - 14. Petitions
 - 15. Appearances from Requests Received or Renewed
 - 16. Speaking Engagement(s), Travel, or Public Relation Request(s)

G) Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

H) **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

1. Administrative Warning(s)

a. 16 REB 076 – K.L.G. **(7-8)**

2. Proposed Stipulation(s), Final Decision(s), and Order(s)

a. 15 REB 082 – Cathy L Hansen and Associated Realty of Rice Lake, LLC **(9-17)**

b. 15 REB 083 – Roy A Burlingame, Farm Urban Realty Inc. **(18-23)**

c. 15 REB 085 – Georgene A Duellman **(24-29)**

d. 15 REB 103 – Christopher P. Nash and Integrity Group, LLC **(30-36)**

e. 15 REB 124 – Eugene A. Sailer **(36-43)**

3. Case Closing(s)

a. 15 REB 070 – K.P. and J.R.E., LLC **(44-48)**

b. 15 REB 085 – C.W.B. and H.W.R.M.C., LLC **(49-53)**

c. 15 REB 088 – T.S. and D.R.E., Inc. **(54-57)**

d. 15 REB 099 – R.L. and R.E.C.S., Inc. **(58-63)**

e. 15 REB 115 – R.B. and R.E., LLC **(64-67)**

f. 15 REB 119 – B.V. **(68-70)**

g. 15 REB 124 – M.Z. and Z.P.M., Inc. **(71-75)**

h. 16 REB 049 – M.G. and A.W.P., LLC **(76-79)**

I) **Deliberation Proposed Final Decision(s) and Order(s)**

1. Julia Luna, Respondent (DHA Case No. SPS-16-0020)(DLSC Case No. 14 REB 108) **(80-89)**

J) Presentation and Deliberation on Credentialing Matters

K) Deliberation of Items Received After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. Disciplinary Matters
4. Professional Assistance Procedure (PAP)
5. Monitoring Matters
6. Petitions for Summary Suspension(s)
7. Proposed Stipulation(s), Final Decision(s) and Order(s)
8. Administrative Warning(s)
9. Review of Administrative Warning(s)
10. Proposed Final Decisions and Orders

11. Orders Fixing Costs/Matters Related to Costs
12. Case Closings

L) Consulting with Legal Counsel

REONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

The Next Scheduled Meeting is February 2, 2017.

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
OCTOBER 20, 2016**

PRESENT: Kitty Jedwabny (*joined the meeting at 10:09 a.m.*), Brian McGrath, Dennis Pierce, Randal Savaglio, Robert Webster

EXCUSED: Richard Marino, Michael Mulleady

STAFF: Brittany Lewin, Executive Director; Nilajah Hardin, Bureau Assistant; Sharon Henes, Administrative Rules Coordinator; and Other Department Staff

CALL TO ORDER

Randal Savaglio, Vice Chairperson, called the meeting to order at 10:03 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Under Item J. 1. Application Review: Add “b) Paul Rapala – Real Estate Salesperson Application”*

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF THE MINUTES OF AUGUST 18, 2016

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to approve the minutes of August 18, 2016 as published. Motion carried unanimously.

Kitty Jedwabny joined the meeting at 10:09 a.m.

CLOSED SESSION

MOTION: Brian McGrath moved, seconded by Robert Webster, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Stephen Beers read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Kitty Jedwabny-yes; Brian McGrath-yes; Dennis Pierce-yes; Randal Savaglio-yes; Robert Webster-yes. Motion carried unanimously.

The meeting convened into Closed Session at 10:11 a.m.

RECONVENE TO OPEN SESSION

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into Open Session at 10:57 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Brian McGrath moved, seconded by Dennis Pierce, to affirm all votes made in Closed Session. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 15 REB 001 – Tracy L. Turner
2. 15 REB 004 – Dennis J. Jochman and Bechard Investments Inc.
3. 15 REB 045 – Noelle C. Stevens and MadisonFlatFeeHomes.com, LLC
4. 15 REB 055 – Michael Roberson
5. 15 REB 090 - Uri Fried

Motion carried unanimously.

Case Closings

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to close the following cases for the reasons outlined below:

1. 15 REB 061 (L.A.H. and H.R.I.) – Insufficient Evidence
2. 15 REB 064 (J.S.) – Insufficient Evidence
3. 15 REB 113 (A.C. and J.R.E., L.L.C.) – Insufficient Evidence
4. 15 REB 113 (M.S.) - Prosecutorial Discretion (P1)

Motion carried unanimously.

Monitoring

Nick Lasier – Requesting Full Licensure

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to grant the request of Nick Lasier for full licensure. Motion carried unanimously.

Scott Salan - Requesting Full Licensure

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to grant the request of Scott Salan for full licensure. Motion carried unanimously.

CREENTIALING MATTERS

Araceli Aguilar – Real Estate Salesperson Application

MOTION: Brian McGrath moved, seconded by Dennis Pierce, to approve the Real Estate Salesperson application of Araceli Aguilar, once all requirements are met. Motion carried unanimously.

Paul Rapala - Real Estate Salesperson Application

MOTION: Brian McGrath moved, seconded by Dennis Pierce, to offer Paul Rapala a Limited License, with terms acceptable to the Board. **Reason for Denial:** Denial of full licensure per Wis. Stat. § 452.03 and Wis. Admin. Code ch. REEB 24. Motion carried unanimously.

ORDERS FIXING COSTS

Mike Mendez (ORDER0004882)(DHA Case #SPS-16-0038)(DLSC Case #14 REB 021)

MOTION: Dennis Pierce moved, seconded by Brian McGrath, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Mike Mendez, Respondent (ORDER0004882)(DHA Case No. SPS-16-0038)(DLSC Case No. 14 REB 021). Motion carried unanimously.

Timothy D. Russell (ORDER0004883)(DHA Case #SPS-16-0041)(DLSC Case #14 REB 063)

MOTION: Brian McGrath moved, seconded by Dennis Pierce, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Timothy D. Russell, Respondent (ORDER0004883)(DHA Case No. SPS-16-0041)(DLSC Case No. 14 REB 063). Motion carried unanimously.

ADJOURNMENT

MOTION: Brian McGrath moved, seconded by Dennis Pierce, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:59 a.m.