

**REAL ESTATE BOARD  
MINUTES OF MEETING**

November 8, 2007

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

R. Schaefer Oglesby, Chairman  
Nathaniel Brown  
Judith L. Childress  
Marjorie Clark  
Carol Clarke  
Florence Daniels  
Scott Gaeser  
Miles Leon  
Byrl Taylor

DPOR staff present for all or part of the meeting included:

Karen O'Neal, Deputy Director  
Christine Martine, Executive Director  
Bonnie Rhea Adams, Director of Complaint Analysis, &  
Resolution  
Liz Hayes, Fair Housing Administrator  
Earlyne Perkins, Legal Analyst  
Emily Trent, Administrative Assistant

Tom Payne and Steven Jack from the Office of the Attorney General were present.

Chairman Oglesby called the meeting to order at 9:15 A.M.

**Call to Order**

There was no public comment.

**Public Comment Period**

A motion was made by Ms. Clarke and seconded by Ms Daniels to approve the agenda. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**Agenda**

A motion was made by Ms. Clarke and seconded by Ms Daniels to adopt the following minutes: September 7, 2007, Informal Fact-Finding Conference; September 13, 2007, Informal Fact-Finding Conference; September 19, 2007, Informal Fact-Finding Conference; September 20,

**Minutes**

2007, Real Estate Board Meeting, September 27, 2007, Informal Fact-Finding Conference; October 4, 2007, Informal Fact-Find Conference; October 10, 2007, Informal Fact-Finding Conference; October 18, 2007, Informal Fact-Finding Conference; and October 18, 2007, Informal Fact-Finding Conference (Recovery Fund). The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load.

A motion was made by Ms. Clark and seconded by Ms. Clarke to have the Real Estate Board conduct a general review of the Fair Housing Regulations in conjunction with the Fair Housing Board regulation review committee. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **Shelby James v. George's Realty, Inc. and Ray Priola, REB File Number 2007-01497**, The Board deferred action on the case until January 24, 2008 Board Meeting.

In the matter of **Betty Rew v. Howard C. Andleton and A & S Realty, Inc. t/a Andleton Management Company, REB File Number 2007-05010**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Mr. Darrell Miller, attorney for the respondents was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Clark to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **Voydee Spinner and Linda Spinner v. First Charter Realty Corp. and Thomas E. Robinson dba Tom Robinson, REB File Number 2007-01020**, A motion was made by Ms. Clarke and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clark and seconded by Ms. Clarke to

**Fair Housing  
Administrators Report**

**Shelby James v.  
George's Realty, Inc.  
and Ray Priola, REB  
File Number 2007-01497**

**Betty Rew v. Howard C.  
Andleton and A & S  
Realty, Inc. t/a  
Andleton Management  
Company, REB File  
Number 2007-05010**

**Conciliation Agreement**

**Fair Housing Minutes**

approve the Fair Housing Sub-Committee minutes of September 20, 2007. The motion passed unanimously. Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of File Number 2006-03072, Khoa Duy Nguyen, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary. Mr. Nguyen was present and addressed the Board.

File Number 2006-03072, Khoa Duy Nguyen

A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260 10 (Count 1) of the Board's 2003 Regulations, find a violation of 18 VAC 135-20-260 10 (Count 2) of the Board's 2003 Regulations, find a violation of 18 VAC 135-20-260 11 (Count 3) of the Board's 2003 Regulations, and find a violation of 18 VAC 135-20-240 (Count 4) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby and Taylor

A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, \$2,500.00 for the violation contained in Count 2, \$2,500.00 for the violation in Count 3, and \$1,000.00 for the violation in Count 4, for a total monetary penalty of \$8,500.00. In addition, for the violations of Count 1, Count 2, Count 3, and Count 4 the Board imposed revocation of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby and Taylor.

As the Presiding Board member, Mr. Leon did not participate in the discussion or votes pertaining to this matter.

Mr. Oglesby turned the position of Chair over to Ms. Taylor and recused himself from the meeting.

Transfer of Chair

In the matter of File Number 2008-01410, Charles W. Hazelwood, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. Mr. Hazelwood, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the

File Number 2008-01410, Charles W. Hazelwood

recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Hazelwood's application for a real estate broker's license because based upon the description of Hazelwood's experience and his activities after his salesperson license expired, the Board determined that Hazelwood lacks the first hand experience of operating in a real estate brokerage on a day to day basis despite his connection to the real estate business and he did not meet the requirement of being actively engaged in real estate for 36 of the last 48 months preceding application. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, and Taylor. Member voting "No" was Gaeser.

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-05160, Sam Zamrik**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. Mr. Zamrik, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Zamrik's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser and Leon. Member voting "No" was Taylor.

**File Number 2007-05160, Sam Zamrik**

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or votes related to this matter.

In the matter of **File Number 2008-01000, Douglas Brooks**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. Mr. Brooks, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Brooks' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

**File Number 2008-01000, Douglas Brooks**

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or votes related to this matter.

Mr. Oglesby returned and assumed the position of Chair.

In the matter of **Carmelo Molluzzo v. S. L. Nusbaum Realty Company, Miles Leon, and Muriel Harden, REB File Number 2007-04189**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clarke and seconded by Ms. Clark to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

Mr. Leon did not participate in the discussion or vote pertaining to this matter due to conflict of interest.

In the matter of **File Number 2008-01129, Sylvia Michael**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Michael, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Michael's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2008-00604, Angela Brooks**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officers. Ms. Brooks, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Brook's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser,

**Transfer of Chair**

**Carmelo Molluzzo v. S. L. Nusbaum Realty Company, Miles Leon, and Muriel Harden, REB File Number 2007-04189**

**File Number 2008-01129, Sylvia Michael**

**File Number 2008-00604, Angela Brooks**

Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-04577, Lisha Garrett**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Garrett, the applicant, was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Garrett's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Brown, Clark, Clarke, Gaeser, Leon and Oglesby. Members voting "No" were Childress, Daniels and Taylor.

**File Number 2007-04577, Lisha Garrett**

In the matter of **File Number 2008-00737, Benjamin Myrtle**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Myrtle, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Myrtle's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2008-00737, Benjamin Myrtle**

In the matter of **File Number 2008-00924, Roberta Johnson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Johnson, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Johnson's application for a real estate salesperson's license with the following amendment: Ms. Johnson's license is subject to an agreement for licensure for a period of two years wherein Ms. Johnson and her broker will provide quarterly reports to the Board. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor. Member voting "No" was Gaeser.

**File Number 2008-00924, Roberta Johnson**

In the matter of **File Number 2008-00128, Lori Tackett**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Tackett, the applicant, was present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Ms. Tackett's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2008-00128, Lori Tackett**

In the matter of **File Number 2008-00654, Steve Hargrow**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officers. Mr. Hargrow, the applicant was present and addressed the Board. A motion was made by Mr. Gaeser and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Hargrow's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2008-00654, Steve Hargrow**

The Board recessed from 10:12AM to 10:25AM

**Break**

In the matter of **File Number 2007-02278, Sandeep Arora**, the Board reviewed the Consent Order as seen and agreed to by Mr. Arora. A motion was made by Ms. Childress and seconded by Ms. Daniels to accept the proposed Consent Order wherein Mr. Arora admits to a violation of 18 VAC 135-20-210.A (Count 1) of the Board's 1999 Regulations and agrees to a monetary penalty of \$100.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$250.00. In addition, for violation of Count 1, Arora agrees to complete four (4) hours of continuing education pertaining to Disclosure of Interest and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education

**File Number 2007-02278, Sandeep Arora**

requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2007-03161**, Asha Arora, the Board reviewed the Consent Order as seen and agreed to by Ms. Arora. A motion was made by Ms. Childress and seconded by Ms. Daniels to accept the proposed Consent Order wherein Ms. Arora admits to a violation of 18 VAC 135-20-210.A (Count 1) of the Board's 1999 Regulations and agrees to a monetary penalty of \$100.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$250.00. In addition, for violation of Count 1, Arora agrees to complete four (4) hours of continuing education pertaining to Disclosure of Interest and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-03161, Asha Arora**

In the matter of **File Number 2007-04553**, William P. Lunger, Sr., the Board reviewed the Consent Order as seen and agreed to by Mr. Lunger. A motion was made by Ms. Clark and seconded by Ms. Clarke to accept the proposed Consent Order wherein Mr. Lunger admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations and agrees to a monetary penalty of \$450.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$600.00. In addition, for violation of Count 1, Lunger agrees to complete six (6) hours of continuing education pertaining to real estate escrow accounts and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-04553, William P. Lunger, Sr.**

In the matter of **File Number 2007-05026**, Lucia A. Jason, the Board reviewed the Consent Order as seen and agreed to by Ms. Jason. A motion was made by Ms. Daniels and seconded by Ms. Childress to

**File Number 2007-05026, Lucia A. Jason**

accept the proposed Consent Order wherein Ms. Jason admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2003 Regulations and agrees to a monetary penalty of \$450.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$600.00. In addition, for violation of Count 1, Jason agrees to complete six (6) hours of continuing education pertaining to real estate escrow accounts and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of File Number 2007-03093, Dion A. Rainey, the Board reviewed the Consent Order as seen and agreed to by Mr. Rainey. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the proposed Consent Order wherein Mr. Rainey admits to a violation of 18 VAC 135-20-260.7 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.8 (Count 2) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$150.00 for the violation contained in Count 1, \$150.00 for the violation contained in Count 2, as well as \$150.00 in Board costs for a total of \$450.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-03093, Dion A. Rainey**

As the Board member who reviewed the file, Ms. Clarke by did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-01314, Shanna A. Slocum, the Board reviewed the Consent Order as seen and agreed to by Ms. Slocum. A motion was made by Ms. Childress and seconded by Ms. Daniels to accept the proposed Consent Order wherein Ms. Slocum admits to a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations and agrees to \$150.00 in Board costs for a total of \$150.00. In addition, for violation of Count 1, Slocum agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2007-01314, Shanna A. Slocum**

As the Board member who reviewed the file, Ms. Clarke by did not

participate in the discussion or vote related to this matter.

In the matter of File Number 2007-01258, Elizabeth W. Atkinson, the Board reviewed the Consent Order as seen and agreed to by Ms. Atkinson. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the proposed Consent Order wherein Ms. Atkinson admits to a violation of § 54.1-2135.A.2 (Count 1), and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$900.00. In addition, for violation of Count 1, Atkinson agrees to complete four (4) hours of continuing education pertaining to property management and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of this order.

**File Number 2007-01258, Elizabeth W. Atkinson**

The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Oglesby, and Taylor.

As the Board members who reviewed the file, Mr. Leon and Mr. Gaeser by did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-01995, Mary J. Meeks, the Board reviewed the Consent Order as seen and agreed to by Ms. Meeks. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the proposed Consent Order wherein Ms. Meeks admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Meeks agrees to complete eight (8) hours of continuing education pertaining to agency/brokerage relationships disclosure and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**File Number 2007-01995, Mary J. Meeks**

As the Board member who reviewed the file, Mr. Leon by did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-04100, Linda W. Foster, the

**File Number 2007-**

Board reviewed the Consent Order as seen and agreed to by Ms. Foster. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the proposed Consent Order wherein Ms. Foster admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Foster agrees to complete eight (8) hours of continuing education pertaining to agency/brokerage relationships disclosure and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**04100, Linda W. Foster**

As the Board member who reviewed the file, Mr. Leon did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-04101, Jason E. Meeks, the Board reviewed the Consent Order as seen and agreed to by Mr. Meeks. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the proposed Consent Order of the citation noting the correction for the Report of Findings, wherein Mr. Meeks admits to a violation of 18 VAC 135-20-220.A.3 (Count 1), and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1 of the Board's 2003 Regulations, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Meeks agrees to complete eight (8) hours of continuing education pertaining to Agency Disclosure and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**File Number 2007-04101, Jason E. Meeks**

As the Board member who reviewed the file, Mr. Leon by did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-02285, Susan M. Hensley, the Board reviewed the Consent Order as seen and agreed to by Ms. Hensley. A motion was made by Ms. Clark and seconded by Ms. Clarke to accept the proposed Consent Order wherein Ms. Hensley admits to a violation of 18 VAC 135-20-290.2 (Count 1) of the Board's 2003 regulations, and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$1,150.00. In addition, for violation of Count 1, Hensley agrees to complete eight (8) hours of continuing education pertaining to Board's requirements for offering real property for sale and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**File Number 2007-02285, Susan M. Hensley**

As the Board member who reviewed the file, Mr. Leon by did not participate in the discussion or vote related to this matter.

In the matter of File Number 2007-04442, Michele C. Stevens, the Board reviewed the Consent Order as seen and agreed to by Ms. Stevens. A motion was made by Mr. Gaeser and seconded by Ms. Childress to reject the proposed Consent Order and re-offer the Consent Offer wherein Ms. Stevens admits to a violation of 18 VAC 135-20-330 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Stevens agrees to complete eight (8) hours of continuing education pertaining to Boards requirements in relation to the supervising broker's responsibility for the acts of their licensees and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. If the offer is not accepted with 14 days, the matter will proceed to an Informal Fact Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**File Number 2007-04442, Michele C. Stevens**

As the Board member who reviewed the file, Mr. Leon by did not participate in the discussion or vote related to this matter.

Mr. Oglesby turned the position of Chair over to Ms. Taylor and recused himself from the meeting.

**Transfer of Chair**

In the matter of **File Number 2007-03503, Bonnie L. Coffey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Coffey. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the proposed Consent Order wherein Ms. Coffey admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs for a total of \$650.00. In addition, for violation of Count 1, Coffey agrees to complete eight (8) hours of continuing education pertaining to agency disclosure and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, and Taylor.

**File Number 2007-03503, Bonnie L. Coffey**

As the Board members who reviewed the files, Mr. Gaeser, Mr. Leon, and Mr. Oglesby by did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2008-01286, Bonnie L. Coffey**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, approve Ms. Coffey's application for a real estate associate broker's license with the following amendment: Ms. Coffey's license is subject to an agreement for licensure for a period of one year wherein Ms. Coffey and her broker will provide quarterly reports to the Board. Ms. Coffey may not apply to be a principal broker or sole proprietor while subject to the above referenced agreement for licensure. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, and Taylor. Member voting "No" was Gaeser.

**File Number 2008-01286, Bonnie L. Coffey**

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2007-01767, Sean A. McNeil**, the Board reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Ms. Clarke and seconded by Mr. Gaeser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.5 of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

**File Number 2007-01767, Sean A. McNeil**

A motion was made by Ms. Clarke and seconded by Mr. Gaeser to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to place McNeil on probation for a period of three years with stipulations and instead to revoke McNeil's license due to the recentness and seriousness of the offenses, and the repeated relapses of McNeil's sobriety, along with the relationship of the offenses to McNeil's ability, capacity, or fitness to perform the duties of a licensed real estate salesperson. The Board is of the opinion they could not protect the health, safety and welfare of the public. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the presiding Board member, Mr. Oglesby did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2008-00818, Charles Kohlhoss, III**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Kohlhoss' application for a real estate broker's license based on his lack of actual experience in supervising and running a real estate business as required by the Board. Therefore, despite Kohlhoss' extensive knowledge of real estate law, he does not meet the requirements of being actively engaged in real estate for 36 of the last 48 months as required. The motion passed unanimously. Members

**File Number 2008-00818, Charles Kohlhoss, III**

voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor.

As the presiding Board member, Mr. Oglesby did not participate in the discussion or vote pertaining to this matter.

In the matter of File Number 2008-00817, Lisa Blessard, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Ms. Blessard's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon and Taylor.

File Number 2008-00817, Lisa Blessard

As the presiding Board member, Mr. Oglesby did not participate in the discussion or vote pertaining to this matter.

Mr. Oglesby returned and assumed the position of Chair.

Transfer of Chair

In the matter of File Number 2008-00656, Richard McClure, the Board reviewed the record which consisted of the application file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officers. A motion was made by Ms. Taylor and seconded by Mr. Gaeser to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve the application and to instead deny McClure's application due to the recentness of the offense. The Board is of the opinion that they could not protect the health, safety and welfare of the public. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

File Number 2008-00656, Richard McClure

In the matter of File Number 2008-00655, Lars Johnson, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officers. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Johnson's application for a real estate salesperson's license. The motion passed unanimously. Members

File Number 2008-00655, Lars Johnson

voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

In the matter of **File Number 2008-00736, David Smith**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia*, approve Mr. Smith's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

**File Number 2008-00736, David Smith**

Mr. Oglesby and Ms. Taylor turned the position of Chair over to Ms. Daniels and recused themselves from the meeting.

**Transfer of Chair**

In the matter of **File Number 2008-00151, Curtis Seltzer**, the Board reviewed the facts and information presented in the investigative file. After discussion, the Board is of the opinion that Mr. Seltzer may be acting as a real estate salesperson/broker when he is not licensed by the Board. A motion was made by Mr. Gaeser and seconded by Ms. Clarke to issue a Cease and Desist Order to Mr. Seltzer to stop acting as an unlicensed real estate broker or salesperson. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser and Leon.

**File Number 2008-00151, Curtis Seltzer**

As board members who reviewed the file, Mr. Oglesby and Ms. Taylor did not participate in the discussion or vote related to this matter.

Mr. Oglesby returned and assumed the position of Chair.

**Transfer of Chair**

In the matter of **File Number 2007-02153, David P. Michalski**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Michalski, the respondent and attorney, Mr. John Dicks were present and addressed the Board. A motion was made by Mr. Gaeser to accept the recommendation to close the file with a finding of no violation of Board Regulation 18 VAC 135-20-260.10. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Oglesby, and Taylor.

**File Number 2007-02153, David P. Michalski**

As the presiding Board Member, Mr. Leon did not participate in the discussion or vote related to this matter.

The Board recessed from 11:33AM to 11:45AM

Kevin Hoeft gave a status report of the October 29, 2007, Real Estate Board Advisory Council meeting. A motion was made by Ms. Clarke and seconded by Mr. Gaeser to approve the October 29, 2007, Real Estate Board Advisory Council Report recommendation that the Three Practice Tracks be removed from §54.1-2105 of the *Code of Virginia* and that the Real Estate Board work expeditiously to amend this statute through legislation. The vote passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby and Taylor.

Ms. Childress gave the Education Committee Report. A motion was made by Ms. Daniels and seconded by Mr. Gaeser to accept the November 7, 2007, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

A motion was made by Mr. Gaeser and seconded by Ms. Clarke that ARELLO content certifications become recognized for continuing education subject to legal advice. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

It was discussed that the Board have ARELLO certification for distance learning by July 1, 2008. No action was taken by the Board.

A motion was made to adopt a periodic review of the Time Share and Condominium Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

A motion was made by Ms. Daniels and seconded by Ms. Clark to adopt the CICMIF RFP. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Board Members Clark, Gaeser and Leon volunteered to serve on the RFP committee.

### Break

### Education Committee Report

### Administrative Issues

The Board discussed the information presented by staff on criminal background checks being done on all initial applicants for licensure. After discussion, a motion was made by Ms. Clarke and seconded by Mr. Gaeser to have staff draft an implementation plan to include costs, staff requirements and the impact it would have on the agency. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

Other Business

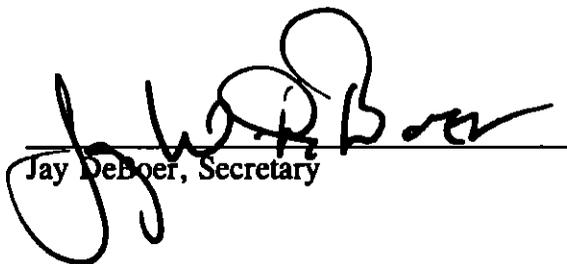
The Board discussed the upcoming vote for the position of Chair and Vice-Chair. A motion was made to defer the election to the January 24, 2008 Board Meeting. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor.

New Business

There being no further business, the Board adjourned at 12:50 PM.

Adjourn

  
R. Schaefer Oglesby, Chairman

  
Jay DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

- 1 Name: Florence Daniels  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
- 4 Meeting/IFF Date: November 8, 2007  
(Date)

5 I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction

6.  I do not have a personal interest in any transactions taken at this meeting.

Florence Daniels  
Signature

11/8/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Scott Gaeser  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: November 8, 2007  
(Date)

5 I have a personal interest in the following transaction:

NONE  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

11-8-07  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Judith Childress  
(Name of Board Member)

2 Title: Board Member

3. Agency: Real Estate Board  
(Name of Board)

4 Meeting/IFF Date: November 8, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction. \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Judith L. Childress  
Signature

11/08/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name Miles Leon  
(Name of Board Member)
2. Title. Board Member
- 3 Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: November 8, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6  I do not have a personal interest in any transactions taken at this meeting.

Signature 

Date 11/8/07

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Nathaniel Brown  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: November 8, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest

or

I did not participate in the transaction

6.  I do not have a personal interest in any transactions taken at this meeting.

Nathaniel Brown  
Signature

11-8-07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

- 1 Name: Carol Clarke  
(Name of Board Member)
- 2 Title: Board Member
- 3 Agency: Real Estate Board  
(Name of Board)
- 4 Meeting/IFF Date. November 8, 2007  
(Date)

5 I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction

6.  I do not have a personal interest in any transactions taken at this meeting

Carol J. Clarke  
Signature

11/8/07  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Schaefer Oglesby  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: November 8, 2007  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

Nov 8, 2007  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Byrl Taylor  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
- 4 Meeting/IFF Date: November 8, 2007  
(Date)

5 I have a personal interest in the following transaction:

\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest  
or  
 I did not participate in the transaction
6.  I do not have a personal interest in any transactions taken at this meeting.

Byrl Taylor  
Signature

11/8/07  
Date