

REAL ESTATE BOARD  
MINUTES OF MEETING

January 22, 2015

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

Joseph Funkhouser, II, Chair  
Santee Ferebee, Vice-Chair  
Lynn G. Grimsley  
Catherine M. Noonan  
Steve Hoover  
Lee Odems  
Jennifer Boysko  
Antonio Elias

Board member not present: Anh Tu Do

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

Jay DeBoer, Director  
Nick Christner, Deputy Director  
Mark Courtney, Senior Manager  
Bonnie Rhea Adams, Director of Complaint Analysis & Resolution  
Doug Schroder, Adjudication Director  
Liz Hayes, Fair Housing Administrator  
Deanda Shelton, Assistant Fair Housing Administrator  
Joe Haughwout, Legal Analyst  
Jeffrey Williams, Board Administrator  
Kevin Hoeft, Education Administrator  
Emily Trent, Administrative Assistant

Jim Flaherty and Tom Payne from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 9:03 A.M.

**Call to Order**

A motion was made by Ms. Ferebee and seconded by Ms. Noonan to approve the agenda. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**Agenda**

A motion was made by Ms. Grimsley and seconded by Mr.

**Minutes**

Odems to adopt the following minutes: November 19, 2014, Real Estate Advisory Council Meeting; November 20, 2014, Board Meeting; and November 20, 2014, Fair Housing Sub-Committee Meeting. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

There was no public comment.

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

In the matter of **Demetria Lively and Anthony Morris v. Preston Place Radio Associates, LLC, Grady Management, Inc., Cindi Holtzapple, and Rebecca Anderson, REB File Number 2014-00749**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Official Consultation Memorandum from the Office of the Attorney General. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

At 9:07 A.M., Ms. Ferebee offered a motion which was seconded by Mr. Hoover, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jim Flaherty, Liz Hayes, Dominica McGowen and Tom Payne.

This motion is made with respect to the matter(s) identified as agenda item(s):

**-4. File Number 2014-00749 – Demetria Lively and Anthony Morris v. Preston Place Radio Associates, LLC, Grady Management, Inc., Cindi Holtzapple and Rebecca Anderson**

At 9:30 A.M., a motion was made by Ms. Ferebee and seconded by Mr. Hoover that the Board reconvene in open session.

## Public Comment

### Fair Housing Administrator’s Report

Demetria Lively and  
Anthony Morris v.  
Preston Place Radio  
Associates, LLC,  
Grady Management,  
Inc., Cindi  
Holtzapple, and  
Rebecca Anderson,  
REB File Number  
2014-00749

## Closed Session

WHEREAS, the Real Estate Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

### Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Real Estate Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Real Estate Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Real Estate Board.

VOTE: 8-0

AYES: Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Do.

In the matter of **Demetria Lively and Anthony Morris v. Preston Place Radio Associates, LLC, Grady Management, Inc., Cindi Holtzapple, and Rebecca Anderson, REB File Number 2014-00749**, a motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause against the respondents in refusal to rent, or discriminated in terms and conditions of rental based on familial status. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**Demetria Lively and Anthony Morris v. Preston Place Radio Associates, LLC, Grady Management, Inc., Cindi Holtzapple, and Rebecca Anderson, REB File Number 2014-00749**

In the matter of **Carolyn King v. CRP of Bainbridge Crystal Square, LLC, Bainbridge Mid-Atlantic LLC, and Vanessa Gomez, REB File Number 2013-02663**, the case was deferred to the next Board meeting.

**Carolyn King v. CRP of Bainbridge Crystal Square, LLC, Bainbridge**

**Mid-Atlantic LLC,  
and Vanessa Gomez,  
REB File Number  
2013-02663**

In the matter of **File Number 2014-03632, Robert Dinh**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Dinh's application based upon the record. After review of the facts and the information obtained at the Informal Fact-Finding Conference, the Board determined it could not protect the health, safety and welfare of the public and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2014-  
03632, Robert Dinh**

In the matter of **File Number 2014-02651, Jabriel Muhammad**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Jabriel Muhammad, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Muhammad's application based upon the record. After review of the facts and the information obtained at the Informal Fact-Finding Conference, the Board determined it could not protect the health, safety and welfare of the public and voted to deny the license. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems. Member voting "No" were Boysko and Elias.

**File Number 2014-  
02651, Jabriel  
Muhammad**

In the matter of **File Number 2015-00777, James Muldoon**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to

**File Number 2015-  
00777, James  
Muldoon**

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. Muldoon's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00996, William King**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. William King, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee 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. King's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00996, William King**

In the matter of **File Number 2015-01009, Elizabeth Martin**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Hoover and seconded by Ms. Noonan 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. Martin's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. Member voting "No" was Grimsley.

**File Number 2015-01009, Elizabeth Martin**

In the matter of **File Number 2014-02975, Madeline Smart**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Madeline Smart, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms.

**File Number 2014-02975, Madeline Smart**

Noonan 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. Smart's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. Member voting "No" was Grimsley.

In the matter of **File Number 2014-03636, Herbert Paynter**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Herbert Paynter, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley 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. Paynter's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2014-03636, Herbert Paynter**

In the matter of **File Number 2015-00550, Bruce Cohen**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Bruce Cohen, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee 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. Cohen's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Noonan. Member voting "No" was Odems.

**File Number 2015-00550, Bruce Cohen**

In the matter of **File Number 2015-00031, Robert Day**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Robert Day, applicant, was present and addressed the Board. A motion was made by

**File Number 2015-00031, Robert Day**

Ms. Ferebee and seconded by Mr. Hoover 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. Day's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00543, Nicholaus Martin**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Noonan and seconded by Ms. Ferebee 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. Martin's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00543, Nicholaus Martin**

In the matter of **File Number 2015-00030, Joseph Cornish**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Joseph Cornish, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee 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. Cornish's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00030, Joseph Cornish**

In the matter of **File Number 2015-00099, Joshua Bristol**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Joshua Bristol, applicant, and Patricia Steele, witness, were present and addressed the Board. A motion was made by Mr. Hoover

**File Number 2015-00099, Joshua Bristol**

and seconded by Ms. Grimsley 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. Bristol's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00537, Alexandra Stewart**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Ferebee and seconded by Mr. Hoover 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. Stewart's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. Member voting "No" was Grimsley.

**File Number 2015-00537, Alexandra Stewart**

In the matter of **File Number 2015-01279, Scott Flanagan**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Scott Flanagan, applicant, was present and addressed the Board. A motion was made by Ms. Noonan and seconded by Ms. Grimsley 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. Flanagan's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-01279, Scott Flanagan**

In the matter of **File Number 2015-01280, Raymond Johnson**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to

**File Number 2015-01280, Raymond Johnson**

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 voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-01037, Michael Shor**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Michael Shor, applicant, and Carr Stogner, witness, were present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee 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. Shor's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-01037, Michael Shor**

In the matter of **File Number 2015-00994, Ahmad G. Abdallah**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Ferebee and seconded by Ms. Boysko 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. Abdallah's application for a real estate salesperson's license, subject to Mr. Abdallah's principal broker stating that the broker is aware of Abdallah's past conviction and the nature of the offense. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00994, Ahmad G. Abdallah**

In the matter of **File Number 2015-00773, Deborah Morris**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Deborah Morris, applicant, was present and addressed the Board. A

**File Number 2015-00773, Deborah Morris**

motion was made by Ms. Ferebee and seconded by Mr. Hoover 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. Morris' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00772, Robert Adamson**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Hoover and seconded by Ms. Noonan 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. Adamson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00772, Robert Adamson**

In the matter of **File Number 2015-00574, Deborah Taylor-Duvall**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Deborah Taylor-Duvall, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover 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. Taylor-Duvall's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00574, Deborah Taylor-Duvall**

In the matter of **File Number 2015-00573, Felix Rodriguez**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Felix Rodriguez, applicant, and Dawn Miller, were present and addressed the Board. A motion was made by Mr. Hoover and

**File Number 2015-00573, Felix Rodriguez**

seconded by Ms. Noonan 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. Rodriguez's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00567, Michelle Collins**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Michelle Collins, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Boysko 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. Collins' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00567, Michelle Collins**

In the matter of **File Number 2015-01276, Tonya Turner**, the Board reviewed the record which consisted of the application file, 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 Mr. Hoover and seconded by Mr. Odems to deny Ms. Turner's application based upon the record. After review of the testimony and documentation presented by Turner, the Board is of the opinion that Turner does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2015-01276, Tonya Turner**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-01043, Richard Key**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding

**File Number 2015-01043, Richard Key**

Conference of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to deny Mr. Key's application based upon the record. After review of the testimony and documentation presented by Key, the Board is of the opinion that Key does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00967, Julie Ann Tremblay**, the Board reviewed the record which consisted of the application file, 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. Noonan and seconded by Mr. Odems 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. Tremblay's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Ms. Tremblay and her principal broker will provide quarterly reports to the Board and Tremblay agrees that she will not apply to upgrade her license to a broker license for a period of ten (10) years. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2015-00967, Julie Ann Tremblay**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00551, Otis Daniel, III**, the Board reviewed the record which consisted of the application file, 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 Mr. Hoover and seconded by Ms. Noonan 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. Daniel's application for a real estate salesperson's license. The motion passed unanimously.

**File Number 2015-00551, Otis Daniel, III**

Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00549, Karlene Tolbert**, the Board reviewed the record which consisted of the application file, 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 Mr. Hoover and seconded by Ms. Ferebee 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. Tolbert’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2015-00549, Karlene Tolbert**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00509, Mary Ann Walker**, the Board reviewed the record which consisted of the application file, 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. Noonan and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, approve Ms. Walker’s application for a real estate broker’s license. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2015-00509, Mary Ann Walker**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-01042, Stephanie Brown**, the Board reviewed the record which consisted of the application file, 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. Noonan and seconded by Ms.

**File Number 2015-01042, Stephanie Brown**

Ferebee to deny Ms. Brown's application based upon the record. After review of the testimony and documentation presented by Brown, the Board is of the opinion that Brown does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00552, Elvis Soto-Serrano**, the Board reviewed the record which consisted of the application file, 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. Noonan and seconded by Mr. Odems 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. Soto-Serrano's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2015-00552, Elvis Soto-Serrano**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02772, Maria Magdalena Ramirez t/a Nena Ramirez**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ramirez. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Ms. Ramirez admits to two violations of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-180.A.1 (Count 2) of the Board's 2008 Regulations and agrees a monetary penalty of \$1,000.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Counts 1 and 2, Ramirez agrees to revocation of her broker's license, with the simultaneous issuance of a salesperson's license, effective on the date of execution of the Order by the Board. Also, for violation of Count 1, Ramirez agrees not to make application for a broker license issued by the Real Estate Board for a period of five (5)

**File Number 2014-02772, Maria Magdalena Ramirez t/a Nena Ramirez**

years from the date of acceptance of the Order. Further, for violation of Count 2, Ramirez agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision and agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the Board member who reviewed the file, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2013-01890, Paul Douglas Hogge**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Noonan and seconded by Mr. Hoover to grant a continuance. The motion failed. Members voting "Yes" were Noonan, Hoover and Boysko. Members voting "No" were Elias, Ferebee, Funkhouser and Odems. The Board reviewed and considered the e-mail sent by Hogge on January 21, 2015. The Board further reviewed the procedural history of this matter as set out in the first two pages of the Summary of the Informal Fact-Finding Conference (IFF). The Board determined that based on Hogge's repeated request for continuance prior to the IFF any further delay would be contrary to the Board's duty to protect the public health, safety, and welfare. The Board further noted that three Board members are from the Northern Virginia and were able to attend the meeting. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2013-01890, Paul Douglas Hogge**

A motion was made by Ms. Ferebee and seconded to Mr. Elias to accept a violation of 18 VAC 135-20-180.C.5 (Count 1) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$900.00 for the violation contained in Count 1, for a total of \$900.00. The Board also imposes the following sanctions: For the violation of Count 1, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-00080, Paul Douglas Hogge**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Ferebee and seconded to Mr. Hoover to accept a violation of 18 VAC 135-20-240 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-180.C.2 (Count 3) of the Board's 2008, and five violations of 18 VAC 135-20-260.11 (Count 4) of the Board's 2003. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$950.00 for the violation contained in Count 1, \$1,500.00 for the violation contained in Count 2, \$1,150.00 for the violation contained in Count 3, and \$1,650.00 for the violation contained in Count 4, for a total of \$5,250.00. The Board also imposes the following sanctions: For the violation of Counts 1, 2, 3 and 4, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

**File Number 2014-00080, Paul Douglas Hogge**

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-01665, Mario Antonio Mitchell**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal

**File Number 2014-01665, Mario Antonio Mitchell**

Fact-Finding Conference. A motion was made by Ms. Ferebee and seconded to Mr. Hoover to accept a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-170.A.1 (Count 2) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,650.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, for a total of \$2,250.00. The Board also imposes the following sanctions: For the violation of Counts 1 and 2, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

As the presiding Board member, Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2013-02412, Kimberly J. Curtis dba Kim Curtis**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Lawrence Marshall, attorney for respondent, and Kim Curtis, respondent, were present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to remand the case to another Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2013-02412, Kimberly J. Curtis dba Kim Curtis**

In the matter of **File Number 2014-01687, Joseph Cooke**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Ferebee and seconded to Ms. Boysko to accept a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-180..A.1 (Count 2) of the Board's 2008 Regulations, a violation of 18 VAC 135-20-240 (Count 3) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-185.C.1 (Count 4) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Grimsley and

**File Number 2014-01687, Joseph Cooke**

Odems. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley 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, \$1,500.00 for the violation contained in Count 2, \$950.00 for the violation contained in Count 3, and \$750.00 for the violation contained in Count 4, for a total of \$5,700.00. The Board also imposes the following sanctions: For the violation of Counts 1, 2, 3 and 4, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02435, Mounir Badawy**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Ferebee and seconded to Mr. Hoover to accept a violation of 18 VAC 135-20-170.A.1 (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-250 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Hoover, Grimsley and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for the violation contained in Count 1, \$2,000.00 for the violation contained in Count 2, for a total of \$2,500.00. The Board also imposes the following sanctions: For the violation of Counts 1 and 2, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

**File Number 2014-02435, Mounir Badawy**

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-03432, Brenda J. Guzey, t/a Brenda Guzey**, the Board reviewed the Consent Order as seen and agreed to by Ms. Guzey. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Guzey admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008

**File Number 2014-03432, Brenda J. Guzey, t/a Brenda Guzey**

Regulations, and agrees a monetary penalty of \$100.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$250.00. In addition, for violation of Count 1, Guzey agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

As the Board member who reviewed the file, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-01275, Keith Hartke**, the Board reviewed the record which consisted of the application file, 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. Ferebee and seconded by Mr. Odems 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. Hartke's application for a real estate salesperson's license, subject to an agreement for licensure for a period of three years wherein Mr. Hartke and his principal broker will provide quarterly reports to the Board and Hartke agrees that he will not act in the capacity of a principal broker license for a period of three (3) years. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

**File Number 2015-01275, Keith Hartke**

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02801, Terry D. Thompson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Thompson. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Thompson admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's

**File Number 2014-02801, Terry D. Thompson**

2008 Regulations, and agrees a monetary penalty of \$1,500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Thompson agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Agency and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

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

In the matter of **File Number 2015-00001, Neil Anthony Vacchiano**, the Board reviewed the Consent Order as seen and agreed to by Mr. Vacchiano. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Vacchiano admits to a violation of 18 VAC 135-20-310.1 (Count 1) of the Board's 1999 Regulations, and agrees a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Vacchiano agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

**File Number 2015-00001, Neil Anthony Vacchiano**

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

In the matter of **File Number 2013-03080, Charlene Carol Rector**, the Board reviewed the Consent Order as seen and agreed to by Ms. Rector. A motion was made by Ms. Grimsley

**File Number 2013-03080, Charlene Carol Rector**

and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Ms. Rector admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, and agrees a monetary penalty of \$1,500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Rector agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Funkhouser, Grimsley, Noonan and Odems.

As the Board members who reviewed the file, Ms. Ferebee and Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00852, Lourdes V. Spinosa**, the Board reviewed the Consent Order as seen and agreed to by Ms. Spinosa. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Spinosa admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees a monetary penalty of \$100.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$250.00. The motion passed unanimously. Members voting "Yes" were Boysko, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00852, Lourdes V. Spinosa**

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00427, Jonathan Stuart Gift**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gift. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Gift admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees a monetary penalty of \$100.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$250.00. The

**File Number 2015-00427, Jonathan Stuart Gift**

motion passed unanimously. Members voting “Yes” were Boysko, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00412, Horace Augustine Parsons, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Parsons. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Parsons admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees a monetary penalty of \$400.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, for violation of Count 1, Parsons agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00412, Horace Augustine Parsons, Jr.**

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02926, Pamella Davis Moore t/a Pam Moore**, the Board reviewed the Consent Order as seen and agreed to by Ms. Moore. A motion was made by Mr. Hoover and seconded by Mr. Odems accept the proposed Consent Order offer wherein Ms. Moore admits to a violation of 18 VAC 135-20-260.11 (Count 1) of the Board’s 2003 Regulations, and agrees a monetary penalty of \$1,000.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Count 1, Moore agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is

**File Number 2014-02926, Pamella Davis Moore t/a Pam Moore**

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 Boysko, Elias, Funkhouser, Hoover, Noonan and Odems. Ms. Grimsley abstained from voting in this matter.

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02842, Kip R. Waga, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Waga. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Waga admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board’s 2003 Regulations, and agrees a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2014-02842, Kip R. Waga, Sr.**

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-00194, Charlene T. Wales**, the Board reviewed the Consent Order as seen and agreed to by Ms. Wales. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Ms. Wales admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board’s 2003 Regulations, a violation of §54.1-2135.A.1 (Count 2) of the *Code of Virginia*, a violation of §54.1-2135.A.1 (Count 3) of the *Code of Virginia*, and agrees to a \$500.00 monetary penalty for the violation of Count 1, \$100.00 monetary penalty for the violation of Count 2, and \$100.00 monetary penalty for the violation of Count 3, and \$150.00 in Board costs, for a total of \$850.00. In addition, for violation of Count 1, Wales agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing

**File Number 2014-00194, Charlene T. Wales**

education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

As the Board members who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-03749, David Rodney Wright, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wright. A motion was made by Mr. Hoover and seconded by Ms. Grimsley accept the proposed Consent Order offer wherein Mr. Wright admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board’s 1999 Regulations, and agrees a monetary penalty of \$400.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, for violation of Count 1, Wright agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. 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 Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2014-03749, David Rodney Wright, Jr.**

In the matter of **File Number 2014-02291, Emmett Edward Jefferson, III**, the Board reviewed the Consent Order as seen and agreed to by Mr. Jefferson. A motion was made by Ms. Grimsley and seconded by Ms. Noonan accept the proposed Consent Order offer wherein Mr. Jefferson admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board’s 1999 Regulations, and agrees a monetary penalty of \$650.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$800.00. In addition, for violation of Count 1, Jefferson agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards

**File Number 2014-02291, Emmett Edward Jefferson, III**

any continuing education requirements, if applicable, for renewal of license. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2014-02590, Virginia Real Estate Transaction Recovery Act Claim of Darrell Brown and Daysi Bendana (Claimants) and Michael Labelle (Regulant)**, the Board reviewed the record, which consisted of the claim review file and the Recovery Act claim form and review, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Noonan and seconded by Ms. Boysko to adopt the recommendation to approve payment in the amount of \$20,000.00. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2014-02590, Virginia Real Estate Transaction Recovery Act Claim of Darrell Brown and Daysi Bendana (Claimants) and Michael Labelle (Regulant)**

In the matter of **File Number 2015-00317, Virginia Real Estate Transaction Recovery Act Claim of Mark Rosendahl (Claimant) and Jeffrey S. Pyatt (Regulant)**, the Board reviewed the record, which consisted of the claim review file and the Recovery Act claim form and review, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to adopt the recommendation to approve payment in the amount of \$2,735.00. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**File Number 2015-00317, Virginia Real Estate Transaction Recovery Act Claim of Mark Rosendahl (Claimant) and Jeffrey S. Pyatt (Regulant)**

The Board reviewed the report from the January 21, 2015, Real Estate Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to approve the Education Committee meeting minutes. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

**Education**

The Board recessed from 10:40 A.M. to 10:52 A.M.

**Break**

Michael Lafayette, Attorney for VAR, addressed the Board concerning 18VAC135-20-180.B.1.a., requesting clarification

**Old Business**

of five business days to make an Escrow deposit. The Board discussed the interpretation of the regulation. The Board will revisit the matter at the next Real Estate Board meeting.

Jay DeBoer gave the Board an update on House Bill 1719. No action was taken by the Board.

**New Business**

There being no further business, the Board adjourned at 11:20 A.M.

**Adjourn**

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Joseph Funkhouser, II, Chair

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Jay DeBoer, Secretary

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