

REAL ESTATE BOARD
MINUTES OF MEETING

March 19, 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
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
Christine Martine, Executive Director
Bonnie Rhea Adams, Director of Complaint Analysis & Resolution
Doug Schroder, Adjudication Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Dominica McGowen, Fair Housing Investigator
Joe Haughwout, Assistant Director of Adjudication
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 9:05 A.M.

Call to Order

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

Agenda

A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to adopt the following minutes: January 22, 2015, Real Board Meeting. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 **Gary Hatfield v. MacDoc Property Management, LLC and Constance Antonio, REB File Number 2015-01373**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Supplemental Final Investigative Report. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **Rene Wright v. Crestline Realty Corporation, Laurel Court Apartments and Cherene Cimbalist, REB File Number 2015-01375**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

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 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. James Harpold, attorney for the complainant, was present and addressed the Board.

At 9:21 A.M., Mr. Hoover offered a motion which was seconded by Ms. Grimsley, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal

Minutes

Public Comment

Fair Housing Administrator's Report

Gary Hatfield v. MacDoc Property Management, LLC and Constance Antonio, REB File Number 2015-01373

Rene Wright v. Crestline Realty Corporation, Laurel Court Apartments and Cherene Cimbalist, REB File Number 2015-01375

Carolyn King v. CRP of Bainbridge Crystal Square, LLC, Bainbridge Mid-Atlantic LLC, and Vanessa Gomez, REB File Number 2013-02663

Closed Session

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: Jay DeBoer, Jim Flaherty, Liz Hayes, Dominica McGowen and Tom Payne.

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

-6. File Number 2013-02663 – Carolyn King v. CRP of Bainbridge Crystal Square LLC, Bainbridge Mid-Atlantic, LLC and Vanessa Gomez

At 9:37 A.M., a motion was made by Ms. Grimsley and seconded by Mr. Hoover that the Board reconvene in open 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: 9-0

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

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: None.

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**, a motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause the respondents discriminated against the complainant by refusing to rent by refusing to make a reasonable accommodation and by imposing discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Carolyn King v. CRP of Bainbridge Crystal Square, LLC, Bainbridge Mid-Atlantic LLC, and Vanessa Gomez, REB File Number 2013-02663

A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause that Vanessa Gomez, respondent, engaged in any discriminatory conduct in her individual capacity. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

A motion was made by Ms. Ferebee and seconded the Ms. Grimsley to find reasonable cause the respondents, CRP of Bainbridge Crystal Square, LLC and Bainbridge Mid-Atlantic, LLC, interfered with the complainants fair housing rights because the complainant exercised her fair housing rights based upon disability. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-01830, Traci Ann Mixson**, 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 Ms. Mixson’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01830, Traci Ann Mixson

In the matter of **File Number 2015-01831, Jason Todd Gillentine**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal

File Number 2015-01831, Jason Todd Gillentine

Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Jason Todd Gillentine, 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 Mr. Gillentine's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-01836, Katherine A. Martell**, 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Martell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01836, Katherine A. Martell

In the matter of **File Number 2015-01835, Lauren A. Bouchez**, 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. Bouchez's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01835, Lauren A. Bouchez

In the matter of **File Number 2015-01833, John Chester Bowden, IV**, 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.

File Number 2015-01833, John Chester Bowden, IV

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

In the matter of **File Number 2015-00538, Colin Chaz Tomlinson**, 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. Colin Chaz Tomlinson, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley 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. Tomlinson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-00538, Colin Chaz Tomlinson

In the matter of **File Number 2015-01659, Ashley Pennington**, 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. Ashley Pennington, 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 Ms. Pennington's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01659, Ashley Pennington

In the matter of **File Number 2015-01732, Kirk Adair**, 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. Kirk Adair, applicant,

File Number 2015-01732, Kirk Adair

was present and addressed the Board. A motion was made by Ms. Grimsley 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. Adair's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-01565, Amanda Wolfe**, 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. Amanda Wolfe, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee 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. Wolfe's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01565, Amanda Wolfe

In the matter of **File Number 2015-01564, Sybil Barrett-Alderman**, 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 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. Barrett-Alderman's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-01564, Sybil Barrett-Alderman

In the matter of **File Number 2015-01491, Chanda Williams**, 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. Grimsley and seconded by Ms.

File Number 2015-01491, Chanda Williams

Noonan to deny Ms. Williams' application based upon the record. After review of the testimony and documentation presented by Williams, the Board is of the opinion that Williams 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, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

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

In the matter of **File Number 2014-01957, Kevin David Jones**, 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 of the presiding Board member. A motion was made by Ms. Grimsley and seconded to Mr. Odems to accept a violation of 18 VAC 135-20-260.10 (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, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,000.00 for the violation contained in Count 1, and \$600.00 for the violation contained in Count 2, for a total of \$1,600.00. The Board also imposes the following sanctions: In addition, for the violation of Count 1, Jones shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management. Such course(s) shall be completed in a classroom. Further, Jones shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, for violation of Count 2, Jones shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in a classroom.

File Number 2014-01957, Kevin David Jones

Further, Jones shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

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

In the matter of **File Number 2013-02805, Kimberly Marie Slatter**, 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 of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept a violation of 18 VAC 135-20-185.C.3 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 4) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,400.00 for the violation contained in Count 1, \$1,650.00 for the violation contained in Count 2, \$2,000.00 for the violation contained in Count 3, and \$500.00 for the violation contained in Count 4, for a total of \$5,550.00. The Board also imposes the following sanctions: In addition, for the violations of Count 1, 2, and 3, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2013-02805, Kimberly Marie Slatter

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

In the matter of **File Number 2014-01633, Paulos W. Delkaso**, 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 2014-01633, Paulos W. Delkaso

Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Grimsley and seconded to Ms. Noonan to accept two violations of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-185.C.3 (Count 2) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-240 (Count 3) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-180.C.2 (Count 4) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Ms. Grimsley and seconded by Ms. Noonan 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, \$1,400.00 for the violation contained in Count 2, \$2,500.00 for the violation contained in Count 3, and \$1,150.00 for the violation contained in Count 4, for a total of \$7,550.00. The Board also imposes the following sanctions: In addition, for the violations of Count 1, 2, 3, and 4, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

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

In the matter of **File Number 2014-00804, Debra Kaye Beagley**, 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 of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Mr. Elias to accept a violation of 18 VAC 135-20-270.3 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: For the violation of Count 1, Beagley shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates and three (3) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision. Such course(s) shall be completed in a classroom. Further,

File Number 2014-00804, Debra Kaye Beagley

Beagley shall provide evidence acceptable to the Board that she has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

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

In the matter of **File Number 2014-00643, Christine Jordan Douglas**, the Board reviewed the Consent Order as seen and agreed to by Ms. Douglas. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Ms. Douglas admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, and agrees to 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. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-00643, Christine Jordan Douglas

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

In the matter of **File Number 2014-02222, Jehat Mehmetoglu**, the Board reviewed the Consent Order as seen and agreed to by Mr. Mehmetoglu. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Mr. Mehmetoglu admits to a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$1,650.00 for the violation of Count 1, and \$1,650.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$3,450.00. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-02222, Jehat Mehmetoglu

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

In the matter of **File Number 2015-00416, Kim Eileen LeBlanc**, the Board reviewed the Consent Order as seen and agreed to by Ms. LeBlanc. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. LeBlanc admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-170.A.1 (Count 2) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, and \$600.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, for violation of Count 1, LeBlanc agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and 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, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-00416, Kim Eileen LeBlanc

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

In the matter of **File Number 2015-00470, Beverly Ann Herdman**, the Board reviewed the Consent Order as seen and agreed to by Ms. Herdman. A motion was made by Mr. Hoover and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Herdman admits to two violations of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to 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, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-00470, Beverly Ann Herdman

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

In the matter of **File Number 2015-00429, Louis B. Brill t/a**

File Number 2015-

Lou Brill, the Board reviewed the Consent Order as seen and agreed to by Mr. Brill. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Brill admits to a violation of 18 VAC 135-20-260.10 (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, Brill agrees to revocation of his broker's license, with the simultaneous issuance of a salesperson's license, effective on the date of execution of the order by the Board. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

00429, Louis B. Brill
t/a Lou Brill

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

In the matter of **File Number 2014-01937, Coretta L. McKinney**, 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 of the presiding Board member. A motion was made by Ms. Grimsley and seconded to Ms. Noonan to accept a violation of 18 VAC 135-20-180.C.2 (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-185.C.2 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley and Noonan. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$850.00 for the violation contained in Count 1, and \$1,000.00 for the violation contained in Count 2, for a total of \$1,850.00. In addition, for violation of Count 1, McKinney shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management. Such course(s) shall be completed in a classroom. Further, McKinney shall provide evidence acceptable to the Board that McKinney has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, for violation of Count 2, McKinney shall be placed on probation and required to

File Number 2014-
01937, Coretta L.
McKinney

complete four (4) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision. Such course(s) shall be completed in a classroom. Further, McKinney shall provide evidence acceptable to the Board that McKinney has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, for violation of Counts 1 and 2, McKinney shall be placed on probation for two (2) years. While on probation, respondent will provide quarterly reports to the Board that she is in compliance with the regulations of the Board. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover and Noonan.

As the presiding Board member and Board member who review the file, Ms. Ferebee and Mr. Odems did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00729, Mason Clark McLeod, t/a Mason McLeod**, the Board reviewed the Consent Order as seen and agreed to by Mr. McLeod. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. McLeod admits a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations and agrees to \$1,000.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Count 1, McLeod shall be placed on probation and required to complete at least six (6) 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, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley and Odems.

File Number 2015-00729, Mason Clark McLeod, t/a Mason McLeod

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

Due to a possible conflict of interest, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-03731, Jose Arnulfo Aparicio Paz**, the Board reviewed the Consent Order as seen and agreed to by Mr. Aparicio Paz. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Aparicio Paz admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 1999 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 3) of the Board's 2003 Regulations and agrees to \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, and \$750.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,900.00. In addition, for violation of Count 1, Aparicio Paz 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. Further, for violation of Count 2, Aparicio Paz agrees to complete four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and for violation of Count 3, Aparicio Paz agrees to complete an additional four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts, for a total of at least eight (8) classroom hours, and agrees to 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2014-03731, Jose Arnulfo Aparicio Paz

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 2014-02354, Melvyn A. Williams**, 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 2014-02354, Melvyn A. Williams

Fact-Finding Conference of the presiding Board member. A letter was presented to the Board from Joseph A. Cerroni, attorney for the respondent, requesting a continuance. A motion was made by Mr. Elias and seconded by Ms. Ferebee to grant the continuance. The motion failed. Member voting "Yes" was Ferebee. Members voting "No" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover and Odems.

A motion was made by Ms. Ferebee and seconded to Mr. Odems to accept a violation of §54.1-2135.A.1 (Count 1) of the *Code of Virginia*, a violation §54.1-2132.A.4 (Count 2) of the *Code of Virginia*, and a violation of 18 VAC 135-20-160.B (Count 3) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley and Odems. 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 to impose a monetary penalty of \$1,200.00 for the violation contained in Count 1, \$1,000.00 for the violation contained in Count 2, and \$250.00 for the violation contained in Count 3, for a total of \$2,450.00. In addition, for violation of Counts 1 and 2, the Board imposes license revocation. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 2013-02532, Linda Ann Baldwin**, 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 of the presiding Board member. Linda Baldwin, respondent, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-170.A.3 (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 135-20-180.B.1.a (Count 2) of the Board's 2008 Regulations, a violation of 18 VAC 135-20-260.10 (Count 3) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.10 (Count 4) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems. A motion was made by Ms. Noonan and seconded by

File Number 2013-02532, Linda Baldwin

Mr. Odems 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, \$500.00 for the violation contained in Count 2, \$2,500.00 for the violation contained in Count 3, and \$2,500.00 for the violation contained in Count 4, for a total of \$6,000.00. The Board also imposes the following sanctions: In addition, for the violations of Counts 3 and 4, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

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

In the matter of **File Number 2014-02838, James E. Dolan, Sr., t/a Jim Dolan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Dolan. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Mr. Dolan admits to a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, and agrees to \$2,500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$2,650.00. In addition, for violation of Count 1, Dolan agrees to the voluntary surrender of his license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

File Number 2014-02838, James E. Dolan, Sr., t/a Jim Dolan

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 2015-01454, Alex Caparas Asercion, t/a Alex Asercion**, the Board reviewed the Consent Order as seen and agreed to by Mr. Asercion. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Asercion admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-300.7 (Count 2) of the Board's 2008 Regulations and agrees a monetary penalty of \$300.00 for the violation of Count 1, and \$350.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$800.00. In addition, for violation of Count 1, Asercion agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to

File Number 2015-01454, Alex Caparas Asercion, t/a Alex Asercion

Escrow Management, and for violation of Count 2, Asercion agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. Asercion shall 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 2014-02830, Todd Freeman Pleasants**, 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 of the presiding Board member. A motion was made by Mr. Odems and seconded by Mr. Elias to accept a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-300.7 (Count 2) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Mr. Odems and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$350.00 for the violation contained in Count 1, and \$300.00 for the violation contained in Count 2, for a total of \$650.00. In addition, for violation of Count 1, Pleasants shall be placed on probation and required to complete two (2) classroom hours of Board-approved continuing education pertaining to Escrow Management. Such course(s) shall be completed in a classroom. Further, Pleasants shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, for violation of Count 2, Pleasants shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing

File Number 2014-02830, Todd Freeman Pleasants

education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Pleasants shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 2014-03370, Debra Lynn Merklinger, t/a Debbie Merklinger**, 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 of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty. The motion passed by majority vote. Members voting "Yes" were Boysko, Do, Ferebee, Funkhouser, Hoover, Noonan and Odems. Member voting "No" was Elias.

File Number 2014-03370, Debra Lynn Merklinger, t/a Debbie Merklinger

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

In the matter of **File Number 2014-02588, Gregory Bennett**, 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 of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept 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. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. A

File Number 2014-02588, Gregory Bennett

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 to impose no monetary penalty. The Board also imposes the following sanctions: In addition, for the violations of Counts 1 and 2, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 2013-03474, Kwan Si Chung**, 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 of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-280.2 (Count 2) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,250.00 for the violation contained in Count 1, \$1,000.00 for the violation contained in Count 2, and \$1,000.00 for the violation contained in Count 3, for a total of \$3,250.00. The Board also imposes the following sanctions: In addition, for the violations of Counts 1, 2 and 3, license revocation is imposed. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Noonan and Odems.

File Number 2013-03474, Kwan Si Chung

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

In the matter of **File Number 2015-01027, Michael J. Bogese, Jr.**, 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. Michael J.

File Number 2015-01027, Michael J. Bogese, Jr.

Bogese, Jr., applicant and Stephen D. Rosenthal, attorney for the applicant, were present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Elias to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny the application. The motion passed by majority vote. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover and Odems. Member voting "No" was Noonan. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to waive the education and experience requirement and approve the real estate broker's license subject to Mr. Bogese passing the real estate broker's examination. The motion passed unanimously. Members voting "Yes" were Boysko, Do, 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 2015-00058, Leah Michele Howard, t/a Michele Howard**, the Board reviewed the Consent Order as seen and agreed to by Ms. Howard. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Howard 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 \$2,000.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$2,150.00. In addition, for violation of Count 1, Howard agrees to complete at least six (6) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Noonan.

File Number 2015-00058, Leah Michele Howard, t/a Michele Howard

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

In the matter of **File Number 2014-03022, Dooil Shin**, the Board reviewed the Consent Order as seen and agreed to by Mr.

File Number 2014-03022, Dooil Shin

Shin. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Shin admits to a violation of 18 VAC 135-20-260.1 (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. In addition, for violation of Count 1, Shin agrees to revocation of his license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00985, Charlotte Ann Ferrigno, t/a Charlotte Ferrigno**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ferrigno. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Ferrigno admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2008 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, Ferrigno 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-00985, Charlotte Ann Ferrigno, t/a Charlotte Ferrigno

In the matter of **File Number 2015-01066, Jerry M. Bartlett**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bartlett. Mr. Bartlett, respondent, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Bartlett admits to a violation of 18 VAC 135-20-180.C.5 (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$900.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,050.00. In addition, for the violation of Count 1, the Board shall waive \$500.00 of the \$900.00 monetary penalty. Further, for the violation of Count 1, Bartlett agrees to complete at least

File Number 2015-01066, Jerry M. Bartlett

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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2015-00684, Robert J. Graham, t/a Bob Graham**, the Board reviewed the Consent Order as seen and agreed to by Mr. Graham. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Graham 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 \$250.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$400.00. In addition, for violation of Count 1, Graham 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-00684, Robert J. Graham, t/a Bob Graham

In the matter of **File Number 2015-00334, Henry Clay Birkhead, IV**, the Board reviewed the Consent Order as seen and agreed to by Mr. Birkhead. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Birkhead 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 \$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, Birkhead 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

File Number 2015-00334, Henry Clay Birkhead, IV

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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2014-03023, Su Kyong Lee**, the Board reviewed the Consent Order as seen and agreed to by Ms. Lee. Su Kyong Lee, respondent, was present and addressed the Board. Ms. Lee stated she no longer agreed to the Consent Order. The case was remanded for an Informal Fact-Finding Conference.

File Number 2014-03023, Su Kyong Lee

In the matter of **File Number 2014-03214, Susan L. Grimes**, the Board reviewed the Consent Order as seen and agreed to by Ms. Grimes. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Grimes admits to a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 3) and agrees a monetary penalty of \$1,100.00 for the violation contained in Count 1, \$250.00 for the violation contained in Count 2, and \$250.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,750.00. In addition, for violation of Counts 1, 2 and 3, Grimes agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-03214, Susan L. Grimes

In the matter of **File Number 2014-03515, Jessica Lynn Labrie, t/a Jessica Labrie**, the Board reviewed the Consent Order as seen and agreed to by Ms. Labrie. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Labrie admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 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, Labrie agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and

File Number 2014-03515, Jessica Lynn Labrie, t/a Jessica Labrie

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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **File Number 2014-03621, Mary Elizabeth Horton, t/a Mary Beth Horton**, the Board reviewed the Consent Order as seen and agreed to by Ms. Horton. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Horton admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to 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, Horton 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-03621, Mary Elizabeth Horton, t/a Mary Beth Horton

In the matter of **File Number 2015-00795, Chae Soo Kim, t/a Charlie Kim**, the Board reviewed the Consent Order as seen and agreed to by Mr. Kim. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Kim admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to 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, Kim 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-

File Number 2015-00795, Chae Soo Kim, t/a Charlie Kim

referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

The Board considered the request of Thomas E. Reed, IV, Co-Executor of the Estate of Thomas E. Reed, III, deceased, to appoint Thomas E. Reed, IV, son of Mr. Reed to carry on the business of his father for 180 days in order to close out the real estate business of Thomas E. Reed in accordance with §54.1-2109 of the *Code of Virginia*. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to allow Thomas E. Reed, IV, to close out the real estate business of Thomas E. Reed in accordance with §54.1-2109 of the *Code of Virginia*. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Death of Broker

A motion was made by Mr. Hoover and seconded by Ms. Grimsley to allow a Common Interest Community (CIC) Board member to be designated as the presiding officer at Informal Fact-Finding Conferences regarding CIC cases that come before the Real Estate Board. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Administrative Issues

The Board reviewed the report from the March 18, 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, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Education

A motion was made by Mr. Hoover and seconded by Ms. Ferebee to reconsider Agenda Item No. 30. – Melvyn A. Williams. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the violations of Counts 1-3 but amend the Code section in Count 1 of the Summary of the Informal Fact-Finding Conference to reflect §54.1-2131.A.1 (Count 1) of the *Code of Virginia*, as stated in the Report of Findings. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee,

Old Business

Funkhouser, Hoover, Grimsley, and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Odems to amend the Code section in Count 2 of the Summary of the Informal Fact-Finding Conference to reflect §54.1-2131.A.4 (Count 2) of the *Code of Virginia*, as stated in the Report of Findings. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, and Odems.

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

There being no further business, the Board adjourned at 10:49 A.M.

Adjourn

Joseph Funkhouser, II, Chair

Jay DeBoer, Secretary