

Minutes of Meeting

**VIRGINIA REAL ESTATE BOARD
INFORMAL FACT-FINDING CONFERENCES
MAY 28, 2003 (9:00 a.m.)**

The Virginia Real Estate Board convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

R. Schaefer Oglesby, Board Member, Presided and Herman Key, Jr., Board Member, Assisted. No other Board members were present.

Jennifer Kazzie and Ilona LaPaglia appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD and the Summaries or Consent Orders are attached unless no decision was made.

Disc - Disciplinary Case
Lic - Licensing Application

C - Complainant/Claimant
A - Applicant
R - Respondent/Regulant
PB - Principal Broker
I - Investigator
W - Witness
AT - Attorney

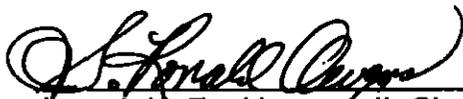
Participants

- | | |
|---|---|
| 1. Malcolm Mead Norris
File Number 2003-02739 (Lic) | Norris – A |
| 2. Matthew Vaughan Rathbun
File Number 2003-02738 (Lic) | Rathbun – A |
| 3. Christopher Greenway Perry, II
File Number 2003-02710 (Lic) | Perry, II – A
Galbraith - PB |
| 4. D.A. Harris
File Number 2002-01881 (R.F.) | Harris – R
Mr. & Mrs. Kunkel – C
Hawkins - AT |
| 5. Stacy Vera Gibbs
File Number 2003-02909 (Lic) | Gibbs – A |

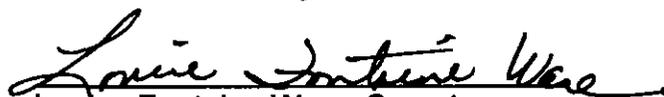
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|-----|---|---|
| 6. | Carmen Pineiro
File No. 2002-01712 (Discp) | Pineiro – R
Allen - C
Michalski – PB
Khan – W
Wright -I |
| 7. | Glenn David Carstater
File Number 2003-02789 (Lic) | Carstater – A |
| 8. | Roger B. Priore
File Number 2003-02788 (Lic) | Priore – A
Louisa Priore - W |
| 9. | Iqbal A. Butt
File Number 2003-02994 (Lic) | Butt – A |
| 10. | Bruce Hull Crump, Jr.
File Number 2003-02866 (Lic) | Crump – A
Johnson – W
Thornburg – PB |
| 11. | Amilcar E. Flores
File Number 2003-02867 (Lic) | Flores – A |
| 12. | Michelle Ann Ogurek
File Number 2003-02897 (Lic) | Ogurek – A |
| 13. | Wanda Garris Miller
File Number 2003-02993 (Lic) | Miller – A
Fath – PB |

The meeting adjourned at 5:00 p.m.

Virginia Real Estate Board



Joseph K. Funkhouser II, Chairman



Louise Fontaine Ware, Secretary

COPY TEST:

Custodian of Records

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: MALCOLM M. NORRIS
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02739

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Malcolm M. Norris on April 16, 2003. The following individuals participated at the conference: Malcolm M. Norris, Applicant; Ilona LaPaglia; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Malcolm M. Norris applied for a real estate salesperson license by examination on January 22, 2003, and disclosed a criminal conviction on his application.
2. On February 21, 2002, in the Hanover County Juvenile and Domestic Relations District Court, Malcolm M. Norris (Norris) pleaded guilty to assault and batter Ruth A. Norris (who is a family/household member), in violation of Section 18.2-57.2 of the Code of Virginia, a misdemeanor. During the IFF, Norris testified that this matter involved his wife.
3. Norris completed 10 hours of "Anger Management Group" at the Rappahannock Area Community Service Board in April, 2002.

4. Norris held a real estate broker license in the state of Illinois from April, 1992 through January, 1998; a real estate broker license in the state of Tennessee from May, 1997 through December, 1998, and an "employing/associate/branch" real estate broker license, in the state of Colorado from July, 1982 through December, 1988.

5. The certification of licensure, from each of the states that Norris was licensed in, affirmed that no disciplinary actions were taken on any of his real estate licenses.

6. Mr. Norris testified, at the IFF, that there is no just reason for handling anger through physical violence and he regrets having done this.

Conclusion and Recommendation

We see no reason why Norris would not be a productive member of the Real Estate profession and based upon the information presented at the conference, we recommend Norris' application for a real estate salesperson license by examination be approved.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

REAL ESTATE BOARD

**RE: MATTHEW V. RATHBUN
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02738

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Malcolm M. Norris on April 16, 2003. The following individuals participated at the conference: Matthew V. Rathbun, Applicant; Jennifer Rathbun, a Witness (his wife); Ilona LaPaglia, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Matthew V. Rathbun (Rathbun) applied for a real estate salesperson's license by examination on April 9, 2003, and disclosed a criminal conviction on his application.
2. On March 19, 2001, in the Circuit Court of Spotsylvania County, Rathbun pleaded guilty to Criminal Solicitation, in violation of Section 18.2-29 of the Code of Virginia, a felony.
3. Rathbun was sentenced to a term of 12 months of incarceration, of which all were suspended, with the stipulation that Rathbun be of good behavior for a period of 5 years, have no contact, directly or indirectly with the juvenile involved and, that Rathbun be de-certified as a law enforcement officer within the Commonwealth of Virginia.
4. Rathbun was not placed on probation.
5. During the IFF, Rathbun testified that he was remorseful for his indiscretion. Jennifer Rathbun, his wife, also spoke in support of Rathbun and his decision to enter the real estate profession.

Conclusion and Recommendation

We feel that Rathbun would be an asset to the real estate profession and based upon the information presented at the conference, we recommend Rathbun's application for a real estate salesperson's license by examination be approved.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: CHRISTOPHER G. PERRY, II
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02710

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Christopher G. Perry, II on April 17, 2003. The following individuals participated at the conference: Christopher G. Perry, II, Applicant; Wilbert F. Galbraith, a Witness; Ilona LaPaglia, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Christopher G. Perry, II, (Perry) applied for a real estate salesperson's license by examination on April 2, 2003 and disclosed a criminal conviction on his application.
2. On April 18, 1996, in the Circuit Court of the County of Prince William, Perry was convicted of Possession with Intent to Dispense Marijuana, in violation of 18.2-248.1 of the Code of Virginia, a felony.
3. Perry was sentenced to a term of 5 years of incarceration, of which all were suspended, with the stipulation that Perry "keep the peace and be of uniform good behavior".
4. Perry successfully completed a four-year probationary period on April 4, 2001. Additionally, Perry successfully completed "Virginia Boot Camp" on April 4, 1997.
5. Perry testified that his parents are real estate licensees and that he looks forward to the opportunity of working with them as a real estate salesperson. In addition, Mr. Galbraith testified that, as a principal broker, he supports Perry's desire to become a real estate licensee.

Conclusion and Recommendation

We feel that Perry will be an asset to the real estate profession. Based upon the information presented at the conference, we recommend Perry's application for real estate salesperson's license by examination be approved.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
BOARD FOR REAL ESTATE

**IN RE: In the matter of the Virginia Real Estate Transaction Recovery Act
Claim of Larry D. Kunkel & Regina Kunkel (Claimants) and D. A.
Harris, d/b/a Tony Harris (Regulant)
LICENSE NUMBER: 02 05 076120**

FILE NUMBER: 2003-01881

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding sent by certified mail to Larry D. and Regina Kunkel, and D. A. Harris on April 17, 2003. The following individuals participated at the conference: Larry D. and Regina Kunkel, Claimants; George A. Hawkins, Attorney for Claimants; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, Presiding Board Member; Herman Key, Jr., Assisting Board Member. D. A. Harris, the Regulant, did not attend.

Background

On **April 12, 2002**, in the Circuit Court for the County of Fairfax, Larry D. Kunkel and Regina Kunkel (hereinafter Kunkels, Claimants, or Plaintiffs), individually and as Trustees, obtained a **Judgment Order** against D. Antony Harris, a/k/a Antony D. Harris, t/a Harris Management Group (hereinafter Harris, Regulant, or Defendant), **in the amount of \$14,781.10 comprising \$10,656.10 in monies wrongfully held by Defendant, \$4,125.00 in lost rental income and an additional amount of \$25,000.00 for punitive damages, and interest.**

The **claim** in the amount of **\$20,000.00** was received by the Department of Professional and Occupational Regulation on **January 13, 2003**.

Summation of Facts

1. **Code of Virginia § 54.1-2114(A)** requires the underlying judgment to be based on improper or dishonest conduct. As the basis of the award the Judgment Order recites in part:

"GOOD CAUSE HAVING BEEN SHOWN and the court so finds that Defendant, D. Antony Harris, also known as Antony D. Harris, trading as Harris Management Group, breached his fiduciary duty of Plaintiffs, as a regulant of the Virginia real estate board, such conduct being improper and dishonest as defined in Va. Code § 54.1-2112, by failing to return all monies owed them and held by Defendant, despite demand, and that such acts constitute wanton conduct justifying an award of punitive damages to punish Defendant" and that the " . . . judgment is awarded to Plaintiffs in the compensatory amount of \$14,781.10, comprising \$10,656.10, in monies wrongfully held by Defendant and \$4,125.00, in lost rental income due to Defendant's breach of his obligations as Plaintiffs' fiduciary." The court also awarded an additional amount as punitive damages.

2. **Code of Virginia § 54.1-2114(A)** also requires the real estate transaction to involve the regulant acting in the capacity of a salesperson or broker and not in the capacity of a principal or on his own account.

D. A. Harris, d/b/a Tony Harris, was issued a salesperson license number 0205076120 with an expiration date of **January 31, 2002**. The initial certification date was **September 11, 1980**. The Motion for Judgment states in part: "Defendant agreed to represent the Plaintiffs as agent and/or rental property manager for Plaintiffs for the Subject Properties. Defendant's Agreement began approximately in 1981 and lasted until May 1, 2001. The material purpose of the Agreement was for Defendant to manage the Subject Properties and other properties owned by the Plaintiffs."

3. **Code of Virginia § 54.1-2114(A)(1)** provides that whenever any action is instituted against a regulant of the Board, a copy of the process is to be served upon the Board.

The Real Estate Board was served with a copy of the process on **April 4, 2002**.

4. **Code of Virginia § 54.1-2114(A)(2)** states a copy of any pleading or document filed subsequent to the initial service of process in the action against a regulant shall be provided to the Board.

The Board did receive pleadings and documents.

5. **Code of Virginia § 54.1-2114(A)(3)** requires a verified claim to be filed no later than twelve months after the judgment becomes final.

The judgment order was entered on **April 12, 2002**. This claim was received on **January 13, 2003**.

6. **Code of Virginia § 54.1-2114(A)(4)** prohibits recovery when the claimant is a regulant, personal representative of the regulant, the spouse or child of the regulant, the personal representative of such spouse or child, a lending or financial institution, or anyone in the property development business.

On Question #7 of the Claim Form, the claimant was asked: Are you the personal representative of a regulant (real estate salesperson/broker), spouse or child of the regulant, or the personal representative of such spouse or child? Do you hold, or have you ever held a Virginia Real Estate license? Do you operate as a financial or lending institution? Does your business involve the construction or development of real property? In response to the above questions, the claimant answered "No".

7. **Code of Virginia §§ 54.1-2114(A)(5), (6) and (7)** requires the claimant to perform an investigation of the assets of the regulant which shall include the conducting of debtor's interrogatories and an investigation of any listings with commissions thereby due.

Debtor Interrogatories were conducted. No assets were revealed.

8. **Code of Virginia § 54.1-2114(A)(8)** requires that if the judgment debtor has filed bankruptcy, the claimant shall file with the proper bankruptcy court a complaint under 11 U.S.C. § 523 (a) and obtain an order determining dischargeability of debt.

On Question #5 of the Claim Form, the claimant was asked: To your knowledge, has the regulant (real estate salesperson/broker) filed for bankruptcy? Have you filed a complaint in the bankruptcy court to determine the dischargeability of this debt? In response to the above questions, the claimant answered "No".

Conclusion and Recommendation

The Judgment Order recites "the court so finds that Defendant, D. Antony Harris, also known as Antony D. Harris, trading as Harris Management Group, breached his fiduciary duty to Plaintiffs as a Regulant of the Virginia Real Estate Board, such conduct being improper and dishonest conduct as defined in Va. Code § 54.1-2112, by failing to return all monies owed them and held by Defendant, despite demand".

Based upon information presented at the Recovery Fund IFF, it is recommended that the claim be approved for payment in the maximum amount of \$20,000.00, noting an unsatisfied judgment for \$14,781.10, court costs for \$136.00, and attorney's fees for \$9,064.48.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Recovery Fund**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: STACY V. GIBBS
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02909

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Stacy V. Gibbs on April 30, 2003. The following individuals participated at the conference: Stacy V. Gibbs,

Applicant; Ilona LaPaglia, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Stacy V. Gibbs (Gibbs) applied for a real estate salesperson's license by examination on April 21, 2003, and disclosed a criminal conviction on her application.
2. On January 15, 1998, in the Supreme Court of the state of New York, County of Queens, Gibbs was convicted of Criminal Possession of Marijuana – 3rd Degree, a felony.
3. Gibbs was sentenced to 5 years of probation. Gibbs returned to Virginia immediately upon completion of sentencing, and was supervised in Virginia her entire length of probation. Gibbs received "Early Release" from probation on August 1, 2001, "due to her flawless adjustment" to supervised probation.
4. Gibb's regrets her actions and how she disappointed her family and looks forward to a new beginning in her life as a real estate licensee.

Conclusion and Recommendation

It was obvious to us that Gibb's is remorseful for her actions. We believe that she will use this opportunity to turn her life around and will be an asset to the real estate profession. Based upon the information presented at the conference, we recommend Gibbs' application for a real estate salesperson's license by examination be approved.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

SUMMARY OF INFORMAL FACT-FINDING CONFERENCE

TO: Real Estate Board

FROM: Schaefer Oglesby, Presiding Board Member

DATE: May 28, 2003 - Reconvened

**RE: Summary of Informal Fact-Finding Conference
Reconvened on May 28, 2003
Carmen Pineiro
File Number 2002-01712**

BACKGROUND

The Notice of Informal Fact-Finding Conference (IFF) was sent by certified mail to Carmen Pineiro ("Ms. Pineiro") on October 15, 2002. Notification of reconvening the IFF, on May 28, 2003, was mailed on April 16, 2003. The following individuals participated at the initial IFF conference on February 5, 2003: Ms. Pineiro, the Respondent; Tariq Khan and David Michalski, Witnesses. The following individuals participated at the reconvened IFF: Ms. Pineiro, the Respondent, Bridget Allen, the Complainant; Tariq Khan, and David Michalski, Witnesses; Jennifer Kazzie, a Staff Member; Carolyn D. Wright, the Investigator and R. Schaefer Oglesby, the presiding Board Member.

FACTS

Carmen A. Pineiro was at all times material to these matters a licensed salesperson (License No. 0225 027101, expiration 1-31-05).

COUNT I

On or about March 25, 2001, Bridget Allen (Allen), as purchaser, entered into a contract with Aida Torrijos, as seller, to purchase property located at 2500 North Van Dom Street; #621, Alexandria, Virginia, through Fairfax Realty, Inc, as dual agency, by Carmen Pineiro, (Pineiro) as agent. The contract shows Fairfax Realty, Inc. as the Listing Company who represents the seller and Fairfax Realty, Inc., as the Selling Company, but fails to show who the Selling Company represents.

Allen signed an undated Disclosure of the Use of Designated Representatives (Disclosure) which shows that Pineiro and Tariq Khan are the Sales Associates involved in the subject transaction. The copy of the Disclosure that Allen has and the one that David P. Michalski, Principal Broker, provided from his files fails to show whom Pineiro

and Khan represented. On February 7, 2002, Pineiro told Investigator Carolyn D. Wright, the Board's agent, that she wrote the subject contract, including the Disclosure.

During the reconvened IFF on May 28, 2003, Pineiro stated that she provided Allen the original Disclosure form, which contains signatures of both Allen and the seller with the second box marked for seller. During the reconvened IFF on May 28, 2003, Allen stated that she was not provided the Disclosure form with both signatures. Michalski, the Principal Broker, testified during the IFF that the firm's transaction file contained the Disclosure form with only Allen's signature.

RECOMMENDATION

It is recommended that Pineiro's failure to disclose to Allen whom she, Khan, and Fairfax Realty, Inc, represented in the subject transaction, was in violation of the Board's 1999 Regulations 18 VAC 135-20-220(A)(1) and 18 VAC 135-20-220(A)(3).

It is further recommended that a **monetary penalty of \$200.00** be imposed for violation of the regulation.

LICENSING INFORMATION

Carmen A. Pineiro was at all times material to these matters a licensed Sales Person (License No. 0225 027101, expiration 1-31-05).

FINAL ORDER RECOMMENDATION

THE TOTAL MONETARY PENALTY RECOMMENDED HEREIN SHALL BE PAID WITHIN SIXTY (60) DAYS FROM THE DATE OF ENTRY OF THE FINAL ORDER IN THIS MATTER. FAILURE TO PAY THE TOTAL MONETARY PENALTY ASSESSED WITHIN SIXTY (60) DAYS OF THE DATE OF ENTRY OF SAID FINAL ORDER WILL RESULT IN THE AUTOMATIC SUSPENSION OF YOUR LICENSE (LICENSE NO. 0225 027101) UNTIL SUCH TIME AS SAID AMOUNT IS PAID IN FULL.

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

REAL ESTATE BOARD

**RE: GLENN D. CARSTATER
APPLICATION FOR SOLE PROPRIETOR LICENSE**

FILE NUMBER: 2003-02789

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Glenn D. Carstater on April 17, 2003. The following individuals participated at the conference: Glenn D. Carstater, Applicant; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Glenn D. Carstater (Carstater) applied for a sole proprietor license on February 10, 2003 and did not meet the experience verification requirements on his application.
2. Carstater did not provide independent verification of experience, showing that he was actively engaged as a real estate salesperson and/or broker for 36 of the 48 months, preceding his application for licensure.
3. Carstater was licensed, in California, as a real estate salesperson on July 20, 1989 (CA salesperson's license expired on July 19, 1993) and licensed as a broker on March 8, 1994, of which was renewed on March 8, 1998 and March 8, 2002 (CA broker's license expires on March 7, 2006) and is currently inactive.
4. Carstater is currently licensed as a real estate salesperson in Virginia and his license is "inactive".

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Carstater's application for a sole proprietor license be denied. During the IFF, Carstater testified that he understood that he did not have the required experience for licensure as a sole proprietor.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: ROGER B. PRIORE
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02788

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Roger B. Priore on April 17, 2003. The following individuals participated at the conference: Roger B. Priore, Applicant and Louisa Priore, his wife; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Roger B. Priore (Priore) applied for a real estate salesperson's license by examination on February 25, 2003, and disclosed a criminal conviction on his application.

2. On November 23, 1983, in the State of Michigan Circuit Court for the County of Ingham, Priore was found guilty of Attempted Criminal Sexual Conduct in violation of MCLA 750.520d (1) (a) and MSA 28.788 (4) (1) (a), a felony.

3. Priore was placed on probation for a period of two years, fined \$300.00 and required to continue psychological therapy as approved by his Probation Agent.

4. Priore stated, during the IFF, that he was mentally unstable during the time that the offense occurred. Priore testified that he has completed extensive counseling and testing and has maintained a healthy balance in his life. He is an ordained minister and associate pastor who is very active in his church. Priore is happily married and raising a 13 year old daughter. Louisa Priore, his wife, testified that she trusts him fully and that he is mentally rehabilitated.

Conclusion and Recommendation

Based upon the information presented at the conference, concerning the 1983 conviction, we recommend Priore's application for a real estate salesperson's license by examination be approved.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: IQBAL A. BUTT
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02994

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Iqbal A. Butt on May 13, 2003. The following individuals participated at the conference: Iqbal A. Butt, Applicant; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Iqbal A. Butt (Butt) applied for a real estate salesperson's license by examination on March 31, 2003, and disclosed a criminal conviction on his application.
2. On April 21, 1995, in the United States District Court for the Eastern District of Virginia, Butt was convicted of Conspiracy to commit credit card fraud, in violation of 18 U.S.C. § 1029(b)(2), a felony.
3. Butt was sentenced to imprisonment for a term of fifteen months in the custody of the United States Bureau of Prisons and required to be on supervised probation for a period of two years, following release from prison. During the IFF, Butt testified that he only was required to serve 8 months of his sentence and pay a \$1,000.00 fine.
4. Butt testified that he received money from his stepbrother to help support their parents. His step brother, who lived in England at the time, was part of a group who were involved in illegal charges to credit cards and the Federal investigators linked the stepbrother's payment to Butt's bank account in the United States. Hence, Butt was convicted of credit card fraud.

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Butt's application for a real estate salesperson's license by examination be approved. Prior to and since this conviction, Butt has had a clean record.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

REAL ESTATE BOARD

**RE: BRUCE H. CRUMP
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02866

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Bruce H. Crump on April 25,

2003. The following individuals participated at the conference: Bruce M. Crump, Applicant; Mike Johnson and William M. Thornburg, Jr., Witnesses; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Bruce H. Crump, Jr. (Crump) applied for a real estate salesperson's license by examination on April 10, 2003, and disclosed a criminal conviction on his application.
2. On October 9, 1998, in the Chesapeake Circuit Court, Bruce H. Crump, Jr. was convicted of embezzlement, a felony.
3. Crump was sentenced to serve three years in the Virginia State Penitentiary, with the sentence suspended conditioned upon indeterminate supervised probation and payment of restitution and court costs, in the amount of \$2,392.38, which was paid early.
4. On April 10, 2001, the Chesapeake Circuit Court approved a request to release Crump from supervised probation, but remain on unsupervised probation until October 9, 2001. Crump was released 6 months early
5. Mr. Thornburg, with Interactive Real Estate, his prospective broker, has known Crump for three years and looks forward to him joining his firm.

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Crump's application for real estate salesperson license by examination be approved, with the stipulation that Crump, as well as his broker, be required to report to the Board quarterly for a period of 2 years.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
REAL ESTATE BOARD**

**RE: AMILCAR E. FLORES
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02867

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Amilcar E. Flores on April 25, 2003. The following individuals participated at the conference: Amilcar E. Flores, Applicant; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Amilcar E. Flores (Flores) applied for a real estate salesperson's license by examination on April 14, 2003, and disclosed a criminal conviction on his application.
2. On July 5, 1990, in the Circuit Court of Fairfax County, Flores was convicted of Indecent Exposure, a misdemeanor.
3. Flores was sentenced to 365 days in jail, of which 362 were suspended, required to pay court cost and placed on supervised probation for a period of 12 months.

4. Flores stated that he regretted his actions and clearly, from the record, it was his only offense. Flores has maintained sobriety since the incident occurred and has been a model citizen.

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Flores' application for real estate salesperson license by examination be approved. We feel that Flores will be an asset to the real estate profession.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

REAL ESTATE BOARD

**RE: MICHELLE A. OGUREK
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02897

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Michelle A. Ogurek on May 7, 2003. The following individuals participated at the conference: Michelle A. Ogurek, Applicant; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Michelle A. Ogurek (Ogurek)) applied for a real estate salesperson's license by examination on March 27, 2003, and disclosed a criminal conviction on her application.
2. On March 29, 1988, in the New Jersey Supreme Court, Gloucester County Law Division-Criminal, Ogurek was convicted of Theft by deception in violation of NJS2C:20-4, a misdemeanor.
3. Ogurek was placed on supervised probation for a period of 3 years, required to pay restitution in the amount of \$1,500.00, payable within the first 2 years of probation and complete 30 hours of community service in the "Working-for-Work" program.
4. Ogurek testified, during the IFF, that at the time the theft occurred she was living in a very difficult situation, with an abusive boyfriend and a dysfunctional family, which contributed to her actions.

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Ogurek's application for real estate salesperson license by examination be approved. Ogurek has a stable family life and supportive husband and has kept a clean record since the conviction, which occurred 15 years ago. We believe she will be an asset to the real estate profession.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

REAL ESTATE BOARD

**RE: WANDA G. MILLER
APPLICATION FOR REAL ESTATE SALESPERSON'S
LICENSE BY EXAMINATION**

FILE NUMBER: 2003-02993

Summary of the Informal Fact-Finding Conference

An Informal Fact-Finding Conference (IFF) was convened on May 28, 2003, at the Department of Professional and Occupational Regulation, pursuant to a Notice of Informal Fact-Finding Conference sent by certified mail to Wanda G. Miler on May 13, 2003. The following individuals participated at the conference: Wanda G. Miller, Applicant; Victor T. Fath, her Prospective Broker; Jennifer Kazzie, Staff Member; R. Schaefer Oglesby, presiding Board Member and Herman Key, Jr., assisting Board Member.

Summation of Facts

1. Wanda G. Miller (Miller) applied for a real estate salesperson's license by examination on March 27, 2003, and disclosed a criminal conviction on her application.
2. On May 22, 1996, in the Winchester District Court, Miller was convicted of Shoplifting, in violation of § 18.2-103 of the Code of Virginia, a misdemeanor.

3. Miller was sentenced to 90 days in jail, of which all was suspended, placed on probation for a period of 12 months and required to pay a fine in the amount of \$250.00.

4. Miller testified, at the IFF, that she was going through a difficult time when the incident occurred and regrets her actions.

5. Mr. Fath, her prospective broker, testified that he has known Miller for a number of years and believes that she has learned from her mistake and will be an asset to the real estate profession.

Conclusion and Recommendation

Based upon the information presented at the conference, we recommend Miller's application for real estate salesperson license by examination be approved, with the stipulation that she, as well as her broker, be required to report to the Board quarterly for a period of one year.

By: _____

**R. Schaefer Oglesby
Presiding IFF Board Member
Real Estate Board**

Date: May 28, 2003

By: _____

**Herman Key, Jr.
Assisting IFF Board Member
Real Estate Board**

Date: May 28, 2003