

**REAL ESTATE BOARD**

**MINUTES OF MEETING**

**November 17, 2005**

The Real Estate Board met at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia The following Board members were present:

**R. Schaefer Oglesby, Chairman  
Nathaniel Brown  
Judith L. Childress  
Marjorie Clark  
Carol Clarke  
Florence Daniels  
Sharon Parker Johnson  
Miles Leon  
Byrl Taylor**

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

**Louise Fontaine Ware, Director  
Brian Hannigan, Chief Deputy Director  
Nick Christner, Deputy Director  
Karen O'Neal, Deputy Director of Licensing and Regulation  
Christine Martine, Executive Director  
Tammie Hall, Education Administrator  
Liz Hayes, Fair Housing Administrator  
Tom Perry, Property Registration Administrator  
Robert Whittaker, Program Conciliator  
Deanda Shelton, Fair Housing Investigator  
Yvette Barnes, Fair Housing Investigator  
Karen Taylor, Fair Housing Specialist  
Earlyne Perkins, Legal Assistant  
Chris Olson, Administrative Assistant**

**Tom Payne and Eric Gregory from the Office of the Attorney General were present**

**Chairman Oglesby called the meeting to order at 9 20 AM.**

**Call to Order**

**No one addressed the Board during the Public Comment period**

**Public Comment Period**

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

**Agenda**

A motion was made by Ms. Clark and seconded by Ms. Clarke to adopt the following minutes: September 15, 2005, Informal Fact-Finding Conference; September 21, 2005, Informal Fact-Finding Conference; September 21, 2005, Joint Real Estate/Fair Housing Education Committee Meeting; September 22, 2005, Real Estate Board Meeting; September 26, 2005, Informal Fact Finding Conference; September 29, 2005, Informal Fact-Finding Conference; October 4, 2005, Informal Fact-Finding Conference; October 6, 2005, Informal Fact-Finding Conference; October 11, 2005, Regulatory Review Committee Meeting; October 18, 2005, VREB Speaking Committee Meeting, and October 24, 2005, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Minutes**

The Board considered the matter of **Karina Solorzano v. Denise Buck and 1<sup>st</sup> Choice Inc., /ReMax Allegiance, REB File Number 2005-05033**. A motion was made by Ms. Clark and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Karina Solorzano v. Denise Buck and 1<sup>st</sup> Choice Inc., /ReMax Allegiance, REB File Number 2005-05033**

The Board considered the matter of **Benny and Jean Smith v. Parry & Abernathy Realty, Inc., and Shanna Overby, REB File Number 2005-04445**. A motion was made by Ms. Clark and seconded by Mr. Leon to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Benny and Jean Smith v. Parry & Abernathy Realty, Inc., and Shanna Overby, REB File Number 2005-04445**

The Board considered the matter of **Vickie and Joanne Lewis v. Overacre, Inc., t/a Re/Max 1<sup>st</sup> Olympic Realty, FHB File Number 2005-04766**. A motion was made by Ms. Clark and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, and Taylor. Mr. Oglesby recused himself from voting in this matter due to a business relationship with the respondent.

**Vickie and Joanne Lewis v. Overacre, Inc., t/a Re/Max 1<sup>st</sup> Olympic Realty, REB File Number 2005-04766**

The Board considered the matter of **Aaron and Theresa Smith v. William E. Wood & Associates Realtors and Brenda Johnson, REB File Number 2005-01969**. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Aaron and Theresa Smith v. William E. Wood & Associates Realtors and Brenda Johnson, REB File Number 2005-01969**

The Board considered the matter of **Alex Torres v. Judy Black and The Referral Group, Inc., REB File Number 2004-05186**. Alex Torres, the complainant, and Kenneth Mahieu, Attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Taylor to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Alex Torres v. Judy Black and The Referral Group, Inc., REB File Number 2004-05186**

The Board considered the matter of **Sharmonique Bright v. Community Housing Partners, t/a CHPC Realty, Betty Via and Vicki Ranson, REB File Number 2005-04261**. A motion was made by Ms. Clark and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Sharmonique Bright v. Community Housing Partners, t/a CHPC Realty, Betty Via and Vicki Ranson, REB File Number 2005-04261**

The Board considered the matter of **Cecelia Fair v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04146**. A motion was made by Ms. Clarke and seconded by Ms. Childress to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Cecelia Fair v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04146**

The Board considered the matter of **Brenda Holmes v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04147**. A motion was made by Ms. Clarke and seconded by Ms. Childress to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Brenda Holmes v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04147**

The Board considered the matter of **Kendall Freeman v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04148**. A motion was made by Ms. Clark and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Kendall Freeman v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04148**

The Board considered the matter of **Anna Oliver v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04149**. A motion was made by Ms. Daniels and seconded by Ms. Taylor to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Anna Oliver v. Michael McQuaid and Larrymore Organization, Inc., REB File Number 2005-04149**

The Board considered the matter of **Lucinda Pitt v. Premier Property Management & Sales Ltd., REB File Number 2005-04006**. A motion was made by Ms. Clark and seconded by Ms. Daniels to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Lucinda Pitt v. Premier Property Management & Sales Ltd., REB File Number 2005-04006**

The Board considered the matter of **Linda Williams v. Michelle Gillenwater, Adventure Real Estate, Inc., REB File Number 2005-04726**. A motion was made by Ms. Daniels and seconded by Ms. Clarke to approve the terms of the conciliation agreement. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Conciliation Agreements**

A motion was made by Ms. Clark and seconded by Ms. Daniels to approve the Fair Housing minutes of September 22, 2005. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Fair Housing Minutes**

Mr. Oglesby transferred the position of Chair to Ms. Daniels and recused himself from the meeting.

**Transfer of Chair**

In the matter of **File Number 2006-00661 Barbara Chaffin**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summaries of the Informal Fact-Finding Conferences of the presiding Board Member. Ms. Chaffin, the applicant, and Lem Marshall, attorney for the applicant, were present and addressed the Board. A motion was made by Ms. Taylor and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Ms. Chaffin's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, and Taylor.

**File Number 2006-00661 Barbara Chaffin**

As the presiding Board member in this matter, Mr. Oglesby did not participate in the discussions or votes related to this matter. As a

consultant in the matter, Mr. Leon did not participate in the discussion or votes related to this matter

In the matter of **2006-01112 Lorena Rios**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Ms. Rios, the applicant, and John Gibney, attorney for the applicant, were present and addressed the Board. A motion was made by Ms. Clark to remand the case back for another Informal Fact Finding Conference. The motion failed due to a lack of a second. A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Rios's application for a real estate broker's license due to Ms. Rios's failure to demonstrate and provide documentation that she has been actively engaged as a real estate salesperson and/or broker for 36 or the 48 months preceding her application for licensure. Members voting "Yes" were Brown, Childress, Clark, Clarke, Johnson, Leon, and Taylor. Ms. Daniels recused herself from voting in this matter.

**File Number 2006-01112**  
**Lorena Rios**

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

Mr. Oglesby returned to the meeting and resumed as Chair.

**Transfer of Chair**

In the matter of **File Number 2006-00660 William Gray**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Gray, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Gray's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00660**  
**William Gray**

In the matter of **File Number 2006-00659 Donald Anderson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Anderson, the applicant, was

**File Number 2006-00659**  
**Donald Anderson**

present and addressed the Board. A motion was made by Ms. Daniels and seconded by Mr. Leon 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 Anderson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-00356 Daniel Sprouse**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr Sprouse, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204 B of the Code of Virginia, approve Mr. Sprouse's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00356**  
**Daniel Sprouse**

In the matter of **File Number 2006-00715 Mary Ellen McLean**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. McLean, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. McLean's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00715**  
**Mary Ellen McLean**

In the matter of **File Number 2006-00776 Munica Allmond**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms Allmond, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of

**File Number 2006-00776**  
**Munica Allmond**

Virginia, approve Ms. Allmond's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-00719 Gary Johnson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Johnson, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Johnson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00719**  
**Gary Johnson**

In the matter of **File Number 2006-00777 Akhtar Baig**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Baig, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Baig's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, and Oglesby. Member voting "No" was Taylor.

**File Number 2006-00777**  
**Akhtar Baig**

In the matter of **File Number 2006-00778 William Amaya**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Amaya, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Amaya's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson,

**File Number 2006-00778**  
**William Amaya**

Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-00780 Christopher Venable**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr Venable, the applicant, was present and addressed the Board. A motion was made by Ms. Childress and seconded by Ms Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Venable's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00780**  
**Christopher Venable**

In the matter of **File Number 2006-00828 Zia Islam**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Islam, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Islam's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00828**  
**Zia Islam**

In the matter of **File Number 2006-00829 Suzanne Sykes**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms Sykes, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54 1-204 B of the Code of Virginia, approve Ms. Sykes's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00829**  
**Suzanne Sykes**

In the matter of **File Number 2006-01114 Samuel Zimmer**, the Board reviewed the record which consisted of the application file, transcript

**File Number 2006-01114**  
**Samuel Zimmer**

and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Zimmer, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Zimmer's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-01283 Cody Howard**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Howard, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference as amended to include an agreement for licensure that will require quarterly reporting by Mr. Howard for two years from the date of issuance of his license and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Howard's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Childress, Clarke, Daniels, Johnson, and Leon. Members voting "No" were Brown, Clark, Oglesby, and Taylor.

**File Number 2006-01283**  
**Cody Howard**

In the matter of **File Number 2006-01282 Marilyn Butler**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Butler, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Butler's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-01282**  
**Marilyn Butler**

In the matter of **File Number 2006-01284 Syed Hashmi**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Hashmi, the applicant, was

**File Number 2006-01284**  
**Syed Hashmi**

present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54 1-204 B of the Code of Virginia, approve Mr. Hashmi's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

In the matter of **File Number 2006-00960 Cynthia James**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. James, the applicant, was present and addressed the Board. A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, deny Ms. James' application for a real estate salesperson's license due to the seriousness and the nature of Ms James' actions and the recentness of the convictions and the need to protect the public. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Oglesby, and Taylor. Member voting "No" was Leon.

**File Number 2006-00960**  
**Cynthia James**

In the matter of **File Number 2006-00962 Lloyd Jones**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer Mr. Jones, the applicant, was present and addressed the Board. A motion was made by Ms Taylor and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, deny Mr. Jones' application for a real estate salesperson's license due to the seriousness, recentness and the nature of Mr Jones' conviction and the need to protect the public. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Oglesby, and Taylor. Member voting "No" was Leon.

**File Number 2006-00962**  
**Lloyd Jones**

In the matter of **File Number 2006-00963 Marco Torres**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Torres, the applicant, was

**File Number 2006-00963**  
**Marco Torres**

present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54 1-204.B of the Code of Virginia, approve Mr. Torres' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

In the matter of **File Number 2006-00654 Kristy Wharton**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Wharton, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54 1-204 B of the Code of Virginia, approve Ms. Wharton's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00654**  
**Kristy Wharton**

In the matter of **File Number 2006-00721 Maceshia Greene**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Greene, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Greene's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00721**  
**Maceshia Greene**

In the matter of **File Number 2005-01929 Sean Bates**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and close the case with a finding of no violation of 18 VAC 135-20-260.10 of the Board's 2003 Regulations. The motion passed unanimously.

**File Number 2005-01929**  
**Sean Bates**

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

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

In the matter of **File Number 2006-00694 Paul Gill**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Mr Gill. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the Consent Order wherein Mr. Gill admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2003 Regulations and agrees to take a two (2) hour remedial education course involving escrow rules and regulations within six (6) months of the effective date of the Order. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor

**File Number 2006-00694**  
**Paul Gill**

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

In the matter of **File Number 2005-03489 Nina B. Campbell**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Ms. Campbell. A motion was made by Ms. Daniels and seconded by Ms Clark to accept the Consent Order wherein Ms. Campbell admits to a violation of § 54 1-2132.A.4 of the Code of Virginia and agrees to a monetary penalty of \$100 for the violation. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

**File Number 2005-03489**  
**Nina B. Campbell**

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

In the matter of **File Number 2006-00071 Annie L. Campbell**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Ms. Campbell. A motion was made by Ms Daniels and seconded by Ms Taylor to accept the Consent Order wherein Ms. Campbell admits to a violation 18 VAC 135-20-260.5 (Count 1) and 18 VAC 135-20-260.6 (Count 2) of the Board's 2004 Regulations and agrees to the revocation of her license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

**File Number 2006-00071**  
**Annie L. Campbell**

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

The Board recessed from 10:38 AM to 10.53 AM.

**Break**

In the matter of **File Number 2005-03696 Janet Shiflett**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Ms Shiflett A motion was made by Ms. Clark and seconded by Ms. Johnson to accept the Consent Order wherein Ms. Shiflett admits to a violation § 54.1-2132.A.4 of the Code of Virginia and agrees to a monetary penalty of \$400 for the violation and agrees to reimburse the Board \$150 in Board costs for a total of \$550. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Johnson, Leon, Oglesby, and Taylor.

**File Number 2005-03696**  
**Janet Shiflett**

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

In the matter of **File Number 2006-00276 Carrie Ann Johnson**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Ms. Johnson A motion was made by Ms. Johnson and seconded by Ms. Clark to accept the Consent Order wherein Ms. Johson admits to a violation 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to place her license on inactive status from the date of her incarceration until her release from imprisonment. In addition, upon reactivation of her license, Ms. Johnson agrees to enter into an Agreement for Licensure which requires that she report to the Board monthly and her principal broker report to the Board quarterly for a period of two years. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Johnson, Leon, Oglesby, and Taylor.

**File Number 2006-00276**  
**Carrie Ann Johnson**

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

In the matter of **File Number 2005-02544 Anna Maria Elliott**, the Board reviewed the record which consisted of the Consent Order as seen and agreed to by Ms Elliott. A motion was made by Ms. Johnson and seconded by Ms. Clark to accept the Consent Order wherein Ms Elliott admits to a violation 18 VAC 135-20-260.1 of the Board's 2003 Regulations and agrees to a monetary penalty of \$250 for the violation

**File Number 2005-02544**  
**Anna Maria Elliott**

and agrees to reimburse the Board \$150 in Board costs for a total of \$400. The motion passed unanimously Members voting "Yes" were Brown, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

As the Board member who reviewed the file, Ms. Childress did not participate in the discussion or votes related to this matter  
Mr. Oglesby transferred the position of Chair to Ms. Daniels and recused himself from the meeting.

**Transfer of Chair**

In the matter of **File Number 2006-01285 Rhetta Lovins**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member A motion was made by Ms. Johnson and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Ms. Lovins' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, and Taylor.

**File Number 2006-01285**  
**Rhetta Lovins**

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

In the matter of **File Number 2006-00876 Brent Campbell**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Campbell's application for a real estate broker's license due to his failure to demonstrate the experience required by the Board's Regulations. If Mr. Campbell remains continuously and actively engaged until such time as he meets the Board's experience requirement, the examination requirement will be waived. The motion passed unanimously Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, and Taylor.

**File Number 2006-00876**  
**Brent Campbell**

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

Mr. Oglesby returned to the meeting and resumed as Chair.

In the matter of **File Number 2006-00877 Kelly Behrens**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Taylor and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Behrens' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-00961 Christopher McCabe**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. McCabe's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

The Board discussed **File Number 2002-03747 Jamie Lancaster & File Number 2002-03753 Christina Lancaster**. A motion was made by Ms. Johnson and seconded by Ms. Daniels to remand the cases back to a formal hearing in accordance with the Final Order entered on July 9, 2004 by the Virginia Beach Circuit Court. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Tom Perry, Property Registration Administrator, updated the Board on the final version of the 2005 CIC Management Study Report. A motion was made by Ms. Clarke and seconded by Ms. Johnson to approve the report as presented. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to approve an RFP for use of the Common Interest Community

### Transfer of Chair

File Number 2006-00877  
Kelly Behrens

File Number 2006-00961  
Christopher McCabe

File Number 2002-03747  
Jamie Lancaster & File  
Number 2002-03753  
Christina Lancaster

### Administrative Issues

Management Funds for 2006. The motion passed unanimously Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

The Board discussed a letter received from the Virginia Association of Realtors concerning the posting of post-license courses on the Board website. The Board agreed without dissent to have staff draft a statement to be placed on the license look-up section of the website stating that the post-license courses will not be shown until the licensee has taken a mandatory class in the chosen track. The Board also agreed without dissent to have an article placed in the next edition of the REB Bulletin that discusses how to meet the post-license education requirements.

Ms. Johnson read the Education Committee Report. A motion was made by Ms Clarke and seconded by Ms Clark to accept the November 16, 2005, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

**Education Committee Report**

Ms Martine updated the Board the status of the West Virginia reciprocity agreement. No action was taken by the Board.

**Old Business**

Ms Clarke gave a report on the VREB Speaking Committee Meeting. No action was taken by the Board.

Ms. Martine discussed the 2006 ARELLO Conference dates. The Board agreed without dissent to place this item on the next Board meeting agenda

**New Business**

Chairman Oglesby gave a report on the ARELLO Conference that was held in Toronto September 28-October 2, 2005. No action was taken by the Board.

A motion was made by Ms Clarke and seconded by Ms. Johnson to accept the proposed 2006 Real Estate Board meeting dates. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

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

**Break**

Karen O'Neal, Deputy Director of Licensing and Regulation, gave training on the Regulatory Review process.

**Board Member Training**

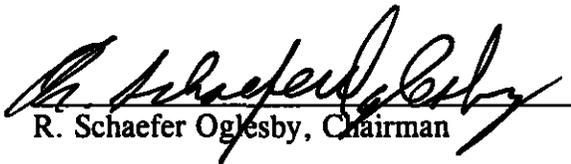
A motion was made by Ms. Clark and seconded by Mr. Brown to elect Mr. Oglesby as Chairman of the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

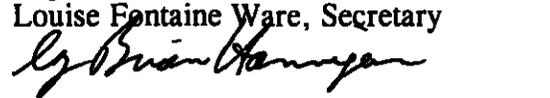
**Election of Officers**

A motion was made by Mr. Leon and seconded by Mr. Brown to elect Ms Daniels as the Vice Chairman of the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clarke and seconded by Mr. Leon to adjourn the meeting at 1:00 PM The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Johnson, Leon and Oglesby

**Adjourn**

  
R. Schaefer Oglesby, Chairman

  
Louise Fontaine Ware, Secretary  


Copy Tests:

\_\_\_\_\_  
Custodian of the Record

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name        R. Schaefer Oglesby
2. Title:      Chairman – Virginia Real Estate Board
3. Agency:    Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:  
  
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_
- (b)  I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated:        November 17, 2005

Signature: 

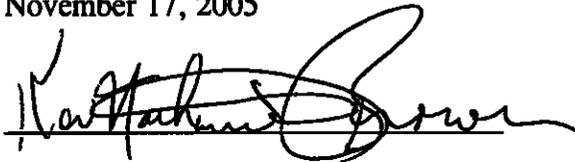
**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Nathaniel Brown
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:  
  
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_
- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 17, 2005

Signature:



The signature is a cursive handwritten name, "Nathaniel Brown", written over a horizontal line.

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Marjorie Clark
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: None

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6. I declare that.
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: None

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

Dated: November 17, 2005

Signature: Marjorie M. Clark

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Sharon Parker Johnson
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction. \_\_\_\_\_  
\_\_\_\_\_

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

Dated. November 17, 2005

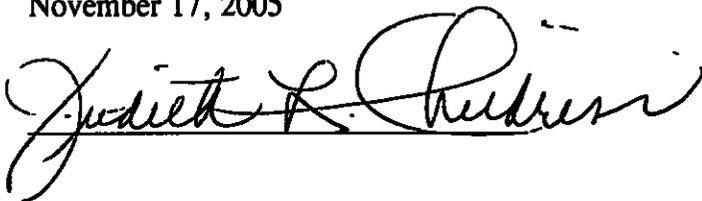
Signature. 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Judith L. Childress
2. Title: Member- Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 17, 2005

Signature: 

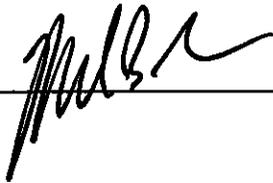
**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Miles B. Leon
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 17, 2005

Signature: \_\_\_\_\_



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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Byrl Phillips Taylor
2. Title: Member- Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction. \_\_\_\_\_  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 17, 2005

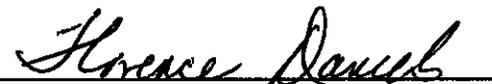
Signature. 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Florence Daniels
2. Title: Vice Chairman - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_  
\_\_\_\_\_
6. I declare that.
  - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: \_\_\_\_\_  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated November 17, 2005

Signature: 

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

**TRANSACTIONAL DISCLOSURE STATEMENT**

1. Name: Carol F. Clarke
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction. \_\_\_\_\_  
\_\_\_\_\_
6. I declare that:  
  
(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction. \_\_\_\_\_  
\_\_\_\_\_  
  
(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: November 17, 2005

Signature: Carol Clarke