

REAL ESTATE BOARD
MINUTES OF MEETING

May 11, 2006

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 (arrived at 9:30 AM)
Judith L. Childress
Marjorie Clark
Carol Clarke
Florence Daniels
Miles Leon
Byrl Taylor

Board Member Sharon Johnson was not present.

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

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director
Christine Martine, Executive Director
Tammie Hall, Education Administrator
Liz Hayes, Fair Housing Administrator
Tom Perry, Property Registration Administrator
Cynthia Schrier, Community Association Liaison
Earlyne Perkins, Legal Analyst
Ilona LaPaglia, Legal Analyst
Michelle Gowen, Administrative Assistant
Chris Olson, Administrative Assistant

Tom Payne from the Office of the Attorney General was present.

Chairman Oglesby called the meeting to order at 9:10 AM.

Call to Order

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

Public Comment Period

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

Agenda

A motion was made by Ms. Clark and seconded by Ms. Clarke to adopt the following minutes: March 9, 2006, Informal Fact-Finding Conference; March 16, 2006, Informal Fact-Finding Conference; March 22, 2006, Informal Fact-Finding Conference; March 22, 2006, Education Committee Meeting; March 22, 2006, Regulatory Review Committee Meeting; March 23, 2006, Real Estate Board Meeting; March 23, 2006, Informal Fact-Finding Conference; March 31, 2006, Informal Fact-Finding Conference; April 6, 2006, Informal Fact-Finding Conference; April 13, 2006, Informal Fact-Finding Conference; April 20, 2006, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

The Board considered the matter of **Frank E. Hogan v. Craig Johnson and Mary J. Serrano, REB File Number 2005-04689**. Robert Zelnick, attorney for respondents, was present and addressed the Board. 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 Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

The Board considered the matter of **Veronica Evans-Garces and Anthony Garces v. Kimberly Trempe d/b/a Kim Trempe, Landmark Property Services, Inc., and Commonwealth Realty Development, REB File Number 2006-03135**. 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 Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

The Board considered the matter of **Jeretha Gardner v. Mike Gray and The Mayhood Company, REB File Number 2005-03209**. A motion was made by Ms. Clarke and seconded by Ms. Clark to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

Minutes

Frank E. Hogan v. Craig Johnson and Mary J. Serrano, REB File Number 2005-04689

Veronica Evans-Garces and Anthony Garces v. Kimberly Trempe d/b/a Kim Trempe, Landmark Property Services, Inc., and Commonwealth Realty Development, REB File Number 2006-03135

Jeretha Gardner v. Mike Gray and The Mayhood Company, REB File Number 2005-03209

The Board considered the matter of **Donald, Hannah and Jennifer McCoy v. Great Atlantic Management LLC and Ruthe Russell, REB File Number 2005-04379**. 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 Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clarke and seconded by Ms. Daniels to approve the Fair Housing minutes of March 23, 2006. The motion passed unanimously. Members voting "Yes" were Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

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

In the matter of **File Number 2005-05037 Susan Williams**, 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. Christina Meier, attorney for the respondent, and Ms. Williams, respondent, were present and addressed the Board. A motion was made by Ms. Clark and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 of the Board's 2004 regulations. The motion failed. Members voting "Yes" were Childress, and Clark. Members voting "No" were Clarke, Leon, and Taylor.

Board Member Nathaniel Brown arrived at 9:30 AM.

A second motion was made by Mr. Leon and seconded by Ms. Clarke to reject the recommendation in the Summary of the Informal Fact-Finding Conference and find no violation of the Board's regulations. The motion failed. Members voting "Yes" were Clarke, Leon, and Taylor. Members voting "No" were Brown, Childress, and Clark.

A third motion was made by Ms. Clarke and seconded by Mr. Leon to reject the recommendation in the Summary of the Informal Fact-Finding Conference and find no violation of the Board's regulations. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Clarke, Leon, and Taylor. Member voting "No" was Clark.

Donald, Hannah and Jennifer McCoy v. Great Atlantic Management LLC and Ruthe Russell, REB File Number 2005-04379

Fair Housing Minutes

Transfer of Chair

File Number 2005-05037 Susan Williams

Arrival of Board Member

File Number 2005-05037 Susan Williams

As the Board member who reviewed the file, Mr. Oglesby did not participate in the discussions or votes related to this matter. As the presiding Board member at the Informal Fact-Finding Conference, Ms. Daniels did not participate in the discussions or votes for this matter.

Mr. Oglesby returned to the meeting and resumed the position of Chair.

In the matter of **File Number 2006-03466 Laurien Jeffers**, 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. Jeffers, 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 Ms. Jeffers application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-03746 Alexander Meerovich**, 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. Meerovich, 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 Mr. Meerovich's application for a real estate salesperson's license due to the recentness and nature of the conviction. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-03569 Carl Ragland**, 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. Ragland, the applicant, was present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Clark to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Ragland's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon,

Transfer of Chair

**File Number 2006-03466
Laurien Jeffers**

**File Number 2006-03746
Alexander Meerovich**

**File Number 2006-03569
Carl Ragland**

Oglesby, and Taylor.

In the matter of **File Number 2006-03525 Khoa Hoang**, 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. Hoang, 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. Hoang's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03525
Khoa Hoang

In the matter of **File Number 2006-03747 Anna Abbasi**, 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. Abbasi, 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 Ms. Abbasi's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03747
Anna Abbasi

In the matter of **File Number 2006-03748 Shawn Neu**, 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. Neu, 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. Neu's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03748
Shawn Neu

In the matter of **File Number 2006-03899 Allena Bilodeau**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding

File Number 2006-03899
Allena Bilodeau

Conference of the presiding officer. Ms. Bilodeau, the applicant, was present and addressed the Board. A motion was made by Ms. Clark 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. Bilodeau's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04020 Darius Hepler**, 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. Hepler, 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 as amended and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Hepler's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04020
Darius Hepler

In the matter of **File Number 2006-04218 Terrell Booker**, 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. Booker, 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. Booker's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04218
Terrell Booker

In the matter of **File Number 2006-04125 Denise Dimsey**, 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. Dimsey, 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

File Number 2006-04125
Denise Dimsey

consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Dimsey's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04080 Robert Beahr**, 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. Beahr, the applicant, was present and addressed the Board. A motion was made by Ms. Childress 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. Beahr's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04080
Robert Beahr

In the matter of **File Number 2006-03526 Robert Slingluff**, 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. Slingluff, 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. Slingluff's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03526
Robert Slingluff

In the matter of **File Number 2006-03852 Dustin Clark**, 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. Clark, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels 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. Clark's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03852
Dustin Clark

In the matter of **File Number 2006-03956 Nicole Otero**, 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. Otero, 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. Otero's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03956
Nicole Otero

The Board members took a break from 10:12 a.m. to 10:37 a.m.

Break

Mr. Oglesby turned the position of Chair over to Ms. Daniels and recused himself from the room.

Transfer of Chair

In the matter of **File Number 2006-02425 Robert Dawson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Dawson. A motion was made by Ms. Clarke and seconded by Ms. Clark to accept the Consent Order wherein Mr. Dawson admits to the following violations of the Board's 2004 regulations: 18 VAC 135-20-220.A.1 (Count 1) and 18 VAC 135-20-220.A.2 (Count 2). For these violations, Mr. Dawson agrees to monetary penalties of \$250.00 for each count and Board costs in the amount of \$150.00 for a total of \$650.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, and Taylor.

File Number 2006-02425
Robert Dawson

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

Mr. Oglesby returned to the meeting and resumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2006-01796 Aaron Campbell**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. 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, to deny Mr. Campbell's application for a real estate salesperson's license due to the seriousness and nature of the conviction. The motion passed unanimously.

File Number 2006-01796
Aaron Campbell

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

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

In the matter of **File Number 2006-03749 Vola Noah**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Ms. Clark and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Noah's request for an experience waiver as she does not have the transactional experience the Board requires and has not been actively engaged as a salesperson and/or broker for 36 of the last 48 months preceding application for licensure. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-03749
Vola Noah

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

In the matter of **File Number 2006-03763 Joy Alexander**, 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. Childress and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. Alexander's request for an experience waiver as she does not have the transactional experience the Board requires and has not been actively engaged as a salesperson and/or broker for 36 of the last 48 months preceding application for licensure. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-03763
Joy Alexander

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

In the matter of **File Number 2006-02797 Alan T. Thompson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Thompson. A motion was made by Ms. Clarke and seconded by Mr. Leon to accept the Consent Order wherein Mr. Thompson admits to a violation of 18 VAC 135-20-260.1 of the Board's 2004 regulations and Mr. Thompson agrees to a monetary penalty of \$250.00 and to pay Board costs in the amount of \$150.00 for a total of \$400.00. In addition, Mr. Thompson agrees to complete 2 hours of continuing education pertaining to Real Estate Law and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within 6 months of the effective date of the Order. Completion of the above referenced continuing education will not count towards any continuing education requirements for renewal of license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

File Number 2006-02797
Alan T. Thompson

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-00473 Tyrone Youmans**, 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. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

File Number 2006-00473
Tyrone Youmans

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 find a violation of 18 VAC 135-20-210.B (Count 2) of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

A motion was made by Ms. Clark and seconded by Mr. Leon to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

A motion was made by Mr. Leon and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00 and license revocation for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

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 impose a monetary penalty of \$2,500.00 and license revocation for the violation contained in Count 2. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

A motion was made by Ms. Clark and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00 and license revocation for the violation contained in Count 3. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

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

In the matter of **File Number 2005-04416 Elijah Wynn**, 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. Clark and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

File Number 2005-04416
Elijah Wynn

A motion was made by Mr. Leon and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-170.A.1 (Count 2) of the Board's 2004 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

A motion was made by Mr. Leon and seconded by Ms. Clarke to accept

the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,500.00 and license revocation for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

A motion was made by Ms. Clark and seconded by Ms. Clarke to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose a monetary penalty of \$500.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Leon, Oglesby and Taylor.

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

In the matter of **File Number 2006-01948 Wanda Faye Snead**, the Board reviewed the Consent Order as seen and agreed to by Ms. Snead. A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the Consent Order wherein Ms. Snead admits to a violation of 18 VAC 135-20-180.B.1.b of the Board's 2004 Regulations and agrees to a monetary penalty of \$500 for the violation and agrees to reimburse the Board \$150 in Board costs for a total of \$650. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-01948
Wanda Faye Snead

In the matter of **File Number 2006-03470 Michelle King**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Leon and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Ms. King's request for an experience waiver as she does not have the transactional experience the Board requires and has not been actively engaged as a salesperson and/or broker for 36 of the last 48 months preceding application for licensure. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Daniels, Johnson, Leon, and Oglesby.

File Number 2006-03470
Michelle King

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

In the matter of **File Number 2006-00513 Lawanda Cregger**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cregger. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the Consent Order wherein Ms. Cregger admits to a violation of 18 VAC 135-20-260.1 of the Board's 2004 Regulations and license revocation as well as Board costs in the amount of \$350. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-00513
Lawanda Cregger

In the matter of **File Number 2006-02685 George Ross, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Ross. A motion was made by Mr. Leon and seconded by Ms. Clark to accept the Consent Order wherein Mr. Ross admits to violations of 18 VAC 135-20-210.A (Count 1) and 18 VAC 20-180.B.1.a (Count 2) of the Board's 2004 Regulations. For these violations, Mr. Ross agrees to a monetary penalty of \$100.00 for the violation contained in Count 1 and \$500.00 for the violation contained in Count 2 as well as \$150.00 in Board costs for a total of \$750.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-02685
George Ross, Jr.

In the matter of **File Number 2006-03104 Richard Schoew**, the Board reviewed the Consent Order as seen and agreed to by Mr. Schoew. A motion was made by Ms. Clark and seconded by Ms. Daniels to accept the Consent Order wherein Mr. Schoew admits to violations of 18 VAC 135-20-220.A.3 (Count 1) and 18 VAC 135-20-210.A (Count 2) of the Board's 2004 Regulations. For these violations, Mr. Schoew agrees to a monetary penalty of \$300.00 for the violation contained in Count 1 and \$100.00 for the violation contained in Count 2 and \$150 in Board costs for a total of \$550. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03104
Richard Schoew

In the matter of **File Number 2006-03097 JoAnn Criss**, the Board reviewed the Consent Order as seen and agreed to by Ms. Criss. A motion was made by Ms. Childress and seconded by Ms. Clark to reject the Consent Order due to past violations by Ms. Criss. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03097
JoAnn Criss

A motion was made by Ms. Clarke and seconded by Ms. Childress to re-offer the Consent Order wherein Ms. Criss admits to the same violations of 18 VAC 135-20-290.2 (Count 1) and 18 VAC 135-20-

290.3 (Count 2) and agrees to sanctions of \$600.00 for each violation and Board costs in the amount of \$150.00 for a total of \$1,350.00. Ms. Clarke further moved that Ms. Criss agrees to be placed on probation for a period of two (2) years. If Ms. Criss does not accept the Consent Order within two (2) weeks, an Informal Fact-Finding Conference will be scheduled. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-03570 Christopher Matheny**, 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. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Matheny's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03570
Christopher Matheny

In the matter of **File Number 2006-02643 Regginald Redfern**, 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 Mr. Leon 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. Redfern's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-02643
Regginald Redfern

In the matter of **File Number 2006-03523 James Badger**, 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 Mr. Leon 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. Badger's application for a real estate salesperson's license in light of the pattern of Mr. Badger's offenses, not enough time has elapsed to sufficiently determine whether he has been successfully

File Number 2006-03523
James Badger

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

In the matter of **File Number 2006-03828 Wayne Lezama**, 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 Mr. Leon 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. Lezama's application for a real estate broker's license as Mr. Lezama has not been actively engaged as a salesperson and/or broker for 36 of the last 48 months preceding application for licensure and has only been involved in transactions to buy and sell his own properties. In addition, the Board agreed it would not be prudent to grant a license due to Mr. Lezama's prior violations of the Board's regulations and the severity and recentness of the disciplinary action. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03828
Wayne Lezama

In the matter of **File Number 2006-03829 Kulbir Ghuman**, 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. Ghuman's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03827
Kulbir Ghuman

In the matter of **File Number 2006-03900 Tony Mayfield**, 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 Mr. Leon 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. Mayfield's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-03900
Tony Mayfield

In the matter of **File Number 2006-04008**, 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. Childress 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 recentness and nature of the conviction for accepting bribes almost immediately upon taking office with the federal government and his criminal activity continuing for a period of eight years. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04008
Lloyd Jones

In the matter of **File Number 2006-04082 Brian Edwards**, 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 Mr. Leon 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. Edwards' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04082
Brian Edwards

Ms. Childress read the Education Committee Report. A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the May 10, 2006, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

Education Committee
Report

Ms. Clarke addressed the Board on the VREB Speaking Committee Meeting held on April 18, 2006. No action was taken by the Board.

VREB Speaking
Committee Meeting

Tom Perry, Property Registration Administrator, and Cynthia Schrier, Community Association Liaison, addressed the Board on contract awards for fiscal year 2007. A motion was made by Ms. Clark and seconded by Mr. Leon to approve the grants as negotiated and presented. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

Common Interest
Community
Management
Information Fund RFP

Mr. Perry provided the Board with a fee analysis spreadsheet prepared by the Department for the proposed Common Interest Community Management Information Fund Regulations . A motion was made by Ms. Clarke and seconded by Ms. Childress to adopt proposal B. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

**Fee Analysis for
CICMIF Regulations**

The Board members reviewed the legislative recommendations for 2007. A motion was made by Ms. Clarke and seconded by Ms. Daniels to include the proposed timeshare legislation in the agency's legislative package for 2007. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Clarke, Daniels, Leon, Oglesby, and Taylor.

Timeshare Act

Ms. Martine updated the Board on the status of the Notice of Intended Regulatory Action (NOIRA). No action was taken by the Board.

**NOIRA for Real Estate
Board**

Mr. Oglesby gave the Board a report on the ARELLO Meeting in Jacksonville.

Old Business

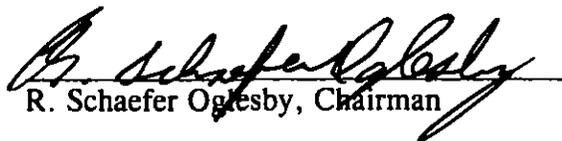
Ms. Martine noted that the next ARELLO meetings are July 20 to 22, 2006, in Oklahoma City, and September 24 to 27, 2006, in San Antonio.

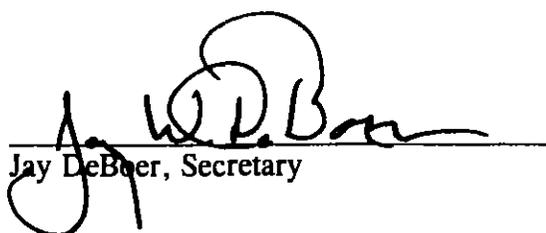
Ms. Martine updated the Board on the legislative wish list for the 2007 session of the General Assembly noting that the agency would seek to include a change in the Recovery Fund Act. No action was taken by the Board.

New Business

There being no further business, the Board adjourned at 12:15 PM.

Adjourn


R. Schaefer Oglesby, Chairman


Jay DeBoer, Secretary

**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: May 11, 2006

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT

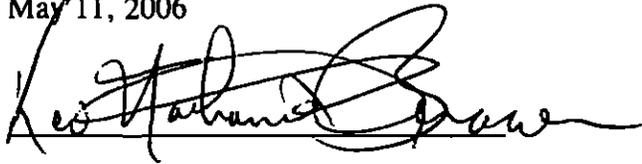
1. Name: Nathaniel Brown
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

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: May 11, 2006

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: May 11, 2006

Signature: 

**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

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

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

Dated: May 11, 2006

Signature: Marjorie M. Clark

**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: May 11, 2006

Signature: Carol Clarke

**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: May 11, 2006

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: May 11, 2006

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: May 11, 2006

Signature: 