

**REAL ESTATE BOARD
MINUTES OF MEETING**

August 6, 2007

The Real Estate Board held an emergency telephone conference meeting on August 6, 2007. The following Board members were present:

R. Schaefer Oglesby, Chairman (arrived at 10:14 a.m.)
Judith L. Childress
Marjorie Clark
Carol F. Clarke
Florence Daniels
Scott Gaeser
Miles Leon
Byrl Taylor

The following Board members were not present: Nathaniel Brown

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

Jay W. DeBoer, Director
Karen W. O'Neal, Deputy Director of Licensing and Regulation
Nick Christner, Deputy Director of Compliance and Investigation Division
Nathan Matthews, Investigator
Christine Martine, Executive Director
Michelle Gowen, Administrative Assistant

Eric Gregory from the Office of the Attorney General was present.

Ms. Taylor called the meeting to order at 10:03 a.m.

Call to Order

A determination of quorum was made by roll call. Board members verbally stating present were: Ms. Childress, Ms. Clark, Ms. Clarke, Ms. Daniels, Mr. Gaeser, Mr. Leon, and Ms. Taylor.

Roll Call

In the matter of File Number 2007-02675, Real Estate Board v. Koger Management Group, Inc., a motion was made by Ms. Clark and seconded by Ms. Daniels that the Real Estate Board meet on an emergency basis to discuss this matter with legal counsel. Members acknowledged hearing and understanding the certification of the meeting by stating "Aye." Roll call "ayes" were recorded as follows: Ms. Childress, Ms. Clark, Ms. Clarke, Ms. Daniels, Mr. Gaeser, Mr. Leon, and Ms. Taylor.

Certification of Meeting

At 10:12 a.m. Mr. Gaeser made a motion which was seconded by Ms.

Closed Session

Daniels, that the Board recess and immediately reconvene in **closed session** for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by § 2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Eric Gregory, Jay DeBoer, Christine Martine, Nick Christner, Nathan Matthews, Karen O'Neal, and Michelle Gowen.

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

- **File Number 2007-02675, Real Estate Board v. Koger Management Group, Inc.**

At 10:13 a.m., a motion was made by Ms. Clark and seconded by Ms. Daniels that the Board reconvene in open session.

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

Certification of Meeting

WHEREAS, § 2 2-3712 of the *Code of Virginia* requires a certification by this Real Estate Board that such closed session was conducted in conformity with Virginia law;

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

VOTE: 7-0

AYES: Childress, Clark, Clarke, Daniels, Gaeser, Leon, and Taylor

NAYS: None

ABSENT DURING THE VOTE: Oglesby

ABSENT DURING THE MEETING: Brown

Mr. Oglesby arrived at the meeting at 10:14 a.m.

Arrival of R.
Schaefer
Oglesby

At 10:15 a.m. Ms. Daniels made a motion which was seconded by Mr. Gaeser, that the Board recess and immediately reconvene in closed session for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by § 2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Eric Gregory, Jay DeBoer, Christine Martine, Nick Christner, Nathan Matthews, Karen O'Neal, and Michelle Gowen.

Closed Session

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

- **File Number 2007-02675, Real Estate Board v. Koger Management Group, Inc.**

At 10:31 a.m., a motion was made by Ms. Clarke and seconded by Ms. Clark that the Board reconvene in open session.

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

Certification

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

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

VOTE: 7-0

AYES: Childress, Clark, Clarke, Daniels, Gaeser, Leon, Oglesby, and Taylor

NAYS: None

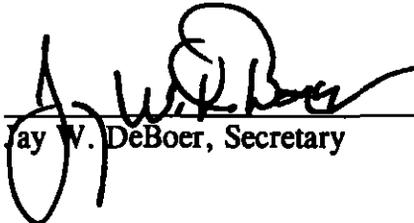
ABSENT DURING THE VOTE: None

ABSENT DURING THE MEETING: Brown

A motion was made by Ms. Clarke and seconded by Ms. Daniels that Adjourn
there being no further business, the meeting adjourn at 10:31 a.m.



R. Schaefer Oglesby, Chairman



Jay W. DeBoer, Secretary