### REAL ESTATE BOARD MINUTES OF MEETING

January 19, 2023

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Sharon Johnson, Chair Margaret Davis Cavelle Mollineaux Anna Thronson David Perry Nan Piland

Board members absent from the meeting: Ibrahim Moiz, Vice-Chair

Kemper Funkhouser

Catina Jones

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

Kishore Thota, Deputy Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Donnitria Mosby, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Emily Trent, Administrator Coordinator

Jim Flaherty, from the Office of the Attorney General was present.

Ms. Johnson called the meeting to Order at 10:06 A.M.

Call to Order

A motion was made by Ms. Davis and seconded by Mr. Perry to approve the agenda. The motion passed unanimously. Members voting "Yes" were: Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

**Agenda** 

A motion was made by Ms. Davis and seconded by Mr. Perry to adopt the November 17, 2022, Real Estate Fair Housing Sub-Committee Meeting minutes and the November 17, 2022, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Minutes

There was no public comment.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load and provided a Fair Housing litigation update. No action was taken by the Board.

In the matter of Jennifer Nicholson on behalf of minor child (H. N.) v. Olah's Landing Property Owner's Association, Inc. and United Property Associates, Inc., REB File 2022-01435, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Henry Moore, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by failing to permit a reasonable modification or by imposing discriminatory terms and conditions based upon complainant's son's disability. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of Corwin Jones and Bobbi Staton v. Steve Shifflett and Gloria Mykich, REB File 2021-01546, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by offering discriminatory terms and conditions; otherwise denied or make housing unavailable; make discriminatory statements or intimidated, harassed or coerced them due Jones' race. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of Anjani Moore v. Redfin Corporation and Shannon Parker, REB File 2022-02681, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Shannon Parker, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to find no reasonable cause the

**Public Comment** 

Fair Housing Reports
and Litigation
Update

Jennifer Nicholson
on behalf of minor
child (H. N.) v.
Olah's Landing
Property Owner's
Association, Inc. and
United Property
Associates, Inc., REB
File 2022-01435

Corwin Jones and Bobbi Staton v. Steve Shifflett and Gloria Mykich, REB File 2021-01546

Anjani Moore v. Redfin Corporation and Shannon Parker, REB File 2022-02681

respondents discriminated against the complainant by offering discriminatory terms and conditions or refusing to sell based upon race. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of Kraig and Crystal Logston v. JJRE, LLC, dba Advance Realty Specialists, 2206 Edwards LLC and Tina Marie Lebrun, REB File 2020-01584, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by otherwise making housing unavailable, discriminating in terms or conditions of a rental, making a discriminatory statement, refusing to provide a reasonable accommodation or refusing to make a reasonable modification based upon disability. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Kraig and Crystal Logston v. JJRE, LLC, dba Advance Realty Specialists, 2206 Edwards LLC and Tina Marie Lebrun, REB File 2020-01584

In the matter of Linda Johnson v. Buckroe Bungalow, LLC and Leland Real Estate, Inc., REB File 2023-00046, a motion was made by Ms. Davis and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Linda Johnson v.

Buckroe Bungalow,

LLC and Leland

Real Estate, Inc.,

REB File 2023-00046

In the matter of Krista and Chris Tremblay v. Jameson at Wood Quay, LLC; GREP Atlantic, LLC; and Margaret Zapata, REB File 2023-00434, a motion was made by Ms. Davis and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Krista and Chris
Tremblay v. Jameson
at Wood Quay, LLC;
GREP Atlantic,
LLC; and Margaret
Zapata, REB File
2023-00434

In the matter of Monique Fleming v. Allegiance Realty Partners, LLC, c/o Re/Max Allegiance and Robert C. and Anne R. McDonough, REB File 2021-02778, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Michael Miller, agent for respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to find no reasonable cause the respondents discriminated against the complainant by refusing to negotiate a rental and/or falsely denying housing availability based upon race. The motion

Monique Fleming v.
Allegiance Realty
Partners, LLC, c/o
Re/Max Allegiance
and Robert C. and
Anne R.
McDonough, REB
File 2021-02778

passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of John Phelps v. Richard and Tracy Hughes, Robert Duke Lawrence and Towne Realty LLC, dba Berkshire Hathaway HomeServices, REB File 2021-01993. the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Dr. John Phelps, complainant, was present and addressed the Board. Richard Hughes, respondent, JC Cancelleri, attorney for respondents, Robert Duke Lawrence, respondent and Barbara Wolcott, Towne Realty LLC's President, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions, refusing to sell or making discriminatory statements based on his status as a veteran or source of funds. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Perry, Piland and Thronson.

John Phelps v.
Richard and Tracy
Hughes, Robert
Duke Lawrence and
Towne Realty LLC,
dba Berkshire
Hathaway
HomeServices, REB
File 2021-01993

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

In the matter of **File Number 2022-02718**, **Robert L. Lowery**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Robert L. Lowery, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Lowery's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-02718, Robert L. Lowery

In the matter of File Number 2022-02719, Rachel Ellon Corey, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Rachel Ellon Corey, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF)

File Number 2022-02719, Rachel Ellon Corey

and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Corey's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00267**, **Steven Ray Kerns**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Steven Ray Kerns, applicant, was present. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Kerns' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00267, Steven Ray Kerns

In the matter of **File Number 2023-00518**, **Lynnette B. Johnson**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Lynnette B. Johnson, applicant, was present. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Johnson's application for a real estate salesperson's license subject to an agreement for licensure for a period of one year wherein Ms. Johnson and her supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00518, Lynnette B. Johnson

In the matter of File Number 2023-00630, Joseph R. Collins, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Joseph R. Collins, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Collins' application for a

File Number 2023-00630, Joseph R. Collins

real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00520**, **Andres S. Amaguana**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Andres S. Amaguana, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Amaguana's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00520, Andres S. Amaguana

In the matter of File Number 2023-00633, Michael C. Jones, Jr., the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Jones' application for a real estate salesperson's license subject to an agreement for licensure for a period of two years wherein Mr. Jones and his supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00633, Michael C. Jones, Jr.

In the matter of File Number 2023-00638, James Mackor George, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Mr. Mollineaux and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. George's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00638, James Mackor George

In the matter of File Number 2023-00775, Dwayne A. Bennett, Sr., the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Dwayne A, Bennett, Sr., applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Bennett's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00775, Dwayne A. Bennett, Sr.

In the matter of File Number 2023-00266, Daniel G. Bickley, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Daniel G. Bickley, applicant, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Bickley's application for a real estate salesperson's license subject to an agreement for licensure for a period of one year wherein Mr. Bickley and his supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00266, Daniel G. Bickley

In the matter of File Number 2023-00637, David A. McKelvey, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Bickley's application for a real estate broker's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and based on Bickley's failure to provide sufficient evidence that, during 36 of the 48 months preceding his application actively engaged as a real estate salesperson or real estate broker and voted to deny the

File Number 2023-00637, David A. McKelvey

license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2022-02453, Rica Jo Ann Gilmore, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Ms. Gilmore's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-02453, Rica Jo Ann Gilmore

In the matter of File Number 2022-02202, Serena R. Boney, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead deny Ms. Boney's application for a real estate broker's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and based on Boney's failure to provide sufficient evidence that, during 36 of the 48 months preceding her application actively engaged as a real estate salesperson or real estate broker and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-02202, Serena R. Boney

In the matter of File Number 2022-01484, Dr. Tamara O. Perdue and Lynn O. Mosby acting as Trustees for the J. Milton Oakley Revocable Living Trust (Claimant) v. Alonzo Randolph Bell, Jr. (Regulant), the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, the claim review file, exhibits, the Recovery Fund claim form, and Claim Review. A motion was made by Ms. Davis and seconded by Ms. Piland to adopt the recommendation to approve payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-01484, Dr. Tamara O. Perdue and Lynn O. Mosby acting as Trustees for the J. Milton Oakley Revocable Living Trust (Claimant) v. Alonzo Randolph Bell, Jr. (Regulant)

In the matter of File Number 2022-01858, David Jon Marple,

File Number 2022-

the Board reviewed the record which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. David Jon Marple, respondent, Katrina Marple, witness, Michael Lafayette, Esq., attorney for the respondent, and Shevonne Rhodes, complainant, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead find no violation of 18 VAC 135-20-155 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson. A motion was made by Ms. Davis and seconded by Ms. Thronson to find a violation of 18 VAC 135-20-300.9 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson. A motion was made by Ms. Davis and seconded by Ms. Thronson to find a violation of §54.1-2131.B (Count 3) of the Code of Virginia. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson. A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead find no violation of §54.1-2131.A.2.d (Count 4) of the Code of Virginia. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose the following sanctions for the violation of Count 2: A monetary penalty of \$1,050.00 for the violation contained in Count 1. In addition, for violation of Count 2, Marple's license is placed on probation for a period of two (2) years and subject to the following terms:

- During the probationary period, Marple and his broker will provide quarterly reports to the Board that he is in compliance with the Board's rules and regulations;
- Marple shall complete three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct.
- Further, Marple shall provide evidence acceptable to the Board that Marple has successfully completed the course(s) within six (6) months of the effective date of

#### 01858, David Jon Marple

> the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license.

The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation in the Summary of the Informal Fact-Finding Conference for the violation of Count 4, and instead impose a monetary penalty of \$400.00, for a total monetary penalty of \$1,450.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson.

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

In the matter of File Number 2022-01113, Philip Michael Maliniak, t/a Phil Maliniak, the Board reviewed the record which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of §54.1-2135.A.2 (Count 1) of the Code of Virginia, a violation of 18 VAC 135-20-260.11.m (Count 2) of the Board's 2015 Regulations, three violations of 18 VAC 135-20-260.11.g (Count 3) of the Board's 2015 Regulations, two violations of 18 VAC 135-20-180.B.1.b (Count 4) of the Board's 2020 Regulations, and two violations of 18 VAC 135-20-180.B.1.c (Count 5) of the Board's 2020 violations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$550.00 for the violation contained in Count 1, and \$950.00 for the violation contained in Count 2, \$500.00 for each violation contained in Count 3, \$650.00 for each violation contained in Count 4, and \$1,200.00 for each violation contained in Count 5, for a total of \$6,700.00. In addition, for violations of Counts 1, 2, 3, 4 and 5, Maliniak's license is placed on suspension until he completes six (6) classroom hours

File Number 2022-01113, Philip Michael Maliniak, t/a Phil Maliniak

of Board-approved post-license education pertaining to Contract Writing and eight (8) classroom hours of Board-approved post-license education pertaining to Property Management. Such course(s) shall be completed in a classroom. Maliniak's license shall remain suspended until Maliniak provides evidence acceptable to the Board that Maliniak successfully completed the course(s). The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. As to violation 1 of Count 5, that aspect of the file is closed with a finding of no violation. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2022-01878**, **Angie Sue Lundy**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Ms. Thronson to find a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11.g (Count 2) of the Board's 2021 Regulations, and a violation of 18 VAC 135-20-300.9 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$350.00 for the violation in Count 1, \$1,400.00 for the violation in Count 2, and \$1,050.00 for the violation in Count 3, for a total of \$2,800.00. In addition, for violations of Counts 1, 2, and 3, Lundy's license is placed on probation for a period of two (2) years subject to the following terms:

- During the probationary period, Lundy and her broker will provide quarterly reports to the Board that she is in compliance with the Board's rules and regulations;
- Lundy is required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing, three (3) classroom hours of Boardapproved post-license education pertaining to Escrow Requirements, and three (3) classroom hours of Board-

File Number 2022-01878, Angie Sue Lundy

approved post-license education pertaining to Ethics and Standards of Conduct. Further, Lundy shall provide evidence acceptable to the Board that Lundy has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

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

In the matter of **File Number 2022-01079**, **Jason R. Houser**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Jessica Brown, complainant, Jason R. Houser, respondent, and John M. Kaptan, Esq., attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Piland and seconded by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,400.00 for the violation in Count 1, for a total of \$1,400.00. In addition, for violation of Count 1, Houser's license is placed on probation for a period of three (3) months and Houser is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct, six (6) classroom hours of Board-approved post-license education pertaining to Real Estate Law and Regulations, and three (3) classroom hours of Board-approved post-license education pertaining to Risk Management. Such course(s) shall be completed in a classroom. Further, Houser shall provide evidence acceptable to the Board that Houser has successfully completed the course(s) within three (3) months of the effective date of the Order. The abovereferenced post-license education hours will not count towards

File Number 2022-01079, Jason R. Houser

any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

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

In the matter of File Number 2022-01648, Diondra Gray, due to a lack of quorum the matter was deferred to the next Board meeting.

Williams, the Board reviewed the record which consisted of the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Ms. Thronson to find two violations of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, two violations of 18 VAC 135-20-260.11.m (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-300.9 (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.j (Count 4) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for each violation contained in Count 1, \$950.00 for each violation contained in Count 2, \$1,050.00 for the violation contained in Count 3, and \$1,500.00 for the violation contained in Count 4, for a total of \$5,450.00. The Board also imposes the following sanctions: For violations of Counts 1, 2, 3, and 4, Williams' license is placed on probation for a period of two (2) years subject to the following terms:

- During the probationary period, Williams and his broker will provide quarterly reports to the Board that he is in compliance with the Board's rules and regulations;
- Williams shall complete three (3) classroom hours of Board-approved post-license education related to Ethics and Standards of Conduct, three (3)

File Number 2022-01648, Diondra Gray

File Number 2022-00969, Melvyn Alonzo Williams

classroom hours of Board-approved post-license education related to Agency Law, and six (6) classroom hours of Board-approved post-license education related to Real Estate Law and Regulations. Further, Williams shall provide evidence acceptable to the Board that Williams successfully completed the course within six (6) months of the effective date of the Board's order. The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license.

The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

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

In the matter of File Number 2022-02245, Mohammed Huq, the Board reviewed the Consent Order as seen and agreed to by Mr. Huq. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Huq admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2135.E (Count 2) of the Code of Virginia, and agrees a monetary penalty of \$600.00 for the violation contained in Count 1, \$450.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,200.00. In addition, Huq agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Real Estate Law and Regulations; and
- Three (3) hours pertaining to Ethics and Standards of Conduct.

It is acknowledged that satisfactory completion of the abovereferenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, File Number 2022-02245, Mohammed Huq

Mollineaux, Piland and Thronson.

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

In the matter of File Number 2022-01993, Brian Darrell Hall, the Board reviewed the Consent Order as seen and agreed to by Mr. Hall. A motion was made by Ms. Piland and seconded by Ms. Davis to reject the proposed Consent Order offer and send the case to an Informal Fact-Finding Conference due to allegations of fraud. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-01993, Brian Darrell Hall

In the matter of File Number 2023-00084, Danis Davis Goins, t/a Danis Goins, the Board reviewed the Consent Order as seen and agreed to by Ms. Goins. A motion was made by Ms. Piland and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Goins admits to a violation of §54.1-2132.A.4 (Count 1) of the Code of Virginia, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Goins agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Escrow Requirements and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00084, Danis Davis Goins

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

In the matter of File Number 2022-02703, Katrina M. G. Wulfeck, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Piland and seconded by Ms. Davis to find a violation of 18 VAC 135-20-260.11.f (Count 1) of the Board's 2021 Regulations, a violation of §54.1-2135.A.1 (Count 2) of the *Code of Virginia*, and a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2003

File Number 2022-02703, Katrina M. G. Wulfeck

Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,500.00 for the violation contained in Count 1, \$800.00 for the violation contained in Count 2, and \$2,000.00 for the violation contained in Count 3, for a total of \$4,300.00. In addition, license revocation is imposed for the violations of Counts 1, 2, and 3. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00373, Katrina M. G. Wulfeck**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of 18 VAC 135-20-260.11.f (Count 1) of the Board's 2021 Regulations, a violation of §54.1-2135.A.1 (Count 2) of the *Code of Virginia*, and a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,500.00 for the violation contained in Count 1, \$800.00 for the violation contained in Count 2, and \$2,000.00 for the violation contained in Count 3, for a total of \$4,300.00. In addition, license revocation is imposed for the violations of Counts 1, 2, and 3. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to take cases 26-29, as a block vote. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2022-02668, Janeen B. Webb, the Board reviewed the Consent Order as seen and agreed to by

File Number 2023-00373, Katrina M. G. Wulfeck

**Consent Orders** 

File Number 2022-02668, Janeen B.

Ms. Webb. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Webb admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20,300.6 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,500.00. In addition, Webb agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom. It is acknowledged that satisfactory completion of the abovereferenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

> File Number 2022-02529, Seth G. Barnes

In the matter of File Number 2022-02529, Seth G. Barnes, the Board reviewed the Consent Order as seen and agreed to by Mr. Barnes. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Barnes admits to two violations of 18 VAC 135-20-260.11.j (Count 1) of the Board's 2021 Regulations, and agrees to a monetary penalty of \$1,500.00 for each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$3,150.00. In addition, Barnes agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2023-00332, Keona L. Wardrett, the Board reviewed the Consent Order as seen and agreed to by Ms. Wardrett. A motion was made by Ms. Davis

File Number 2023-00332, Keona L. Wardrett

<u>Webb</u>

and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Wardrett admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2021 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees a monetary penalty of \$500.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,250.00. In addition, Wardrett agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Real Estate Law and Regulations; and
- Three (3) hours pertaining to Escrow Requirements.

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2022-01772**, **Hasbrouck Real Estate Corporation**, the Board reviewed the Consent Order as seen and agreed to by Hasbrouck Real Estate Corporation. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Hasbrouck Real Estate Corporation admits to a violation of 18 VAC 48-50-190.1 (Count 1) of the Common Interest Community Board's 2019 Regulations and agrees to a monetary penalty of \$1,500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-01772, Hasbrouck Real Estate Corporation

Ms. Johnson turned the position of Chair over to Ms. Davis and recused herself from the meeting.

In the matter of File Number 2021-02616, Maryam Soroush Jansen, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal

Transfer of Chair

File Number 2021-02616, Maryam Soroush Jansen

Fact-Finding Conference of the presiding Board member. John C. Altmiller, attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Thronson to find a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, and three violations of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Piland and seconded by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for the violation in Count 1, and \$500.00 for each violation in Count 2, for a total of \$2,000.00. In addition, for violation of Count 1, Jansen's license is placed on probation for a period of six (6) months and Jansen is required to complete two (2) classroom hours of Boardapproved post-license education pertaining to Advertising. Further, Jansen shall provide evidence acceptable to the Board that Jansen has successfully completed the course(s) within six (6) months of the effective date of the Order. The abovereferenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. For the violation of Count 2, Jansen's license is placed on probation for a period of six (6) months and Jansen is required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing. Further, Jansen shall provide evidence acceptable to the Board that Jansen has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced postlicense education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Mollineaux, Perry, Piland and Thronson.

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

Ms. Johnson returned and assumed the position of Chair.

A motion was made by Ms. Davis and seconded by Ms. Thronson to adopt the November 17, 2022, Real Estate

Transfer of Chair

**Administrative Issues** 

Regulatory Review Committee Meeting minutes. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to approve payment in the amount of \$14,805.66 to Miles & Stockbridge, P.C., for legal services provided for receivership in Commonwealth of Virginia, et al v. Central Partners Now LLC dba Re/Max Central Realty (CL 14000461-00). The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

The Board reviewed the Board financial statement as presented. No action was taken by the Board.

Ms. Piland provided a report from the January 18, 2023, Real Estate Board Education Committee meeting. A motion was made by Ms. Davis and seconded by Mr. Perry to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Education

There being no further business, the Board adjourned at 12:26 P.M.

Adjourn

Sharon Johnson, Chair

Demetrios J. Melis, Secretary

1.	Name: Sharon Johnson		
2.	(Name of Board Member) Title: Board Member		
3.	Agency: Real Estate Board (Name of Board)		
4.	Meeting/IFF Date: January 19, 2023 (Date)		
5.	5. I have a personal interest in the following transaction:		
(Agenda Item)			
	Nature of Personal Interest Affected by Transaction:		
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:		
	☐ I am able to participate in this transaction fairly, objectively, and in the public interest.  or		
	☐ I did not participate in the transaction.		
6.	☐ I do not have a personal interest in any transactions taken at this meeting.		
	Signature 1/19/23 Date		

1.	Name: Cavelle Mollineaux		
2	(Name of Board Member)  Title: Board Member		
	Agency: Real Estate Board (Name of Board)		
4.	Meeting/IFF Date: January 19, 2023 (Date)		
5.	I have a personal interest in the following transaction:		
	File No:# 2022-01648 REB Case No#: 2021-01933		
	Nature of Personal Interest Affected by Transaction: Potential inability  to be Impartial because of Knowing defendar  I declare that I am a member of the following business, profession, occupation or		
	group, the members of which are affected by the transaction:		
	☐ I am able to participate in this transaction fairly, objectively, and in the public interest.		
	I did not participate in the transaction.		
6.	☐ I do not have a personal interest in any transactions taken at this meeting.		
	$\frac{2 \text{ Apy}}{\text{Signature}} \qquad \frac{01/19/2022}{\text{Date}}$		

1. Name: <u>Anna Thronson</u>		
(Name of Board Member)  2. Title: Board Member		
3. Agency: Real Estate Board	(Name of Board)	
4. Meeting/IFF Date: <u>January 19</u>	, 2023 (Date)	
5. I have a personal interest in the following transaction:		
	(Agenda Item)	
Nature of Personal Interest Affect	ed by Transaction:	
I declare that I am a member of the group, the members of which are	ne following business, profession, occupation or affected by the transaction:	
I am able to participate in thi interest.	s transaction fairly, objectively, and in the public	
☐ I did not participate in the transaction.		
6. ☐ <b>I do not</b> have a personal inter	est in any transactions taken at this meeting.	
anna Thinson	1-19-23	
Signature	Date	

1.	Name: Margaret D. Davis
2.	(Name of Board Member) Title: Board Member
3.	Agency: Real Estate Board (Name of Board)
4.	Meeting/IFF Date: January 19, 2023 (Date)
5.	I have a personal interest in the following transaction:
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:
	<ul> <li>□ I am able to participate in this transaction fairly, objectively, and in the public interest.</li> <li>or</li> </ul>
	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	Signature Date 23

1.	Name: Nancy 'Nan' Piland
2.	(Name of Board Member) Title: Board Member
3.	Agency: Real Estate Board
	(Name of Board)
4.	Meeting/IFF Date: January 19, 2023 (Date)
	(,
5.	I have a personal interest in the following transaction:
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
	Traduce of Fersonal Interest Affected by Transaction.
	I declare that I am a member of the following business profession accumation or
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:
	greap, the members of which are alreaded by the trained dien.
	NA
•	I am able to participate in this transaction fairly, objectively, and in the public
	interest.
	☐ I did not participate in the transaction.
3.	I do not have a personal interest in any transactions taken at this meeting.
٠.	The most have a personal interest in any transactions taken at this meeting.
٦	1/19/23
	Signature Date

1.	Name:David Perry
2.	(Name of Board Member)  Title: Board Member
3.	Agency: Real Estate Board (Name of Board)
4.	Meeting/IFF Date: January 19, 2023 (Date)
5.	I have a personal interest in the following transaction:
	(Agenda Item)
	Nature of Personal Interest Affected by Transaction:
	I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:
	☐ I am able to participate in this transaction fairly, objectively, and in the public interest.
	☐ I did not participate in the transaction.
6.	I do not have a personal interest in any transactions taken at this meeting.
	Signature

#### **REAL ESTATE BOARD**

#### **VISITOR SIGN-IN SHEET**

#### **BOARD MEETING**

January 19, 2023 – 10:00 A.M.

NAME PHO	<u>NE</u>	DO YOU WISH TO SPEAK?
Santrago Amograma	301-891-9402	Yes
	751-286-3878	185.
Jessica Brown	757-415-2244	1/05
Henry Moore	804) 337-3/59	Yes
Dan Bidden	276-465-5650	yes
Mr Comm	804-709-826	No
BAYAN ROSER	240-210-0791	NO
(flacellere	804 475 8869 4344208652	YES
THE W	434-547-05	
Awyn pout 5	804-617-2490	7 405
( Dw'ann Bannett)	Hall-377 -00	17
Richard Hum	757-430-241	
Le Collins	1516) 320-1682	Yes
Basthan Wolcost	757.573.4009	//0 -
BACKET LAWRENCE	804-854-5603	YES YES
Rachel Corry	804-211-7545	Vel
MICHAGE LAFMETTE	804 545-6253	ils
JOHN MANUER	705 216-0701	11267
DAVID MARRIE	434 944 5375	Wes .

#### **REAL ESTATE BOARD**

#### **VISITOR SIGN-IN SHEET**

#### **BOARD MEETING**

January 19, 2023 – 10:00 A.M.

NAME	PHONE	DO YOU WISH TO SPEAK?
John KAPPAN	757.567.1826	407
Jasan Hours	761-814-0876	ytr
<u></u>		
White		
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