

REAL ESTATE BOARD  
MINUTES OF MEETING

November 5, 2015

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

Joseph Funkhouser, II, Chair  
Santee Ferebee, Vice-Chair  
Antonio Elias  
Lynn G. Grimsley  
Steve Hoover  
Sharon Johnson  
Lee Odems

Board members absent from the meeting: Catherine M. Noonan  
Jennifer Boysko

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

Christine Martine, Executive Director  
Liz Hayes, Fair Housing Administrator  
Deanda Shelton, Assistant Fair Housing Administrator  
Joe Haughwout, Assistant Director of Adjudication  
Jeffrey Williams, Board Administrator  
Kevin Hoeft, Education Administrator  
Emily Trent, Administrative Assistant

Elizabeth Peay and Tom Payne from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 9:04 A.M.

**Call to Order**

A motion was made by Ms. Johnson and seconded by Ms. Ferebee to approve the agenda. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

**Agenda**

A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to adopt the following minutes: October 1, 2015, Real Estate Board Meeting and October 1, 2015, Fair Housing Subcommittee Meeting. The motion passed unanimously.

**Minutes**

Members voting “Yes” were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

There was no public comment.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Sharon E. Carroll v. Mohammad Rofougaran, Hadi Moini, Fereshteh Farzad and Unlimited Horizons, Inc., File Number 2015-02973**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation, Supplemental Final Investigative Report and Revised Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

In the matter of **Vicki Garbutt v. Linton Hall Realtors, LLC, ACL Professional Property Management, LLC, Charles “Chuck” Adcox, Sandra Sindlinger, Christian Graff and Marissa Graff, File Number 2015-03064**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation, and Supplemental Final Investigative Report. A letter was read to the Board from Marissa Graff, respondent. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

In the matter of **File Number 2016-00479, Dawn Griffith**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Dawn Griffith, applicant, and Rita Rutledge, witness, were present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee 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. Griffith’s application for a real

## **Public Comment**

### **Fair Housing Administrator’s Report**

**Sharon E. Carroll v.  
Mohammad  
Rofougaran, Hadi  
Moini, Fereshteh  
Farzad and  
Unlimited Horizons,  
Inc., File Number  
2015-02973**

**Vicki Garbutt v.  
Linton Hall Realtors,  
LLC, ACL  
Professional  
Property  
Management, LLC,  
Charles “Chuck”  
Adcox, Sandra  
Sindlinger, Christian  
Graff and Marissa  
Graff, REB File  
Number 2015-03064**

**File Number 2016-  
00479, Dawn Griffith**

estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

In the matter of **File Number 2016-00494, Kimberly Molter**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Kimberly Molter, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover 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. Molter's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

**File Number 2016-00494, Kimberly Molter**

In the matter of **File Number 2016-00599, Donovan Drew Bates**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Donovan Drew Bates, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley 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. Bates' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

**File Number 2016-00599, Donovan Drew Bates**

In the matter of **File Number 2016-00452, Lora DuBois**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Lora DuBois, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Ms. DuBois' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Elias,

**File Number 2016-00452, Lora DuBois**

Ferebee, Funkhouser, Grimsley, Johnson, Hoover and Odems.

In the matter of **File Number 2015-01935, Mitchell Charles Johnson**, 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. Mitchell Charles Johnson, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-155 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,000.00 for the violation contained in Count 1, for a total of \$2,000.00. The Board also imposes the following sanctions: For violation of Count 1, Johnson shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency and three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Johnson shall provide evidence acceptable to the Board that Johnson has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing 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 Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

**File Number 2015-01935, Mitchell Charles Johnson**

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

In the matter of **File Number 2014-02313, Silvia Leticia Guardado-Majano**, 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. Ferebee and seconded by Ms. Johnson to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations and a violation of

**File Number 2014-02313, Silvia Leticia Guardado-Majano**

18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose license revocation for the violation of Counts 1 and 2. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems.

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

In the matter of **File Number 2014-01175, Carlos A. Hernandez**, 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. Carlos Hernandez, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose license revocation for the violation of Counts 1 and 2. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems.

**File Number 2014-01175, Carlos A. Hernandez**

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

In the matter of **File Number 2014-02882, Ricardo Sands**, 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. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations. The motion passed

**File Number 2014-02882, Riardo Sands**

unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,100.00 for the violation contained in Count 1, for a total of \$1,100.00. The Board also imposes the following sanctions: license revocation for the violation contained in Count 1. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems.

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

In the matter of **File Number 2014-01043, Porfirio Hernandez**, 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. Porfirio Hernandez, respondent and Jeffrey N. Silverstein, attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board’s 2003 Regulations and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board’s 2003 Regulations. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Johnson and Odems. A motion was made by Ms. Johnson and seconded by Mr. Elias to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead impose license revocation for the violation of Counts 1 and 2. The motion passed by majority vote. Members voting “Yes” were Elias, Ferebee, Funkhouser, Johnson and Odems. Member voting “No” was Hoover.

**File Number 2014-01043, Porfirio Hernandez**

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

In the matter of **File Number 2015-01482, William Luther Pully, Sr.**, 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 officer. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to accept a violation of 18 VAC 135-20-260.5 (Count 1) of the

**File Number 2015-01482, William Luther Pully, Sr.**

Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Hoover, Johnson and Odems. A motion was made by Ms. Johnson and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Hoover, Johnson and Odems.

In the matter of **File Number 2015-01680, Ging-Hwang Felicia Tsoa**, the Board reviewed the Consent Order as seen and agreed to by Ms. Tsoa. A motion was made by Ms. Johnson and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Tsoa admits to a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations and a violation of 18 VAC 135-20-260.6 (Count 2) of the Board's 2003 Regulations and agrees to license revocation for the violation of Counts 1 and 2. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Hoover, Johnson and Odems.

**File Number 2015-01680, Ging-Hwang Felicia Tsoa**

In the matter of **File Number 2015-00415, Carolyn A. Capalbo**, the Board reviewed the Consent Order as seen and agreed to by Ms. Capalbo. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Capalbo admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 1999 Regulations and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 1999 Regulations and agrees to a monetary penalty of \$100.00 for the violation of Count 1, \$500.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, for violation of Count 2, Capalbo agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management 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 continuing 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 Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**File Number 2015-00415, Carolyn A. Capalbo**

In the matter of **File Number 2015-00449, Christy Marie Mahon**, the Board reviewed the Consent Order as seen and agreed to by Ms. Mahon. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Mahon admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Mahon agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts 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 continuing 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 Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**File Number 2015-00449, Christy Marie Mahon**

In the matter of **File Number 2015-01693, Marc Eugene Johnson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Johnson. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Johnson admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Johnson agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management 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 continuing 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 Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**File Number 2015-01693, Marc Eugene Johnson**

In the matter of **File Number 2015-01905, Joseph Matthew Smith dba Matt Smith**, the Board reviewed the Consent Order

**File Number 2015-01905, Joseph**

as seen and agreed to by Mr. Smith. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Smith admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-180.B.1.a (Count 2) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-210 (Count 3) of the Board's 2008 Regulations and agrees to a monetary penalty of \$450.00 for the violation of Count 1, \$350.00 for the violation of Count 2, \$300.00 for the violation of Count 3, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 2, Smith agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management 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 continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. Further, the Board shall waive imposition of the \$300.00 monetary penalty for Count 3. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**Matthew Smith dba  
Matt Smith**

In the matter of **File Number 2015-02218, Veaceslav Stratan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Stratan. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Stratan admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations and agrees to \$150.00 in Board costs, for a total of \$150.00. In addition, for violation of Count 1, Stratan agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management 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 continuing 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 Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**File Number 2015-  
02218, Veaceslav  
Stratan**

In the matter of **File Number 2015-02261, Ricardo Alberto Jimenez**, the Board reviewed the Consent Order as seen and agreed to by Mr. Jimenez. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Jimenez admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations and agrees to a monetary penalty of \$2,500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$2,650.00. In addition, for violation of Count 1, Jimenez agrees to complete at least eight (8) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision 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 continuing 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 Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

**File Number 2015-02261, Ricardo Alberto Jimenez**

In the matter of **File Number 2016-00476, Brandon Lee Bruno, t/a Brandon Bruno**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Brandon Lee Bruno, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Bruno's application based upon the record. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, in consideration of the criteria outlined in §54.1-204.B, and for the reasons outlined in the Summary of the Informal Fact-Finding Conference. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Grimsley, Hoover, Johnson and Odems. Member voting "No" was Elias.

**File Number 2016-00476, Brandon Lee Bruno, t/a Brandon Bruno**

In the matter of **File Number 2015-01934, Kelvin Antoin Reed**, 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

**File Number 2015-01934, Kelvin Antoin Reed**

Fact-Finding Conference of the presiding Board member. Kelvin Antoin Reed, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-270.3 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$2,000.00 for the violation contained in Count 1, for a total of \$2,000.00. The Board also imposes the following sanctions: For violation of Count 1, Reed shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct, and three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency. Such course(s) shall be completed in a classroom. Further, Reed shall provide evidence acceptable to the Board that Reed has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Grimsley, Hoover and Odems. Member voting "No" was Elias.

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

In the matter of **File Number 2015-03123, Kelvin Antoin Reed**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Kelvin Antoin Reed, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Reed's application for a real estate broker's license subject to the following: Reed must comply with all the terms of the Final Opinion and Order associated with File Number 2015-01934. All terms must be completed and approved by the Board prior to issuance of the license. The

**File Number 2015-03123, Kelvin Antoin Reed**

motion passed by majority vote. Members voting “Yes” were Ferebee, Funkhouser, Grimsley, Hoover and Odems. Member voting “No” was Elias.

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

The Board considered the request of Deborah W. Watson, court appointed Executor of Raymond Edward Watson, Jr., to appoint her to carry on the business of the deceased broker for 180 days in order to close out the real estate business of Old Virginia Realty in accordance with § 54.1-2109 of the Code of Virginia. A motion was made by Mr. Hoover and seconded by Mr. Odems to allow Deborah W. Watson, to close out the real estate business of Old Virginia Realty in accordance with § 54.1-2109 of the Code of Virginia. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

### **Administrative Issues**

Joe Funkhouser gave the Board an update from the November 4, 2015, Real Estate Board Advisory Council meeting. No action was taken by the Board.

Lisia Amburn of the Southwest Virginia Association of Realtors® inquired whether a licensee will receive Continuing Education (CE) credit under the new CE carry over provision in the Board’s Regulations if the licensee takes the same approved course twice during the licensee’s two-year license term. Under the former system the licensee did not receive credit for taking the same CE course twice during one two-year license term. However, under the CE carry over system, the licensee could take, for example, Board-approved three-hour continuing education course (Ethics 101 – Course Number 12345) for three hours of Ethics and Standards of Conduct CE credit early in the two-year term. The licensee could then take the same Board-approved course during the last six months of the same two-year term. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to allow CE carry-over credit for taking the same approved course twice in the licensee’s two-year license term as long as the course completed for the second time is surplus and is completed within the last six months prior to the license expiration date. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

### **Education**

A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to deny the following four courses (Numbers 20704, 20707, 20787 and 20789) submitted by Moseley Real Estate Schools, Inc. (MRES) for the November 4, 2015, Education Committee meeting because the “Internet Ethics” and “Internet Security” parts of the “Real Estate Related” (Elective) Continuing Education part of the courses do not cover “Ethics and Standards of Conduct” or “Regulatory Statutes” as MRES indicated in Question 8 on the course application. “Technology” is not an approved subject for “Real Estate Related” (Elective) Continuing Education credit. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

The Board reviewed the report from the November 4, 2015, Real Estate Board Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the Education Committee meeting minutes. The motion passed unanimously. Members voting “Yes” were Elias, Ferebee, Funkhouser, Hoover, Grimsley, Johnson and Odems.

There being no further business, the Board adjourned at 10:23 A.M.

**Adjourn**

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Joseph Funkhouser, II, Chair

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Jay DeBoer, Secretary