

REAL ESTATE BOARD
MINUTES OF MEETING

September 28, 2017

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
Libby Gatewood
Lynn G. Grimsley
Lee Odems
Sharon Johnson
Steve Hoover
Margaret Davis
Ibrahim Moiz (arrived at 9:04 a.m.)

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

Jay DeBoer, Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Jeffrey Williams, Board Administrator
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Investigator

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

Mr. Funkhouser called the meeting to Order at 9:02 A.M.

Call to Order

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

Agenda

Ibrahim Moiz arrived at 9:04 A.M.

A motion was made by Ms. Grimsley and seconded by Mr. Hoover to adopt the following minutes: July 13, 2017, Fair Housing Sub-Committee Meeting and July 13, 2017, Real Estate Board Meeting. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz 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 **Abu Bakarr Jalloh v. Hercules Real Estate Services, Inc., England Run North Apartments, L. P., Margaret Poitras, Pam Witherspoon, and Laura Richardson, File Number 2017-01537**, a motion was made by Ms. Ferebee and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-02804, Donna Frantz**, 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. Donna Frantz, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Davis 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. Frantz's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2018-00167, Alexander M. Adere**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal

Arrival of Board Member

Minutes

Public Comment

Fair Housing Administrator's Report

Abu Bakarr Jalloh v. Hercules Real Estate Services, Inc., England Run North Apartments, L. P., Margaret Poitras, Pam Witherspoon, and Laura Richardson, File Number 2017-01537

File Number 2017-02804, Donna Frantz

File Number 2018-00167, Alexander M. Adere

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 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. Adere's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-03192, Daniel Frederick Craig**, 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. Daniel Frederick Craig, applicant, and Stewart Evans, Jr., attorney for the applicant, 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 (IFF) to deny Mr. Craig's application for a salesperson's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board determined it could not protect the health, safety and welfare of the public and Craig is unfit or unsuited to engage in the practice of the profession due to the limited amount of time since his last involvement in the commission of crime and the limited evidence of rehabilitation following his release from incarceration and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-03192, Daniel Frederick Craig

In the matter of **File Number 2017-03050, Dwayne A. Bennett**, 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. A motion was made by Ms. Johnson and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to approve Mr. Bennett's application for a real estate salesperson license. The motion failed. Member voting "Yes" was Johnson. Members

File Number 2017-03050, Dwayne A. Bennett

voting "No" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

A motion was made by Ms. Davis and seconded by Ms. Ferebee to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead deny Mr. Bennett's application for a salesperson's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board determined Bennett is unfit or unsuited to engage in the practice of the profession due to the connection between the crime and the practice of real estate, with both involving the applicant acting in a fiduciary capacity and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-02803, Tracy Patrice Lawrence**, 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. 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 Ms. Lawrence's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-02803, Tracy Patrice Lawrence

In the matter of **File Number 2017-02802, Walter Daniel Graham, Jr.**, 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. Walter Daniel Graham, Jr., applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Graham's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser,

File Number 2017-02802, Walter Daniel Graham, Jr.

Gatewood, Grimsley, Hoover, Moiz and Johnson.

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

In the matter of **File Number 2017-02817, Heather C. Grimes**, 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. Heather C. Grimes, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Grimes' application for a real estate broker's license as she did not provide sufficient evidence that she has equivalent experience to that which is required therefore she has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding her application. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Johnson.

File Number 2017-02817, Heather C. Grimes

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

In the matter of **File Number 2017-02985, Victoria M. Jones**, 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. 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 to deny Ms. Jones' application for a real estate broker's license as she did not provide sufficient evidence that she has equivalent experience to that which is required therefore she has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding her application. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Johnson.

File Number 2017-02985, Victoria M. Jones

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

In the matter of **File Number 2017-02987, Mary Ann Freeman**, 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. Mary Ann Freeman, applicant, and Patricia Snyder, witness, were 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 to deny Ms. Freeman's application for a real estate broker's license as she did not provide sufficient evidence that she has equivalent experience to that which is required therefore she has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding her application and instead issue her a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Johnson.

File Number 2017-02987, Mary Ann Freeman

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

In the matter of **LaToya Ritter v. SPM, LLC, USMC Four, Incorporated and Raney Denton, File Number 2017-02466**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Shawn Voyles, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Odems to find no reasonable cause the respondents discriminated against the complainant by making a discriminatory statement based on race or religion; by refusing to make a reasonable accommodation based on disability; or intimidation of the complainant based on race or religion. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

LaToya Ritter v. SPM, LLC, USMC Four, Incorporated and Raney Denton, File Number 2017-02466

In the matter of **File Number 2016-02737, Linda Joyce Pellum**, 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 find a violation of 18 VAC 135-20-260.11.j (Count

File Number 2016-02737, Linda Joyce Pellum

1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.12.i (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Johnson, Moiz and Hoover.

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 to impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, and \$2,500.00 for the violation contained in Count 2, for a total of \$5,000.00. In addition, for the violation of Counts 1 and 2, the Board imposes license revocation. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Johnson, Moiz and Hoover.

As the presiding Board member and Board member who reviewed the file, Mr. Odems and Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of File Number 2017-02223, Ciara Nerissa Lascano, t/a Ciara Lascano, 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. Johnson and seconded by Ms. Ferebee to find a violation of 18 VAC 135-20-260.7 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.8 (Count 2) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.1 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Odems, Moiz and Hoover.

File Number 2017-02223, Ciara Nerissa Lascano, t/a Ciara Lascano

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 a monetary penalty of \$250.00 for the violation contained in Count 2, and \$250.00 for the violation contained in Count 3, for a total of \$500.00. Further, for the violation of Counts 2 and 3, Lascano shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in the classroom. Further,

Lascano shall provide evidence acceptable to the Board that Lascano 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 Davis, Ferebee, Funkhouser, Gatewood, Johnson, Moiz and Hoover.

As the presiding Board member and Board member who reviewed the file, Mr. Odems and Ms. Grimsley did not vote or participate in the discussion in this matter.

In the matter of **File Number 2016-02545, Reena Ratilal Patel, t/a Reena R. Patel**, 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 find a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-260.7 (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.1 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Odems, Moiz and Hoover.

File Number 2016-02545, Reena Ratilal Patel, t/a Reena R. Patel

A motion was made by Ms. Ferebee and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$300.00 for the violation contained in Count 2, and \$300.00 for the violation contained in Count 3, for a total of \$600.00. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Hoover, Moiz and Odems.

As the presiding Board member and Board member who reviewed the file, Ms. Grimsley and Ms. Johnson did not vote or participate in the discussion in this matter.

In the matter of **File Number 2017-01338, Ryan Ken Gehris**, 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.

File Number 2017-01338, Ryan Ken Gehris

Samuel Baronian, attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Odems to find a violation of 18 VAC 135-20-260.8 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Hoover, Johnson, Moiz and Odems.

A motion was made by Ms. Davis and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no sanctions for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Hoover, Johnson, Moiz 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 2017-03126, Virginia Real Estate Transaction Recovery Act Claim of Lisa Martin and Ishmael Vazquez (Claimants) and Michael Shockley (Regulant)**, the Board reviewed the record, which consisted of the claim review file, notification, and the Recovery Act claim form and Claim Review. Lisa Martin, claimant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to adopt the recommendation to approve payment in the amount of \$4,279.00. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-03126, Virginia Real Estate Transaction Recovery Act Claim of Lisa Martin and Ishmael Vazquez (Claimants) and Michael Shockley (Regulant)

In the matter of **File Number 2017-01333, John Elton Grzejka t/a John Grzejka**, the Board reviewed the Consent Order as seen and agreed to by Mr. Grzejka. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Grzejka admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$2,500.00 for the violation contained in Count 1, and \$2,500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$5,150.00. For violation of Counts 1 and 2, Grzejka agrees to a one (1) year probation of his license as of the effective date of the

File Number 2017-01333, John Elton Grzejka t/a John Grzejka

Order. During the one (1) year probation, Grzejka agrees to comply with the regulations of the Real Estate Board; and to provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Grzejka and his principal broker that Grzejka is in compliance with the regulations of the Real Estate Board. If Grzejka violates any terms of this probation, his license may be revoked, pending review by the Board. In addition, for violation of Count 1, Grzejka agrees to complete at least three (3) classroom hours of Board-approved continuing 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. Further, for violation of Count 2, Grzejka 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-01287, Kayvan Mehrbakhsh**, the Board reviewed the Consent Order as seen and agreed to by Mr. Mehrbakhsh. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Mr. Mehrbakhsh admits to a violation of §54.1-2137.A and B (Count 1) of the *Code of Virginia*, and 18 VAC 135-20-190.E.4 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 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 \$1,150.00. In addition, for violations of Counts 1 and 2, Mehrbakhsh agrees to complete at least three (3) classroom hours of Board-approved continuing 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 continuing

File Number 2017-01287, Kayvan Mehrbakhsh

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

In the matter of **File Number 2017-01635, Sonali Samoine Hutson, t/a Sonali S. Hutson**, the Board reviewed the Consent Order as seen and agreed to by Ms. Hutson. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Ms. Hutson admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 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, Hutson 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-01635, Sonali Samoine Hutson, t/a Sonali S. Hutson

In the matter of **File Number 2017-01472, Paula Young Theriault, t/a Paula Theriault**, the Board reviewed the Consent Order as seen and agreed to by Ms. Theriault. A motion was made by Mr. Moiz and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Ms. Theriault admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation of Count 1, and \$700.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,350.00. In addition, for violation of Counts 1 and 2, Theriault 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

File Number 2017-01472, Paula Young Theriault, t/a Paula Theriault

acknowledged that satisfactory completion of the above-referenced continuing 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, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-02689, Susan B. Megargee**, the Board reviewed the Consent Order as seen and agreed to by Ms. Megargee. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Megargee admits to a violation of 18 VAC 135-20-260.8 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.9 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$250.00 for the violation of Count 1, and \$600.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,000.00. In addition, for violation of Counts 1 and 2, Megargee agrees to revocation of her broker's license, with the simultaneous issuance of a salesperson's license, effective on the date of execution of the Order by the Board. The Board shall waive imposition of the \$600.00 monetary penalty for Count 2. Further, for violation of Counts 1 and 2, Megargee 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 nine (9) 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-02689, Susan B. Megargee

In the matter of **File Number 2017-02655, Charles James Law, t/a Jamie Law**, the Board reviewed the Consent Order as seen and agreed to by Mr. Law. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Mr. Law admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a

File Number 2017-02655, Charles James Law, t/a Jamie Law

monetary penalty of \$500.00 for the violation of Count 1, and \$350.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,000.00. In addition, for violation of Count 1, Law agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and for violation of Count 2, Law 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-01514, Brandon Justin Peace, t/a Brandon J. Peace**, the Board reviewed the Consent Order as seen and agreed to by Mr. Peace. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Mr. Peace admits to a violation of 18 VAC 135-20-260.12.h (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$950.00 for the violation of Count 1, and \$700.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,800.00. In addition, for violation of Counts 1 and 2, Peace 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-01514, Brandon Justin Peace, t/a Brandon J. Peace

In the matter of **File Number 2017-01959, Mohamad Farhat Saleh, t/a Mike Saleh**, the Board reviewed the Consent Order

File Number 2017-01959, Mohamad

as seen and agreed to by Mr. Saleh. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Saleh admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations and agrees to a monetary penalty of \$700.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$850.00. In addition, for violation of Count 1, Saleh 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**Farhat Saleh, t/a
Mike Saleh**

In the matter of **File Number 2017-02474, Robert Pierce Davis**, the Board reviewed the Consent Order as seen and agreed to by Mr. Davis. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Davis admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations and agrees to a monetary penalty of \$850.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,000.00. In addition, for violation of Count 1, Davis 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-
02474, Robert Pierce
Davis**

In the matter of **File Number 2017-02583, Valerie Wharton Todd, t/a Valerie W. Todd**, the Board reviewed the Consent Order as seen and agreed to by Ms. Todd. A motion was made

**File Number 2017-
02583, Valerie
Wharton Todd, t/a**

by Mr. Hoover and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Todd admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation of Count 1, and \$650.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,300.00. In addition, for violation of Count 1, Todd agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and for violation of Count 2, Todd 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

Valerie W. Todd

In the matter of **File Number 2017-01149, William C. Wells**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wells. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Mr. Wells admits to a violation of §54.1-2133.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-310.1 (Count 2) of the Board's 1999 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violation of Count 1, \$400.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,550.00. For violation of Count 1, Wells agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Property Management and provide proof of attendance and successful completion within nine (9) months of the effective date of the order. The course(s) must be completed in the classroom. Further, for violation of Count 2, Wells 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 nine (9) months of the effective date of the order. The course(s) must be completed in the classroom. It is

File Number 2017-01149, William C. Wells

acknowledged that satisfactory completion of the above-referenced continuing 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, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2016-03304, Marjorie Ann Crooks**, the Board reviewed the Consent Order as seen and agreed to by Ms. Crooks. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Crooks admits to a violation of 18 VAC 135-20-190.B (Count 1) of the Board's 2008 Regulations, and a violation of 18 VAC 135-20-280.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$250.00 for the violation of Count 1, and \$1,500.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,900.00. In addition, for violation of Counts 1 and 2, Crooks agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Property Management and provide proof of attendance and successful completion within nine (9) 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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2016-03304, Marjorie Ann Crooks

In the matter of **File Number 2017-01926, Rajesh G. Patel, t/a Raj Patel**, the Board reviewed the Consent Order as seen and agreed to by Mr. Patel. A motion was made by Ms. Davis and seconded by Ms. Gatewood to accept the proposed Consent Order offer wherein Mr. Patel admits to a violation of §54.1-2133.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$600.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. For violation of Count 1, Patel agrees to complete at least four (4) 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

File Number 2017-01926, Rajesh G. Patel, t/a Raj Patel

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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-01922, Ashley Hart Silveira**, the Board reviewed the Consent Order as seen and agreed to by Ms. Silveira. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Silveira admits to a violation of 18 VAC 135-20-260.11.m (Count 1) of the Board's 2015 Regulations and agrees to a monetary penalty of \$750.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$900.00. In addition, for violation of Count 1, Silveira agrees to complete at least three (3) classroom hours of Board-approved continuing 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 continuing 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, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

File Number 2017-01922, Ashley Hart Silveira

In the matter of **File Number 2017-01898, Dennis John Larson, t/a D J Larson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Larson. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Mr. Larson admits to a violation of 18 VAC 135-20-260.12.h (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$850.00 for the violation of Count 1, and \$650.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Counts 1 and 2, Larson 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

File Number 2017-01898, Dennis John Larson, t/a D J Larson

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 or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

A motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the language as amended in 18 VAC 135-20-180 pursuant to SB966 and file an exempt regulatory action. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

Lili Paulk with Virginia Realtors appeared before the Board to request retroactive approval of a continuing education course taught prior to submission to the Real Estate Education Committee for consideration and approval by the Real Estate Board. A motion was made by Mr. Hoover and seconded by Ms. Davis to deny the request by Ms. Paulk to give retroactive approval to the course taught before submission to the Real Estate Board. The motion passed by majority vote. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Hoover, Johnson, Moiz and Odems. Member voting "No" was Grimsley.

The Board reviewed the report from the September 27, 2017, Real Estate Board Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

Ms. Martine updated the Board on the statutory amendment needed to address the discrepancy in the Residential Property Disclosure Act concerning the disclosure statement being on the Board website. No action was taken by the Board.

The Board discussed the opioid crisis and the need to secure medications during open houses and/or showings. No action was taken by the Board.

Administrative Issues

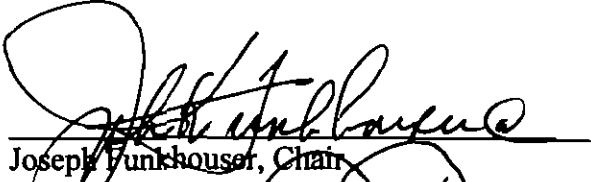
Education

Old Business

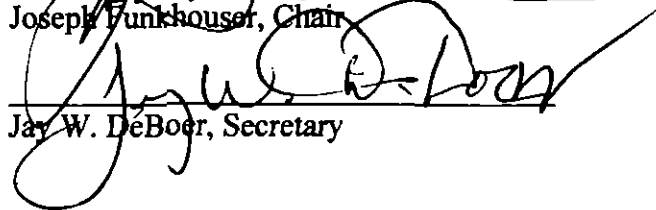
New Business

There being no further business, the Board adjourned at 10:25
A.M.

Adjourn



Joseph Funkhouser, Chair



Jay W. DeBoer, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Joe Funkhouser
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

9-28-17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sharon Johnson
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Sharon Johnson
Signature

9/28/17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Margaret D. Davis
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

9/28/17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Steve Hoover
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

9/28/17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Libby Gatewood
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Libby Gatewood
Signature

9/28/17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Sandra Ferebee
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

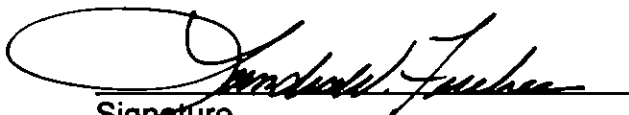
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

9-28-17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lynn G. Grimsley
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Lynn G. Grimsley
Signature

9/28/17
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Lee Odems
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(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.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

9-28-17

Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Ibrahim A. Moiz
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: September 28, 2017
(Date)

5. I have a personal interest in the following transaction:

23. 2017-CLASS
(Agenda Item)

Nature of Personal Interest Affected by Transaction: MOHAMAD SAUFI - Acquaintance

met him with some friends

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

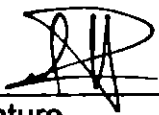
Real Estate Board

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

or

I did not participate in the transaction.

6. ~~9~~ I do not have a personal interest in any transactions taken at this meeting.


Signature

9/28/2017
Date