

REAL ESTATE BOARD
MINUTES OF MEETING

November 17, 2022

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
Ibrahim Moiz, Vice-Chair
Margaret Davis
Kemper Funkhouser
Catina Jones
Cavelle Mollineaux
Anna Thronson

Board members absent from the meeting: David Perry
Nan Piland

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

Demetrios Melis, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Donnitria Mosby, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Emily Trent, Administrator Coordinator

Elizabeth Peay and Todd Shockley, from the Office of the Attorney General were present.

Ms. Johnson called the meeting to Order at 10:04 A.M.

Call to Order

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

Agenda

A motion was made by Mr. Moiz and seconded by Ms. Davis to

Minutes

adopt the September 15, 2022, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

There was no public comment.

Donnitria Mosby, Fair Housing Investigator, updated the Board on the current Fair Housing case load.

Todd Shockley, Assistant Attorney General, provided a Fair Housing litigation update. No action was taken by the Board.

In the matter of In the matter of **Hunter Guglielmini and Jahlil Lightbody v. Gingko Arbor Trace LLC and S. L. Nusbaum Realty Company, REB File 2021-02475**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Supplement Final Investigative Report. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or otherwise making housing unavailable, imposing discriminatory terms and conditions or retaliating against complainants based upon familial status. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of, **REB File 2022-01435, Jennifer Nicholson on behalf of minor child (H.N.) v. Olah’s Landing Property Owner’s Association, Inc. and United Property Associates, Inc.**, the case is deferred for additional investigation.

In the matter of **Dalonte Johnson v. Van Metre Kensington Place, LLC, Van Metre Management Company LLC and Betty Veintemilla, REB File 2022-02534**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Supplemental Final Investigative Report. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against

Public Comment

Fair Housing Reports

Litigation Update

Hunter Guglielmini and Jahlil Lightbody v. Gingko Arbor Trace LLC and S. L. Nusbaum Realty Company, REB File 2021-02475

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

Dalonte Johnson v. Van Metre Kensington Place, LLC, Van Metre Management Company LLC and Betty Veintemilla,

the complainants by otherwise making housing unavailable, or engaging in intimidation of complainant based upon race. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **Patrick McNeil v. CLPF-Metropolitan Two Venture, LP and Kettler Management, Inc. and Aaron Carson, REB File 2022-00370**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Supplement Final Investigative Report. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by imposing discriminatory terms and conditions or otherwise making housing unavailable based upon their association with black, brown complexioned, and/or Ethiopian persons, or in retaliation to exercising a right covered by the Virginia Fair Housing Law. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **Naima Jabeen v. Camden USA, Inc. and Camden Development, Inc., REB File 2022-01299**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Investigator Trudy Miller read the complainant’s written statement to the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or otherwise making housing unavailable and failing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **Michaela McCants and Robert McCants v. Oak Crest Battlefield II LLC, S L Nusbaum Realty Co., Gerald Ysla and Melinda Gates, REB File 2022-02524**, a motion was made by Ms. Davis and seconded by Mr. Moiz to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

Tom Payne, Deputy Director, recognized and thanked Investigator Trudy Miller for 17 years of service with the Fair

REB File 2022-02534

Patrick McNeil v. CLPF-Metropolitan Two Venture, LP and Kettler Management, Inc. and Aaron Carson, REB File 2022-00370

Naima Jabeen v. Camden USA, Inc. and Camden Development, Inc., REB File 2022-01299

Michaela McCants and Robert McCants v. Oak Crest Battlefield II LLC, S L Nusbaum Realty Co., Gerald Ysla and Melinda Gates, REB File 2022-02524

Recognition of Service

Housing Board section and DPOR.

In the matter of **File Number 2022-02040, Krista L. Janik**, 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. Krista L. Janik, applicant was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Funkhouser 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. Janik's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-02040, Krista L. Janik

In the matter of **File Number 2022-01683, Tina Adele Kenny**, 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. Funkhouser 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* deny Ms. Kenny's application for a real estate 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 nature and seriousness of the crime, the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which Kenny had been involved, the age of Kenny at the time of the commission of the crime, and the amount of time that has elapsed since Kenny's last involvement in the commission of a crime and agreed it would be negligent to grant a license and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01683, Tina Adele Kenny

In the matter of **File Number 2022-02203, Jeremy Thomas Rasnake**, 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. Jeremy Thomas Rasnake, applicant, and Randy Morris, witness, were present and addressed the Board.

File Number 2022-02203, Jeremy Thomas Rasnake

A motion was made by Mr. Funkhouser 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. Rasnake's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-02035, Ryan Joshua Pettie**, 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. Ryan Joshua Pettie, applicant, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Mr. Funkhouser 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. Pettie's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-02035, Ryan Joshua Pettie

In the matter of **File Number 2022-02728, Natalie A. Mckenzie**, 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. Funkhouser and seconded by Mr. Moiz 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. Mckenzie's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-02728, Natalie A. Mckenzie

In the matter of **File Number 2022-02036, Jorge O. Cabrera**, 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. Jorge O. Cabrera, applicant, was present and addressed the Board. A motion was made by Mr. Funkhouser and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria

File Number 2022-02036, Jorge O. Cabrera

contained in §54.1-204.B of the *Code of Virginia* approve Mr. Cabrera's for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-01836, Shauliel Storey**, 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. Funkhouser 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. Storey's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01836, Shauliel Storey

In the matter of **File Number 2022-01685, Edwin Walker Broaddus**, 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. Edwin Walker Broaddus, applicant, and Lawrence Marshall, II, attorney for the applicant, were present and addressed the Board. A motion was made by Mr. Funkhouser and seconded by Ms. Davis to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead approve Mr. Broaddus' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01685, Edwin Walker Broaddus

In the matter of **File Number 2022-00399, Dianne M. Tillage-Brooks**, 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. Funkhouser and seconded by Mr. Moiz 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. Tillage-Brooks' application for a real estate salesperson's license subject to a two-year Agreement for Licensure. Additionally, prior to licensure, completion of 30 hours of

File Number 2022-00399, Dianne M. Tillage-Brooks

post-license education shall be required. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-00067, Shyam Bulusu, t/a Shyam Bulusu**, 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 Mr. Moiz and seconded by Mr. Mollineaux to find a violation of 18 VAC 135-20-260.1 (Count 1) of the Board’s 2015 Regulations. The motion passed unanimously. Members voting “Yes” were Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-00067, Shyam Bulusu, t/a Shyam Bulusu

A motion was made by Mr. Funkhouser and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: For violation of Count 1, license revocation is imposed. The motion passed unanimously. Members voting “Yes” were Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

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

In the matter of **File Number 2022-02285, Sybil Elaine Baker, t/a Sybil E. Baker**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Mr. Moiz and seconded by Mr. Funkhouser to find a violation of 18 VAC 135-20-260.6 (Count 1) of the Board’s 2021 regulations, a violation of 18 VAC 135-20-260.7 (Count 2) of the Board’s 2021 regulations, a violation of 18 VAC 135-20-260.12 (Count 3) of the Board’s 2021 regulations, and a violation of 18 VAC 135-20-250 (Count 4) of the Board’s 2003 regulations. The motion passed unanimously. Members voting “Yes” were Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-02285, Sybil Elaine Baker, t/a Sybil E. Baker

A motion was made by Mr. Moiz and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$700.00 for the violation contained in Count 2, \$1,500.00 for the violation contained in Count 3, and \$2,000.00 for the violation contained

in Count 4, for a total of \$4,200.00. In addition, for the violations of Counts 1, 3, and 4, revocation of Baker's license. In addition, for the violation of Count 2, Baker's license shall be placed on probation for a period of six (6) months and required to complete the six (6) classroom hours of Board-approved post-license education pertaining to Real Estate Law and Regulations. Such course(s) shall be completed in a classroom. Further, Baker shall provide evidence acceptable to the Board that Baker 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 requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

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 2022-01012, Leslie Lynn Carpenter**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Mr. Moiz and seconded by Ms. Davis to find a violation of §54.1-2131.A.1 (Count 1) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01012, Leslie Lynn Carpenter

A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,200.00 for the violation contained in Count 1, for a total of \$1,200.00. In addition, for the violation of Count 1, Carpenter's license shall be placed on probation for a period of six (6) months and required to complete the three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct. Such course(s) shall be completed in a classroom. Further, Carpenter shall provide evidence acceptable to the Board that Carpenter has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced 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, Funkhouser,

Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2021-01270, Joan Williams Peaslee**, 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 Mr. Moiz and seconded by Mr. Funkhouser to find a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2021-01270, Joan Williams Peaslee

A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$500.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, for a total of \$1,100.00. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2021-01169, Jeremy Lee Holt**, 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. Jeremy Lee Holt, respondent, and Robert F. Moorman, Esq., attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to find a violation of §54.1-2131.A.1 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-290.1 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

File Number 2021-01169, Jeremy Lee Holt

A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,200.00 for the violation contained in Count 1, \$2,500.00 for the violation contained in Count 2, for a total of \$3,700.00. In addition, for violation of Count 1, Holt's license is placed on probation for a period of six (6) months and required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract

Writing and three (3) classroom hours of Board-approved post-license education pertaining to Agency Law. Further, Holt shall provide evidence acceptable to the Board that Holt has successfully completed the course(s) within three (3) 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. In addition, for the violation of Count 2, Holt's license is placed on probation for a period of two (2) years subject to the following terms:

- During the probationary period, Holt and his broker will provide quarterly reports to the Board that he is in compliance with the Board's rules and regulations;
- Holt shall be required to complete complete three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct. Further, Holt shall provide evidence acceptable to the Board that Holt has successfully completed the course(s) within three (3) 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, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

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

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

In the matter of **File Number 2021-01567, Thomas Michael Holbrook**, 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 Mr. Funkhouser and seconded by Mr. Mollineaux to find a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-260.12.c (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux and Thronson.

Transfer of Chair

File Number 2021-01567, Thomas Michael Holbrook

A motion was made by Ms. Davis 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 \$450.00 for the violation contained in Count 1, and \$2,500.00 for the violation contained in Count 2, for a total of \$2,950.00. In addition, Holbrook's license is placed on probation for a period of six (6) months and Holbrook is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Agency Law. Further, Holbrook shall provide evidence acceptable to the Board that Holbrook has successfully completed the course(s) within three (3) 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. In addition, revocation of license is imposed for violation of Count 2. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux and Thronson.

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

Ms. Johnson returned and assumed the position of Chair.

In the matter of **File Number 2021-02616, Maryam Soroush Jansent**, the matter was deferred to the next Board meeting.

In the matter of **File Number 2021-02842, Anna Paduhovich**, 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. Anna Paduhovich, respondent, and John Kaptan, Esquire, attorney for respondent, were present and addressed the Board.

At 11:14 A.M., Mr. Funkhouser offered a motion which was seconded by Mr. Moiz, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Elizabeth Peay, Tom Payne, Demetrios Melis, Christine Martine and Todd

Transfer of Chair

File Number 2021-02616, Maryam Soroush Jansen

File Number 2021-02842, Anna Paduhovich

Closed Session

Shockley.

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

17. File Number 2021-02842, Anna Paduhovich

At 11:19 A.M., a motion was made by Mr. Moiz and seconded by Mr. Funkhouser that the Board reconvene in open session.

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

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

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

VOTE: 6-0

AYES: Davis, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

NAYS: None.

ABSENT DURING THE VOTE: Jones.

ABSENT DURING THE MEETING: Perry and Piland.

In the matter of **File Number 2021-02842, Anna Paduhovich**, a motion was made by Ms. Davis and seconded by Mr. Funkhouser to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead find no violation of 18 VAC 135-20-260.11 of the Board's 2015 Regulations, and close the file. The motion passed

File Number 2021-02842, Anna Paduhovich

unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

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

In the matter of **File Number 2022-01294, Shirley A. Maser**, 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. TaShauna Marshall, complainant, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Ms. Thronson to find a violation of 18 VAC 135-20-300.6 (Count 1) of the Board’s 2015 Regulations, a violation of §54.1-2134.A.4 (Count 2) of the *Code of Virginia*, and a violation of §54.1-2137.A (Count 3) of the *Code of Virginia*. The motion passed unanimously. Members voting “Yes” were Davis, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01294, Shirley A. Maser

A motion was made by Mr. Moiz 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 \$300.00 for the violation in Count 1, \$500.00 for the violation in Count 2, and \$300.00 for the violation in Count 3, for a total of \$1,100.00. In addition, for violation of Count 1, Maser’s license is placed on probation for a period of six (6) months and Maser is required to complete two (2) classroom hours of Board-approved post-license education pertaining to Property Management. Further, Maser shall provide evidence acceptable to the Board that Maser 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. For the violation of Count 2, Maser’s license is placed on probation for a period of six (6) months and Maser is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Agency. Further, Maser shall provide evidence acceptable to the Board that Maser 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, Jones, Moiz, Mollineaux and Thronson.

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

In the matter of **File Number 2022-01363, Michelle Denise Handy**, 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 Mr. Moiz to accept the recommendation to find no violation of 18 VAC 135-20-300.3 of the Board’s 2015 Regulations, and close the file. The motion passed unanimously. Members voting “Yes” were Davis, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-01363, Michelle Denise Handy

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

A motion was made by Ms. Davis and seconded by Mr. Moiz to take cases 20-25, as a block vote. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

Consent Orders

In the matter of **File Number 2022-01553, Lawrence Nordlof**, the Board reviewed the Consent Order as seen and agreed to by Mr. Nordlof. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Nordlof admits to a violation of 18 VAC 135-20-260.11.1 (Count 1) of the Board’s 2021 Regulations, and a violation of §54.1-2137.A (Count 2) of the *Code of Virginia*, and agrees a monetary penalty of \$1,200.00 for the violation contained in Count 1, \$400.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,750.00. In addition, Nordlof 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. The courses that must be completed are:

File Number 2022-01553, Lawrence Nordlof

- For the violation of Count 1, six (6) hours pertaining to Real Estate Law and Regulations; and
- For the violation of Count 2, three (3) hours

pertaining to Ethics and Standards of Conduct.

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, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-01617, Mohammad Shahverdi**, the Board reviewed the Consent Order as seen and agreed to by Mr. Shahverdi. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Shahverdi admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.j (Count 2) of the Board's 2021 Regulations, and agrees a monetary penalty of \$600.00 for the violation contained in Count 1, \$1,500.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$2,250.00. In addition, Shahverdi 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
- Six (6) hours pertaining to Contract Writing.

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, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-01928, Charles F. Coates, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Coates. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Coates admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2021 Regulations, 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

File Number 2022-01617, Mohammad Shahverdi

File Number 2022-01928, Charles F. Coates, Jr.

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 \$1,250.00. In addition, Coates 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 Davis, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-01929, Charles F. Coates, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Coates. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Coates admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, 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 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 \$1,250.00. In addition, Coates 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 Davis, Funkhouser, Johnson, Moiz, Mollineaux and Thronson.

File Number 2022-01929, Charles F. Coates, Jr.

In the matter of **File Number 2022-02166, Jeannette McCallum**, the Board reviewed the Consent Order as seen and agreed to by Ms. McCallum. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein McCallum admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations,

File Number 2022-02166, Jeannette McCallum

and a violation of §54.1-2132.A.4 (Count 3) of the *Code of Virginia*, and agrees a monetary penalty of \$500.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, \$500.00 for the violation contained in Count 3, and \$150.00 in Board costs, for a total of \$1,750.00. In addition, McCallum 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, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

In the matter of **File Number 2022-02439, Dale A. Brundage**, the Board reviewed the Consent Order as seen and agreed to by Mr. Brundage. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Brundage admits to a violation of §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$700.00. In addition, Brundage 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 to the Board within six (6) months of the effective date of this Consent Order. The courses 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, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

File Number 2022-02439, Dale A. Brundage

A motion was made by Ms. Davis and seconded by Mr.

Administrative Issues

Funkhouser to approve payment in the amount of \$40,702.10 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, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.

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

Ms. Martine gave a presentation on the regulatory review process. No action was taken by the Board.

Mr. Funkhouser provided a report from the November 16, 2022, Real Estate Board Education Committee meeting. A motion was made by Ms. Thronson and seconded by Ms. Jones to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Mollineaux and Thronson.


Education

There being no further business, the Board adjourned at 12:00 P.M.

Adjourn



Sharon Johnson, Chair



Demetrios J. Melis, Secretary

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Anna Thronson
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: November 17, 2022
(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.

Anna Thronson
Signature

11-17-22
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: November 17, 2022
(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

11/17/2022
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: November 17, 2022
(Date)

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

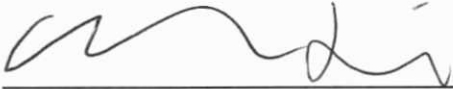
_____ (Agenda Item)

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

11/17/22
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Joseph Kemper Funkhouser, III
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: November 17, 2022
(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

11-17-2022
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Catina Jones
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: November 17, 2022
(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

11-17-22
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: November 17, 2022
(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 A. Johnson
Signature

11/17/22
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Cavelle Mollineaux
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: November 17, 2022
(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.

C. Mollineaux
Signature

11/17/2022
Date

