

REAL ESTATE BOARD

TENTATIVE AGENDA

Thursday, May 19, 2022 - 10:00 a.m.

2nd Floor – Board Room 2

Department of Professional and Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8526

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. March 17, 2022, Real Estate Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORTS

1. Fair Housing Administrator's Report
2. Litigation update

V. FAIR HOUSING CASES

1. Katrina Sutton and Dana Linzy v. Brookridge Apartments LLC and South Oxford Management LLC
REB File Number: 2021-00490
HUD File Number: 03-21-7002-8
2. Sonya Ray Williams v. Wellesley Woods Associates LP, Grady Management Inc. and Danielle Davis
REB File Number: 2022-01006
HUD File Number: 03-22-0198-3
3. Ebone Gamby v. RangeWater Residential, LLC, White Oaks Development, LLC, and Laron Woodson
REB File Number: 2022-00752
HUD File Number: 03-22-9930-8
{Conciliation: Disability}
4. Sheila R. O'Reilly v. Bell Partners, Inc., Molly Pelkey and Daryl Towns
REB File Number: 2022-00127
HUD File Number: 03-21-9180-8
{Conciliation: Disability}
5. Dashawn Eubanks v. Alexandria Gateway Limited Partnership, S. L. Nusbaum Realty Co., Ivette Olivares, and LaToya Aderly
REB File Number: 2022-00538
HUD File Number: 03-22-0200-8
{Conciliation: Disability}

VI. REAL ESTATE CASES

1. File Number 2022-00114 – Michael Thomas Howell
IFF by Eldridge – Licensing
2. File Number 2021-02906 – Christopher Daniel Way
IFF by Eldridge – Licensing
3. File Number 2022-00113 – Michael Joseph Bail
IFF by Eldridge – Licensing
4. File Number 2021-02714 – Jennifer Elizabeth Wright
IFF by Eldridge – Licensing
5. File Number 2021-02712 – Marcus D. White
IFF by Eldridge – Licensing
6. File Number 2021-02478 – Mark Anthony Gregory
IFF by Moiz – Licensing
7. File Number 2022-00923 – Israel Rosa
IFF by Moiz – Licensing
8. File Number 2022-01335 – Michelle Renea Wheeler
IFF by Piland – Licensing
9. File Number 2022-00920 – Bernice Bericita Brown
IFF by Piland – Licensing
10. File Number 2022-00922 – Donna Kay Dovel
IFF by Piland – Licensing
11. File Number 2022-01276 – Nathaniel Carl Backhouse
IFF by Piland – Licensing
12. File Number 2022-00925 – Bruce L. Pitt (Claimant) v. Michael Borthott (Regulant)
IFF by Piland – Recovery Fund
13. File Number 2021-02520 – David Bastiaans (Claimant) v. Robert Dale Schroeder, dba
Family Properties (Regulant)
IFF by Piland – Recovery Fund
14. File Number 2020-00890 – Jason King Restein
IFF by Grimsley & Johnson – Disciplinary
15. File Number 2021-01589 – Lourdes Akers
IFF by Johnson & Bower – Disciplinary

16. File Number 2021-02532 – Alexander Akuetteh
IFF by Perry – Disciplinary
17. File Number 2022-00652 – Richard Allen Romine, Jr.
IFF by Perry & Davis – Disciplinary
18. File Number 2021-02218 – Estera Warrick-Cin
Pre-IFF Consent Order by Bower – Disciplinary
19. File Number 2022-00184 – Kathleen Littleford
Pre-IFF Consent Order by Johnson – Disciplinary
20. File Number 2021-02553 – Brenda McKinney
Pre-IFF Consent Order – Disciplinary
21. File Number 2021-02526 – Carol Matherly Guerrant
Pre-IFF Consent Order – Disciplinary
22. File Number 2021-02301 – Hector Velasquez
Pre-IFF Consent Order – Disciplinary
23. File Number 2022-00714 – Ana Carlo Soto
Pre-IFF Consent Order – Disciplinary
24. File Number 2022-00332 – Jeffrey Eugene Sims
Pre-IFF Consent Order – Disciplinary
25. File Number 2022-00453 – Mary Futrell
Pre-IFF Consent Order – Disciplinary
26. File Number 2022-00516 – James Martin Downs, Jr.
Pre-IFF Consent Order – Disciplinary
27. File Number 2022-00533 – Abigail Darlene Royce
Pre-IFF Consent Order – Disciplinary
28. File Number 2022-00124 – Jennifer Lynn De Young
Pre-IFF Consent Order – Disciplinary
29. File Number 2021-02224 – Kelly Sian Sweitzer t/a Kelly S. Sweitzer
Pre-IFF Consent Order – Disciplinary
30. File Number 2021-00637 – Alinson Danilo Nova
Prima Facie – Disciplinary
31. File Number 2022-00535 – Steven Townley
Pre-IFF Consent Order by Pineda - Disciplinary

VII. ADMINISTRATIVE ISSUES

- Fee Adjustment proposal
- Board Financial Statement

VIII. EDUCATION

- May 18, 2022, Education Committee Report

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT

NEXT MEETING SCHEDULED FOR THURSDAY, JULY 21, 2022

** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.

Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

REAL ESTATE BOARD
MINUTES OF MEETING

March 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
Candice Bower
David Perry
Cama Jones
Nan Piland
Mayra Pineda

Board member absent from the meeting: Ibrahim Moiz, Vice-Chair
Margaret Davis
Kemper Funkhouser

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

Demetrios J. Melis, Director
Kishore Thota, Chief Deputy Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Trudy Miller, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Emily Trent, Administrative Coordinator

Elizabeth Payne and Brittany Berky, from the Office of the Attorney General were present.

Ms. Johnson called the meeting to Order at 10:09 A.M.

Call to Order

A motion was made by Ms. Piland and seconded by Ms. Bower to approve the agenda. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

Agenda

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

A motion was made by Ms. Bower and seconded by Mr. Perry to adopt the January 20, 2022, Fair Housing Sub-Committee Meeting minutes, and the January 20, 2022, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

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

Brittany Berky, Assistant Attorney General, gave the Board a Fair Housing litigation update. No action was taken by the Board.

There was no public comment.

Mr. Melis introduced Kishore Thota, Chief Deputy Director to the Board.

Ms. Martine went through the names on the board meeting sign in sheet asking each person who signed it if they wanted to address the board. She then told these individuals that they would have the opportunity to speak when their agenda item was called.

In the matter of **Stacy Wilson v. Coastal Group, Inc., William G. Morton and Kimberly Ann Maszle, REB File Number 2022-00187**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Stacy Wilson, complainant, was present and addressed the Board. A motion was made by Ms. Pineda and seconded by Mr. Perry to find no reasonable cause the respondents discriminated against the complainant by otherwise making housing unavailable, imposing discriminatory terms and conditions (steering), coercion or refusal to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **Winfred Howard and Joslynn Howard v. Gates Hudson & Associates, Inc. and JCE Neabsco Flats, LLC, REB File Number 2021-00049**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Report, and Case Analysis. A motion was made by Ms. Pineda and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by offering discriminatory terms and conditions, refusing to make a reasonable accommodation or intimidating, harassing, or coercing based upon race or disability. The motion passed unanimously.

Minutes

Fair Housing Reports

Litigation Update

Public Comment

Introduction

Attendance

Stacy Wilson v. Coastal Group, Inc., William G. Morton and Kimberly Ann Maszle, REB File Number 2022-00187

Winfred Howard and Joslynn Howard v. Gates Hudson & Associates, Inc. and JCE Neabsco Flats, LLC, REB File Number 2021-00049

Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **Camille Burden v. 621 N. Payne Street, LLC, Van Metre Residential Management, L.L.C., Angely Keller and Erin Dorland, REB File Number 2021-02912**, a motion was made by Ms. Pineda and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

Camille Burden v. 621 N. Payne Street, LLC, Van Metre Residential Management, L.L.C., Angely Keller and Erin Dorland, REB File Number 2021-02912

In the matter of **Alana Tanika McConnell v. Stafford Pointe Limited Partnership, Arcraft Management Inc., Tammy Diamond, Christopher Brietich and Ashley Brietich, REB File Number 2022-00660**, a motion was made by Ms. Pineda and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

Alana Tanika McConnell v. Stafford Pointe Limited Partnership, Arcraft Management Inc., Tammy Diamond, Christopher Brietich and Ashley Brietich, REB File Number 2022-00660

In the matter of **Tammy Cabell previously known as Tammy Cabell Dummars v. WJD Management LLC, Gina Talotta, Linda Dinovo {previously known as Linda Cummings}, Robert S. Ferrell and Monique Y. Ferrell, REB File Number 2019-02229**, a motion was made by Ms. Pineda and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

Tammy Cabell previously known as Tammy Cabell Dummars v. WJD Management LLC, Gina Talotta, Linda Dinovo (previously known as Linda Cummings), Robert S. Ferrell and Monique Y. Ferrell, REB File Number 2019-02229

In the matter of **Vivian Annette Cartwright v. Doud Realty Services, Inc., Priscilla Horner and Buckman Apartments, LLC, REB File Number 2022-00748**, a motion was made by Ms. Piland and seconded by Ms. Pineda to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower,

Vivian Annette Cartwright v. Doud Realty Services, Inc., Priscilla Horner and Buckman Apartments, LLC,

DRAFT AGENDA
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Johnson, Jones, Perry, Piland and Pineda.

**REB File Number
2022-00748**

In the matter of **File Number 2021-02711, Byung Jik Kim**, 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. Byung Jik Kim, applicant, and J. Chapman Petersen, attorney for the applicant, were present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Pineda to remand the case for another Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

**File Number 2021-
02711, Byung Jik
Kim**

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

Transfer of Chair

In the matter of **File Number 2022-00921, Carolyn Lambert**, 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. Carolyn Lambert, applicant, was present and addressed the Board. A motion was made by Ms. Bower and seconded by Ms. Jones to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Lambert's application for a real estate broker's license. After review of the testimony and documentation presented by Lambert, the Board is of the opinion that Lambert does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Bower, Jones, Perry, Piland and Pineda.

**File Number 2022-
00921, Carolyn
Lambert**

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

In the matter of **File Number 2022-00097, Christian Shawnta Harris**, 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. Christian Shawnta Harris, applicant, was present and addressed the Board. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the recommendation contained in the Summary of the

**File Number 2022-
00097, Christian
Shawnta Harris**

DRAFT AGENDA
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Informal Fact-Finding Conference to deny Ms. Harris' application for a real estate broker's license. After review of the testimony and documentation presented by Harris, the Board is of the opinion that Harris does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting "Yes" were Bower, Jones, Perry, Piland and Pineda.

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

In the matter of **File Number 2021-01589, Lourdes Akers**, the case was deferred to the next Board meeting.

File Number 2021-01589, Lourdes Akers

In the matter of **File Number 2021-01823, Michelle Lee Childress**, the Board reviewed the Consent Order as seen and agreed to by Ms. Childress. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Childress admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Childress agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Contract Writing 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 Bower, Jones, Perry, Piland and Pineda.

File Number 2021-01823, Michelle Lee Childress

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

In the matter of **File Number 2022-00204, Rachel Leigh Anker-Johnson, t/a Rachel Anker-Johnson**, the Board reviewed the Consent Order as seen and agreed to by Ms. Anker-Johnson. Lawrence Marshall, attorney for the respondent, and Rachel Anker-Johnson, respondent, were present and addressed the Board. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein

File Number 2022-00204, Rachel Leigh Anker-Johnson, t/a Rachel Anker-Johnson

DRAFT AGENDA
Materials contained in this agenda are proposed for discussion for any action to be taken by the Board as regulation or official Board position.

Anker-Johnson admits to a violation of 18 VAC 135-20-260.12 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$250.00 the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$400.00. In addition, Anker-Johnson agrees to a six (6) month suspension of her license. The suspension will be stayed upon the following conditions: 1) Anker-Johnson pays all fines and costs associated with the order; and 2) Anker-Johnson remains in compliance with the rules and regulations of the Real Estate Board. Further, Anker-Johnson agrees to provide to the Board, on a quarterly basis for a period of one (1) year and in a form acceptable to the Board, a written statement from Anker-Johnson and her principal broker that Anker-Johnson is in compliance with the regulations of the Real Estate Board. In addition, Anker-Johnson agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Jones, Perry, Piland and Pineda.

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 2022-00707, Jeffrey T. Saferite, Jr., t/a Jeff Saferite, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Saferite. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Saferite admits to a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-210 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, and \$750.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, Saferite 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)

Transfer of Chair

File Number 2022-00707, Jeffrey T. Saferite, Jr., t/a Jeff Saferite, Jr.

Official Board position.

months of the effective date of the Order. The courses must be completed in the classroom.

- For violation of Count 1, three (3) hours pertaining to Ethics and Standards of Conduct; and
- For violation of Count 2, three (3) hours pertaining to Agency Law.

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 Bower, Johnson, Jones, Perry and Pineda.

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

In the matter of **File Number 2021-02776, Christopher Steven Craddock, t/a Chris Craddock**, the Board reviewed the Consent Order as seen and agreed to by Mr. Craddock. A motion was made by Ms. Bower and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Craddock admits to a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-210 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, and \$750.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, Craddock 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.

- For violation of Count 1, three (3) hours pertaining to Ethics and Standards of Conduct; and
- For violation of Count 2, three (3) hours pertaining to Agency Law.

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 Bower, Johnson, Jones, Perry and

File Number 2021-02776, Christopher Steven Craddock, t/a Chris Craddock

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Pineda.

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

In the matter of **File Number 2022-00460, Larry Dean Roberts, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Roberts. A motion was made by Ms. Pineda and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Roberts admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. In addition, for violation of Count 1, Roberts agrees a two (2) year probation of his license as of the effective date of the Order. During the two (2) year probation, Roberts agrees to: 1) Comply with the regulations of the Real Estate Board; (2) Provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Roberts verifying compliance with the terms of his probation as assigned by the court; and (3) Provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Roberts and his principal broker that Roberts is in compliance with the regulations of the Real Estate Board. If Roberts violates any terms of this probation, his license may be revoked, pending Board review. Also, for violation of Count 1, Roberts agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Johnson, Jones, Perry, Piland and Pineda.

File Number 2022-00460, Larry Dean Roberts, Jr.

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

A motion was made by Ms. Pineda and seconded by Ms. Bower to take cases 10-12, as a block vote. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

Consent Orders

In the matter of **File Number 2022-00091, Leslie Ann Asfari,**

File Number 2022-

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the Board reviewed the Consent Order as seen and agreed to by Ms. Asfari. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Asfari admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-180.B.1.a (Count 2) of the Board's 2020 Regulations, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,200.00. In addition, Asfari 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.

- For violation of Count 1, three (3) hours pertaining to Ethics and Standards of Conduct; and
- For violation of Count 2, 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2022-00356, Leslie Carolina Viafara, t/a Leslie Viafara**, the Board reviewed the Consent Order as seen and agreed to by Ms. Viafara. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Viafara 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 \$600.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, for the violation of Count 1, Viafara agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal

00091, Leslie Ann Asfari

File Number 2022-00356, Leslie Carolina Viafara, t/a Leslie Viafara

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or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2022-00488, Sophia Lynne Hartless-Elder**, the Board reviewed the Consent Order as seen and agreed to by Ms. Hartless-Elder. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Hartless-Elder 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 contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Hartless-Elder 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

File Number 2022-00488, Sophia Lynne Hartless-Elder

In the matter of **File Number 2020-00466, Timothy S. Johnson, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Johnson. A motion was made by Ms. Pineda and seconded by Ms. Bower to accept the terms of the Consent Order. A substitute motion was made by Ms. Pineda and seconded by Ms. Bower to reject the terms of the Consent Order and remand the case to an Informal Fact-Finding Conference. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

File Number 2020-00466, Timothy S. Johnson, Jr.

A motion was made by Ms. Pineda and seconded by Ms. Piland to take cases 14-15, as a block vote. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

Consent Orders

In the matter of **File Number 2022-00237, Erwin Bentley Milligan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Milligan. A motion was made by Ms. Pineda and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Milligan admits to a violation of 18 VAC

File Number 2022-00237, Erwin Bentley Milligan

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135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2132.A.4 of the *Code of Virginia*, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Count 1, Milligan 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2021-01223, Karen Stevenson Tacy, dba Karen S. Carpenter-Tacy**, the Board reviewed the Consent Order as seen and agreed to by Ms. Carpenter-Tacy. A motion was made by Ms. Pineda and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Carpenter-Tacy admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.h (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation contained in Count 1, \$1,250.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$2,150.00. In addition, Carpenter-Tacy agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Agency Law 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2022-00158, Stephen Michael Fox**, the Board reviewed the Consent Order as seen and agreed to by Mr. Fox. A motion was made by Ms. Piland and seconded by Ms. Bower to reject the terms of the Consent Order and remand the case to an Informal Fact-Finding Conference. The motion passed

File Number 2021-01223, Karen Stevenson Tacy, dba Karen S. Carpenter-Tacy

File Number 2022-00158, Stephen Michael Fox

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unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2022-00421, Rosalind Ann Levy**, the Board reviewed the Consent Order as seen and agreed to by Ms. Levy. A motion was made by Ms. Piland and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Levy admits to a violation of §54.1-2132.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 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$450.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,100.00. In addition, Levy agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Bower, Johnson, Jones, Perry, Piland and Pineda.

File Number 2022-00421, Rosalind Ann Levy

In the matter of **File Number 2021-02397, Donnell Sims**, the Board reviewed the Consent Order as seen and agreed to by Mr. Sims. The respondent, Mr. Sims, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Sims admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board’s 2015 Regulations, a violation of 18 VAC 135-20-260.11.g (Count 2) of the Board’s 2015 Regulations, two violations of §54.1-2137.B (Count 3) of the *Code of Virginia*, and a violation of 18 VAC 135-20-260.11.m (Count 4) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, \$350.00 for each violation contained in Count 3, \$950.00 for the violation contained in Count 4, as well as \$150.00 in Board costs, for a total of \$2,850.00. In addition, Sims 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

File Number 2021-02397, Donnell Sims

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completed in the classroom.

- For violation of Count 1, three (3) hours pertaining to Agency Law;
- For violation of Count 2, six (6) hours pertaining to Real Estate Law and Regulations;
- For violation of Count 3, six (6) hours pertaining to Contract Writing; and
- For violation of Count 4, 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2021-02789, Thomas Nabi, t/a Tom Nabi**, the Board reviewed the Consent Order as seen and agreed to by Mr. Nabi. A motion was made by Ms. Bower and seconded by Ms. Pineda to accept the proposed corrected Consent Order offer wherein Nabi admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-260.11.1 (Count 2) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, \$1,400.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,900.00. In addition, Nabi 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.

- For violation of Count 1, six (6) hours pertaining to Real Estate Laws and Regulations; and
- For 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 Bower, Johnson, Jones, Perry,

File Number 2021-02789, Thomas Nabi, t/a Tom Nabi

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Piland and Pineda.

A motion was made by Ms. Piland and seconded by Ms. Bower to take cases 20-24, as a block vote. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2021-02245, Kevin William Gray**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gray. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Gray admits to a violation of 18 VAC 135-20-190.E.4 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, for the violation of Count 1, Gray agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2022-00402, Zachary Tyler Nance**, the Board reviewed the Consent Order as seen and agreed to by Mr. Nance. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Nance admits to 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, 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, Nance 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 can be completed on-line.

Consent Orders

File Number 2021-02245, Kevin William Gray

File Number 2022-00402, Zachary Tyler Nance

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- For violation of Count 1, three (3) hours pertaining to Escrow Requirements; and
- For violation of Count 2, 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2021-02880, Suu T. Duong, t/a Suu Duong**, the Board reviewed the Consent Order as seen and agreed to by Ms. Duong. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Duong admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-300.6 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$550.00 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 \$1,300.00. In addition, for violation of Count 2, Duong agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Contract Writing 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

File Number 2021-02880, Suu T. Duong, t/a Suu Duong

In the matter of **File Number 2021-02577, Diondra Denise Gray, t/a Diondra Gray**, the Board reviewed the Consent Order as seen and agreed to by Ms. Gray. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Gray 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 \$800.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$950.00. In addition, for the violation of Count 1, Gray agrees to complete at least six (6) classroom hours of Board-

File Number 2021-02577, Diondra Denise Gray t/a Diondra Gray

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approved Post-License education pertaining to Contract Writing 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

In the matter of **File Number 2021-02163, Reginald Lee Britts**, the Board reviewed the Consent Order as seen and agreed to by Mr. Britts. A motion was made by Ms. Piland and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Britts admits to a violation of 18 VAC 135-20-260.11.a (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$500.00. In addition, Britts agrees to complete at least two (2) classroom hours of Board-approved Post-License education, pertaining to Real Estate-Related Finance 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 Bower, Johnson, Jones, Perry, Piland and Pineda.

File Number 2021-02163, Reginald Lee Britts

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

Administrative Issues

The Board reviewed the report from the March 16, 2022, Real Estate Board Education Committee meeting. A motion was made by Mr. Perry and seconded by Ms. Pineda to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Perry, Piland and Pineda.

Education

Ms. Martine gave the Board an update on proposed legislation. Erin Barton, Deputy Legislative Council for Virginia REALTORS, was present and addressed the Board regarding HB 533. No action was taken by the Board.

Old Business

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Mr. Melis addressed the board regarding the importance of deliberation on cases and issues before the board. Mr. Melis informed the board about his appearance at the Virginia REALTORS's Broker Plus conference. No action was taken by the Board.

New Business

There being no further business, the Board adjourned at 11:41

Adjourn

Sharon Johnson, Chair

Demetrios J. Melis, Secretary

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Real Estate Board
954640**

2020-2022 Biennium

March 2022

	March 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - March 2020	July 2020 - March 2022
Cash/Revenue Balance Brought Forward			0
Revenues	524,715	7,407,740	7,992,965
Cumulative Revenues			7,992,965
Cost Categories:			
Board Expenditures	38,172	433,174	504,668
Board Administration	91,010	1,993,987	1,923,405
Administration of Exams	5,145	92,967	94,465
Enforcement	94,079	2,088,762	1,946,665
Legal Services	11,049	39,644	71,450
Information Systems	100,147	1,532,596	1,388,493
Facilities and Support Services	34,683	730,326	715,280
Agency Administration	53,752	908,869	902,315
Other / Transfers	0	719,610	719,449
Total Expenses	428,067	8,539,935	8,266,190
Transfer To/(From) Cash Reserves	(9,421)	0	(569,845)
Ending Cash/Revenue Balance			296,620

Cash Reserve Beginning Balance	2,087,720	0	2,648,145
Change in Cash Reserve	(9,421)	0	(569,845)
Cash Reserve Ending Balance	2,078,300	0	2,078,300

Number of Regulants

Current Month	78,311
Previous Biennium-to-Date	74,461

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