

REAL ESTATE BOARD
MINUTES OF MEETING

May 18, 2023

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

Ibrahim Moiz, Vice-Chair
Margaret 'Maggie' Davis
Joseph 'Kemper' Funkhouser, III
Cavelle Mollineaux
David Perry
Nancy 'Nan' Piland
Catina Jones
Anna Thronson

Board members absent from the meeting: Sharon Johnson, Chair

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

Demetrios Melis, Director
Tom Payne, Deputy Director
Stephen Kirschner, Deputy Director
Carol Mitchell, Director, Alternative Dispute Resolution Section
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Dejourie Fullerton, Fair Housing Investigator
Alex Gordon, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Emily Trent, Administrative Coordinator

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

Mr. Moiz called the meeting to Order at 10:02 A.M.

Call to Order

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

Agenda

A motion was made by Ms. Davis and seconded by Mr. Mollineaux to adopt the February 15, 2023, Real Estate Regulatory Review Committee Meeting minutes, March 16, 2023, Real Estate Fair Housing Sub-Committee Meeting minutes, March 16, 2023, Real Estate Board Meeting minutes and May 2, 2023, Real Estate Regulatory Review Committee Meeting minutes. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

Minutes

Lawrence Marshall, II, addressed the Board regarding joint ventures and RESPA disclosures. No action was taken by the Board.

Public Comment

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load. No action was taken by the Board.

Fair Housing Report

Mr. Shockley gave the Board a litigation update. No action was taken by the Board.

**Fair Housing –
Litigation Report**

In the matter of **Deanna Bell v. Christopher and Natasha Tejada, Danielle (LNU) and TWG Enterprises, Inc., REB File 2023-00410**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find no reasonable cause the respondents discriminated against the complainant by refusing to rent, offering discriminatory terms and conditions, or refusing to provide a reasonable accommodation based upon her daughter’s disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**Deanna Bell v.
Christopher and
Natasha Tejada,
Danielle (LNU) and
TWG Enterprises,
Inc., REB File 2023-
00410**

In the matter of **Carolyn Robinson v. Lee’s Crossing Community Association and Landmarc Real Estate, Inc., REB File 2020-01820**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find no reasonable cause the respondents discriminated against the complainant in terms and conditions of her occupancy based upon race or disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**Carolyn Robinson v.
Lee’s Crossing
Community
Association and
Landmarc Real
Estate, Inc., REB File
2020-01820**

In the matter of **Kimberly Newman v. Van Metre Management Company and Van Metre at Southern Walk**

**Kimberly Newman v.
Van Metre**

Apartments, LLP, REB File 2021-00865, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Kimberly Newman, complainant, submitted a written statement which was read by the Board. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions or by intimidation, coercion or harassment based upon race or familial status. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**Management
Company and Van
Metre at Southern
Walk Apartments,
LLP, REB File 2021-
00865**

In the matter of **File Number 2023-01364, Woo Sik Oh**, 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. Woo Sik Oh, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and deny Mr. Oh’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 reasons for the revocation of Oh’s prior license. The Board considered the nature and seriousness of the crimes that led to revocation of the prior license and failure to follow Board regulations by timely reporting of convictions 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**File Number 2023-
01364, Woo Sik Oh**

In the matter of **File Number 2023-01522, Shani N. Garrett**, 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. Larry Curry, witness for the applicant, was present and addressed the Board. 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 Ms. Garrett’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**File Number 2023-
01522, Shani N.
Garrett**

In the matter of **File Number 2023-01752, Tonya Marie Martin**, 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. Tonya Marie Martin, applicant, and Lawrence Marshall, II, attorney for the applicant, were 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. Martin's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Ms. Martin and her supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01752, Tonya Marie Martin

In the matter of **File Number 2023-01383, Mohammad Abdo**, 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. Mohammad Abdo, applicant, was present and addressed the Board. 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. Abdo's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01383, Mohammad Abdo

In the matter of **File Number 2023-01045, Carl William Jones, Sr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. 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 Jones' application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Jones and his supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting

File Number 2023-01045, Carl William Jones, Sr.

“Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-01281, Sara Louise Cummings**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by 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. Cummings’ application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01281, Sara Louise Cummings

In the matter of **File Number 2023-01282, Sarah Ann Russell**, 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. Sarah Ann Russell, applicant, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* deny Ms. Russell’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 amount of time that has elapsed since Russell’s last involvement in the commission of the crime, and the lack of evidence of Russell’s rehabilitation or rehabilitative effort while incarcerated or following release 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, Jones, Moiz, Perry, Piland and Thronson.

File Number 2023-01282, Sarah Ann Russell

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

In the matter of **File Number 2023-01637, Timothy Andrew Litzenburg**, 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-

File Number 2023-01637, Timothy Andrew Litzenburg

Finding Conference. Timothy Andrew Litzenburg, applicant, was present and addressed the Board. 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 (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* deny Mr. Litzenburg'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, the Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crime(s) 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-01014, Jodi Danielle Robinson**, 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. Jodi Danielle Robinson, applicant, was present and addressed the Board. A motion was made by Mr. Funkhouser and seconded by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Robinson's application for a real estate salesperson's license subject to an agreement for licensure for a period of two years wherein Ms. Robinson and her broker will provide quarterly reports to the Board. The motion failed. Members voting "Yes" were Funkhouser, Moiz and Mollineaux. Members voting "No" were Davis, Perry, Piland and Thronson. A motion was made by Ms. Davis and seconded by Ms. Thronson to deny Ms. Robinson'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 based on the relationship of the crime to the purpose for requiring a license to engage in the occupation and 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 Robinson had been involved, and agreed it would be negligent to grant a license and voted to deny the license. The motion passed by majority vote. Members voting "Yes" were Davis, Perry, Piland and Thronson. Members voting "No" were Funkhouser, Moiz and Mollineaux.

File Number 2023-01014, Jodi Danielle Robinson

Due to a potential conflict of interest, Ms. Jones did not vote or participate in the discussion in this matter.

In the matter of **File Number 2023-01017, Christian S. Harris**, 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. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to approve Harris' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01017, Christian S. Harris

In the matter of **File Number 2023-01367, Tracy D. Healy**, 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. Healy's application for an inactive real estate salesperson's license with the condition that post license education be completed by Healy by December 31, 2023. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01367, Tracy D. Healy

In the matter of **File Number 2022-02762, Simon Judas Dart**, 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. Simon Judas Dart, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Mollineaux to find a violation of 18 VAC 135-20-180.C.3 (Count 1) of the Board's 2021 Regulations, and a violation of 18 VAC 135-20-180.C.2 (Count 2) of the Board's 2021 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Jones, Moiz, Mollineaux, Perry and Thronson.

File Number 2022-02762, Simon Judas Dart

A motion was made by Ms. Davis and seconded by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a

monetary penalty of \$250.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, for a total of \$750.00. In addition, for violations of Counts 1 and 2, Dart's license shall be placed on probation for a period of six (6) months and required to complete three (3) classroom hours of Board-approved post-license education pertaining to Escrow Requirements. Such course(s) shall be completed in a classroom. Further, Dart shall provide evidence acceptable to the Board that Dart 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, Jones, Moiz, Mollineaux, Perry and Thronson.

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

In the matter of **File Number 2022-01993, Brian Darrell Hall**, the Board reviewed the record which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Brian Darrell Hall, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of 18 VAC 135-20-260.11.a (Count 1) of the Board's 2015 Regulations, no violation of 18 VAC 135-20-180.C.5 (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-260.12.b (Count 3) of the Board's 2015 Regulations and a violation of §54.1-2132.A.4 (Count 4) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Davis, Jones, Moiz, Mollineaux, Piland and Thronson.

File Number 2022-01993, Brian Darrell Hall

A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the amended recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$350.00 for the violation contained in Count 1, \$2,500.00 for the violation contained in Count 3, \$750.00 for the violation contained in Count 4, for a total of \$3,600.00. In addition, for violation of Count 3, Hall's license shall be suspended for a period of sixty (60) days. In addition, Hall's license shall be placed on probation for a period of six (6) months. The terms of the probation shall be as follows:

- For violation of Count 1, Hall shall be required to complete three (3) hours of Board-approved post-license education pertaining to Escrow Requirements;
- For violations of Counts 1 and 3, Hall shall be required to complete six (6) hours of Board-approved post-license education pertaining to Real Estate Law and Regulations;
- For violations of Counts 1, 3 and 4, Hall shall be required to complete three (3) hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct.

The above-referenced post-license education hours shall be completed in a classroom. Further, Hall shall provide evidence acceptable to the Board that Hall 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 Board amended the recommendation contained in the Summary of the Informal Fact-Finding Conference to clarify the number of hours of Real Estate Law and Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Jones, Moiz, Mollineaux, Piland and Thronson.

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

In the matter of **File Number 2023-00115, Frank Cava**, the Board reviewed the Consent Order as seen and agreed to by Mr. Cava. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Cava admits to a violation of §54.1-2135.A.1 (Count 1) of the *Code of Virginia*, 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, Cava 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 the Order. The course 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

File Number 2023-00115, Frank Cava

passed unanimously. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Piland and Thronson.

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

A motion was made by Ms. Davis and seconded by Mr. Funkhouser to take cases 15-26, as a block vote. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2022-02436, Randy Wampler**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wampler. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Wampler admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board’s 2015 Regulations, and a violation of 18 VAC 135-20-190.C.3.a (Count 2) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$800.00 for the violation contained in Count 1, \$800.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,750.00. In addition, Wampler 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 Law and Regulations and;
- Six (6) hours pertaining to Contract Writing;
- 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. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-01433, Lisa Betham**

Consent Orders

File Number 2022-02436, Randy Wampler

File Number 2023-

Garrett, t/a Lisa B. Garrett, the Board reviewed the Consent Order as seen and agreed to by Ms. Garrett. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Garrett 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 a monetary penalty of \$500.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,250.00. In addition, for the violation of Count 1, Garrett 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**01433, Lisa Betham
Garrett, t/a Lisa B.
Garrett**

In the matter of **File Number 2022-02444, Cynthia Diane Ward**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ward. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Ward admits to a violation of §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, and agrees a monetary penalty of \$550.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$700.00. The Board shall waive imposition of the \$550.00 monetary penalty for Count 1, provided Ward successfully completes the below specified Post-License education. If Ward fails to comply with this condition, then the full monetary penalty will be automatically imposed. In addition, Ward agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

**File Number 2022-
02444, Cynthia Diane
Ward**

In the matter of **File Number 2023-01165, Kacie Erin Jenkins**, the Board reviewed the Consent Order as seen and agreed to by Ms. Jenkins. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Jenkins 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 each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, Jenkins agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01165, Kacie Erin Jenkins

In the matter of **File Number 2023-00393, Ian Patrick Di Sesa**, the Board reviewed the Consent Order as seen and agreed to by Mr. Di Sesa. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Di Sesa admits to a violation of §54.1-2131.A.1 (Count 1) of the *Code of Virginia*, and agrees a monetary penalty of \$1,200.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,350.00. In addition, Di Sesa 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 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00393, Ian Patrick Di Sesa

In the matter of **File Number 2023-01504, Antionette Sue Royal, t/a Sue Royal**, the Board reviewed the Consent Order as seen and agreed to by Ms. Royal. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Royal admits to *two violations* of

File Number 2023-01504, Antionette Sue Royal, t/a Sue Royal

18 VAC 135-20-260.11.g (Count 1) of the Board's 2021 Regulations, and *two violations* 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 each violation contained in Count 1, \$600.00 for each violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$2,350.00. In addition, Royal 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 Escrow Requirements; 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. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00408, Diane Marie Steele, t/a Diane Steele**, the Board reviewed the Consent Order as seen and agreed to by Ms. Steele. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Steele admits to *two violations* of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$600.00 for each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,350.00. In addition, Steele agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00408, Diane Marie Steele, t/a Diane Steele

In the matter of **File Number 2023-00276, Zhenhe Pan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Pan. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Pan admits to a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2021 Regulations, and agrees to a monetary penalty of \$1,400.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,550.00. In addition, Pan 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.

File Number 2023-00276, Zhenhe Pan

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

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. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00135, Jimmy A. Yeh**, the Board reviewed the Consent Order as seen and agreed to by Mr. Yeh. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Yeh 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, Yeh 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.

File Number 2023-00135, Jimmy A. Yeh

- For violation of Count 1, six (6) hours pertaining to Real Estate Law and Regulations course; 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. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00004, Jeffrey Robert Leighton**, the Board reviewed the Consent Order as seen and agreed to by Mr. Leighton. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Leighton admits to a violation of §54.1-2137.A (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 a monetary penalty of \$400.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,150.00. In addition, Leighton agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion 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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00004, Jeffrey Robert Leighton

In the matter of **File Number 2023-00127, Trevor Paul Moore**, the Board reviewed the Consent Order as seen and agreed to by Mr. Moore. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Moore 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 each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, Moore agrees to complete at least nine (9) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and three (3) classroom hours 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

File Number 2023-00127, Trevor Paul Moore

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, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-01008, Danielle Rene Dickerson**, the Board reviewed the Consent Order as seen and agreed to by Ms. Dickerson. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Dickerson admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2021 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. In addition, Dickerson agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

File Number 2023-01008, Danielle Rene Dickerson

The Board discussed the Regulatory Review Committee meeting schedule and confirmed current membership. The Real Estate Regulatory Review Committee members are Ibrahim Moiz, Sharon Johnson, Maggie Davis, Cavelle Mollineux, Kemper Funkhouser, Nan Piland, Joe Funkhouser, Lynn Grimsley, Boyd Smith, Kit Hale, Erin Kormann, and Lawrence Marshall, II. The Board agreed the next Regulatory Review Committee meetings would take place directly following the Real Estate Board meetings on July 13, 2023, and September 28, 2023.

Administrative Issues

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

Mr. Kirschner addressed the Board acknowledging the large volume of applications and forms processed and work completed by the Real Estate Board staff. The Board commended the efforts of staff.

A regulatory report was given by Mr. Kirschner which addressed pending regulatory actions including a proposed fee adjustment and the Universal License Recognition Emergency Regulation. No action was taken by the Board.

Mr. Kirschner gave a legislative report. No action was taken by the Board.

Ms. Piland provided a report from the May 17, 2023, Real Estate Education Committee meeting noting a correction that the Committee recommended one original post-license and continuing education course application be approved instead of zero. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to adopt the corrected May 17, 2023, Real Estate Regulatory Review Committee Meeting minutes. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

Education

Mr. Kirschner requested the Board establish a formal election policy to govern Board elections for Chair and Vice Chair of the Real Estate Board. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to hold an election for Chair and Vice Chair during the first Real Estate Board meeting of each year in July. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Mollineaux, Perry, Piland and Thronson.

New Business

Liz Hayes, Todd Shockley and Carol Mitchell presented Fair Housing training to the Board.

Fair Housing Training

Maggie Davis departed the meeting at 12:16 p.m.

Ibrahim Moiz departed the meeting at 12:31 p.m.

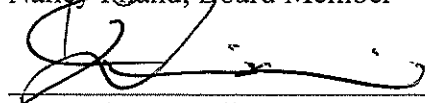
Anna Thronson departed the meeting at 12:58 p.m.

There being no further business, the Board adjourned at 1:28 p.m.

Adjourn



Nancy Piland, Board Member



Demetrios J. Melis, Secretary

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: DPOR/Real Estate Board
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?
 No; I do not have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.

A. Jodi Robinson
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction: She is a personal friend.
Jodi has requested to come to my firm.

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

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:

Signature _____ Date 05/18/2023

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: DPOR/Real Estate Board
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. 2023-01282
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

I'm friends with the cousin/principal Broker in transaction

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

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:

C. Mollineaux
Signature

05/18/2023
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: DPOR/Real Estate Board 
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:


Signature

05/18/2023

Date

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

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

1. Name Nancy 'Nan' Piland
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Real Estate Board 
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:



Signature

05/18/2023

Date

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

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

1. Name David Perry
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Real Estate Board ▼
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

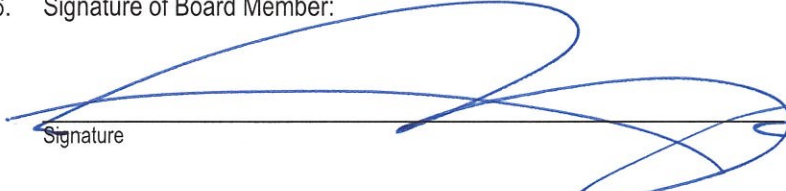
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

 05/18/2023
Signature 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: DPOR/Real Estate Board 
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

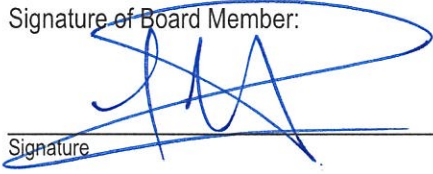
A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

Signature

05/18/2023
Date

**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: DPOR/Real Estate Board ▾
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)


B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:


Signature

05/18/2023
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: DPOR/Real Estate Board 
(Name of Board)

4. Meeting/IFF Date: 05/18/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

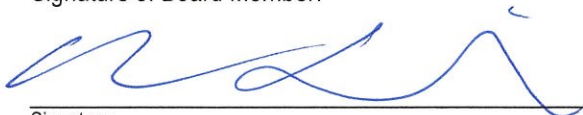
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:



Signature

05/18/2023

Date

