

REAL ESTATE BOARD

TENTATIVE AGENDA

Thursday, April 1, 2021 - 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. January 20, 2021, 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. Robert Williams v. Belmont Services, LLC, Carriage House Inc. dba Coldwell Banker Elite, and Deborah Elaine Warford
REB File Number: 2020-02861
HUD File Number: 03-20-5736-8
2. Youwei Sun, Dandan Wu, and Angela Sun v. Lakefront Realty Inc. dba RE/MAX Lakefront Realty Inc., John W. Cooper Jr. and Joan A. Cooper
REB File Number: 2021-00616
HUD File Number: 03-21-6900-8
3. Elizabeth Nicole McDowell v. Victoria Prince and Today Homes Realty LLC
REB File Number: 2021-00038
HUD File Number: 03-20-6336-8
4. Dynelle Lunsford and Ajialon, LLC v. Abitt Realty Company LLC, Angela S. Ballard and Matthew E. Ballard
REB File Number: 2021-00735
HUD File Number: 03-21-7346-8
{Conciliation: Race}
5. Alicia Carr v. Move with Prime LLC dba RE/MAX Prime and Christopher A. Mateo
REB File Number: 2020-02191
HUD File Number: 03-20-5581-8
{Conciliation: Disability and Retaliation}

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6. Bernard Vick v. Fairview Manor Associates, LLP and SL Nusbaum Realty Co.
REB File Number: 2021-01655
HUD File Number: 03-21-7679-8
{Conciliation: Disability}

VI. REAL ESTATE CASES

1. File Number 2021-00396 – Lakitta Hicks-White
IFF by Johnson – Licensing
2. File Number 2021-00401 – Christal E. Edwards
IFF by Johnson – Licensing
3. File Number 2020-01470 – Angelina Woodson
Prima Facie by Johnson – Disciplinary
4. File Number 2020-00414 – Edmund John Seggerman
IFF by Grimsley and Davis – Disciplinary
Appointment – Edward John Seggerman, respondent
5. File Number 2020-02307 – Robert Resh
IFF by Hoover and Davis – Disciplinary
6. File Number 2019-02769 – Bradley Gene Newton, dba Brad Newton
Prima Facie by Piland – Disciplinary
7. File Number 2019-03204 – Candice Marie Lucas, t/a Candice Bolt
Prima Facie – Disciplinary
8. File Number 2020-00935 – Barbara Mitchell-Judge
Prima Facie – Disciplinary
9. File Number 2021-01113 – Natasha Ashley Miller DeLoach
Prima Facie – Disciplinary
10. File Number 2020-02108 – Jessee Allen DeLoach
Prima Facie – Disciplinary
11. File Number 2020-01566 – Michael L. Boitnott
Prima Facie – Disciplinary
12. File Number 2020-02099 – Melissa Sue Boitnott
Prima Facie – Disciplinary
13. File Number 2020-02189 – Janneth Enriquez-Miranda
Pre-IFF Consent Order by Bowers – Disciplinary
14. File Number 2020-02685 – Keesha Wells-Croom
Pre-IFF Consent Order by Grimsley – Disciplinary

15. File Number 2020-01743 – James Martin Downs, Jr.
Pre-IFF Consent Order by Hoover – Disciplinary
16. File Number 2020-01774 – Michael McGorman
Pre-IFF Consent Order – Disciplinary
17. File Number 2020-01411 – Jasmine Douglas
Pre-IFF Consent Order– Disciplinary
18. File Number 2020-01773 – Michael Conner
Pre-IFF Consent Order – Disciplinary
19. File Number 2020-01672 – Zachary Aaron McCoy
Pre-IFF Consent Order – Disciplinary
20. File Number 2021-00558 – Mark Dalton
Pre-IFF Consent Order – Disciplinary
21. File Number 2020-02216 – Ando Suvani
Pre-IFF Consent Order – Disciplinary
22. File Number 2020-02600 – James Kelley
Pre-IFF Consent Order – Disciplinary

VII. ADMINISTRATIVE ISSUES

- Board Financial Statement

VIII. EDUCATION

- March 31, 2021, Education Committee Report

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, May 12, 2021

** 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

January 20, 2021

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

Sharon Johnson, Chair
Ibrahim Moiz, Vice-Chair
Nan Piland
David Perry
Catina Jones
Margaret Davis
Candice Bower

Board members absent from the meeting: Mayra Pineda
Marzia Abbasi

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

Mary Broz-Vaughan, Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant

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

Ms. Johnson called the meeting to Order at 10:05 A.M.

Call to Order

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

Agenda

A motion was made by Ms. Davis and seconded by Mr. Moiz to adopt the November 19, 2020, Fair Housing Sub-Committee Meeting minutes; and November 19, 2020, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry

Minutes

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

and Piland.

There was no public comment.

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

Helen Hardiman, Assistant Attorney General, gave the Board a litigation update. No action was taken by the Board.

A motion was made by Ms. Davis and seconded by Ms. Bower to adopt the proposed Guidance Document regarding housing discrimination on the basis of source of funds. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

In the matter of **Roxanne G. Thompson v. Brunswick Village LP and Park Properties Management Company, LLC, File Number 2020-01647**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis, and Supplemental Final Investigative Report. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or otherwise make housing unavailable; or by failing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

In the matter of **Elnora Delcid v. Hamptons Noble LP and S. L. Nusbaum Realty Co., REB File Number 2020-02605**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis, and Supplemental Final Investigative Report. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or otherwise make housing unavailable based upon race; or by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

In the matter of **Kyle Swabb v. Bozzutto Management Company and TRE HSC Notch LLC, REB File Number 2020-02461**, the Board reviewed the record which consisted of

Public Comment

Fair Housing Reports

Roxanne G. Thompson v. Brunswick Village LP and Park Properties Management Company, LLC, File Number 2020-01647

Elnora Delcid v. Hamptons Noble LP and S. L. Nusbaum Realty Co., REB File Number 2020-02605

Kyle Swabb v. Bozzutto Management

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the Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant in terms and conditions, privileges or in services and facilities; or by refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

**Company and TRE
HSC Notch LLC,
REB File Number
2020-02461**

In the matter of **File Number 2021-00291, Jamil Lamar Bland**, 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. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Bland's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

**File Number 2021-
00291, Jamil Lamar
Bland**

In the matter of **File Number 2021-00292, Byron Adrian Shorter, II**, 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. Byron Adrian Shorter, II, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Bower 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. Shorter's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

**File Number 2021-
00292, Byron Adrian
Shorter, II**

In the matter of **File Number 2020-02780, Dustin Richard Trebilco**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal

**File Number 2020-
02780, Dustin
Richard Trebilco**

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Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Trebilco's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

In the matter of **File Number 2020-02862, Dexter Gary Parker**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Moiz 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. Parker's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-02862, Dexter Gary Parker

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

Transfer of Chair

In the matter of **File Number 2020-00060, John B. Mair**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Mr. Perry to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Mr. Mair's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Jones, Moiz, Perry and Piland.

File Number 2020-00060, John B. Mair

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

In the matter of **File Number 2020-01453, Ruthann Fields**, the Board reviewed the Consent Order as seen and agreed to by Ms. Fields. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Fields admits to a violation of 18 VAC 135-20-260.11.b (Count 1) of the Board's 2015 Regulations, and agrees to a monetary

File Number 2020-01453, Ruthann Fields

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penalty of \$1,450.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,600.00. In addition, for the violation of Count 1, Fields agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom after the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Jones, Moiz, Perry and Piland.

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 2020-01228 Muhammad Mir**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Muhammad Mir, respondent, was present and addressed the Board. A motion was made by Mr. Perry and seconded by Ms. Bower to accept the recommendation to find no violation of 18 VAC 135-20-260.12.b of the Board's 2015 Regulations, and close the file. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Jones, Moiz, Perry and Piland.

File Number 2020-01228, Muhammad Mir

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

In the matter of **File Number 2019-02549, Julia F. McNulty**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Julia F. McNulty, respondent, and Michael LaFayette, attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Perry to find a violation of 18 VAC 135-20-260.12.c (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Jones, Moiz and Perry.

File Number 2019-02549, Julia F. McNulty

A motion was made by Ms. Bower and seconded by Ms. Davis to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,500.00 for the violation contained in Count 1, for a total of \$1,500.00. In addition, for the violation of Count 1, the Board imposes revocation of McNulty's broker license and simultaneous issuance of a salesperson license, on the effective date of the Order. In addition, the Board imposes probation for a period of two (2) years. The terms of the probation shall be as follows: 1) McNulty and her broker will provide quarterly reports to the Board that she is in compliance with the rules and regulations of the Board. 2) McNulty shall be required to complete six (6) classroom hours of Board-approved continuing education pertaining to Agency; and six (6) classroom hours of Board-approved education pertaining to Real Estate Contracts. Such courses shall be completed in a classroom outside of McNulty's agency. Further, McNulty shall provide evidence acceptable to the Board that McNulty has successfully completed the course within one hundred eighty (180) days of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. A substitute motion was made by Mr. Moiz and seconded by Ms. Bower to impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, for a total of \$2,500.00. In addition, for the violation of Count 1, the Board imposes revocation of license. The Board amended the recommended sanction in the Summary to increase the monetary penalty and revoke McNulty's license based on the egregiousness of the violation and McNulty's prior disciplinary history and violations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Jones, Moiz and Perry.

As the Board members who reviewed the file and participated at the Informal Fact-Finding Conference, Ms. Johnson and Ms. Piland 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 2020-00926, Megan Cherie Gray**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A

Transfer of Chair

File Number 2020-00926, Megan Cherie Gray

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motion was made by Ms. Davis and seconded by Ms. Bower to find a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.12.b (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz and Perry.

A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference in part but to increase the monetary penalty to \$2,500.00 for the violation contained in Count 1, and to \$2,500.00 for the violation in Count 2. The Board voted to increase the monetary penalties due to the egregious nature of the violations, for a total of \$5,000.00. In addition, for the violation of Count 1, Gray's license is placed on probation. The terms of the probation shall be Gray is required to complete three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Gray shall provide evidence acceptable to the Board that Gray has successfully completed the course within three (3) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, for the violation of Count 2, the Board imposes revocation of Gray's broker license, and simultaneously issues her a salesperson's license, on the effective date of the Order. Further, for the violation of Count 2, Gray's license is placed on probation for a period of two (2) years. The terms of the probation shall be as follows: 1) Gray and her broker will provide quarterly reports to the Board that Gray is in compliance with the rules and regulations of the Board. 2) Gray shall complete three (3) classroom hours of Board-approved continuing education pertaining to Agency. Such course shall be completed in a classroom. Further, Gray shall provide evidence acceptable to the Board that Gray has successfully completed the course within three (3) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz and Perry.

As the Board member who participated in the Informal Fact-

Finding Conference, Ms. Piland did not vote or participate in the discussion in this matter.

In the matter of **File Number 2019-00917, Bonnie Ruth Shakur**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Moiz and seconded by Ms. Bower to find a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-280.2 (Count 2) of the Board's 2015 Regulations, and a violation 18 VAC 135-20-300.7 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Moiz and Perry.

File Number 2019-00917, Bonnie Ruth Shakur

A motion was made by Ms. Bower and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, and \$550.00 for the violation contained in Count 3, for a total of \$1,550.00. In addition, for the violation of Counts 1, 2, and 3, the Board imposes revocation of Shakur's license. The motion passed unanimously. Members voting "Yes" were Bower, Johnson, Jones, Moiz and Perry.

As the Board members who reviewed the file and participated in the Informal Fact-Finding Conference, Ms. Davis and Ms. Piland did not vote or participate in the discussion in this matter.

In the matter of **File Number 2019-01715, Scottie Tyrone Booker**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Moiz and seconded by Ms. Davis to find a violation of 18 VAC 135-20-165.6.d (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz and Perry.

File Number 2019-01715, Scottie Tyrone Booker

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

Official Board position.

penalty of \$1,000.00 for the violation contained in Count 1, for a total of \$1,000.00. In addition, for the violation of Count 1, Booker's license is placed on probation. The terms of the probation require Booker to complete six (6) classroom hours of Board-approved continuing education pertaining to Ethics, and six (6) classroom hours of Board-approved continuing education pertaining to the Board's Rules and Regulations. Such course(s) shall be completed in a classroom. Further, Booker shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz and Perry.

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

In the matter of **File Number 2019-02769, Bradley Gene Newton**, the case was deferred.

File Number 2019-02769, Bradley Gene Newton

In the matter of **File Number 2020-02446, Robert Winstein Gunnels, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gunnels. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Gunnels admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, and agrees to a \$150.00 in Board costs, for a total of \$150.00. Further, for the violation of Count 1, Gunnels agrees to a two (2) year probation of his license as of the effective date of the Order. During the two (2) year probation, Gunnels agrees to comply with the regulations of the Real Estate Board; and to provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Gunnels and his principal broker that Gunnels is in compliance with the regulations of the Real Estate Board. If Gunnels violates any terms of the probation, his license may be revoked, pending review by the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-02446, Robert Winstein Gunnels, Jr.

In the matter of **File Number 2020-02308, Dawn Dumire**, the

File Number 2020-

Board reviewed the Consent Order as seen and agreed to by Ms. Dumire. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Dumire admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.7 (Count 2) of Board's 2015 Regulations, and agrees to a monetary penalty of \$800.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$950.00. In addition, for the violation of Count 1, Dumire agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

02308, Dawn Dumire

In the matter of **File Number 2020-01839, Bradley Jon Meletti t/a Brad Meletti**, the Board reviewed the Consent Order as seen and agreed to by Mr. Meletti. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Meletti admits to a violation of 18 VAC 135-20-260.11.1 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$850.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,000.00. For violation of Count 1, Meletti agrees to pay the monetary penalty of \$850.00 within nine (9) months of the effective date of the Order. In addition, for the violation of Count 1, Meletti agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within nine (9) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-01839, Bradley Jon Meletti t/a Brad Meletti

In the matter of **File Number 2020-00995, Betty Gaither Yarborough**, the Board reviewed the Consent Order as seen and agreed to by Ms. Yarborough. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Yarborough admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$950.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,100.00. In addition, for the violation of

File Number 2020-00995, Betty Gaither Yarborough

Count 1, Yarborough agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Jones, Moiz, Perry and Piland.

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

In the matter of **File Number 2020-02190, Ana Smith**, the Board reviewed the Consent Order as seen and agreed to by Ms. Smith. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Smith admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$900.00 for the violation contained in Count 1, and as well as \$150.00 in Board costs, for a total of \$1,050.00. In addition, for violation of Count 1, if and when Smith's license is reactivated, Smith agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. Also, for violation of Count 1, if and when Smith's license is reactivated, Smith agrees to complete at least three (3) hours of Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-02190, Ana Smith

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

In the matter of **File Number 2020-00202, Matthias Frahm**

File Number 2020-

Smith, the Board reviewed the Consent Order as seen and agreed to by Mr. Smith. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Smith admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.12.c (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1, \$1,500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$2,250.00. In addition, Smith agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Consent Order. The courses must be completed in the classroom. For the violation of Count 1, three (3) hours pertaining to Real Estate Contracts; and for the violation of Count 2, three (3) hours pertaining to Ethics and Standards of Conduct. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

**00202, Matthias
Frahm Smith**

In the matter of **File Number 2020-02179, James Bristol**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bristol. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Bristol admits to a violation of §54.1-2135.A.1 (Count 1) of the *Code of Virginia*, 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, Bristol agrees to complete at least three (3) hours pertaining to Property Management and provide proof of attendance and successful completion within nine (9) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

**File Number 2020-
02179, James Bristol**

In the matter of **File Number 2020-01842, Melanie Petros**, the Board reviewed the Consent Order as seen and agreed to by Ms.

**File Number 2020-
01842, Melanie**

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Materials compiled in this agenda for discussion and are not to be construed as regulation or official Board position.

Petros. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Petros 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, for the violation of Count 1, Petros agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

Petros

In the matter of **File Number 2020-01804, Terria Galvez**, the Board reviewed the Consent Order as seen and agreed to by Ms. Galvez. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Galvez admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2132.A.4 (Count 2) 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, Galvez agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Consent Order. The courses must be completed in the classroom. For the violation of Count 1, three (3) hours pertaining to Real Estate Contracts; and for the violation of Count 2, three (3) hours pertaining to Escrow Management. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-01804, Terria Galvez

In the matter of **File Number 2020-01611, Deborah Gonzalez**, the Board reviewed the Consent Order as seen and agreed to by

File Number 2020-01611, Deborah

Ms. Gonzalez. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Gonzalez admits to a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,450.00 for the violation contained in Count 1, and as well as \$150.00 in Board costs, for a total of \$1,600.00. Further, for violation of Count 1, Gonzalez agrees to a one (1) year probation of her license as of the effective date of the Order. During the one (1) year probation, Gonzalez agrees to comply with the regulations of the Real Estate Board; and to provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Gonzalez and her principal broker that Gonzalez is in compliance with the regulations of the Real Estate Board. If Gonzalez violates any terms of the probation, her license may be revoked, pending review by the Board. In addition, for violation of Count 1, Gonzalez agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

Gonzalez

In the matter of **File Number 2020-00340, Lonnie Bush**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bush. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Bush 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 \$750.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$900.00. In addition, for the violation of Count 1, Bush agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The

File Number 2020-00340, Lonnie Bush

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motion passed unanimously. Members voting “Yes” were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

In the matter of **File Number 2020-00315, William T. Brown**, the Board reviewed the Consent Order as seen and agreed to by Mr. Brown. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Brown admits to a violation of 18 VAC 135-20-270.3 (Count 1) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$1,250.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,400.00. The Board shall waive \$600.00 of the monetary penalty for Count 1 provided Brown completes at least three (3) hours of continuing education pertaining to Ethics and Standards of Conduct and/or other equivalent course approved by the Board and provides proof of attendance and successful completion within six (6) months of the effective date of the Order. If Brown fails to comply with these conditions, then the full monetary penalty will be automatically imposed. In addition, for violation of Count 1, Brown agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

File Number 2020-00315, William T. Brown

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 January 19, 2021, Real Estate Board Education Committee meeting. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the Education Committee meeting report. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Johnson, Jones, Moiz, Perry and Piland.

Education

The Board discussed escalation clauses and legislation. No action was taken by the Board.

New Business

There being no further business, the Board adjourned at 11:25

Adjourn

A.M.

Sharon Johnson, Chair

Mary Broz-Vaughan, Secretary

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

**Real Estate Board
954640**

2020-2022 Biennium

February 2021

	February 2021 Activity	Biennium-to-Date Comparison	
		July 2018 - February 2019	July 2020 - February 2021
Cash/Revenue Balance Brought Forward			0
Revenues	330,912	2,800,850	2,792,571
Cumulative Revenues			2,792,571
Cost Categories:			
Board Expenditures	18,453	168,375	175,699
Board Administration	82,424	771,162	715,540
Administration of Exams	3,824	37,114	32,128
Enforcement	92,119	825,679	750,696
Legal Services	0	14,757	20,903
Information Systems	34,551	574,969	457,363
Facilities and Support Services	54,060	258,521	268,912
Agency Administration	43,520	350,566	332,530
Other / Transfers	0	0	0
Total Expenses	328,952	3,001,143	2,753,770
Transfer To/(From) Cash Reserves	0	0	(81,524)
Ending Cash/Revenue Balance			120,325

Cash Reserve Beginning Balance	2,566,621	0	2,648,145
Change in Cash Reserve	0	0	(81,524)
Cash Reserve Ending Balance	2,566,621	0	2,566,621

Number of Regulants

Current Month	74,167
Previous Biennium-to-Date	73,193

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.