

REAL ESTATE BOARD
MINUTES OF MEETING

July 18, 2024

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. All members present were qualified to vote, except where a specific reason for disqualification is stated. There are nine (9) members on this Board, in which five (5) constitutes a quorum pursuant to § 54.1-2104.

The following Board members were present:

Joseph 'Kemper' Funkhouser, III, Chair
Kermit 'Kit' Hale
Pieri Burton
Rene` Fonseca
Cavelle Mollineaux
Doug Roth
Anna Thronson

Board members absent from the meeting:

Margaret "Maggie" Davis, Vice- Chair
Aekta Chawla

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

Brian Wolford, Interim DPOR Agency Director
Tom Payne, CID Deputy Director
Stephen Kirschner, LRPD Deputy Director
Anika Coleman, Executive Director
Breanne Lindsey, Regulatory Operations Administrator
Liz Hayes, Fair Housing Administrator
Greg Emerson, Director of Examinations
Gezelle Glasgow, Administrative Coordinator

James "Jim" Flaherty, Todd Shockley, Joel Taubman, and Brianna Ivy (intern) from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 10:07 A.M.

CALL TO ORDER

Ms. Coleman reviewed the emergency evacuation procedures.

EMERGENCY EGRESS

Mr. Funkhouser determined that a quorum was a present.

**DETERMINATION
OF QUORUM**

Mr. Funkhouser welcomed guests of the audience and allowed Board members and Board staff to introduce themselves.

**WELCOME AND
INTRODUCTIONS**

Mr. Funkhouser informed the Board that the following Agenda item would be deferred to the next Real Estate Board meeting:

APPROVAL OF AGENDA

#4. Kyle Sershon v. Tricia Childress. Signature Property Management, LLC (dba Signature Properties), and Shellis Square Homeowners Association, Inc.

REB File Number: 2022-02197
HUD File Number: 03-22-1151-8

Mr. Hale moved to approve the amended agenda. Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to approve the minutes from the May 16, 2024, Real Estate Board meeting. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

APPROVAL OF MINUTES

Mr. Mollineaux moved to approve the minutes from the May 16, 2024, Real Estate Board Fair Housing Sub-Committee meeting. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to approve the minutes from the June 14, 2024, Real Estate Board Regulatory Review Committee meeting. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

There was no public comment.

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.

LITIGATION REPORT
FAIR HOUSING CASES

In the matter of **RAY O. BRIDGE V. THE CARPET SHOP OF ROANOKE INC., WALDVOGEL COMMERCIAL PROPERTIES INC., ANDREW PUCKETT REB FILE NUMBER: 2024-01820**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis.

RAY O. BRIDGE V. THE CARPET SHOP OF ROANOKE INC., WALDVOGEL COMMERCIAL PROPERTIES INC., ANDREW PUCKETT REB FILE NUMBER: 2024-01820
HUD FILE NUMBER: 03-24-4443-8

Ms. Thronson moved to find no reasonable cause to believe the respondents discriminated against the complainant by refusing to rent or by imposing discriminatory terms and conditions based on the complainant's disability. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **JACQUELINE EUBANKS, POWER OF ATTORNEY FOR SHAKEAL ROSE V. JAMES FOREHAND AND FOREHAND FAMILY LP REB FILE NUMBER: 2023-02317**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis.

JACQUELINE EUBANKS, POWER OF ATTORNEY FOR SHAKEAL ROSE V. JAMES FOREHAND AND FOREHAND FAMILY LP REB FILE NUMBER: 2023-02317
HUD FILE NUMBER: 03-23-3306-8

Ms. Thronson moved to find no reasonable cause to believe the Respondents discriminated against the Complainant by making a discriminatory statement based on the Complainant's adult son's disability. Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **PATRICIA JACO AND PATRICIA JACO, EXECUTOR OF THE ESTATE OF GENILLA BAUCKMAN V. MONTICELLO SQUARE, LLLP, JUNE FERGUSON, AND LELIA HANKINS REB FILE NUMBER: 2022-02216**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Kelly Bundy, attorney for the respondents, was present and addressed the Board.

PATRICIA JACO AND PATRICIA JACO, EXECUTOR OF THE ESTATE OF GENILLA BAUCKMAN V. MONTICELLO SQUARE, LLLP, JUNE FERGUSON, AND LELIA HANKINS REB FILE NUMBER: 2022-02216 HUD FILE NUMBER: 03-22-3138-8

Ms. Thronson moved to find reasonable cause to believe the Respondents discriminated against the Complainant by otherwise making housing unavailable and retaliating against her based on her sister-in-law's disability. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

REAL ESTATE CASES

Disciplinary Case Files

File Number 2023-01501 – Kevin Michael Bender

In the matter of **File Number 2023-01501 – Kevin Michael Bender**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Bender appeared at the Board meeting in person and by counsel.

Mr. Hale moved to find violations of **18 VAC 135-20-290.1** of the Real Estate Board Regulation (Count 1). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find no violation of **18 VAC 135-20-290.3** of the Real Estate Board Regulation (Count 2). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson

Mr. Hale moved to find violations of **18 VAC 135-20-300.9** of the Real Estate Board Regulation (Count 3). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find no violations of **18 VAC 135-20-300.9** of the Real Estate Board Regulation (Count 4). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Bender shall pay a monetary penalty of \$850.00.

In addition, for the violation of Count 1, the Board voted to place Bender on probation for a period of six (6) months and require him to complete six (6) classroom hours of Board-approved post-license education in Contract Writing. Further, Bender shall provide evidence acceptable to the Board that Bender has successfully completed the course(s) within six (6) months of the effective date of the Board's order. The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 3, Bender shall pay monetary penalty of \$1,050.00.

In addition, for the violation of Count 3, the Board voted to place Bender on probation for a period of six (6) months and require him to complete three (3) classroom hours of Board-approved post-license education in Ethics. Further, Bender shall provide evidence acceptable to the Board that Bender has successfully completed the course(s) within six (6) months of the effective date of the Board's order. The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2023-02191 – Alexis Lans**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Lans appeared at the Board meeting in person. The complainants Debra and Libby McGraw were also present and addressed the Board. Mr. Mollineaux recused himself from the vote.

**File Number 2023-02191 –
Alexis Lans**

Ms. Thronson moved to find a violation of § 54.1-2132.A.4 of the Code of Virginia (Count 1). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

Ms. Thronson moved to find a violation of § 54.1-2137.B of the Code of Virginia (Count 2). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

A motion was made by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Lans shall pay a monetary penalty of \$1,000.00.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

A motion was made by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 2, Lans shall pay a monetary penalty of \$350.00.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

In addition, the Board voted to place Lans on probation for a period two (2) years. The terms of the probation shall be:

For violations of Counts 1 and 2, Lans and her broker shall provide quarterly reports to verify

that Lans is in compliance with the Board's rules and regulations.

For violation of Count 1, Lans shall complete six (6) classroom hours of post-license education pertaining to Contract Writing within six (6) months of this Order. Further, Lans shall provide evidence acceptable to the Board that she has successfully completed the course(s) within six (6) months of the effective date of this Order.

For violation of Count 2, Lans shall complete three (3) classroom hours of post-license education pertaining to Agency Law within six (6) months of this Order. Further, Lans shall provide evidence acceptable to the Board that she has successfully completed the course(s) within six (6) months of the effective date of this Order. The above-referenced post-license education will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

In the matter of **File Number 2023-02550 – Glenn H. Russell**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Russell appeared at the Board meeting in person and by counsel.

File Number 2023-02550 – Glenn H. Russell

Mr. Hale moved to find violations of **§ 54.1-2135.A.1** of the Code of Virginia (Count 1). Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Russell shall pay a monetary penalty of \$750.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2023-02590 – Mitch Lee Shumate**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Shumate appeared at the Board meeting in person and by counsel.

File Number 2023-02590– Mitch Lee Shumate

Mr. Hale moved to find violations of **18 VAC 135-20-260.11.a** of the Real Estate Board Regulation (Count 1). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of **18 VAC 135-20-180.C.4** of the Real Estate Board Regulation (Count 2). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of **18 VAC 135-20-180.B.1.c** of the Real Estate Board Regulation (Count 3). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of **18 VAC 135-20-260.11.f** of the Real Estate Board Regulation (Count 4). Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of **18 VAC 135-20-185.A** of the Real Estate Board Regulation (Count 5). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of **§ 54.1-2137.B** of the Code of Virginia (Count 6). Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Priors

On November 14, 2019, Shumate, was found in violation of the **18 VAC 135-20-260.11.a** and **18 VAC 135-20-165.2**, of the Real Estate Board Regulations, **§54.1-2135.E** of the Code of Virginia. Consent Order 2019-01806 resulted in a fine of \$2,450.00, \$150 in Board cost, and 4 hours of Escrow Management and 8 hours of Broker Management and Supervision. Compliance was obtained on June 29, 2020.

A motion was made by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Shumate shall pay a monetary penalty of \$500.00.

In addition, for violation of Count 1, the Board voted to revoke Shumate's broker license and simultaneously issue him a salesperson license, effective on the date of execution of this order. In addition, the Board voted to place Shumate on probation for a period of six months. The terms of the probation shall be:

For violation of Count 1, Shumate is required to complete a minimum two classroom hours of Board approved continuing education in property management. Shumate shall provide evidence acceptable to the Board that he has successfully completed the course within six months of the effective date of the Board's final order. The above-referenced continuing education hours will not count towards any requirements, if applicable, for renewal, reinstatement, or activation of a license.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 2, Shumate shall pay a monetary penalty of \$1,800.00.

For violation of Counts 2 and 3, Shumate is required to complete a three-hour Board-approved post-license education course in escrow requirements. Shumate shall provide evidence acceptable to the Board that he has successfully completed the course within six months of the effective date of the Board's final order. The above-referenced post-license education hours will not count towards any requirements, if applicable, for renewal, reinstatement, or activation of a license.

For violation of Count 3 Shumate shall pay a monetary penalty of \$1,300.00.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 4, Shumate shall pay a monetary penalty of \$1,500.00.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 5, Shumate shall pay a monetary penalty of \$800.00.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

For violation of Count 6, Shumate shall pay a monetary penalty of \$350.00.

A motion was made by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 6, Shumate is required to complete a six hour Board-approved post-license education course in contract writing. Shumate shall provide evidence acceptable to the Board that he has successfully completed the course within six months of the effective date of the Board's final order. The above-referenced post-license education hours will not count towards any requirements, if applicable, for renewal, reinstatement, or activation of a license

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2023-02915 – James Martin Downs Jr.**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Downs was present and addressed the Board.

File Number 2023-02915 – James Martin Downs Jr.

Mr. Mollineaux moved to find violations of **18 VAC 135-20-185.B** of the Real Estate Board Regulation (Count 1). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to find violations of **§ 54.1-2135.A.1** of the Code of Virginia (Count 2). Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to find violations of **18 VAC 135-20-180.C.3** of the Real Estate Board Regulation (Count 3). Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to find violations of § 54.1-2135.A.2 of the Code of Virginia (Count 4). Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Mollineaux moved to find violations of § 54.1-2135.A.1 of the Real Estate Board Regulation (Count 5). Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Priors

On December 1, 2021, James Martin Downs, Jr t/a Jim Downs, was found in violation of §54.12135.E.1-4 of the Code of Virginia. Consent Order 2021-01854 resulted in a fine \$450.00, \$150 in Board cost, and 2 hours of Current Industry Issues and Trends. Compliance was obtained on February 03, 2023.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Downs shall pay a monetary penalty of \$1,000.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 2, Downs shall pay a monetary penalty of \$500.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 3, Downs shall pay a monetary penalty of \$1,000.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 4, Downs shall pay a monetary penalty of \$550.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 5, Downs shall pay a monetary penalty of \$750.00.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton,

Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In addition, for the violations of Counts 1, 3, 4, and 5, the Board voted to place Downs on probation for a period of six (6) months subject to the following terms:

For the violation of Count 1, Downs is required to complete six (6) classroom hours of Board-approved post-license education in Real Estate Law and Regulations. Further, Downs shall provide evidence acceptable to the Board that Downs has successfully completed the course(s) within six (6) months of the effective date of the Board's order;

For the violation of Count 3, Downs is required to complete three (3) classroom hours of Board-approved post-license education in Escrow Requirements. Further, Downs shall provide evidence acceptable to the Board that Downs has successfully completed the course(s) within six (6) months of the effective date of the Board's order; and

For the violations of Counts 4 and 5, Downs is required to complete a total of six (6) classroom hours of Board-approved continuing education in Property Management. Further, Downs shall provide evidence acceptable to the Board that Downs has successfully completed the course(s) within six (6) months of the effective date of the Board's order.

The above-referenced post-license and continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024- 00238– Ethelbert T. Johnson**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Johnson was present and addressed the Board.

**File Number 2024- 00238–
Ethelbert T. Johnson**

Mr. Hale moved to find violations of **18 VAC 135-20-250** of the Real Estate Board Regulation (Count 1). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

No monetary penalty for violation of Count 1.

Johnson's license shall be placed on probation for a period of six (6) months, and Johnson shall complete six (6) classroom hours of post-license education pertaining to Real Estate Law and Regulations. Further, Johnson 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 Board's order. The above-referenced post-license education will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00678 – Elizabeth Jane Yesford**, the Board reviewed the record which consisted of the investigative file, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference. Yesford appeared at the Board meeting in person and by counsel. Anja Walker, the complainant, addressed the Board via telephone.

Mr. Mollineaux moved to find violations of § **54.1-2137.B** of the Code of Virginia (Count 1). Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find no violation of § **54.1-2132.A.4** of the Code of Virginia (Count 2). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Hale moved to find violations of § **54.1-2132.A.4** of the Code of Virginia (Count 3). Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Yesford shall pay a monetary penalty of \$500.00.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

For violation of Count 2, Yesford shall pay a monetary penalty of \$400.00.

For violation of Count 3, Yesford shall pay a monetary penalty of \$550.00.

A motion was made by Mr. Hale to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

In addition for the violations of Counts 1 and 3, the Board voted to place Yesford on probation for a period of six (6) months subject to the following terms:

For the violation of Count 1, Yesford shall complete six (6) classroom hours of Board-approved post-license education in Real Estate Law and Regulations. Further, Yesford shall provide evidence acceptable to the Board that Yesford has successfully completed the course(s) within six (6) months of the effective date of the Board's order; and

For the violation of Count 3, Yesford shall complete six (6) classroom hours of Board-approved post-license education in Contract Writing. Further, Yesford shall provide evidence acceptable to the Board that Yesford has successfully completed the course(s) within six (6) months of the effective date of the Board's order.

The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01553 – Diondra Denise Gray**, 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. Gray, Adam Newman, and Malike Pettigrew were present and addressed the Board.

**File Number 2024-01553 –
Diondra Denise Gray**

Mr. Mollineaux recused himself from voting on this matter.

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Gray's application for a Real Estate Salesperson License be denied.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

In the matter of **File Number 2024-01629 – Jung Tae Kim**, 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. Kim did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01629 –
Jung Tae Kim**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Kim's application for a Real Estate Salesperson by Examination License be denied.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01633 – Jasmine Jardimiano Martinez**, 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. Martinez was present and addressed the Board.

**File Number 2024-01633 –
Jasmine Jardimiano
Martinez**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Martinez's application for a Real Estate Salesperson License be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01635 – Tehran Leon Jones**, 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. Jones was present and addressed the Board.

**File Number 2024-01635 –
Tehran Leon Jones**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Jones's application for a Real Estate Salesperson License be approved.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01637–Shante Lakeisha Cross**, 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. Cross was

**File Number 2024-01637 –
Shante Lakeisha Cross**

present and addressed the Board.

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Cross's application for a Real Estate Salesperson License be approved.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01638– Amanda Nicole Cederman**, 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. Cederman was present and addressed the Board.

**File Number 2024-01638–
Amanda Nicole Cederman**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Cederman's application for an inactive Real Estate Salesperson license by examination be approved contingent upon two years of probation to begin upon activation of her license. This will include quarterly reporting by Cederman and the supervising broker of the firm or sole proprietorship under which her license is activated.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01640– Janine Draven**, 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. Draven was present and addressed the Board.

**File Number 2024-01640–
Janine Draven**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Draven's application for a Real Estate Salesperson license be approved contingent upon two years of probation with quarterly reporting by Draven and her Supervising Broker to begin upon activation of her license.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01641–Stephen Robert Downey, Jr**, 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. Downey was present and addressed the Board.

**File Number 2024-01641–
Stephen Robert Downey,
Jr**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Downey Jr.'s application for a Real Estate Salesperson License by Reciprocity be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01642–Felinet Marie Torres-Bonano**, 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. Torres-Bonano was present and addressed the Board.

**File Number 2024-01642–
Felinet Marie Torres-
Bonano**

Mr. Mollineaux recused himself from voting.

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Torres-Bonano's application for a Real Estate Salesperson license by examination be approved.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Roth and Thronson.

In the matter of **File Number 2024-01643 – Samantha Angelina Johnson**, 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. Johnson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01643 –
Samantha Angelina
Johnson**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Johnson's application for a Real Estate Salesperson by Examination license be denied.

Mr. Burton seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01644–Samuel Joseph Pastore**, 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. Pastore was present and addressed the Board.

**File Number 2024-01644–
Samuel Joseph Pastore**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Pastore's application for a Real Estate Salesperson License by Reciprocity be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01646– Roberto Miguel Rodriguez**, 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. Rodriguez did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01646–
Roberto Miguel Rodriguez**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Rodriguez's application for Real Estate Broker License by Reciprocity be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01677–Kevin Thomas Maury**, 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. Maury and counsel were present and addressed the Board.

**File Number 2024-01677–
Kevin Thomas Maury**

Mr. Mollineaux moved to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Maury's application for a Real Estate

Salesperson license be denied. Mr. Mollineaux moved to approve Maury's application for a Real Estate Salesperson license contingent upon two years of probation with quarterly reporting by Maury and his Supervising Broker to begin upon activation of his license.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01684–Matthew Ryan Pollino**, 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. Pollino was present and addressed the Board.

**File Number 2024-01684–
Matthew Ryan Pollino**

Mr. Mollineaux moved to remand Pollino's application for a real estate salesperson license back to an Informal Fact-Finding Conference to allow Mr. Pollino to provide additional documentation for the consideration of his application.

Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01685–George Allen Scott II**, 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. Scott did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01685–
George Allen Scott II**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Scott, II's application for a Real Estate Salesperson by Reciprocity license be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01686–Dakota Alan Carrington**, 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. Carrington was present and addressed the Board.

**File Number 2024-01686–
Dakota Alan Carrington**

Mr. Hale recused himself from the vote.

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Carrington's application for a Real Estate Salesperson by Examination License be approved contingent upon two years of quarterly reporting by Carrington and his Supervising Broker.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01688 – Matthew A. Hauyon**, 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. Hauyon was present and address the Board.

**File Number 2024-01688 –
Matthew A. Hauyon**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Hauyon's application for a Real Estate Salesperson license by examination be denied.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01689–Steven Matthew Arias**, 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. Arias did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01689–
Steven Matthew Arias**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Arias’s application for a Real Estate Salesperson by Examination License be approved contingent upon two years of quarterly reporting by Arias and his Supervising Broker.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01690–Ismael Thurston Halidou**, 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. Halidou did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01690–
Ismael Thurston Halidou**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Halidou’s application for a Real Estate Salesperson License by Examination license be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01691–Michael Robert Foster**, 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. Foster did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01691–
Michael Robert Foster**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Foster’s application for a Real Estate Salesperson by Examination license be approved contingent upon Foster providing an updated application or letter from his broker indicating that they are aware of his prior criminal conviction and are willing to have Foster associate with their firm.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01695– Brandon J. Black**, 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. Black was present and addressed the Board.

**File Number 2024-01695–
Brandon J. Black**

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Black’s application for a Real Estate Salesperson license be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01697–Jamar Levell Johnson**, 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. Johnson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01697–
Jamar Levell Johnson**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Johnson’s application for an inactive Real Estate Salesperson by Examination License be denied.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01698–Jabriel Ibn Muhammad Halsey**, 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. Halsey was present and addressed the Board.

**File Number 2024-01698–
Jabriel Ibn Muhammad
Halsey**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Halsey’s application for an inactive Real Estate Salesperson by Examination license be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01700–Christa Marie Adkins**, 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. Adkins did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01700–
Christa Marie**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Adkins’s application for a Real Estate Salesperson by Examination license be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01702–Melissa L. Hill**, 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. Hill did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01702–
Melissa L. Hill**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Hill’s application for an inactive Real Estate Salesperson License be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01703–Jamie L. Walsh**, 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. Walsh, Ashley Higgins, and Vicky Parkhurst were present and addressed the Board.

**File Number 2024-01703–
Jamie L. Walsh**

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Walsh's application for a Real Estate Salesperson be approved.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

A motion was made by Mr. Hale to take Consent Order items #1- #5 and #7- #11 as a block vote.

CONSENT ORDERS

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2023-03166 – Lynne Marie Lowe**, the Board reviewed the Consent Order as seen and agreed to by Lowe. Lowe did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2023-03166 –
Lynne Marie Lowe**

Mr. Hale moved to accept the proposed Consent Order offer wherein Lowe admits to a violation of **18 VAC 135-20-300.6** (Count 1) of the Board's Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$750.00.

In addition, Lowe 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 this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00092 – Suzanne Marie Sanders**, the Board reviewed the Consent Order as seen and agreed to by Sanders. Sanders did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00092 –
Suzanne Marie Sanders**

Mr. Hale moved to accept the proposed Consent Order offer wherein Sanders admits to a violation of **18 VAC 135-20-300.9** (Count 1) of the Board's Regulations, and agrees to a monetary penalty of \$1,050.00 for the violation contained in Count 1 for a total of \$1,050.00.

In addition, for violation of Count 1, Sanders 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 this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00244 – Kenneth Paul Stulik**, the Board reviewed the Consent Order as seen and agreed to by Stulik. Stulik did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00244 –
Kenneth Paul Stulik**

Mr. Hale moved to accept the proposed Consent Order offer wherein Stulik admits to a violation of **18 VAC 135-20-31026** (Count 1) of the Board's Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$750.00.

In addition, the Board shall waive \$300.00 of the \$600.00 monetary penalty, provided Stulik 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 this Consent 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

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.

If, Stulik fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00325 – Susan Holcombe Emerson**, the Board reviewed the Consent Order as seen and agreed to by Emerson. Emerson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00325 –
Susan Holcombe Emerson**

Mr. Hale moved to accept the proposed Consent Order offer wherein Emerson admits to a violation of **18 VAC 135-20-270.3** (Count 1) and **18 VAC 135-20-280.2** (Count 2) of the Board's Regulations, and agrees to a monetary penalty of \$1,350.00 for the violation contained in Count 1, a monetary penalty of \$1,200.00 contained in Count 2, and \$150.00 for Board costs for a total of \$2,700.00.

In addition, Emerson 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 this Consent Order. The courses must be completed in the classroom.

For violation of Count 1, three (3) hours pertaining to Ethics and Standards of Conduct; and

For violation of Count 2, six (6) hours pertaining to Real Estate Law and Regulations.

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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00428 – Avery Grace Andrews**, the Board reviewed the Consent Order as seen and agreed to by Andrews. Andrews did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number 2024-00428 – Avery Grace Andrews

Mr. Hale moved to accept the proposed Consent Order offer wherein Andrews admits to a violation of **§54.1-2132.A.4** (Count 1) of the Code of Virginia, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$650.00.

In addition, Avery Grace Andrews 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 this Consent 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 Three (3) hours pertaining to Escrow Requirements.

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license.

The Board shall waive imposition of the \$500.00 monetary penalty provided Avery Grace Andrew provides proof of attendance and successful completion of the above-named courses within six (6) months of the effective date of this Consent Order.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Ms. Thronson recused herself for the following case file:
File Number 2024-00469 – Rene Twila Anderson

Recusal of Board Member

In the matter of **File Number 2024-00469 – Rene Twila Anderson**, the Board reviewed the Consent Order as seen and agreed to by Anderson. Anderson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number 2024-00469 – Rene Twila Anderson

Mr. Hale moved to accept the proposed Consent Order offer wherein Anderson admits to two violations of **18 VAC 135-20-260.11** (Count 1) of the Board's Regulations, and agrees to a monetary penalty of \$1,350.00 for each violation and \$150.00 for Board costs for a total of \$2,850.00.

In addition, Anderson 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 this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, and Roth.

Ms. Thronson returned to the board meeting.

Return of Board Member

In the matter of **File Number 2024-00618– Miguel Saba II**, the Board reviewed the Consent Order as seen and agreed to by Saba. Saba did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00618–
Miguel Saba II**

Mr. Hale moved to accept the proposed Consent Order offer wherein Saba admits to a violation of § **54.1-2131.A.4** (Count 1) of the Code of Virginia, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$650.00.

In addition, Saba 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 this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00636 – Lesley Michele Salman**, the Board reviewed the Consent Order as seen and agreed to by Salman. Salman did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00636 –
Lesley Michele Salman**

Mr. Hale moved to accept the proposed Consent Order offer wherein Salman admits to a violation of **18 VAC 135-20-260.11.c** (Count 1) of the Board’s Regulations, and agrees to a monetary penalty of \$1,500.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$1,650.00.

In addition, Salman agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Agency Law and provide proof of attendance and successful completion within six (6) months of the effective date of this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-00926 – Signature Property Management, LLC**, the Board reviewed the Consent Order as seen and agreed to by Signature Property Management LLC. Signature Property Management LLC did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-00926 –
Signature Property
Management, LLC**

Mr. Hale moved to accept the proposed Consent Order offer wherein Signature Property Management LLC admits to a violation of **18 VAC 48-50-190.19.e** (Count 1) of the Board’s Regulations, and agrees to a monetary penalty of \$200.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$350.00.

In addition, the Board shall waive imposition of the \$200.00 monetary penalty for Count 1

provided the following conditions are met within thirty (30) days of the effective date of this Consent Order:

- 1) Signature Property Management LLC provides a copy of its current contract to the Board. The contract must be in compliance with Board Regulation 18 VAC 48-50-190.19.
- 2) Signature Property Management LLC provides a written statement to the Board assuring use of an updated contract in future transactions in compliance with Board Regulation 18 VAC 48-50-190.19.

If Signature Property Management LLC fails to comply with the above conditions within thirty (30) days of the effective date of this Consent Order, then the full monetary penalty will be automatically imposed.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01158– Jordy Juan Carlos Herrera**, the Board reviewed the Consent Order as seen and agreed to by Herrera. Herrera did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number 2024-01158–
Jordy Juan Carlos
Herrera**

Mr. Hale moved to accept the proposed Consent Order offer wherein Herrera admits to two violations of **§54.1-2132.A.4** (Count 1) of the Code of Virginia, a violation of **18 VAC 135-20-260.12.c** (Count 2) of the Board’s Regulations, and agrees to a monetary penalty of \$500.00 for each violation contained in Count 1, a monetary penalty of \$1,950.00 for the violation contained in Count 2 and \$150.00 for Board costs for a total of \$3,100.00.

In addition, for violation of Count 2, Herrera agrees to revocation of his license. Further, Herrera 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 this Consent 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;

Three (3) hours pertaining to Escrow Requirements.

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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

In the matter of **File Number 2024-01305 – Chandal Bernice Jackson**, the Board reviewed the Consent Order as seen and agreed to by Jackson. Jackson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**2024-01305 – Chandal
Bernice Jackson**

Mr. Hale moved to accept the proposed Consent Order offer wherein Jackson admits to a violation of **18 VAC 135-20-310.2** (Count 1) of the Board’s Regulations, and agrees to a monetary penalty of \$600.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$750.00.

In addition, Jackson 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 this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Funkhouser informed the Board that Ms. Piland would no longer be serving as Chair of the Real Estate Board Education Committee. Mr. Funkhouser informed the Board that Mr. Hale would now serve as the new Chair of the Real Estate Board Education Committee.

EDUCATION

Mr. Hale provided a report from the July 17, 2024, Real Estate Education Committee meeting. Mr. Mollineaux moved to adopt the Real Estate Education Committee report. Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

The Board took a recess from 12:55pm to 1:11pm.

Recess

NEW BUSINESS

Ms. Coleman provided the Board with the Executive Director's update.

Executive Director's Update

Ms. Coleman informed the Board that the following exempt actions were approved by the Board during the May 2024 meeting.

Regulatory Actions

- **18VAC135-20: SB 554 Amendment**
- **18VAC135-20: HB 383 and SB 330 Amendments**
- **18VAC135-20: HB 917 and SB 358 Amendments**
- **18VAC135-20: HB 1237 and SB 437 Amendments**

Ms. Coleman informed the Board that the Governor has approved the fee increase, which will take effect on October 1, 2024. Board staff are currently finalizing the implementation of this regulatory action and coordinating with various departments at DPOR to ensure a seamless transition to the new fee structure. This will also include updating the licensing database, the DPOR website, and all system-generated communications sent to the public.

Fee Increase

Ms. Coleman informed the Board that currently Board staff submit invoices for receivership payments to the full Board for approval before disbursing funds. To better adhere to the 30-day payment timeframe, Board staff have determined that the statute **§54.1-304**, already grants the Director authority to manage Board expenses, including receiver and attorney fees. Ms. Coleman proposed modifying the practice so that the Board's role shifts to deciding which fund to use for payment, rather than determining whether to approve the payment itself.

Receiver's Fees

Mr. Hale moved to approve Board staff the authority to pay receiver fees. Ms. Thronson seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Ms. Coleman provided the Board with the board statistics from Fiscal years 2022 to 2024.

Board Statistics

Ms. Coleman informed the Board that to ensure the Board meetings are aligned with the Informal Fact-Finding (IFF) schedule, the Board may need to add a meeting in October or November. The potential dates were October 30th and November 12th. No action was taken by the Board due to needing to determine a date for the Real Estate Education Committee meeting.

Additional Meeting Dates

Mr. Funkhouser opened the floor for nominations for the position of Chair of the Real Estate Board. Ms. Thronson nominated Joseph “Kemper” Funkhouser for the position of Chair. The motion was seconded by Mr. Hale. The nominations were closed. The motion was unanimously approved. Members voting “Yes” Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson. By acclamation, Mr. Funkhouser was named Board Chair.

Election of Officers

Mr. Funkhouser opened the floor for nominations for the position of Vice-Chair of the Real Estate Board. Ms. Thronson nominated Kermit “Kit” Hale for the position of Vice-Chair. Mr. Burton nominated Cavelle Mollineaux for the position of Vice-Chair. Members voting for Mr. Hale to be Vice-Chair were: Funkhouser, Hale, Roth, and Thronson. Members voting for Mr. Mollineaux to be Vice-Chair were: Burton, Fonseca, and Mollineaux. By acclamation, Mr. Hale was named Board Vice-Chair.

Mr. Funkhouser read the following resolutions for consideration by the Board:

RESOLUTIONS

**Department of Professional and
Occupational Regulation**

Real Estate Board

Resolution To

Nancy “Nan” Piland

WHEREAS, Nancy Piland, has faithfully and diligently served as a member of the Real Estate Board since 2020; and

WHEREAS, Nancy Piland, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Nancy Piland, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Real Estate Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Real Estate Board this eighteenth day of July 2024 that Nancy Piland be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Real Estate Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

**Department of Professional and
Occupational Regulation**

Real Estate Board

Resolution To

David Perry

WHEREAS, David Perry, has faithfully and diligently served as a member of the Real Estate Board since 2020; and

WHEREAS, David Perry, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, David Perry, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Real Estate Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Real Estate Board this eighteenth day of July 2024 that David Perry be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Real Estate Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

**Department of Professional and
Occupational Regulation**

Real Estate Board

Resolution To

Catina Jones

WHEREAS, Catina Jones, has faithfully and diligently served as a member of the Real Estate Board since 2020; and

WHEREAS, Catina Jones, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Catina Jones, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Real Estate Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Real Estate Board this eighteenth day of July 2024 that Catina Jones be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Real Estate Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

Mr. Hale moved to adopt the resolutions as written. Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

Mr. Kirschner and Ms. Coleman informed the Board that since the receiver bill/invoice request was submitted to the Board for review prior to the Board voting to allow the Board staff the authority to disburse payment as invoices are received. The Board will need to take action for the receiver bill/invoice for December 7, 2023, from John Farnum, attorney acting as court appointed receiver for case:

Receivership Fee Payment

Commonwealth of Virginia, et al. v. Central Partners Now LLC dba Re/Max Central Realty, Case No. CL21-4890:

Total Professional Services	\$29,983.00
Total Disbursements Advanced	\$145.70
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Total	\$30,128.70

Mr. Mollineaux moved to approve payment of the receiver bill/invoice request totaling \$30,128.70. Mr. Hale seconded the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Roth and Thronson.

OTHER BOARD BUSINESS

Mr. Greg Emerson, Director of Examinations, provided the Board a statistics report from 2020 to 2024, for applicants passing the national and state portion of the exam. Mr. Emerson informed the Board that he would provide the statistics on where Virginia ranks nationally and regionally at the next Board meeting.

Exam Statistics

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

Board Financial Statement and Recovery Fund

Mr. Funkhouser reminded the Board that the Board Member Training Conference will take place October 10-11, 2024, at Great Wolf Lodge.

Board Member Training Conference

Mr. Lawrence E. Marshall, II addressed the Board and expressed his gratitude for working with them for over 41 years. Mr. Funkhouser thanked Mr. Marshall for his service to the Board.

Public Comment

Mr. Funkhouser reminded the Board to complete the Conflict-of-Interest Statements and Travel Reimbursement Forms.

COMPLETION OF PAPERWORK

There being no further business, the Board adjourned at 1:45PM.

ADJOURN

Joseph 'Kemper' Funkhouser, III, Chair

Brian P. Wolford, Interim Secretary

DRAFT