

REAL ESTATE BOARD
MINUTES OF MEETING

January 24, 2019

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

Steve Hoover, Chair
Lee Odems, Vice-Chair
Lynn Grimsley
Sharon Johnson
Ibrahim Moiz
Margaret Davis
Mayra Pineda
Candice Bower (arrived at 9:10 A.M.)

Board member absent from the meeting: Libby Gatewood

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

Jay DeBoer, Secretary
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Jeffrey Williams, Board Administrator
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant
Stephanie Keuther, Administrative Assistant
Trudy Miller, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator

Elizabeth Peay, Michael Jordan, Tom Payne, and Mona Siddiqui from the Office of the Attorney General were present.

Mr. Hoover called the meeting to Order at 9:06 A.M.

Call to Order

A motion was made by Mr. Odems and seconded by Ms. Davis to approve the agenda. The motion passed unanimously.

Agenda

Members voting “Yes” were Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

A motion was made by Ms. Grimsley and seconded by Mr. Odems to adopt the November 15, 2018, Fair Housing Sub-Committee Meeting; and November 15, 2018, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting “Yes” were Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

There was no public comment.

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

In the matter of **Jimmy Poindexter and Lisa Poindexter v. Adrea New, Brownstone Properties, Inc. and Maple Tree Partners, REB File Number 2019-00792**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement but to deny the parties’ request that the Board determine that disclosure of the conciliation agreement is not required to further the purposes of the Virginia Fair Housing Law. The motion passed unanimously. Members voting “Yes” were Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

Board member Candice Bower arrived at 9:10 A.M.

In the matter of **Regina Ferebee v. C & C Enterprises LLC, dba RE/MAX Coast and Country and Isaac A. Callicrate, REB File Number 2019-00749**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

In the matter of **Angelica Stewart v. Artcraft Management, Inc. and Atlantic Multi Family – 9 Arbors, LLC, REB File Number 2019-01243**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower,

Minutes

Public Comment

Fair Housing Administrator’s Report

Jimmy Poindexter and Lisa Poindexter v. Adrea New, Brownstone Properties, Inc. and Maple Tree Partners, REB File Number 2019-00792

Arrival of Board Member

Regina Ferebee v. C & C Enterprises LLC, dba RE/MAX Coast and Country and Isaac A. Callicrate, REB File Number 2019-00749

Angelica Stewart v. Arctcraft Management, Inc. and Atlantic Multi Family – 9 Arbors, LLC, REB File

Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

Number 2019-01243

In the matter of **Danita Stokes v. Weinstein Management Co., Inc. and VA King Crossings Associates, LC, REB File Number 2019-00300**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Regina Chaney, complainant's advocate, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant by refusing to make reasonable modifications based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

**Danita Stokes v.
Weinstein
Management Co.,
Inc. and VA King
Crossings Associates,
LC, REB File
Number 2019-00300**

In the matter of **File Number 2019-01136, Leslin B. Reynosa**, 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. Grimsley and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Reynosa's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

**File Number 2019-
01136, Leslin B.
Reynosa**

In the matter of **File Number 2019-00974, Rayed N. Zwain**, 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. Michael Lafayette, attorney for the applicant, was present and addressed the Board. A motion was made by Mr. Odems 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. Zwain's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Bower, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda. Member voting "No" was Davis.

**File Number 2019-
00974, Rayed N.
Zwain**

In the matter of **File Number 2019-01262, Cary D. Parsons**, 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. Cary D. Parsons, applicant, Lawrence Marshall, II, attorney for the applicant, and Wesley Coons, witness, were present and addressed the Board. A motion was made by Mr. Odems 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. Parsons' application for a real estate salesperson's license.

File Number 2019-01262, Cary D. Parsons

A substitute motion was made by Ms. Johnson and seconded by Mr. Odems to amend 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. Parsons' application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Parsons and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

In the matter of **File Number 2019-00943, Margaret E. Medina**, 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. Grimsley and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Ms. Medina's application for a salesperson's license based upon the record. After review of the facts, the information obtained at the IFF, and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crimes, and the limited evidence of rehabilitation or rehabilitative effort and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2019-00943, Margaret E. Medina

In the matter of **File Number 2019-01184, Xavier E.**

File Number 2019-

Calderon, Sr., the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Xavier E. Calderon, Sr., applicant, and Xavier E. Calderon, Jr., witness, were present and addressed the Board. A motion was made by Mr. Odems 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. Calderon's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Calderon and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

01184, Xavier E. Calderon, Sr.

In the matter of **File Number 2019-00972, Angela Marie Richardson**, 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. Grimsley and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Richardson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2019-00972, Angela Marie Richardson

In the matter of **File Number 2019-01289, Brenda W. Doggett**, 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. Brenda W. Doggett, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and deny Ms. Doggett's application for a real estate salesperson's license in consideration of Ms. Doggett's past disciplinary action.

File Number 2019-01289, Brenda W. Doggett

A substitute motion was made by Ms. Grimsley and seconded

by Ms. Johnson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead approve Ms. Doggett's application for a real estate salesperson's license subject to an agreement for licensure for a period of two years wherein Ms. Doggett and her broker will provide quarterly reports to the Board. The motion passed by majority vote. Members voting "Yes" were Bower, Grimsley, Hoover, Moiz and Odems. Member voting "No" was Davis, Johnson and Pineda.

In the matter of **File Number 2019-01185, Daniel J. Beirne**, 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 Mr. Odems and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Mr. Beirne's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2019-01185, Daniel J. Beirne

In the matter of **File Number 2018-02882, Eric Benjamin Tull**, 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. Eric Benjamin Tull, applicant, Lawrence E. Marshall, II, attorney for the applicant, and Rick Cockrill, witness, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and deny Mr. Tull's application for a real estate broker's license and instead approve Mr. Tull for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2018-02882, Eric Benjamin Tull

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

In the matter of **File Number 2019-00049, Carole Ann Riddle**, the Board reviewed the Consent Order as seen and agreed to by Ms. Riddle. A motion was made by Ms. Grimsley

File Number 2019-00049, Carole Ann Riddle

and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Ms. Riddle admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz and Pineda.

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

In the matter of **File Number 2019-00048, Lisa Ross**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ross. A motion was made by Ms. Grimsley and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Ms. Ross admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2019-00048, Lisa Ross

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

In the matter of **File Number 2019-00935, Charles Ben Camp, Jr.**, 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. Grimsley and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Camp's application for a real estate broker's license as he did not provide sufficient evidence that he has equivalent experience to that which is required therefore he has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding his application. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Moiz, Pineda and Odems.

File Number 2019-00935, Charles Ben Camp, Jr.

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

In the matter of **File Number 2019-00936, James Michael Gammello**, the matter was deferred.

File Number 2019-00936, James

In the matter of **File Number 2019-01393, Jeffrey David Levin**, 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. Grimsley and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Levin's application for a real estate broker's license as he did not provide sufficient evidence that he has equivalent experience to that which is required therefore he has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding his application. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Moiz, Pineda and Odems.

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

In the matter of **File Number 2019-01138, Kimberle Rizzo**, 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. Lawrence E. Marshall, II, attorney for the applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Bower to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Ms. Rizzo's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Ms. Rizzo and her broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Moiz, Pineda and Odems.

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

In the matter of **File Number 2018-01570, Brenda Kay Jones**, the Board reviewed the Consent Order as seen and agreed to by Ms. Jones. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent

Michael Gammello

File Number 2019-01393, Jeffrey David Levin

File Number 2019-01138, Kimberle Rizzo

File Number 2018-01570, Brenda Kay Jones

Order offer wherein Ms. Jones admits to a violation of 18 VAC 135-20-260.12.b (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,600.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,750.00. Further, for violation of Count 1, Jones agrees to a three (3) year probation of her license to commence when the license is activated. The probation remains in effect even though Jones may choose to go on inactive status, however, any period of inactive status will extend the length of the probation by that amount of time. During the three (3) year probation, Jones 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 Jones and her principal broker that Jones is in compliance with the regulations of the Real Estate Board. If Jones violates any terms of this probation, her license will be suspended for a period of six (6) months. Further, for violation of Count 1, Jones agrees to complete at least four (4) 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 Consent 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, Grimsley, Hoover, Moiz, Pineda and Odems.

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 2018-03073, Rodrigo Ismael Mallada Bazo**, 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. Rodrigo Ismael Mallada Bazo, respondent, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Mr. Odems to find a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations, a violation of 135-20-260.6 (Count 2) of the Board's 2003 Regulations and a violation of 18 VAC 135-20-260.1 (Count 3) of the Board's 2015 Regulations. The motion

File Number 2018-03073, Rodrigo Ismael Mallada Bazo

passed unanimously. Members voting “Yes” were Bower, Davis, Grimsley, Hoover, Moiz, Pineda and Odems.

A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,200.00 for the violation contained in Count 2, \$1,200.00 for the violation contained in Count 3, for a total of \$2,400.00. In addition, for the violations of Counts 1, 2 and 3, the Board imposes license revocation. The motion passed by majority vote. Members voting “Yes” were Bower, Davis, Grimsley, Hoover, Moiz and Pineda. Member voting “No” was Odems.

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

In the matter of **File Number 2019-00883, Virginia Real Estate Transaction Recovery Act Claim of Matthew Scurlock (Claimant) and Investor’s Realty of Tidewater LLC, t/a Investor’s Realty of Tidewater (Regulant)**, the Board reviewed the record, which consisted of the claim review file, notification, and the Recovery Fund claim form and Claim Review. A motion was made by Mr. Odems and seconded by Ms. Grimsley to adopt the recommendation to approve payment in the amount of \$1,790.00. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Pineda and Odems.

File Number 2019-00883, Matthew Scurlock v. Investor’s Realty of Tidewater, LLC, t/a Investor’s Realty of Tidewater

In the matter of **File Number 2019-01095, Virginia Real Estate Transaction Recovery Act Claim of Jeffrey O. Cox (Claimant) and Donna Williams Watson, t/a Donna W. Howlett (Regulant)**, the Board reviewed the record, which consisted of the claim review file, notification, and the Recovery Fund claim form and Claim Review. A motion was made by Mr. Odems and seconded by Ms. Davis to adopt the recommendation to approve payment in the amount of \$16,920.00. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Pineda and Odems.

File Number 2019-01095, Jeffrey O. Cox v. Donna Williams Watson, t/a Donna W. Howlett

In the matter of **File Number 2018-02746, Lisa Dubois Headley, t/a Lisa Dubois**, the Board reviewed the Consent Order as seen and agreed to by Ms. Headley. A motion was made by Ms. Johnson and seconded by Mr. Odems to accept

File Number 2018-02746, Lisa Dubois Headley, t/a Lisa Dubois

the proposed Consent Order offer wherein Ms. Headley admits to a violation of 18 VAC 135-20-180.B.1.b (Count 1) of the Board's 2017 Regulations, and §54.1-2135.A.2 (Count 2) of the *Code of Virginia*, and agrees to a monetary penalty of \$750.00 for the violation of Count 1, \$400.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,300.00. In addition, for violation of Counts 1 and 2, Headley 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, Hoover, Johnson, Moiz, Odems and Pineda.

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

Mr. Hoover turned the position of Chair over to Mr. Odems and recused himself from the meeting.

In the matter of **File Number 2018-02714, Mark Bond**, the Board reviewed the Consent Order as seen and agreed to by Mr. Bond. A motion was made by Ms. Grimsley and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Mr. Bond admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. In addition, for violation of Count 1, Bond agrees to a two (2) year probation of his license as of the effective date of the Order. During the two (2) year probation, Bond 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 Bond and his principal broker that Bond is in compliance with the regulations of the Real Estate Board and reporting on Bond's work ethic and work history. If Bond 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, Grimsley, Johnson, Moiz, Odems and Pineda.

Transfer of Chair

File Number 2018-02714, Mark Bond

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

In the matter of **File Number 2018-03106, Sheila K. Spindler**, the Board reviewed the Consent Order as seen and agreed to by Ms. Spindler. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Ms. Spindler admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$200.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$350.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Johnson, Moiz, Odems and Pineda.

File Number 2018-03106, Sheila K. Spindler

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

Mr. Hoover returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2018-02336, Jennifer Guilday**, the Board reviewed the Consent Order as seen and agreed to by Ms. Guilday. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Guilday admits to a violation of 18 VAC 135-20-260.11.j (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition for the violation of Count 1, Guilday agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency and three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Law and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced 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, Grimsley, Hoover, Johnson, Moiz, Pineda and Odems.

File Number 2018-02336, Jennifer Guilday

In the matter of **File Number 2018-02611, Deborah J.**

File Number 2018-

Miller, t/a Debbie J. Miller, the Board reviewed the Consent Order as seen and agreed to by Ms. Miller. A motion was made by Ms. Johnson and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Miller admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Miller agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency 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, Grimsley, Hoover, Johnson, Moiz, Pineda and Odems.

02611, Deborah J. Miller, t/a Debbie J. Miller

In the matter of **File Number 2018-02687, Mary Gray Edwards**, the Board reviewed the Consent Order as seen and agreed to by Ms. Edwards. A motion was made by Mr. Odems and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Edwards admits to a violation of 18 VAC 135-20-190.B (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.i (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, \$1,750.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$2,200.00. In addition, for violation of Count 2, Edwards agrees to complete at least four (4) 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, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2018-02687, Mary Gray Edwards

In the matter of **File Number 2018-03029, James Luther Wilkerson, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Wilkerson. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Mr. Wilkerson admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-290.1 (Count 2) of the Board's 2015 Regulations, and a violation of §54.1-2137.B (Count 3) of the *Code of Virginia*, and agrees to \$600.00 for the violation contained in Count 1, \$550.00 for the violation contained in Count 2, and \$400.00 for the violation contained in Count 3, and \$150.00 in Board costs, for a total of \$1,700.00. In addition, for violation of Counts 1, 2 and 3, Wilkerson agrees to a two (2) year probation of his license as of the effective date of the Order. During the two (2) year probation, Wilkerson 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 Wilkerson and his principal broker that Wilkerson is in compliance with the regulations of the Real Estate Board. If Wilkerson violates any terms of the probation, his license may be revoked, pending review by the Board. In addition, Wilkerson agrees to complete at least eight (8) classroom hours pertaining to Real Estate Contracts for the violation of Counts 1 and 3; and at least eight (8) classroom hours pertaining to Ethics and Standards of Conduct for the violation of Count 2, 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, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2018-03029, James Luther Wilkerson, Jr.

In the matter of **File Number 2018-03058, Jane W. Metcalfe**, the Board reviewed the Consent Order as seen and agreed to by Ms. Metcalfe. A motion was made by Ms. Grimsley and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Ms. Metcalfe admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, \$650.00 for the violation of Count 2,

File Number 2018-03058, Jane W. Metcalfe

as well as \$150.00 in Board costs, for a total of \$1,300.00. In addition, for violation of Count 1, Metcalfe 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, Grimsley, Johnson, Moiz, Odems and Pineda. Mr. Hoover recused himself from voting in the matter due to possible conflict of interest.

In the matter of **File Number 2018-03105, Erin Kapota Vogt**, the Board reviewed the Consent Order as seen and agreed to by Ms. Vogt. A motion was made by Mr. Odems and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Vogt admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$200.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$350.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2018-03105, Erin Kapota Vogt

In the matter of **File Number 2018-03151, Leslie Stinson Peterman**, the Board reviewed the Consent Order as seen and agreed to by Ms. Peterman. A motion was made by Mr. Odems and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Peterman 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 of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Peterman 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

File Number 2018-03151, Leslie Stinson Peterman

any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

In the matter of **File Number 2018-03180, Mario Rubio**, the Board reviewed the Consent Order as seen and agreed to by Mr. Rubio. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Mr. Rubio admits to a violation of 18 VAC 135-20-300.7 (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-180.C.2 (Count 2) of the Board's 2017 Regulations, and a violation of 18 VAC 135-20-180.B.1.a (Count 3) of the Board's 2017 Regulations, and agrees to a monetary penalty of \$550.00 for the violation of Count 1, \$1,150.00 for the violation contained in Count 2, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$2,350.00. In addition, for violation of Count 1, Rubio agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. For the violation of Count 2, Rubio agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision. For the violation of Count 3, Rubio 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 of all required course(s) 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, Grimsley, Hoover, Johnson, Moiz and Odems. Bower and Pineda recused themselves from voting in the matter due to possible conflict of interest.

File Number 2018-03180, Mario Rubio

In the matter of **File Number 2019-00212, Sandeep Kumar**, the Board reviewed the Consent Order as seen and agreed to by Mr. Kumar. A motion was made by Mr. Odems and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Mr. Kumar admits to a violation of 18 VAC 135-20-260.11.f (Count 1) of the Board's 2015

File Number 2019-00212, Sandeep Kumar

Regulations, and agrees to a monetary penalty of \$1,100.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, for violation of Count 1, Kumar agrees to complete at least four (4) 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, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

In the matter of **File Number 2019-00552, William Hausrath**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hausrath. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Mr. Hausrath 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, \$650.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,300.00. In addition, for violation of Count 1, Hausrath agrees to complete at least four (4) 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 Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

File Number 2019-00552, William Hausrath

In the matter of **File Number 2019-00928, Michael David Duncan**, the Board reviewed the Consent Order as seen and agreed to by Mr. Duncan. A motion was made by Ms. Grimsley and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Mr. Duncan admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015

File Number 2019-00928, Michael David Duncan

Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Duncan agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Agency 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 Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

A motion was made by Mr. Odems and seconded by Ms. Davis to approve the language as amended in 18 VAC 135-20-10 and 18 VAC 135-20-265 pursuant to HB862, and approve the language as amended in 18 VAC 135-20-101 pursuant to HB864 and file an exempt regulatory action. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

Administrative Issues

A motion was made by Ms. Johnson and seconded by Ms. Davis to approve payment in the amount of \$1,130.40 to Kaufman & Canoles, attorneys at law, for legal services provided for receivership in VA Real Estate Board v. The Rental Group I, LLC t/a The Rental (CL 14000461-00). The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

Ms. Martine gave the Board a legislative update. No action was taken by the Board.

The Board considered the request of Tyler Sande to appoint him to carry on the business of his late father, Kermit Andrew Sande, who was the broker of Realty 2000, LC and Credit Union Realty, LLC for 180 days in order to close out the real estate business of Realty 2000, LC and Credit Union Realty, LLC in accordance with §54.1-2109 of the *Code of Virginia*. A motion was made by Mr. Odems and seconded by Ms. Johnson to allow Tyler Sande, to close out the real estate business of Realty 2000, LC and Credit Union Realty, LLC in accordance with §54.1-2109 of the *Code of Virginia*. The

motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

The Board reviewed the report from the January 23, 2019, Real Estate Board Education Committee meeting. A motion was made by Mr. Odems and seconded by Ms. Johnson to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Grimsley, Hoover, Johnson, Moiz, Odems and Pineda.

Education

There being no further business, the Board adjourned at 10:48 A.M.

Adjourn


Lee Odems, Vice-Chair


Mary Broz-Vaughan, Acting Secretary

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

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

1. Name: Lynn G. Grimsley
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Lynn Grimsley
Signature

1/24/19
Date

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

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

1. Name: Ibrahim A. Moiz
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

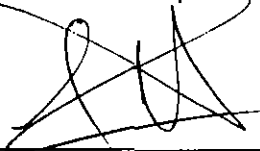
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I ~~do not~~ have a personal interest in any transactions taken at this meeting.



Signature

1/24/19

Date

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

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

1. Name: Sharon Johnson
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Sharon P. Johnson
Signature

1/24/19
Date APJ

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

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

1. Name: Lee Odems
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interest in any transactions taken at this meeting.

Lee Odems
Signature

1-24-2019
Date

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

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

1. Name: Steve Hoover
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

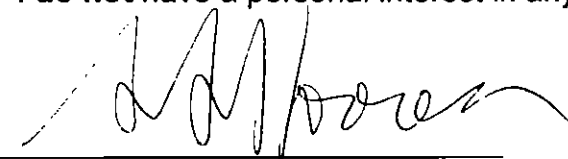
5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I do not have a personal interest in any transactions taken at this meeting.



Signature

1-24-19
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Candice Bower
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

30. 2018 - 03180 - Mario Rubio
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I know him personally.

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Candice Bower
Signature

1/24/2019
Date

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

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

1. Name: Mayra Pineda
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

30. 2018-03180 - Mario Rubio
(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

i know him personally.

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

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

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Mayra Pineda
Signature

01/24/19
Date

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

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

1. Name: Margaret D. Davis
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: January 24, 2019
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

1/24/19
Date

FILE TRANSMITTAL LOG FOR BOARD AGENDA

BOARD:	Real Estate Board	MEETING DATE:	January 24, 2019
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FILE#	NAME	PRESIDING OFFICER/ BOARD MEMBER	IFF	CO	PF	Type (Disc/Lic)
2019-00935	Charles Ben Camp, Jr.	Johnson	X			Lic
2019-00936	James Michael Gammello	Johnson	X			Lic
2019-01393	Jeffrey David Levin	Johnson	X			Lic

SUBMITTED BY:	Russell Himes	DATE:	December 21, 2018
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