

REAL ESTATE BOARD
MINUTES OF MEETING

October 26, 2016

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

Joseph Funkhouser, II, Chair
Santee Ferebee, Vice-Chair
Lynn G. Grimsley
Lee Odems
Sharon Johnson
Libby Gatewood
Steve Hoover

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

Jay DeBoer, Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Jeffrey Williams, Board Administrator
Emily Trent, Administrative Assistant
Trudy Miller, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Donnitria Whitfield, Fair Housing Investigator
Karen Taylor, Fair Housing Investigator
Jessica Eldridge, Presiding Officer

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

Mr. Funkhouser called the meeting to Order at 9:04 A.M.

Call to Order

A motion was made by Ms. Johnson and seconded by Ms. Ferebee to approve the agenda. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

Agenda

A motion was made by Ms. Grimsley and seconded by Ms.

Minutes

Ferebee to adopt the following minutes: September 7, 2016, Fair Housing Sub-Committee Meeting and September 7, 2016, Real Estate Board Meeting. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

There was no public comment.

Deanda Shelton, Assistant Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Kaeren Parker v. Charlotte Caldwell, 523 South Courthouse Road LLC and KaZo Properties, LLC, File Number 2016-02858**, the case was withdrawn.

In the matter of **Sheila O'Reilly v. SPU56Moorefield LLC and Greystar RS NE LLC, File Number 2016-02166**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Supplemental Final Investigative Report. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **Dwight Cannon v. Hugh Cross, Cross Management Corporation, and Spencer Hart, IV, File Number 2016-02267**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Supplemental Final Investigative Report. Hugh Cross, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **Gloria Taylor and Dennis Rymer v. Valerie and Haney Thomas, Jr., File Number 2016-02121**, the Board reviewed the record which consisted of the Final Investigative

Public Comment

**Fair Housing
Administrator's
Report**

**Kaeren Parker v.
Charlotte Caldwell,
523 South
Courthouse Road
LLC and KaZo
Properties, LLC, File
Number 2016-02858**

**Sheila O'Reilly v.
SPU56Moorefield
LLC and Greystar
RS NE LLC, File
Number 2016-02166**

**Dwight Cannon v.
Hugh Cross, Cross
Management
Corporation, and
Spencer Hart, IV,
File Number 2016-
02267**

**Gloria Taylor and
Dennis Rymer v.
Valerie and Haney**

Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **Anjali B. Patel and Pranav D. Patel v. Bryan J. Bodner, Karlene M. Bodner, Shelley Mastro and Genesis Realty LLC, dba RE/MAX Olympic Realty, REB File Number 2014-03544**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Supplemental Final Investigative Report and Official Consultation Memorandum from the Office of the Attorney General. Anjali B. Patel, complainant, Robert Gordon, attorney for the complainant, J. C. Cancelleri, attorney for the respondents and Burt Kelly, attorney for the respondents, were present and addressed the Board.

At 9:51 A.M., Mr. Hoover offered a motion which was seconded by Ms. Grimsley, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Tom Payne, Liz Hayes, Deanda Shelton, Trudy Miller and Jay DeBoer.

This motion is made with respect to the matter(s) identified as agenda item(s):

-FH Case 5. File Number 2014-03544 – Anjali B. Patel and Pranav D. Patel v. Bryan J. Bodner, Karlene M. Bodner, Shelley Mastro and Genesis Realty LLC, dba RE/MAX Olympic Realty

At 10:14 A.M., a motion was made by Ms. Ferebee and seconded by Ms. Grimsley that the Board reconvene in open session.

WHEREAS, the Real Estate Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**Thomas, Jr., File
Number 2016-02121**

**Anjali B. Patel and
Pranav D. Patel v.
Bryan J. Bodner,
Karlene M. Bodner,
Shelley Mastro and
Genesis Realty LLC,
dba RE/MAX
Olympic Realty,
REB File Number
2014-03544**

Closed Session

Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Real Estate Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Real Estate Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Real Estate Board.

VOTE: 7-0

AYES: Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: None.

In the matter of **Anjali B. Patel and Pranav D. Patel v. Bryan J. Bodner, Karlene M. Bodner, Shelley Mastro and Genesis Realty LLC, dba RE/MAX Olympic Realty, REB File Number 2014-03544**, a motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause that Shelly Mastro, respondent, in her individual capacity discriminated against the complainants by refusing to rent and engaging in discriminatory terms and conditions with regard to rental based upon national origin or familial status. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

**Anjali B. Patel and
Pranav D. Patel v.
Bryan J. Bodner,
Karlene M. Bodner,
Shelley Mastro and
Genesis Realty LLC,
dba RE/MAX
Olympic Realty,
REB File Number
2014-03544**

A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause that Bryan J. Bodner, Karlene M. Bodner, and Genesis Realty LLC, dba RE/MAX Olympic Realty, respondents discriminated against the complainants by refusing to rent based upon national origin. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause that Bryan J. Bodner, Karlene M. Bodner, and Genesis Realty LLC, dba RE/MAX Olympic Realty, respondents, discriminated against the complainants by engaging in discriminatory terms and conditions with regard to rental based upon national origin. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find reasonable cause that Bryan J. Bodner, Karlene M. Bodner, and Genesis Realty LLC, dba RE/MAX Olympic Realty, respondents, discriminated against the complainants by engaging in discriminatory terms and conditions with regard to rental based upon familial status. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause that Bryan J. Bodner, Karlene M. Bodner, and Genesis Realty LLC, dba RE/MAX Olympic Realty, respondents, discriminated against the complainants by refusing to rent based upon familial status. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **File Number 2017-00170, John Thomas Keys, II**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Johnson and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Keys' application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Hoover, Johnson and Odems. Member voting "No" was Grimsley.

File Number 2017-00170, John Thomas Keys, II

In the matter of **File Number 2017-00173, Stephanie Booker,**

File Number 2017-

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. Ferebee and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Booker's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Hoover, Johnson and Odems. Member voting "No" was Grimsley.

00173, Stephanie Booker

In the matter of **File Number 2017-00175, Jamie Grimes**, 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. Johnson and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Grimes' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

File Number 2017-00175, Jamie Grimes

In the matter of **File Number 2017-00243, Brittanie Johnson**, 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. Brittanie Johnson, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Johnson's application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Hoover, Johnson and Odems. Member voting "No" was Grimsley.

File Number 2017-00243, Brittanie Johnson

In the matter of **File Number 2017-00334, Louis Varca**, the

File Number 2017-

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. Louis Varca, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Varca's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

00334, Louis Varca

In the matter of **File Number 2017-00402, Johnny Brown**, 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. Johnson and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Brown's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

File Number 2017-00402, Johnny Brown

In the matter of **File Number 2017-00445, Dave Chatram Williams**, 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. Dave Chatram Williams, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Williams' application for a salesperson's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board determined Williams is unfit or unsuited to engage in the practice of the profession due to the nature and seriousness of the crime, the relationship of the crimes to his fitness for licensure and insufficient evidence of

File Number 2017-00445, Dave Chatram Williams

rehabilitation and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **File Number 2017-00448, Hyun Paik, II**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Paik's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

File Number 2017-00448, Hyun Paik, II

In the matter of **File Number 2016-00159, Rutger Forrest White dba Forrest White**, the Board reviewed the record which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation to impose a monetary penalty of \$1,500.00 for the violation contained in Count 1, for a total of \$1,500.00. The Board also imposes the following sanctions: For violation of Count 1, White shall be placed on probation and required to complete two (2) classroom hours of Board-approved continuing education pertaining to Real Estate Agency. Such course(s) shall be completed in a classroom. Further, White shall provide evidence acceptable to the Board that he has successfully completed the course(s) within three (3) months of the effective date of the order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. Further, for violation of Count 1, White is placed on two (2) years' probation of his license as of the effective date of the order. During the probation, White shall comply with the regulations of the Board; and provide to

File Number 2016-00159, Rutger Forrest White dba Forrest White

the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from White and his principal broker that White is in compliance with the regulations of the Board. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

In the matter of **File Number 2014-03224, Ok Ki Kim**, the Board reviewed the record which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation to impose a monetary penalty of 1,100.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, for a total of \$1,600.00. The Board also imposes the following sanctions: For violation of Counts 1 and 2, license revocation. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

File Number 2014-03224, Ok Ki Kim

In the matter of **File Number 2014-02963, Peter D. Kim**, 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. Peter D. Kim, respondent, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Odems.

File Number 2014-02963, Peter D. Kim

A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference for Counts 1 and 2, for revocation of Kim's license. Further, for violation of Count 1, Kim shall be required to complete another sixty

(60) hour pre-license course if Kim seeks licensure in the future. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover 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 2014-03021, Eun Ja Yoon**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Odems.

File Number 2014-03021, Eun Ja Yoon

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 impose a monetary penalty of \$1,100.00 for the violation contained in Count 1, \$500.00 for the violation contained in the Count 2, for a total of \$1,600.00. Further, for the violations of Counts 1 and 2, the Board also imposes revocation of Yoon's license. Further, for violation of Count 1, Yoon shall be required to complete another sixty (60) hour pre-license course if Yoon seeks licensure in the future. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover 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 2016-00583, Elizabeth K. Wilson, t/a Liz Wilson**, 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. Elizabeth K. Wilson, respondent, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*. The motion

File Number 2016-00583, Elizabeth K. Wilson, t/a Liz Wilson

passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Odems.

A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$350.00 for the violation contained in Count 1, for a total of \$350.00. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover 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 2015-01010, Woo Chong Park**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Odems.

File Number 2015-01010, Woo Chong Park

A motion was made by Ms. Ferebee and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,100.00 for the violation contained in Count 1, for a total of \$1,100.00. Further, for the violation of Count 1, the Board imposes revocation of Park's license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover 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 2016-02180, Anne Collins Albimino, t/a Anne-Collins Albimino**, the Board reviewed the Consent Order as seen and agreed to by Ms. Albimino. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Albimino admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, a

File Number 2016-02180, Anne Collins Albimino, t/a Anne-Collins Albimino

violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-300.7 (Count 3) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Albimino 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 Ferebee, Funkhouser, Gatewood, Grimsley, Johnson and Odems.

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 2016-02655, Josephine E. Roane-Boykins, t/a Joie Roane-Boykins**, the Board reviewed the Consent Order as seen and agreed to by Ms. Roane-Boykins. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Roane-Boykins admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$450.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$600.00. In addition, for violation of Count 1, Roane-Boykins 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. These 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 Ferebee, Funkhouser, Gatewood, Grimsley, Johnson, Hoover and Odems.

File Number 2016-02655, Josephine E. Roane-Boykins, t/a Joie Roane-Boykins

In the matter of **File Number 2016-02642, Holly Woodruff Long**, the Board reviewed the Consent Order as seen and agreed to by Ms. Long. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Long 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 135-20-260.11.g (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 3) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Long 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 Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

File Number 2016-02642, Holly Woodruff Long

In the matter of **File Number 2016-02598, Mina Olivia Hensley**, the Board reviewed the Consent Order as seen and agreed to by Ms. Hensley. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Hensley admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$550.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$700.00. In addition, for violation of Count 1, Hensley 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. These 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

File Number 2016-02598, Mina Olivia Hensley

unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Johnson, Hoover and Odems.

In the matter of **File Number 2016-02591, Sharon L. Buchanan**, the Board reviewed the Consent Order as seen and agreed to by Ms. Buchanan. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Buchanan admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$650.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$800.00. In addition, for violation of Count 1, Buchanan agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. These 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 Ferebee, Funkhouser, Gatewood, Grimsley, Johnson, Hoover and Odems.

File Number 2016-02591, Sharon L. Buchanan

In the matter of **File Number 2016-02349, James Frederick Kerr, t/a James F. Kerr**, the Board reviewed the Consent Order as seen and agreed to by Mr. Kerr. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Kerr 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 135-20-260.11.g (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 3) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Kerr 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

File Number 2016-02349, James Frederick Kerr, t/a James F. Kerr

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 Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

In the matter of **File Number 2016-02385, Kareem Osbourne Fleming**, the Board reviewed the Consent Order as seen and agreed to by Mr. Fleming. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Fleming admits to a violation of 18 VAC 135-20-180.A.1 (Count 1) of the Board's 2008 Regulations, a violation of 18 VAC 135-20-185.C.3 (Count 2) of the Board's 2003 Regulations, and a violation of §54.1-2131.A.4 (Count 3) of the *Code of Virginia* and agrees to a monetary penalty of \$950.00 for the violation contained in Count 1, \$1,450.00 for the violation contained in Count 2, \$550.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$3,100.00. In addition, for violation of Counts 1 and 2, Fleming agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and for violation of Count 3, Fleming agrees to complete at least three (3) classroom hours of Board-approved 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 Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

File Number 2016-02385, Kareem Osbourne Fleming

In the matter of **File Number 2016-02347, Byong K. Lee**, the Board reviewed the Consent Order as seen and agreed to by Mr. Lee. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Lee admits to a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 Regulations, and agrees to a monetary penalty of \$700.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$850.00. In addition, for violation of Count 1, Lee agrees to revocation of

File Number 2016-02347, Byong K. Lee

his license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

In the matter of **File Number 2016-01152, Monina Fajardo Nguyen, t/a Mimi Nguyen**, the Board reviewed the Consent Order as seen and agreed to by Ms. Nguyen. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Nguyen admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, 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, Nguyen agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

File Number 2016-01152, Monina Fajardo Nguyen, t/a Mimi Nguyen

In the matter of **File Number 2016-01079, Harry Jackson Grizzle, t/a Buz Grizzle**, the Board reviewed the Consent Order as seen and agreed to by Mr. Grizzle. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Grizzle admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 1999 Regulations, and agrees to a monetary penalty of \$700.00 for the violation of Count 1, \$700.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$850.00. In addition, for violation of Count 1, Grizzle agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed

File Number 2016-01079, Harry Jackson Grizzle, t/a Buz Grizzle

unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Odems. Johnson abstained from voting in this matter.

A motion was made by Ms. Johnson and seconded by Ms. Ferebee to approve the proposed language for 18 VAC 135-11-50 and file the regulatory action as fast track to amend the Public Participation Guidelines regulation. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

Administrative Issues

The Board discussed the definition of immediate family regarding compliance of the Real Estate regulations. The Board agreed immediate family includes parents, spouses, children, siblings, in-laws, grandparents, grandchildren, step parents and step children.

A motion was made by Mr. Hoover and seconded by Ms. Johnson to reconsider Margaret "Peggy" Coffey's request to waive continuing education per §54.1-2105.03.D of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to waive the Board's continuing education requirement pursuant to §54.1-2105.03.D of the *Code of Virginia* provided Ms. Coffey consents to an Agreement for Licensure (Agreement) wherein she agrees to provide only referral services as a real estate broker until such time as she completes the continuing education requirement. Further, Ms. Coffey must agree she will be the only licensee affiliated with her firm/sole proprietorship, A New Beginning Referral Company and the Agreement will be effective until July 31, 2017. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Johnson, Gatewood, Grimsley, Hoover and Odems.

The Board reviewed the report from the October 25, 2016, Real Estate Board Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the Education Committee meeting minutes. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

Education

Board Counsel, Tom Payne, informed the Board of the settlement of litigation in the **Carolyn King vs. CRP of Bainbridge Crystal Square, LLC et al, File Number 2015-02663**, which was approved by the Board Chair.

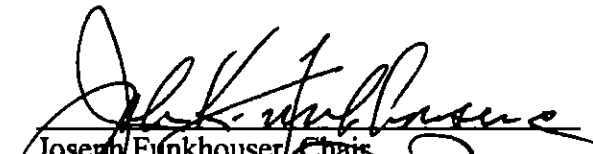
Old Business

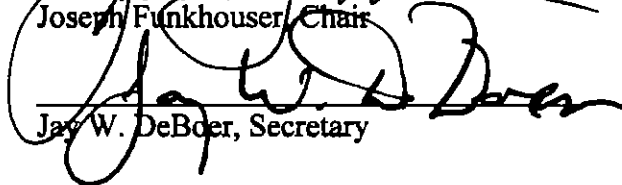
A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to adopt the guidance document pertaining to Reasonable Accommodation Requests for Assistance Animals. The motion passed unanimously. Members voting "Yes" were Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Odems.

New Business

There being no further business, the Board adjourned at 11:58 A.M.

Adjourn


Joseph Funkhouser, Chair


Jay W. DeBoer, Secretary

**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: October 26, 2016
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

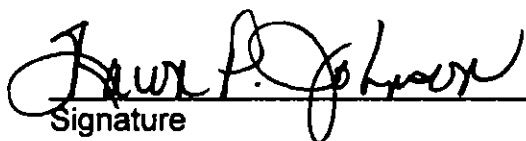
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/26/16
Date

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

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

1. Name: Joe Funkhouser
(Name of Board Member)

2. Title: Board Member

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

4. Meeting/IFF Date: October 26, 2016
(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

10-26-16
Date

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

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

1. Name: Libby Gatewood
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: October 26, 2016
(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.

Libby Gatewood
Signature

10/26/16
Date

**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: October 26, 2016
(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

10-26-16
Date

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

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

1. Name: Sandra Ferebee
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: October 26, 2016
(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

10-26-16
Date

**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: October 26, 2016
(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

10/26/16
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: October 26, 2016
(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:

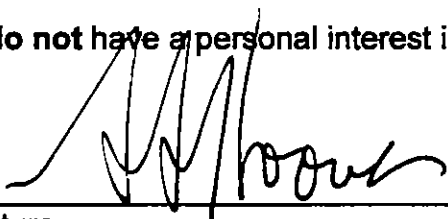
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

