

REAL ESTATE BOARD  
MINUTES OF MEETING

November 16, 2017

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  
Sandee Ferebee, Vice-Chair  
Libby Gatewood  
Lynn G. Grimsley  
Lee Odems  
Sharon Johnson  
Steve Hoover  
Margaret Davis  
Ibrahim Moiz

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  
Jim Chapman, Board Administrator  
Emily Trent, Administrative Assistant  
Trudy Miller, Fair Housing Investigator  
Angela Keefe-Thomas, Fair Housing Investigator  
Karen Taylor, Fair Housing Investigator

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. Gatewood to approve the agenda. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**Agenda**

A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to adopt the following minutes: September 28, 2017, Fair Housing Sub-Committee Meeting and September 28, 2017, Real Estate Board Meeting. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz 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 **Tyhisha Aiken-Ortiz v. Samantha Smith, Weinstein Management Co., Incorporated, dba Weinstein Properties, and VA Kings Crossing Associates, L.C., dba Kings Crossing, File Number 2017-02672**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Tyhisha Aiken-Ortiz, complainant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions based on familial status, race and sex. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated by intimidating and coercing the complainant based on familial status. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **Angela Oliver v. Eric Suchomelly, Sr., Farmville Park I, LLC and Dodson Property Management, LLC, File Number 2017-02691**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Barrie Bowers, attorney for Dodson Property Management, LLC, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions of a rental based on sex and disability or retaliated

## Minutes

## Public Comment

### Fair Housing Administrator's Report

Tyhisha Aiken-Ortiz  
v. Samantha Smith,  
Weinstein  
Management Co.,  
Incorporated, dba  
Weinstein Properties,  
and VA Kings  
Crossing Associates,  
L.C., dba Kings  
Crossing, File  
Number 2017-02672

Angela Oliver v. Eric  
Suchomelly, Sr.,  
Farmville Park I,  
LLC and Dodson  
Property  
Management, LLC,  
File Number 2017-  
02691

against the complainant based on her exercising her fair housing rights. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **Arlene Graham v. US Residential Group, LLC, Pinetree Apartments, LLC Pinetree Association of VA, LP, File Number 2017-02073**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Supplemental Final Investigative Report. Kim Taylor, attorney for US Residential Group, LLC, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause the respondents discriminated against the complainant by refusing to make a reasonable accommodation or failing to comply with the accessibility requirements under the Virginia Fair Housing Law based on disability. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**Arlene Graham v.  
US Residential  
Group, LLC,  
Pinetree Apartments,  
LLC and Pinetree  
Association of VA,  
LP, File Number  
2017-02073**

In the matter of **Fabiola Rodriquez and Claas Wallrodt v. Gloria Rojas, Ricardo Rojas, Fairfax Realty, Inc., and Marcacri Investments, Inc., dba Qualify Mortgage, File Number 2017-02829**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Ferebee and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant in terms and conditions or offered discriminatory financing based on national origin. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**Fabiola Rodriquez  
and Claas Wallrodt  
v. Gloria Rojas,  
Ricardo Rojas,  
Fairfax Realty, Inc.,  
and Marcacri  
Investments, Inc.,  
dba Qualify  
Mortgage, File  
Number 2017-02829**

In the matter of **Matthew Haggerty v. Chickahominy Redo, LLC and Grady Management, Inc., File Number 2016-02214**, Tom Payne, Office of the Attorney General, gave the Board an update. No action was taken by the Board.

**Matthew Haggerty v.  
Chickahominy Redo,  
LLC and Grady  
Management, Inc.,  
File Number 2016-  
02214**

In the matter of **File Number 2018-00423, Christina Gulick-Kazembe**, 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

**File Number 2018-  
00423, Christina  
Gulick-Kazembe**

Fact-Finding Conference of the presiding officer. Christina Gulick-Kazembe, applicant, was present and addressed the Board. 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Gulick-Kazembe's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2017-03191, Jordan Scott Cruise**, 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. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Cruise's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-03191, Jordan Scott Cruise**

In the matter of **File Number 2018-00651, Ivis Caridad Perez**, 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. Ivis Caridad Perez, 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 (IFF) to deny Ms. Perez's 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 it could not protect the health, safety and welfare of the public due to her age at the time of the commission of the crime, the nature of the crime, and the limited evidence of rehabilitation or rehabilitative effort and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and

**File Number 2018-00651, Ivis Caridad Perez**

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In the matter of **File Number 2017-02688, Omar Aguirre**, 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 (IFF) to deny Mr. Aguirre's 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 it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crime, the relationship of the crime to the purpose for requiring a license to engage in the occupation, the limited amount of time that has elapsed since Aguirre's last involvement in the commission of a crime, and the limited evidence of rehabilitation or rehabilitative effort and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-02688, Omar Aguirre**

In the matter of **File Number 2017-03193, Duane Merrill**, 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. Duane Merrill, applicant, was present and addressed the Board. 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Merrill's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-03193, Duane Merrill**

In the matter of **File Number 2018-00433, Christopher Noell**, 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. Christopher

**File Number 2018-00433, Christopher Noell**

Noell, applicant, was 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Noell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

In the matter of **File Number 2018-00576, John Logan**, 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. John Logan, applicant, was present and addressed the Board. 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Logan's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2018-00576, John Logan**

In the matter of **File Number 2018-00432, Elizabeth Taylor**, 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. Elizabeth Taylor, applicant, was present and addressed the Board. 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 and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Taylor's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2018-00432, Elizabeth Taylor**

In the matter of **File Number 2018-00085, LeMar E. Dixon**, 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.

**File Number 2018-00085, LeMar E. Dixon**

LeMar E. Dixon, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Dixon's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz 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 2018-00431, Patrick Saltz**, 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. Patrick Saltz, applicant, was present and addressed the Board. A motion was made by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Saltz's application for a real estate broker's license. With no second, the motion failed.

**File Number 2018-00431, Patrick Saltz**

A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead approve Mr. Saltz's application for a broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz 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 2018-00345, Andre Perry**, 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. Andre Perry, 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 to deny Mr. Perry's application for a real estate broker's license based on the record. The Board determined it could not protect the health, welfare and safety

**File Number 2018-00345, Andre Perry**

of the public given the serious nature of his previous discipline and that Mr. Perry has not demonstrated he can be trusted with the responsibility of working as a real estate broker and handle the role of fiduciary considering his previous disciplinary action and downgrade related to regulatory violations in File 2012-03732. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Moiz. Odems abstained from voting in the matter.

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

In the matter of **File Number 2018-00344, Benson Fischer**, 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. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Fischer's application for a real estate broker's license. The motion passed by majority vote. Members voting "Yes" were Davis, Funkhouser, Gatewood, Hoover and Moiz. Members voting "No" were Ferebee, Grimsley and Odems.

**File Number 2018-00344, Benson Fischer**

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

In the matter of **File Number 2017-03012, Surendra Patel**, 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. Surendra Patel, 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 to deny Mr. Patel'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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and

**File Number 2017-03012, Surendra Patel**



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 2017-03051, Sarah Hatch**, 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. Sarah Hatch, applicant, was present and addressed the Board. 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) to deny Ms. Hatch's application for a real estate broker's license. The motion failed. Members voting "No" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-03051, Sarah Hatch**

A motion was made by Mr. Hoover and seconded by Mr. Odems to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead approve Ms. Hatch's application for a broker's license. The motion passed by majority vote. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Hoover, Moiz and Odems. Member voting "No" was Grimsley.

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

In the matter of **File Number 2018-00579, Amber Glee 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 Board member. A motion was made by Mr. Odems and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Williams' application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2018-00579, Amber Glee Williams**

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

A motion was made by Mr. Hoover and seconded by Ms. Grimsley to reconsider agenda item 13, File Number 2017-03012 - Surendra Patel. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**Reconsideration**

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

In the matter of **File Number 2017-03012, Surendra Patel**, 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. Surendra Patel, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Patel'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 but instead issue a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-03012, Surendra Patel**

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

In the matter of **File Number 2017-00455, Chantel Ray Finch dba Chantel Ray**, 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. Christopher Davis, attorney for the respondent, was present and addressed the Board. A motion was made by Mr. Odems and seconded by Ms. Gatewood to find no violation of 18 VAC 135-20-260.11.a (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Gatewood, Hoover, Moiz and Odems. Ferebee abstained from voting in this matter. A motion was made by Mr. Hoover and seconded by Mr. Odems to find a violation of 18 VAC 135-20-190.E.4 (Count 1) of the Board's 2015 Regulations. The motion passed

**File Number 2017-00455, Chantel Ray Finch dba Chantel Ray**

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

A motion was made by Mr. Hoover and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$800.00 for the violation contained in Count 1, for a total of \$800.00. The Board imposes the following sanctions: In addition, for violation of Count 1, Ray shall be placed on probation and required to complete two (2) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct, two (2) classroom hours of Board-approved continuing education pertaining to Legal Updates, and two (2) classroom hours pertaining to Broker Management and Supervision. Such course(s) shall be completed in a classroom. Further, Ray shall provide evidence acceptable to the Board that Ray has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Gatewood, Hoover, Moiz and Odems. Ferebee abstained from voting in this matter.

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

In the matter of **File Number 2017-02217, Chandler L. Scarborough**, 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 §54.1-2133.A.1 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11.f (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-240 (Count 4) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-02217, Chandler L. Scarborough**

A motion was made by Ms. Ferebee and seconded by Mr.

Odems to impose a monetary penalty of \$600.00 for the violation contained in Count 1, \$1,450.00 for the violation contained in Count 2, \$2,050.00 for the violation contained in Count 3, and \$1,250.00 for the violation contained in Count 4, for a total of \$5,350.00. The Board also imposes the following sanction: for the violation of Counts 1, 2, 3 and 4, license revocation. *The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz 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 2017-00720, Chandler L. Scarborough**, 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 §54.1-2133.A.1 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11.f (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-240 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-00720, Chandler L. Scarborough**

A motion was made by Ms. Ferebee and seconded by Ms. Davis to impose a monetary penalty of \$600.00 for the violation contained in Count 1, \$1,450.00 for the violation contained in Count 2, and \$1,250.00 for the violation contained in Count 3, for a total of \$3,300.00. The Board also imposes the following sanction: for the violation of Counts 1, 2 and 3, license revocation. *The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz 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 2017-02254, Cesar Eduardo Cavero**, the Board reviewed the Consent Order as seen and agreed to by Mr. Cavero. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Cavero 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

**File Number 2017-02254, Cesar Eduardo Cavero**

of \$150.00. In addition, for violation of Count 1, Cavero agrees to revocation of his license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz 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 2017-02254, Cesar Eduardo Cavero**, the Board reviewed the Consent Order as seen and agreed to by Mr. Cavero. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Cavero 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, Cavero agrees to revocation of his license. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-02254, Cesar Eduardo Cavero**

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 2017-02009, Johana Gutierrez Story**, the Board reviewed the Consent Order as seen and agreed to by Ms. Story. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Story admits to a violation of §54.1-2132.A.4. (Count 1) of the *Code of Virginia*, and agrees to \$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 violation of Count 1, Story agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Escrow Management and at least two (2) 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Moiz and Odems.

**File Number 2017-02009, Johana Gutierrez Story**

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 2016-01022, Sarah Anderson Pratali**, 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. Moiz to accept a violation of 18 VAC 135-20-270.3 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-185.C.2 (Count 2) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-300.6 (Count 3) of the Board's 2008 Regulations and a violation of 18 VAC 135-20-260.11 (Count 4) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, and Moiz. Johnson abstained from voting in this matter.

**File Number 2016-01022, Sarah Anderson Pratali**

A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to impose the following sanction: for the violation of Counts 1, 2, 3 and 4, license revocation. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover and Moiz. Johnson abstained from voting in this matter.

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 2017-02609, Lisa Ann Portz-Lease, t/a Lisa Lease**, the Board reviewed the Consent Order as seen and agreed to by Ms. Lease. A motion was made by Ms. Grimsley and seconded by M. Hoover to accept the proposed Consent Order offer wherein Ms. Lease admits to a violation of §54.1-2133.A.4. (Count 1) of the *Code of Virginia*, and agrees to \$600.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. The imposition of the \$600.00 monetary penalty for Count 1 is hereby waived. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson and Moiz.

**File Number 2017-02609, Lisa Ann Portz-Lease, t/a Lisa Lease**

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 2017-02847, Renee Sue Perry,**

**File Number 2017-**

the Board reviewed the Consent Order as seen and agreed to by Ms. Perry. A motion was made by Ms. Ferebee and seconded by Ms. Gatewood to accept the proposed Consent Order offer wherein Ms. Perry 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 135-20-260.12.h (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$300.00 for the violation of Count 1, and \$400.00 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, Perry 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Johnson, Moiz and Odems.

**02847, Renee Sue Perry**

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 2017-01893, Kelly Darold Robertson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Robertson. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Robertson 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 of Count 1, as well as \$150.00 in Board costs, for a total of 650.00. In addition, for violation of Count 1, Robertson 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.

**File Number 2017-01893, Kelly Darold Robertson**

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

In the matter of **File Number 2017-01983, Crystal Smith Padgett**, the Board reviewed the Consent Order as seen and agreed to by Ms. Padgett. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Padgett admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$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, Padgett 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-01983, Crystal Smith Padgett**

In the matter of **File Number 2017-02242, Margaret Rountree Cuffe**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cuffe. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Cuffe 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 of Count 1, as well as \$150.00 in Board costs, for a total of 650.00. In addition, for violation of Count 1, Cuffe 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and

**File Number 2017-02242, Margaret Rountree Cuffe**



Odems.

In the matter of **File Number 2017-02827, Eric Kenneth Walker t/a Eric Walker**, the Board reviewed the Consent Order as seen and agreed to by Mr. Walker. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Walker admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$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, Walker 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2017-02827, Eric Kenneth Walker t/a Eric Walker**

In the matter of **File Number 2018-00214, Damon Javon Parker**, the Board reviewed the Consent Order as seen and agreed to by Mr. Parker. A motion was made by Ms. Ferebee and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Mr. Parker 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 of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Parker 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**File Number 2018-00214, Damon Javon Parker**

A motion was made by Ms. Ferebee and seconded by Ms. Davis to approve payment in the amount of \$68,927.85 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 Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**Administrative Issues**

The Board reviewed the report from the November 15, 2017, Real Estate Board Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

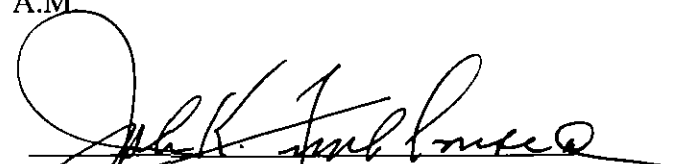
**Education**

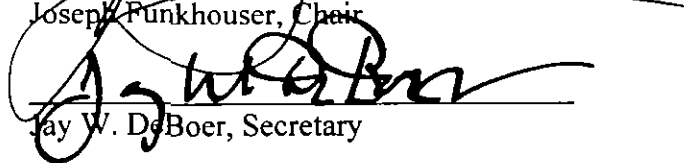
A motion was made by Ms. Johnson and seconded by Mr. Hoover to start the regulatory review process for the Real Estate Board. The motion passed unanimously. Members voting "Yes" were Davis, Ferebee, Funkhouser, Gatewood, Grimsley, Hoover, Johnson, Moiz and Odems.

**New Business**

There being no further business, the Board adjourned at 11:25 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: Lynn G. Grimsley  
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board  
(Name of Board)
4. Meeting/IFF Date: November 16, 2017  
(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.

*L Grimsley*  
Signature

11/16/17  
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: November 16, 2017  
(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

11/17/17  
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: November 16, 2017  
(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

11/16/17  
\_\_\_\_\_  
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: November 16, 2017  
(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

11/16/17  
\_\_\_\_\_  
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: November 16, 2017  
(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:

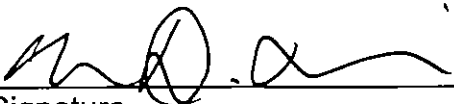
\_\_\_\_\_

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

11/16/17  
\_\_\_\_\_  
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: November 16, 2017  
(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

11-16-17  
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: November 16, 2017  
(Date)

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

File # 2017-00455 Chantel Ray  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

My firm BHH5 Towne Realty was complainant

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

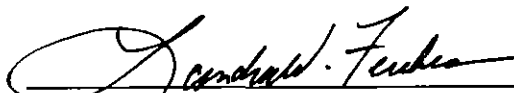
\_\_\_\_\_

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

11-16-17  
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: November 16, 2017  
(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:

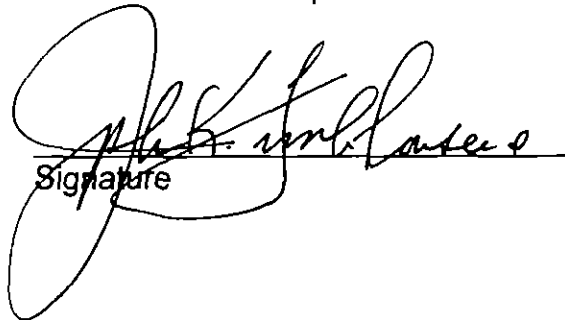
\_\_\_\_\_

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

11-16-17  
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: November 16, 2017  
(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

11/16/17  
Date