

REAL ESTATE BOARD
MINUTES OF MEETING

October 7, 2021

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

Ibrahim Moiz, Vice-Chair
Margaret Davis
Nan Piland
Candice Bower
David Perry

Board member absent from the meeting: Sharon Johnson, Chair
Catina Jones
Mayra Pineda
Kemper Funkhouser

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

Mary Broz-Vaughan, Director
Tom Payne, Deputy Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Emily Trent, Administrative Assistant
Loraine Schroeder, Fair Housing Investigator

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

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

Call to Order

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

Agenda

A motion was made by Ms. Bower and seconded by Ms. Piland to adopt the July 15, 2021, Fair Housing Sub-Committee Meeting minutes, and July 15, 2021, Real Estate Board Meeting minutes.

Minutes

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

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

Helen Hardiman gave the Board a Fair Housing litigation update. No action was taken by the Board.

There was no public comment.

In the matter of **Julia Kines v. Hercules Living and Salem Fields Townhomes, Inc. LP, REB File Number 2021-00368**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or by offering discriminatory terms and conditions based upon race. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Leslaw Dobrzanski v. Columbia Heights, LP and Kettler Management, Inc., REB File Number 2021-02105**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions based on race or national origin. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Melissa Canadas v. Click and Pick Realty LLC, Nicolas A. and Morgan Desarno, REB File Number 2021-02290**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Chris Robertson, attorney for the respondents, addressed the Board by teleconference. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions or by refusing to rent based on familial status. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

Fair Housing Reports

Litigation Update

Public Comment

**Julia Kines v.
Hercules Living and
Salem Fields
Townhomes, Inc. LP,
REB File Number
2021-00368**

**Leslaw Dobrzanski v.
Columbia Heights,
LP and Kettler
Management, Inc.,
REB File Number
2021-02105**

**Melissa Canadas v.
Click and Pick
Realty LLC, Nicolas
A. and Morgan
Desarno, REB File
Number 2021-02290**

In the matter of **Shadeaha Rawlings v. Jefferson Lofts LLC and LEAD Commercial LLC dba SVN LEAD Commercial, REB File Number 2021-01388**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Shadeaha Rawlings, complainant, submitted a written statement which was read to the Board. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainant by refusing to rent based on familial status. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

Shadeaha Rawlings v. Jefferson Lofts LLC and LEAD Commercial LLC dba SVN LEAD Commercial, REB File Number 2021-01388

In the matter of **Katrina Sutton and Dana Linzy v. Brookridge Apartments LLC and South Oxford Management LLC, REB File Number 2021-00490**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainants by refusing to make a reasonable accommodation or by imposing discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

Katrina Sutton and Dana Linzy v. Brookridge Apartments LLC and South Oxford Management LLC, REB File Number 2021-00490

In the matter of **Tammy Cabell Dummars v. WJD Management LLC, Gina Talotta, Linda Cummings, Robert S. Ferrell and Monique Y. Ferrell, REB File Number 2019-02229**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Official Consultation Memorandum of the Attorney General. A motion was made by Ms. Davis and seconded by Ms. Bower to find reasonable cause the respondents discriminated against the complainant by imposing discriminatory terms and conditions and by refusing to rent based on sex and familial status. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

Tammy Cabell Dummars v. WJD Management LLC, Gina Talotta, Linda Cummings, Robert S. Ferrell and Monique Y. Ferrell, REB File Number 2019-02229

In the matter of **Amanda Chan and Freddie Wilson v. New Brick Historic Lofts, LLC, Prime Properties & Relocation, and Donna Garrett, REB File Number 2019-02180**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis and Official Consultation Memorandum of the Attorney General. A motion was made by Ms. Davis and seconded by Ms. Bower to find reasonable cause the respondents discriminated against the complainants by refusing to rent; by

Amanda Chan and Freddie Wilson v. New Brick Historic Lofts, LLC, Prime Properties & Relocation, and Donna Garrett, REB File Number 2019-

imposing discriminatory terms and conditions, making discriminatory statements to complainants, falsely denying availability and by steering complainants based on familial status. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Shannon Brown v. Charles and Paige Williams and Miller Property Solutions Inc. dba Lee Property Management, REB File Number 2021-01793**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainant by refusing to rent or by offering discriminatory terms and conditions based on race or familial status. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Adam M. Berry and April Berry v. Executive, Inc., Management Company DBA Executives, Inc. Realty Group; P.A. Hajacos and K. K. Robinson, REB File Number 2020-02040**, a motion was made by Ms. Davis and seconded by Ms. Bower to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Merfat Abdel Khalek Mohammed v. Kyle Realty Inc. and Thomas H. Kyle, REB File Number 2021-02099**, a motion was made by Ms. Davis and seconded by Ms. Bower to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

In the matter of **Timothy Rowland v. Leland Real Estate Inc. dba Leland Goldman Real Estate and David S. Johnston, REB File Number 2021-02611**, a motion was made by Ms. Davis and seconded by Ms. Bower to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

02180

Shannon Brown v. Charles and Paige Williams and Miller Property Solutions Inc. dba Lee Property Management, REB File Number 2021-01793

Adam M. Berry and April Berry v. Executive, Inc., Management Company DBA Executives, Inc. Realty Group; P.A. Hajacos and K. K. Robinson, REB File Number 2020-02040

Merfat Abdel Khalek Mohammed v. Kyle Realty Inc. and Thomas H. Kyle, REB File Number 2021-02099

Timothy Rowland v. Leland Real Estate Inc. dba Leland Goldman Real Estate and David S. Johnston, REB File Number 2021-02611

In the matter of **Andrew Thacker v. Morris Runaway, LLC, Jessica Ramos, Harbor Group Management Co. LLC and Leslie Proctor, REB File Number 2022-00079**, a motion was made by Ms. Davis and seconded by Ms. Bower to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

Andrew Thacker v. Morris Runaway, LLC, Jessica Ramos, Harbor Group Management Co. LLC and Leslie Proctor, REB File Number 2022-00079

In the matter of **File Number 2021-01291, Mirza Usman Baig**, 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. Mirza Usman Baig, applicant, was present and addressed the Board. A motion was made by Mr. Perry and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Baig’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 relationship of the crime to the purpose for requiring a license the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type, the extent and nature of Baig’s past criminal activity, and agreed it would be negligent to grant a license and voted to deny the license. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01291, Mirza Usman Baig

In the matter of **File Number 2021-00882, Taurus Finley Dean, Sr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Dean’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 Dean’s failure to disclose his felony conviction on his application and the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board

File Number 2021-00882, Taurus Finley Dean, Sr.

determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crimes, the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type, the extent and nature of Dean's past criminal activity, relationship of the crime to the purpose for requiring a license and agreed it would be negligent to grant a license and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01920, Nathaniel Alexander, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Nathaniel Alexander, Jr., applicant, was present and addressed the Board. Clifford Wells, witness, provided a written statement that was read to the Board by Mr. Alexander. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Alexander'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 extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type, the extent and nature of Alexander's past criminal activity, relationship of the crime to the purpose for requiring a license and agreed it would be negligent to grant a license and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01920, Nathaniel Alexander, Jr.

In the matter of **File Number 2021-01914, Debra Davis-Allen**, 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. Debra Davis-Allen, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the

File Number 2021-01914, Debra Davis-Allen

Code of Virginia approve Ms. Davis-Allen's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01393, Ivan Donnell Johnson, Sr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ivan Donnell Johnson, Sr., applicant, was present and addressed the Board. A motion was made by Ms. Bower and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Johnson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01393, Ivan Donnell Johnson, Sr.

The Board recessed from 11:03 A.M. to 11:23 A.M.

Break

In the matter of **File Number 2021-01924, Ryan Huston VanDyke**, 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. Ryan Huston VanDyke, applicant, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. VanDyke's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01924, Ryan Huston VanDyke

In the matter of **File Number 2021-01306, Waheed Ur Rehman**, 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. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the

File Number 2021-01306, Waheed Ur Rehman

criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Rehman's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01910, Khairi Talib Shabazz**, 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. Piland and seconded by Ms. Bower to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Shabazz's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Shabazz and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01910, Khairi Talib Shabazz

In the matter of **File Number 2021-01915, Michelle Diane Garcia**, 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. Michelle Diane Garcia, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Garcia's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01915, Michelle Diane Garcia

In the matter of **File Number 2021-01918, Chelsey Diane Norton**, 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. Chelsey Diane Norton, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the

File Number 2021-01918, Chelsey Diane Norton

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

In the matter of **File Number 2021-01919, Carlos Fuentes-Rodriguez**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Davis seconded by Ms. Piland to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Fuentes-Rodriguez's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Fuentes-Rodriguez and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01919, Carlos Fuentes-Rodriguez

In the matter of **File Number 2021-02477, Danielle Rene Dickerson**, 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. Danielle Rene Dickerson, applicant, was present and did not address the Board. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Dickerson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-02477, Danielle Rene Dickerson

In the matter of **File Number 2021-01533, Marvin Samuel Brown, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Marvin Samuel Brown, Jr., applicant, was present and did not address the Board. A motion was made by Ms. Davis and seconded by

File Number 2021-01533, Marvin Samuel Brown, Jr.

Ms. Piland to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Brown's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Brown and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01534, William Kelly Doane**, 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. Piland and seconded by Mr. Bower to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Doane's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Doane and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01534, William Kelly Doane

In the matter of **File Number 2020-00142, John Patrick Morgan**, 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. Davis and seconded by Ms. Bower to find a violation of §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, a violation of §54.1-2137.B (Count 3) of the *Code of Virginia*, and a violation of 18 VAC 135-20-185.C.3 (Count 4) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2020-00142, John Patrick Morgan

A motion was made by Ms. Davis and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$750.00 for the violation contained in Count 1, \$750.00 for the violation contained in Count 2, \$400.00 for the violation contained in Count 3, \$950.00 for the violation

contained in Count 4, for a total of \$2,850.00. In addition, for violations of Counts 1, 2 and 4, revocation of Morgan's license. In addition for the violation of Count 3, the Board voted to place Morgan on probation for a period of six months and require Morgan to complete eight (8) classroom hours of Board-approved continuing education pertaining to Property Management. Further, Morgan shall provide evidence acceptable to the Board that Morgan has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2020-02379, Caleb Louis Garnett**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Bower and seconded by Ms. Davis to find a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2020-02379, Caleb Louis Garnett

A motion was made by Ms. Bower and seconded by Ms. Davis to accept the recommendation to impose a monetary penalty of \$600.00 for violation contained in Count 1, \$600.00 for the violation contained in Count 2, for a total of \$1,200.00. In addition, for violation of Counts 1 and 2, Garnett shall be placed on probation for a period of six months and required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing. Such course(s) shall be completed in a classroom. Further, Garnett shall provide evidence acceptable to the Board that Garnett has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced education hours will not count towards any education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-02500, David Bastiaans (Claimant) v. Robert Dale Schroeder, dba Family Properties (Regulant)**, the case was deferred.

File Number 2021-02500, David Bastiaans (Claimant)

**v. Robert Dale
Schroeder, dba
Family Properties
(Regulant)**

In the matter of **File Number 2021-00842, Stephen Hadder**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hadder. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Hadder admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulation and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, Hadder agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Contract Writing and provide proof of attendance and completion within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

**File Number 2021-
00842, Stephen
Hadder**

In the matter of **File Number 2021-01212, James Ko**, the Board reviewed the Consent Order as seen and agreed to by Mr. Ko. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Ko 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 \$600.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, Ko agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates and Emerging Trends and provide proof of attendance and completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

**File Number 2021-
01212, James Ko**

In the matter of **File Number 2021-00024, Nicole Kristen Fogel**, the Board reviewed the Consent Order as seen and agreed to by Ms. Fogel. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Fogel admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, Fogel agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Escrow Management and at least three (3) classroom hours of Board-approved Post-License education pertaining to Real Estate Contracts and provide proof of attendance and 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 Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-00024, Nicole Kristen Fogel

In the matter of **File Number 2021-01996, Daniel Lee Oxenburg, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Oxenburg. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Oxenburg admits to a violation of §54.1-2134.A.1 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Oxenburg agrees to complete at least two (2) classroom hours of Board-approved Post-License education pertaining to Current Industry Issues and Trends 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 education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01996, Daniel Lee Oxenburg, Sr.

In the matter of **File Number 2021-01779, Charles Hollister,**

File Number 2021-

the Board reviewed the Consent Order as seen and agreed to by Mr. Hollister. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Hollister admits to a violation of 18 VAC 135-20-260.8 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$500.00. In addition, for violation of Count 1, Hollister agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

01779, Charles Hollister

In the matter of **File Number 2021-01624, Karen P. Gaskins**, the Board reviewed the Consent Order as seen and agreed to by Ms. Gaskins. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Gaskins admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2020 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Gaskins agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Escrow Requirements and provide proof of attendance and completion within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01624, Karen P. Gaskins

In the matter of **File Number 2021-00750, Corinne Zedd**, the Board reviewed the Consent Order as seen and agreed to by Ms. Zedd. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Zedd 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

File Number 2021-00750, Corinne Zedd

penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Zedd 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 completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-02402, Wanda Jane Cook**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cook. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Cook admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$400.00. In addition, for violation of Count 1, Cook agrees to complete at least three (3) classroom hours of Board-approved post-license education pertaining to Escrow Requirements 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 Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-02402, Wanda Jane Cook

In the matter of **File Number 2021-01285, Benjamin Earl Johnson**, the Board reviewed the Consent Order as seen and agreed to by Mr. Johnson. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Johnson admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-170.A.1 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, \$550.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, the Board shall waive \$400.00

File Number 2021-01285, Benjamin Earl Johnson

of the \$550.00 monetary penalty for Count 2 based on Johnson reporting his current physical address to the Board, in writing, on July 1, 2021. In addition, Johnson agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and 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 Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01490, Christina B. Brandon**, the Board reviewed the Consent Order as seen and agreed to by Ms. Brandon. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Brandon admits to a violation of 18 VAC 135-20-260.11.l (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,200.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,350.00. In addition, for violation of Count 1, Brandon agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and 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 Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01490, Christina B. Brandon

In the matter of **File Number 2021-00589, Marvin James Smith, Sr. t/a Marvin James Smith**, the Board reviewed the Consent Order as seen and agreed to by Mr. Smith. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Smith admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Smith agrees to complete at least three (3) classroom hours of Board-approved

File Number 2021-00589, Marvin James Smith, Sr. t/a Marvin James Smith

continuing education pertaining to Escrow Management and provide proof of attendance and 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 education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

In the matter of **File Number 2021-01186, Joshua Dolan Baker**, the Board reviewed the Consent Order as seen and agreed to by Mr. Baker. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Smith admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$700.00. In addition, Baker agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

File Number 2021-01186, Joshua Dolan Baker

In the matter of **File Number 2021-00755, Brian Thomas Atkins**, the Board reviewed the Consent Order as seen and agreed to by Mr. Atkins. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Atkins admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-210 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$950.00. In addition, for violation of Count 1, Atkins 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 nine (9) months of the effective date of the Order. The course(s)

File Number 2021-00755, Brian Thomas Atkins

must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

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

Administrative Issues

A motion was made by Ms. Davis and seconded by Ms. Bower to approve payment in the amount of \$164.00 to Kaufman & Canoles, attorneys at law, for legal services provided for receivership in VA Real Estate Board v. The Rental Group I, LLC t/a The Rental (CL 14000461-00). The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

The Board members completed Conflict of Interest training.

The Board reviewed the report from the October 6, 2021, Real Estate Board Education Committee meeting. A motion was made to approve the recommendation from the Committee that the Board delegate authority to board staff to approve post-license and continuing education instructor applicants who have a current, Board issued pre-license instructor license and request to teach all categories except Current Industry Issues and Trends (PLE) and Other (CE Real Estate related.) The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Moiz, Perry and Piland.

Education

There being no further business, the Board adjourned at 11:52 A.M.

Adjourn


Sharon Johnson, Chair


Mary Broz-Vaughan, Secretary

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

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

1. Name: Candice Bower
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2021
(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.

Candice Bower
Signature

10/7/21
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: October 7, 2021
(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

10/7/21
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: David Perry
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2021
(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

10/07/2021
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: October 7, 2021
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

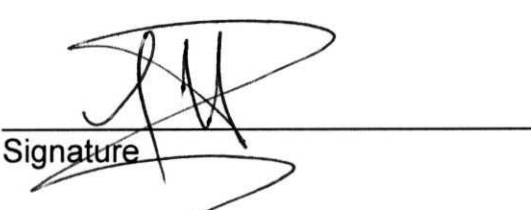
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

10/7/21
Date

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

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

1. Name: Nancy 'Nan' Piland
(Name of Board Member)
2. Title: Board Member
3. Agency: Real Estate Board
(Name of Board)
4. Meeting/IFF Date: October 7, 2021
(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

10/7/21
Date

