

REAL ESTATE BOARD
MINUTES OF MEETING

May 19, 2022

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

Sharon Johnson, Chair
Ibrahim Moiz, Vice-Chair
Margaret Davis
Kemper Funkhouser
David Perry
Catina Jones
Nan Piland
Mayra Pineda

Board member absent from the meeting: Candice Bower

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

Demetrios J. Melis, Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Trudy Miller, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Amy Goobic, Executive Assistant

Elizabeth Payne and Brittany Berky, from the Office of the Attorney General were present.

Ms. Johnson called the meeting to Order at 10:07 A.M.

Call to Order

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

Agenda

A motion was made by Ms. Davis and seconded by Mr. Perry to

Minutes

adopt the March 17, 2022, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

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

Brittany Berky, Assistant Attorney General, gave the Board a Fair Housing litigation update. No action was taken by the Board.

There was no public comment.

Ms. Martine went through the names on the board meeting sign in sheet asking each person who signed it if they wanted to address the board. She then told these individuals that they would have the opportunity to speak when their agenda item was called.

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, Supplemental Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainants by refusing to make a reasonable accommodation or imposing discriminatory terms and conditions based upon disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **Sonya Ray Williams v. Wellesley Woods Associates LP, Grady Management Inc. and Danielle Davis, REB File Number 2022-01006**, the Board reviewed the record which consisted of the Final Investigative Report, Supplemental Final Investigative Report, and Case Analysis. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainants by offering discriminatory terms and conditions, otherwise making housing unavailable, refusing to make a reasonable accommodation or retaliation based upon race or disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Fair Housing Reports

Litigation Update

Public Comment

Attendance

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

Sonya Ray Williams v. Wellesley Woods Associates LP, Grady Management Inc. and Danielle Davis, REB File Number 2022-01006

In the matter of **Ebone Gamby v. Range Water Residential, LLC, White Oaks Development, LLC, and Laron Woodson, REB File Number 2022-00752**, a motion was made by Ms. Davis and seconded by Ms. Pineda to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Ebone Gamby v. Range Water Residential, LLC, White Oaks Development, LLC, and Laron Woodson, REB File Number 2022-00752

In the matter of **Sheila R. O’Reilly v. Bell Partners, Inc., Molly Pelkey and Daryl Towns, REB File Number 2022-00127**, a motion was made by Ms. Davis and seconded by Ms. Pineda to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Sheila R. O’Reilly v. Bell Partners, Inc., Molly Pelkey and Daryl Towns, REB File Number 2022-00127

In the matter of **Dashawn Eubanks v. Alexandria Gateway Limited Partnership, S. L. Nusbaum Realty Co., Ivette Olivares, and LaToya Aderly, REB File Number 2022-00538**, a motion was made by Ms. Davis and seconded by Ms. Pineda to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Dashawn Eubanks v. Alexandria Gateway Limited Partnership, S. L. Nusbaum Realty Co., Ivette Olivares, and LaToya Aderly, REB File Number 2022-00538

In the matter of **File Number 2022-02711, Michael Thomas Howell**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Michael Thomas Howell, applicant was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Howell’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2022-02711, Michael Thomas Howell

In the matter of **File Number 2021-02906, Christopher Daniel Way**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-

File Number 2021-02906, Christopher Daniel Way

Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Christopher Daniel Way, applicant was present and addressed the Board. A motion was made by Ms. Pineda 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. Way's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00113, Michael Joseph Brail**, 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 and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Brail's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2022-00113, Michael Joseph Brail

In the matter of **File Number 2021-02714, Jennifer Elizabeth Wright**, 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 and 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 Ms. Wright's application for a real estate salesperson's license subject to an agreement for licensure for a period of one year wherein Ms. Wright and her broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2021-02714, Jennifer Elizabeth Wright

In the matter of **File Number 2021-02712, Marcus D. White**, 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.

File Number 2021-02712, Marcus D. White

Pineda and seconded by Mr. Perry 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. White's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2021-02478, Mark Anthony Gregory**, 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. Davis and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the information contained in the record, approve Mr. Gregory's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Mr. Gregory and his broker will provide quarterly reports to the Board. The motion passed by majority vote. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Perry, Piland and Pineda. Member voting "No" was Perry.

File Number 2021-02478, Mark Anthony Gregory

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

In the matter of **File Number 2022-00923, Israel Rosa**, 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. Israel Rosa, applicant, was present and addressed the Board. A motion was made by Ms. Pineda and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the information contained in the record, approve Mr. Rosa's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Rosa and his broker will provide quarterly reports to the Board. First, Rosa must comply with any outstanding requirements from previous disciplinary files. Secondly, once Rosa activates his license, Rosa and his broker must provide quarterly reports to the Board for a period of one year. The motion passed by majority vote. Members voting "Yes" were Davis, Funkhouser, Johnson,

File Number 2022-00923, Israel Rosa

Jones, Piland and Pineda. Member voting “No” was Perry.
As the presiding Board member, Mr. Moiz did not vote or participate in the discussion in this matter.

In the matter of **File Number 2022-01335, Michelle Renea Wheeler**, 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. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Wheeler’s application for a real estate broker’s license. After review of the testimony and documentation presented by Wheeler, the Board is of the opinion that Wheeler does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Pineda.

File Number 2022-01335, Michelle Renea Wheeler

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

In the matter of **File Number 2022-00920, Bernice Bericia Brown**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Bernice Bericia Brown, applicant, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Brown’s application for a real estate broker’s license. After review of the testimony and documentation presented by Brown, the Board is of the opinion that Brown does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Pineda.

File Number 2022-00920, Bernice Bericia Brown

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

In the matter of **File Number 2022-00922, Donna Kay Dovel**, the Board reviewed the record which consisted of the application

File Number 2022-00922, Donna Kay

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 Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Dovel's application for a real estate broker's license. After review of the testimony and documentation presented by Dovel, the Board is of the opinion that Dovel does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months. The motion passed by majority vote. Members voting "Yes" were Davis, Johnson, Jones, Moiz, Perry and Pineda. Member voting "No" was Perry.

Dovel

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

Due to a potential conflict of interest, Mr. Funkhouser did not vote or participate in the discussion in this matter.

In the matter of **File Number 2022-01276, Nathaniel Carl Backhause**, 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. Davis and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Backhause's application for a real estate broker's license. After review of the testimony and documentation presented by Backhause, the Board is of the opinion that Backhause does not meet the educational requirements that are substantially equivalent to those required by Virginia, and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Pineda.

File Number 2022-01276, Nathaniel Carl Backhause

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

In the matter of **File Number 2020-00637, Virginia Real Estate Transaction Recovery Act Claim of Bruce L. Pitt (Claimant) and Michael Boitnott (Regulant)**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, the claim review file, exhibits, and the Recovery Fund claim form and Claim Review. Michael Wells,

File Number 2020-00637, Virginia Real Estate Transaction Recovery Act Claim of Bruce L. Pitt (Claimant) and

attorney for the claimant, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Ms. Davis to adopt the recommendation to approve payment in the amount of \$6,280.00. The motion passed unanimously. Members voting "Yes" were Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Pineda.

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

In the matter of **File Number 2021-02520, Virginia Real Estate Transaction Recovery Act Claim of David Bastiaans (Claimant) and Robert Dale Schroeder, dba Family Properties (Regulant)**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, the claim review file, exhibits, and the Recovery Fund claim form and Claim Review. Robert Dale Schroeder, regulant, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Ms. Pineda to adopt the recommendation to approve payment in the amount of \$13,271.00. The motion passed unanimously. Members voting "Yes" were Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Pineda.

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

Ms. Johnson turned the position of Chair over to Mr. Moiz and recused herself from the meeting.

In the matter of **File Number 2020-00890, Jason King Restein**, 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. Lawrence Marshall, II, attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-260.12 (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-260.6 (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.7 (Count 4) of the Board's 2015 Regulations. The motion passed unanimously. Members voting

Michael Boitnott
(Regulant)

File Number 2021-
02520, Virginia Real
Estate Transaction
Recovery Act Claim
of David Bastiaans
(Claimant) and
Robert Dale
Schroeder, dba
Family Properties
(Regulant)

Transfer of Chair

File Number 2020-
00890, Jason King
Restein

“Yes” were Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Perry, Piland and Pineda.

A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$500.00 for the violation in Count 1, \$1,500.00 for the violation in Count 2, and \$800.00 for the violation contained in Count 4, for a total of \$2,800.00. For violation of Count 1, Restein’s license is placed on probation for a period of six (6) months and required to complete six (6) classroom hours of Board-approved post-license education pertaining to Real Estate Law and Regulations. Further, Restein shall provide evidence acceptable to the Board that Restein has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. For violation of Count 2, Restein’s license is suspended for a period of thirty days. Additionally, Restein’s license is placed on probation for a period of two years subject to the following terms:

- During the probationary period, Restein and his broker must provide quarterly reports to the Board verifying that he is in compliance with the Board’s rules and regulations;
- Restein shall be required to complete three (3) classroom hours of Board-approved post-license education pertaining to Escrow and three (3) classroom hours of Board-approved post-license education pertaining to Contracts. Further, Restein shall provide evidence acceptable to the Board that Restein has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license.

Should Restein fail to comply with any of the probationary terms, then the Board shall impose a one-year suspension of Restein’s license. The motion passed unanimously. Members voting “Yes” were Members voting “Yes” were Davis, Funkhouser, Jones, Moiz, Perry, Piland and Pineda.

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

In the matter of **File Number 2021-01589, Lourdes S. Akers**, 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 Mr. Funkhouser to find a violation of a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-180.C.3 (Count 2) of the Board's 2020 Regulations, a violation of 18 VAC 135-20-260.12.e (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-300.6 (Count 4) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-240 (Count 5) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Perry, Piland and Pineda.

File Number 2021-01589, Lourdes S. Akers

A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$550.00 for the violation in Count 1, \$1,200.00 for the violation in Count 2, \$1,100.00 for the violation in Count 3, \$1,000.00 for the violation in Count 4, and \$1,300.00 for the violation contained in Count 5, for a total of \$5,150.00. The Board also imposes the following sanctions: In addition, for the violations of Counts 2 and 4, revocation of Akers' license. In addition, for the violations of Counts 1, 2, 4, and 5, Akers license is placed on probation for a period of six (6) months. The terms of the probation shall be:

- For violation of Count 1, Akers license is required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing;
- For violation of Count 2, Akers license is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Escrow Requirements;
- For violation of Count 4, Akers license is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Agency;
- For violation of Count 5, Akers license is required to complete six (6) classroom hours of Board-approved

post-license education pertaining to Real Estate Law and Regulations;

Further, Akers shall provide evidence acceptable to the Board that Akers has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. As to Count 6, the Board closed that aspect of the file with a finding of no violation. The motion passed unanimously. Members voting "Yes" were Members voting "Yes" were Davis, Funkhouser, Jones, Moiz, Perry, Piland and Pineda.

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

Ms. Johnson returned and assumed the position of Chair.

In the matter of **File Number 2021-02532, Alexander Akuetteh**, 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. Alexander Akuetteh, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to find a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2137.B (Count 2) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Piland and Pineda.

A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: For violations of Counts 1 and 2, Akuetteh's license is placed on probation for a period of one (1) year. The terms of the probation shall be as follows: 1) Akuetteh shall complete three (3) hours of Board-approved post-license education in Ethics and Standards of Conduct. Such course(s) shall be completed in a classroom. 2) Akuetteh shall complete three (3) hours of Board-approved post-license education in Agency Law. Such course(s) shall be completed in a classroom. Further, Akuetteh shall provide evidence acceptable to the Board that he has successfully completed the course(s) within six (6) months of the effective

Transfer of Chair

File Number 2021-02532, Alexander Akuetteh

date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. Additionally, during the probationary period, Akuetteh and his broker will provide quarterly reports to the Board that Akuetteh is in compliance with the Board's rules and regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Piland and Pineda.

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

In the matter of **File Number 2021-00652, Richard Allen Romine, Jr.**, 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 Mr. Moiz and seconded by Ms. Pineda to find a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Funkhouser, Johnson, Jones, Moiz, Piland and Pineda.

File Number 2022-00652, Richard Allen Romine, Jr.

A motion was made by Mr. Moiz and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: For violation of Count 1, Romine's license is placed on probation for a period of one (1) year. During the probationary period, Romine and his broker will provide quarterly reports to the Board that Romine is in compliance with the Board's rules and regulations. The motion passed unanimously. Members voting "Yes" were Funkhouser, Johnson, Jones, Moiz, Piland and Pineda.

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

Ms. Johnson returned and assumed the position of Chair.

Transfer of Chair

A motion was made by Ms. Davis and seconded by Mr. Moiz to take cases 18, 20-29, as a block vote. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Consent Orders

In the matter of **File Number 2021-02218, Estera Warrick-Cin**, the Board reviewed the Consent Order as seen and agreed to by Ms. Warrick-Cin. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Warrick-Cin admits to a violation of 18 VAC 135-20-225.B.1 (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-185.B (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-180.B.1.a (Count 3) of the Board's 2018 Regulations, ten violations of 18 VAC 135-20-180.B.1.a (Count 4) of the Board's 2020 Regulations, a violation of 18 VAC 135-20-210 (Count 5) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-210 (Count 6) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-300.6 (Count 7) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-180.B.1.b (Count 8) of the Board's 2020 Regulations, three violations of 18 VAC 135-20-180.B.1.c (Count 9) of the Board's 2020 Regulations, and three violations of 18 VAC 135-20-260.12 (Count 10) of the Board's 2021 Regulations and agrees to a monetary penalty of \$550.00 for the violation contained in Count 5, \$550.00 for the violation contained in Count 6, \$600.00 for the violation contained in Count 7, as well as \$150.00 in Board costs for a total of \$1,850.00. In addition, Warrick-Cin agrees to permanent revocation of license. In addition, Warrick-Cin agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Contract Writing; and
- Three (3) hours pertaining to Escrow Requirements.

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2021-02553, Brenda McKinney**, the Board reviewed the Consent Order as seen and agreed to by Ms. McKinney. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein

File Number 2021-02218, Estera Warrick-Cin

File Number 2021-02553, Brenda McKinney

McKinney 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 \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for the violation of Count 1, McKinney agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Contract Writing and provide proof of attendance and successful completion within six (6) months of the effective date of 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2021-02526, Carol Matherly Guerrant**, the Board reviewed the Consent Order as seen and agreed to by Ms. Guerrant. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Guerrant admits to a violation of §54.1-2137.A (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$400.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, Guerrant agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining Contract Writing 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2021-02526, Carol Matherly Guerrant

In the matter of **File Number 2021-02301, Hector Velasquez**, the Board reviewed the Consent Order as seen and agreed to by Mr. Velasquez. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Velasquez admits to a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-310.1 (Count 2) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.a (Count 3) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation

File Number 2021-02301, Hector Velasquez

contained in Count 1, \$500.00 for the violation contained in Count 2, \$350.00 for the violation contained in Count 3, as well as \$150.00 in Board costs for a total of \$1,500.00. In addition, Velasquez agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order.

- For violation of Count 1, six (6) hours pertaining to Real Estate Law and Regulations; and
- For violation of Count 2 and Count 3, three (3) hours Pertaining to Ethics and Standards of Conduct.

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00714, Ana Carlo Soto**, the Board reviewed the Consent Order as seen and agreed to by Ms. Soto. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Soto admits to a violation of 18 VAC 135-20-155 (Count 1) of the Board’s 2020 Regulations, and agrees to a monetary penalty of \$1,500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for the violation of Count 1, Soto 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2022-00714, Ana Carlo Soto

In the matter of **File Number 2022-00332, Jeffrey Eugene Sims**, the Board reviewed the Consent Order as seen and agreed to by Mr. Sims. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein

File Number 2022-00332, Jeffrey Eugene Sims

Sims admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, 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, Sims agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining Contract Writing 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00453, Mary Futrell**, the Board reviewed the Consent Order as seen and agreed to by Ms. Futrell. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Futrell admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-310.2 (Count 2) of the Board’s 2015 Regulations, and a violation of 18 VAC 135-20-260.11.g (Count 3) of the Board’s 2015 Regulations, 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, \$500.00 for the violation contained in Count 3, as well as \$150.00 in Board costs for a total of \$1,750.00. In addition, Futrell agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order.

File Number 2022-00453, Mary Futrell

- For violation of Count 1, three (3) hours pertaining to Escrow Requirements; and
- For violation of Count 2, three (3) hours pertaining to Standards of Conduct.

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00516, James Martin**

File Number 2022-

Downs, Jr., the Board reviewed the Consent Order as seen and agreed to by Mr. Downs. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Downs admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-185.C (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, \$750.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, Downs agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- For the violation of Count 1, six (6) hours pertaining to Real Estate Law and Regulations; and
- For the violation of Count 2, three (3) hours pertaining to Ethics and Standards of Conduct

It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00533, Abigail Darlene Royce**, the Board reviewed the Consent Order as seen and agreed to by Ms. Royce. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Royce admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for the violation of Count 1, Royce 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

00516, James Martin Downs, Jr.

File Number 2022-00533, Abigail Darlene Royce

passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2022-00124, Jennifer Lynn De Young**, the Board reviewed the Consent Order as seen and agreed to by Ms. De Young. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein De Young 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, for the violation of Count 1, De Young agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Contract Writing and provide proof of attendance and successful completion within six (6) months of the effective date of 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2022-00124, Jennifer Lynn De Young

In the matter of **File Number 2021-02224, Kelly Sian Sweitzer t/a Kelly S. Sweitzer**, the Board reviewed the Consent Order as seen and agreed to by Ms. Sweitzer. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Sweitzer admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board’s 2015 Regulations, a violation of 18 VAC 135-20-300.2 (Count 2) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, \$1,100.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,800.00. In addition, for the violation of Counts 1 and 2, Sweitzer 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 Davis, Funkhouser, Johnson, Jones,

File Number 2021-02224, Kelly Sian Sweitzer t/a Kelly S. Sweitzer

Moiz, Perry, Piland and Pineda.

Ms. Johnson turned the position of Chair over to Mr. Moiz and recused herself from the meeting.

In the matter of **File Number 2022-00184, Kathleen Littleford**, the Board reviewed the Consent Order as seen and agreed to by Ms. Littleford. A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Littleford 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 the violation of Count 1, Littleford 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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Ms. Johnson returned and assumed the position of Chair.

In the matter of **File Number 2022-00535, Steven Townley**, the Board reviewed the Consent Order as seen and agreed to by Mr. Townley. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Townley admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, and a violation of §54.1-2131.A.4 (Count 2) of the *Code of Virginia*, and agrees to a monetary penalty of \$350.00 for the violation contained in Count 1, \$1,200.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,700.00. In addition, Townley agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Three (3) hours pertaining to Ethics and Standards of Conduct; and
- Six (6) hours pertaining Real Estate Law and Regulations

Transfer of Chair

File Number 2022-00184, Kathleen Littleford

Transfer of Chair

File Number 2022-00535, Steven Townley

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 Davis, Funkhouser, Johnson, Jones, Moiz, Perry and Piland.

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

In the matter of **File Number 2021-00637, Alinson Danilo Nova, dba Alex Nova**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, revised Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Davis and seconded by Mr. Moiz to find a violation of 18 VAC 135-20-260.12 (Count 1) of the Board’s 2015 Regulations, a violation of 18 VAC 135-20-180.C.2 (Count 2) of the Board’s 2020 Regulations, a violation of 18 VAC 135-20-240 (Count 3) of the Board’s 2015 Regulations, and a violation of 18 VAC 135-20-260.11.f (Count 4) of the Board’s 2015 Regulations. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

File Number 2021-00637, Alinson Danilo Nova, dba Alex Nova

A motion was made by Ms. Davis seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose license revocation shall be imposed for violations of Counts 1, 2, 3, and 4. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

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 Mr. Moiz to approve the proposed language for 18 VAC 135-20-80 - Application fees, and file an exempt regulatory action to amend the Real Estate regulations as proposed for a fee adjustment. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

Ms. Martine gave an update on 2022 bills affecting the Real Estate Board. No action was taken by the Board.

The Board reviewed the report from the May 18, 2022, Real

Education


Estate Board Education Committee meeting. A motion was made by Ms. Davis and seconded by Ms. Jones to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Moiz, Perry, Piland and Pineda.

The Board discussed the implication of HB 1364. No action was taken by the Board.

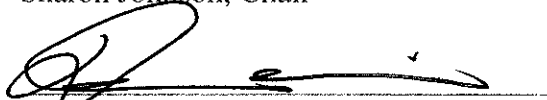
Old Business

There being no further business, the Board adjourned at 11:41 A.M.

Adjourn



Sharon Johnson, Chair



Demetrios J. Melis, Secretary