

REAL ESTATE BOARD
MINUTES OF MEETING

November 13, 2024

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. All members present were qualified to vote, except where a specific reason for disqualification is stated. There are nine (9) members on this Board, in which five (5) constitutes a quorum pursuant to § 54.1-2104.

The following Board members were present:

Joseph 'Kemper' Funkhouser, III, Chair
Kermit 'Kit' Hale, Vice-Chair
Pieri Burton
Aekta Chawla (departed at 3:30 P.M.)
Cavelle Mollineaux
Hector 'Rene' Fonseca
Rajesh 'Raj' Patel
Doug Roth

The following board members were absent:

Anna Thronson

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

Jeb Wilkinson, Chief Deputy Director
Steve Martin, Senior Advisor
Tom Payne, CID Deputy Director
Stephen Kirschner, LRPD Deputy Director
Anika Coleman, Executive Director
Breanne Lindsey, Regulatory Operations Administrator
Donnitria Mosby, Assistant Fair Housing Director
Angela Keefe-Thomas, Fair Housing Investigator
John Grieser, Director of Investigations- Field Operations
Jonathan Darden, Director of Investigations – Central Operations
Greg Emerson, Director of Examinations
Gezelle Glasgow, Administrative Coordinator
Donna Divers, Licensing Specialist
Vanessa Degraw, Licensing Operations Administrator
Janice Toole, Licensing Specialist

James "Jim" Flaherty, Todd Shockley, Brittany Sadler Berky, and Brittany "Elle" Hinton

from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 12:38 P.M.

CALL TO ORDER

Ms. Coleman reviewed the emergency evacuation procedures.

EMERGENCY EGRESS

Mr. Funkhouser determined that a quorum was present.

DETERMINATION OF QUORUM

Mr. Funkhouser informed the Board that the following agenda items would be moved, #6 will be moved to #7 under the Fair Housing cases.

APPROVAL OF AGENDA

Mr. Hale moved to approve the amended agenda. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

Mr. Burton moved to approve the minutes from the September 5, 2024, Real Estate Board meeting and the October 16, 2024, Real Estate Regulatory Review Committee meeting. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

APPROVAL OF MINUTES

Mr. Funkhouser welcomed guests of the audience and allowed Board members and Board staff to introduce themselves.

WELCOME, INTRODUCTIONS, AND RESOLUTIONS

Mr. Funkhouser read the following resolution for consideration by the Board:

**Department of Professional and
Occupational Regulation**

Real Estate Board

Resolution To

Margaret “Maggie” Davis

WHEREAS, Margaret “Maggie” Davis, has faithfully and diligently served as a member of the Real Estate Board since 2017; and

WHEREAS, Margaret “Maggie” Davis, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Margaret “Maggie” Davis, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Real Estate Board wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW THEREFORE BE IT RESOLVED, by the Real Estate Board this thirteenth day of November 2024 that Margaret “Maggie” Davis be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Real Estate Board; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The Board in consensus adopted the resolution as written.

Mr. Burton moved to approve the minutes from the September 5, 2024, Real Estate Board meeting and the October 16, 2024, Real Estate Regulatory Review Committee meeting. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

**APPROVAL OF
MINUTES**

There was no public comment.

PUBLIC COMMENT

Donnitria Mosby, Assistant Fair Housing Director, updated the Board on the current Fair Housing case load. No action was taken by the

**FAIR HOUSING
REPORT**

Board.

Mr. Shockley informed the Board there was no litigation update.

LITIGATION REPORT

**FAIR HOUSING
CASES**

In the matter of **Aaron D’costa And Marcus Sullivan V. Elizabeth Ann Leonard And Lis Senich REB File Number: 2024-01122**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

**Aaron D’costa And
Marcus Sullivan V.
Elizabeth Ann Leonard
And Lis Senich
REB File Number: 2024-
01122
HUD File Number: 03-
24-4106-8**

Mr. Hale moved to find no reasonable cause to believe the respondents discriminated against the complainants by imposing discriminatory terms and conditions based on the complainant’s disability or failing to make a reasonable accommodation based on the complainants’ disability. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

Mr. Hale moved to find no reasonable cause to believe the respondents discriminated against the complainants by refusing to rent based on the complainants’ sexual orientation. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

In the matter of **Melody Sowers and Dustin Helbert v. SREIT Woodburn I, LLC, SREIT Woodburn II, LLC, SL Nusbaum Realty Corporation and Diana Pineda REB File Number: 2024-01179**, was deferred to the next meeting.

**Melody Sowers And Dustin
Helbert V. SRIET Woodburn
I, LLC, SRIET Woodburn
II, LLC, SI Nusbaum
Realty Corporation And
Diana Pineda
REB File Number: 2024-
01179
HUD File Number: 03-
24-4149-8**

In the matter of **Mckinley Holley V. Terrie Newsome, Frye Properties, Inc., And Jamestown Holding Company, LLC REB File Number: 2024-01823**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Mr. Hale moved to find no reasonable cause to believe the Respondents discriminated against the Complainant by offering him discriminatory terms and conditions based of his disability. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

In the matter of **Jennifer Brooke Conway v. Pyle Realty, Inc., Tina Simmons, Dominic Dipierro, III and Aubrey Dipierro REB File Number: 2024-01318**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Mr. Hale moved to find no reasonable cause to believe the Respondents discriminated against the Complainant by otherwise denying or making housing unavailable, offering discriminatory terms and conditions, or refusing to provide a reasonable accommodation based on her disability. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

In the matter of **Salifu Kamara V. Franklin Johnston Group Management & Development, LLC, Summerland Heights II LP, Renee Doyle And Ashley Frigerio REB File Number: 2024-02603**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Mr. Mollineaux moved to find no reasonable cause to believe the respondents discriminated against the complainant by failing to make a reasonable accommodation or by imposing discriminatory terms and conditions based on the complainant's disability. **Mr. Roth seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

Mckinley Holley V. Terrie Newsome, Frve Properties, Inc., And Jamestown Holding Company, LLC REB File Number: 2024-01823 HUD File Number: 03-24-4628-8

Jennifer Brooke Conway V. Pyle Realty, Inc., Tina Simmons, Dominic Dipierro, Iii And Aubrey Dipierro REB File Number: 2024-01318 HUD File Number: 03-24-4555-8

Salifu Kamara V. Franklin Johnston Group Management & Development, LLC, Summerland Heights II LP, Renee Doyle And Ashley Frigerio REB File Number: 2024-02603 HUD File Number: 03-24-4783-8

In the matter of **Lisa Geer And Patricia Jones V. S.L. Nusbaum Company And USACORPVA, LLC** REB File Number: 2025-00272, **Mr. Mollineaux moved** to approve the conciliation agreement as agreed to by the parties. **Mr. Roth seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

Lisa Geer And Patricia Jones V. S.L. Nusbaum Company And USACORPVA, LLC
REB File Number: 2025-00272
HUD File Number: 03-24-4999-8

At 1:01 P.M., **Mr. Hale moved** that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by **§2.2-3711.A.7** of the *Code of Virginia*. The following non-members were in attendance to reasonably aid the consideration of the topic: Tom Payne, Anika Coleman, Angela Keefe-Thomas, Donnitria Mosby, Jim Flaherty, Todd Shockley, Brittany Sadler Berky, and Brittany “Elle” Hinton.

Closed Session

Mr. Burton seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

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

Kyle Sershon V. Tricia Childress, Signature Property Management, Llc. Dba Signature Properties And Shellis Square Homeowners Association, Inc.
REB File Number: 2022-02197
HUD File Number: 03-22-1151-8

Jessica West v. Grand Bay Condominium Association, Inc., United Property Associates, Inc., Property Management Associates, LLC and Denise Lentini
REB File Number: 2019-02838
HUD File Number: 03-20-4197-8

At 1:20 P.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting.

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

Certification of Closed Meeting

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

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

VOTE: 8-0

AYES: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Anna Thronson

Upon reconvening in an open session, in the matter of **Kyle Sershon V. Tricia Childress, Signature Property Management, LLC. Db a Signature Properties And Shellis Square Homeowners Association, Inc. REB File Number: 2022-02197**, the Board reviewed the record which consisted of the Final Investigative Report, Case Analysis, and Official Consultation Memorandum from the Office of Attorney General. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Mr. Hale moved to find reasonable cause to believe the Respondents' policy has a disparate impact on families with children and the Respondents discriminated against the Complainant by subjecting him to discriminatory terms and conditions based on his familial status.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **Jessica West v. Grand Bay Condominium Association, Inc., United Property Associates, Inc., Property Management Associates, LLC and Denise Lentini REB File Number: 2019-02838**, the Board reviewed the record which consisted of the Official Consultation Memorandum from the Office of Attorney General. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

Reconvene in Open Session

Kyle Sershon V. Tricia Childress, Signature Property Management, LLC. Db a Signature Properties And Shellis Square Homeowners Association, Inc. REB File Number: 2022-02197 HUD File Number: 03-22-1151-8

Jessica West v. Grand Bay Condominium Association, Inc., United Property Associates, Inc., Property Management Associates, LLC and Denise Lentini REB File Number: 2019-

The Board had already voted on this matter at the November 16, 2023 meeting.

Board counsel updated the Board on a revised opinion. No vote required by the Board.

02838
HUD File Number: 03-20-4197-8

REAL ESTATE CASES

Disciplinary Case Files

RECOVERY FUND CASE FILE

In the matter of **Recovery Fund File Number: 2024-02351 Kerwin and Carolyn Secrist (Claimant) v. Katrina M G Wulfeck (Regulant)**, the Board adopts the Claim Review, which contains the facts regarding the recovery fund claim in this matter and adopts the Summary. The Claim Review and Summary are incorporated as part of this Order. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

File Number: 2024-02351
Kerwin and Carolyn Secrist (Claimant) v. Katrina M G Wulfeck (Regulant)

Mr. Hale moved to accept the recommendation to approve payment of the claim in the amount of \$20,000.00. **Mr. Roth seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **Recovery Fund File Number: 2025-00241 Nicole G. Yancey (Claimant) v. Katrina M G Wulfeck (Regulant)**, the Board adopts the Claim Review, which contains the facts regarding the recovery fund claim in this matter and adopts the Summary. The Claim Review and Summary are incorporated as part of this Order. Neither party was present to address the Board in person, by counsel, or by any other qualified representatives.

File Number: 2025-00241
Nicole G. Yancey (Claimant) v. Katrina M G Wulfeck (Regulant)

Mr. Hale moved to accept the recommendation to approve payment of the claim in the amount of \$7,947.00. **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

Mr. Hale recused himself for the following case files:

File Number: 2024-00415 Patrice Mukenge Muya

File Number: 2024-01914 Schniece Marie Lambert, dba Schniece

Recusal of Board Member

Lambert

In the matter of **File Number: 2024-00415 Patrice Mukenge Muya**, the Board reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference (“IFF”), and the Summary. Muya was not present to address the Board in person, by counsel, or by any other qualified representatives.

File Number: 2024-00415
Patrice Mukenge Muya

Mr. Roth moved to find violations of **18 VAC 135-20-240** of the Real Estate Board Regulation (Count 1). **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

Mr. Roth moved to find violations of **18 VAC 135-20-250** of the Real Estate Board Regulation (Count 2). **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanction:

For violation of Count 1, Muya shall pay a monetary penalty of \$1,450.00 and Muya’s license be revoked.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanction:

For violation of Count 2, Muya shall pay a monetary penalty of \$2,000.00 and Muya’s license be revoked.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-01914 Schniece Marie Lambert, dba Schniece Lambert**, the Board reviewed the record

File Number: 2024-01914
Schniece Marie Lambert,

which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference (“IFF”), and the Summary. Lambert was present to address the Board in person.

dba Schniece Lambert

Mr. Roth moved to find violations of §54.1-2132.A.4 of the *Code of Virginia* (Count 1). **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

Mr. Roth moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanction:

For violation of Count 1, Lambert shall pay a monetary penalty of \$550.00.

In addition, Lambert’s license placed on probation for a period of six (6) months. The terms of the probation shall be: Lambert shall complete three (3) classroom hours of Board-approved post-license education in Agency Law. Further, Lambert shall provide evidence acceptable to the Board that Lambert has successfully completed the course(s) within six (6) months of the effective date of the Board’s order. The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license.

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Mollineaux, Roth, and Patel.

Mr. Hale returned to the meeting.

Return of Board Member

In the matter of **File Number: 2024-00737Mohmmad Aaron Hashem, dba Mo A. Hashem**, the Board reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference (“IFF”), and the Summary. Hashem was not present to address the Board in person, by counsel, or by any other qualified representatives.

File Number: 2024-00737
Mohmmad Aaron Hashem,
dba Mo A. Hashem

Mr. Roth moved to find a violation of §54.1-2135.A.1 of the *Code of Virginia* (Count 1). **Mr. Mollineaux seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

Mr. Hale moved to find no violation for Count 2. **Mr. Roth seconded** the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions:

For violation of Count 1, Hashem shall pay a monetary penalty of 800.00.

In addition, for the violation of Count 1, Hashem's license placed on probation for a period of six (6) months and require him to complete four (4) classroom hours of Board-approved continuing education in Property Management. Further, Hashem shall provide evidence acceptable to the Board that Hashem has successfully completed the course(s) within six (6) months of the effective date of the Board's 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

LICENSING CASE FILES

In the matter of **File Number: 2024-01683 Kawan Davante Koonce**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Koonce did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-01683
Kawan Davante Koonce

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Koonce's application for an inactive Real Estate Salesperson License by examination be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02272 Thy H. Pham**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Pham was present and addressed the Board.

File Number: 2024-02272
Thy H. Pham

Mr. Hale moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Pham's application for a Real Estate Salesperson license by examination be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02342 Aty Fwelo Biswese**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Biswese did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-02342
Aty Fwelo Biswese

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Biswese's application for a Real Estate Broker License by examination be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02346 Patricia Compton**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Compton was present and addressed the Board.

File Number: 2024-
02346 Patricia
Compton

Mr. Burton moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Compton's application for a Real Estate Broker License be approved.

Mr. Fonsenca seconded the motion which was unanimously

approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02366 Adam Joseph Gizinski**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Gizinski did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-02366
Adam Joseph Gizinski

Mr. Burton moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Gizinski's application for a Real Estate Salesperson license by examination be approved.

Mr. Fonseca seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2023-02544 Jonathan Vincent Gaines, Jr**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Gaines was present and appeared before the Board.

File Number: 2023-02544
Jonathan Vincent Gaines,
Jr

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Gaines, Jr.'s application for a Real Estate Salesperson license by examination be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02547 Jennifer J. Chavez**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Chavez did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-02547
Jennifer J. Chavez

Mr. Hale moved to accept the recommendation contained in the

Summary of the Informal Fact-Finding Conference (IFF) and Chavez's application for a Real Estate Salesperson license by examination be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02552 Tabatha Glass**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Glass was present and appeared before the Board.

File Number:
2024-02552
Tabatha Glass

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Glass's application for a Real Estate Salesperson by Examination License be approved.

Mr. Burton seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02554 Zachary Alexander Collins**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Collins was present and appeared before the Board.

File Number: 2024-02554
Zachary Alexander Collins

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Collins's application for a Real Estate Salesperson license by examination be approved contingent upon one year of probation with quarterly reporting by Collins and his supervising broker.

Mr. Burton seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024- 02557 Julia Ann Smith**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and

File Number: 2024- 02557
Julia Ann Smith

the Summary of the Informal Fact-Finding Conference. Smith did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

Mr. Burton moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Smith's application for a Real Estate Broker License be approved.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2025-00109 Jared Henley**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Henley was present and addressed the Board.

File Number: 2025-00109
Jared Henley

Mr. Mollineaux moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and Henley's application for a Real Estate Salesperson license by examination be approved.

Ms. Chawla seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

Mr. Mollineaux moved to take the Consent Order case files as a block vote.

CONSENT ORDERS AS A
BLOCK VOTE

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-00998 Agnes Dowdy Anderson**, the Board reviewed the Consent Order as seen and agreed to by Anderson. Anderson did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-00998
Agnes Dowdy Anderson

Mr. Mollineaux moved to accept the proposed Consent Order offer wherein Anderson admits to a violation of **§54.1-2131.A.1** of the *Code of Virginia* (Count 1), and agrees to a monetary penalty of \$1,200.00 for the violation contained in Count 1 and \$150.00 for

Board costs for a total of \$1,350.00.

Anderson 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 this Consent Order. The course 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-01396 Erick Danilo Portillo, t/a Erick Portillo**, the Board reviewed the Consent Order as seen and agreed to by Portillo. Portillo did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-01396
Erick Danilo Portillo, t/a
Erick Portillo

Mr. Mollineaux moved to accept the proposed Consent Order offer wherein Portillo admits to violation of **§54.1-2132.A.4** of the *Code of Virginia* (Count 1), **18VAC135-20-300.6** (Count 2) of the Board's regulations, and **18VAC135-20-310.2** (Count 3) of the Board's regulations and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, \$600.00 for the violation contained in Count 2, and \$600.00 for the violation contained in Count 3 and \$150.00 for Board costs for a total of \$1,900.00.

In addition, Portillo 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 this Consent Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Real Estate Law and Regulations; 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-01906 Jemoni Tyanna Carter**, the Board reviewed the Consent Order as seen and agreed to by Carter. Carter did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-01906
Jemoni Tyanna Carter

Mr. Mollineaux moved to accept the proposed Consent Order offer wherein Carter admits to violation **18VAC135-20-260.11.n** (Count 1) of the Board's regulations and agrees to a monetary penalty of \$1,650.00 for the violation contained in Count 1 and \$150.00 for Board costs for a total of \$1,750.00.

Carter agrees to provide to the Board, on a quarterly basis for a period of one (1) year and in a form acceptable to the Board, a written statement from Carter and her principal broker that Carter is in compliance with the regulations of the Real Estate Board.

In addition, for violation of Count 1, Carter 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 this Consent Order. The course(s) must be completed in the classroom.

Upon completion of the Ethics and Standards of Conduct Post License education course, the Board shall waive \$600.00 of the \$1,600.00 monetary penalty for Count 1. If Carter fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, payment of the monetary penalty is due within one hundred eighty (180) days of the effective date of this Consent 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.

In the matter of **File Number: 2024-02047 Johannes C T Kozyn, t/a John Kozyn**, the Board reviewed the Consent Order as seen and agreed to by Kozyn. Kozyn did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-02047
Johannes C T Kozyn, t/a John Kozyn

Mr. Mollineaux moved to accept the proposed Consent Order offer wherein Kozyn admits to violation of **18VAC135-20-190.B** (Count 1) of the Board's regulations **§54.1-2132.A.4** of the *Code of Virginia* (Count 2), and **18VAC135-20-270.3** (Count 3) of the Board's regulations and agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, \$350.00 for the violation contained in Count 2, and \$1,350.00 for the violation contained in Count 3 and \$150.00 for Board costs for a total of \$2,150.00.

In addition, Kozyn 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 successful completion within six (6) months of the effective date of this Consent 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

In the matter of **File Number: 2024-02238 Jamie Michelle Via**, the Board reviewed the Consent Order as seen and agreed to by Via. Via did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-02238
Jamie Michelle Via

Mr. Mollineaux moved to accept the proposed Consent Order offer wherein Via admits to violation of **§54.1-2132A.1** of the *Code of Virginia* (Count 1) and **18VAC135-20-170.A.3** (Count 2) of the Board's regulations, and agrees to a monetary penalty of \$800.00 for the violation contained in Count 1, \$550.00 for the violation contained in Count 2, and \$150.00 for Board costs for a total of \$1,500.00.

In addition, Via 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 this Consent Order. The courses must be completed in the classroom.

- For violation of Count 1, six (6) hours pertaining to Real Estate Law and Regulations; and
- For violation of Count 2, six (6) 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.

Mr. Roth seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

END OF BLOCK VOTE

NEW BUSINESS

At 2:00 P.M., **Mr. Burton moved** that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel pertaining to legal matters within the jurisdiction of the Board as permitted by **§2.2-3711.A.8** of the *Code of Virginia*.

Closed Session

The following non-members were in attendance to reasonably aid the consideration of the topic:

Jonathan Darden, John Grieser, Tom Payne, Anika Coleman, Jeb Wilkinson, Steve Martin, Jim Flaherty, Todd Shockley, Brittany Sadler Berky, and Brittany “Elle” Hinton.

Mr. Hale seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Patel, Roth.

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

X.A. Receivership Request- Dockside Realty of Lake Anna

At 2:15 P.M., the Board members agreed by consensus to adjourn the closed meeting and reconvene in an open meeting

Certification of Closed Meeting

WHEREAS, the Real Estate Board has convened a closed meeting on

this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

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

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

VOTE: 8-0

AYES: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: Anna Thronson

Upon reconvening in an open session, Mr. Hale moved to find reasonable cause to believe the Respondents' policy has a disparate impact on families with children and the Respondents discriminated against the Complainant by subjecting him to discriminatory terms and conditions based on his familial status.

Reconvene in Open Session

Mr. Mollineaux seconded the motion which was unanimously approved by members: Burton, Chawla, Fonseca, Funkhouser, Hale, Mollineaux, Roth, and Patel.

Ms. Coleman provided the Real Estate Board with the Executive Director's update.

NEW BUSINESS **Executive Director's Update**

Exempt Actions

Ms. Coleman informed the Board that the following exempt actions went into effect on November 1, 2024:

- SB 554 Amendment
- HB 917 and SB 358 Amendment
- HB 383 and SB 330 Amendment
- HB 1237 and SB 437 Amendment

Regulatory Actions

Ms. Coleman provided an update on the regulatory review process. The Real Estate Board Fair Housing Regulations are currently under internal review. Once this process is complete, the proposed regulations will be presented to the regulatory committee for their review, edits, and approval. Following that, the full board will review and approve the regulations before they are filed.

Public Comment

Ms. Coleman informed the Board that a public comment was received in favor of the 2024 fee action.

Ms. Coleman requested volunteers to serve on the Education Committee effective immediately. Mr. Rene` Fonseca and Mr. Raj Patel, volunteered to serve on the committee.

Real Estate Board Education Committee

Ms. Coleman informed the Board that starting in January 2025, the board will receive refresher training on various board-related topics at the end of each meeting.

Training Update

Ms. Coleman informed the Board that an inquiry regarding real estate personnel being charged transfer fees for moving between branches within the same firm. In light of previous legislative and regulatory changes, the board must determine whether additional revisions to the regulations are necessary. Board staff will provide more information to the Board at the next meeting.

Transfer Application Fees for Branch Transfers

Ms. Coleman informed the Board that there is no fee associated with these applications. Board staff can conduct the necessary research to determine whether charging a fee is feasible based on our statutory and regulatory authority.

Imposition of Fees for Educations Courses

OTHER BOARD BUSINESS

Mr. Greg Emerson, Director of Examinations, provided the Board statistics report for applicants passing the national and state portion of the exam; also, provided statistics on for remote exam proctoring.

Exam Statistics and Remote exam proctoring

The Board reviewed the Board financial statement and recovery fund

Board Financial Statements

as presented. No action was taken by the Board.

The Board took a recess from 3:04 P.M. – 3:14 P.M.

RECESS

Upon reconvening, Mr. Funkhouser informed the Board the remaining Real Estate education applications from the November 12, 2024, would need to be reviewed and approved by the Board.

EDUCATION

Forty-four post-license and continuing education course applications were reviewed, of which: 44 original applications for post-license and continuing education courses offered by approved schools were considered. The Board approved 43 of these applications. 1 application were deficient.

Four original post-license and continuing education course applications, pending schools were considered. The Board approved 4 of these applications.

Seven pre-license education course applications offered by an approved school were reviewed. The Board approved 7 of these applications.

In addition, Mr. Hale provided a report from the November 12, 2024, Real Estate Education Committee meeting. **Mr. Mollineaux moved** to adopt the Real Estate Education Committee report. **Mr. Burton seconded** the motion which was unanimously approved by members: Burton, Fonseca, Funkhouser, Hale, Mollineaux, Patel.

Mr. Funkhouser reminded the Board to complete the Conflict-of-Interest Statements and Travel Reimbursement Forms.

COMPLETION OF PAPERWORK

There being no further business, the Board adjourned at 4:28 PM.

ADJOURN

Joseph 'Kemper' Funkhouser, III, Chair

Brian P. Wolford, Secretary