

REAL ESTATE BOARD

TENTATIVE AGENDA

Thursday, January 23, 2020 - 10:00 a.m.

2nd Floor – Board Room 4

Department of Professional and Occupational Regulation

9960 Mayland Drive

Richmond, Virginia 23233

(804) 367-8526

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

1. Approval of Agenda
2. Approval of Minutes:
 - A. November 14, 2019, Fair Housing Sub-Committee Meeting
 - B. November 14, 2019, Real Estate Board Meeting
 - C. November 14, 2019, Real Estate Board Regulatory Review Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORTS

1. Fair Housing Administrator's Report
2. Litigation update

V. FAIR HOUSING CASES

1. Jaelen Wright v. S.L. Nusbaum Realty Company & Bridgeport, LP
REB File Number: 2020-00288
HUD File Number: 03-19-3553-8
2. Tawuana Brown v. Hearndon-Galberry, LLC t/a Hillpoint Woods Apartments,
Ashby Development, LLC and Patrick Reynolds
REB File Number: 2019-02484
HUD File Number: 03-19-1830-8
Appointment – Barrie Bowers, Attorney for respondents
3. Shari Morrison v. Terri Newsome, Lynda Shackelford, Virginia Beach Investment
Co. and Larrymore Organization, Inc.
REB File Number: 2019-02197
HUD File Number: 03-19-2833-8
4. Danielle M. Crowley v. PRG Real Estate Management, Inc. and North Falls
Master Tenant LLC
REB File Number: 2019-02705
HUD File Number: 03-19-2090-8
5. Marquetta Bates v. S.L. Nusbaum Realty Company and American
Tobacco Holdings, LLC
REB File Number: 2019-03223
HUD File Number: 03-19-2611-8

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6. Anthony and Heidi Coppola v. McEneaney Associates, Inc., Cynthia A. Troupe and Lisa Hayes Jankowski
REB File Number: 2019-02983
HUD File Number: 03-19-3158-8
Appointment – J. C. Cancelleri, Attorney for McEneaney Associates, Inc. and Cynthia A. Troupe, respondents
 7. Sharon Lassiter v. Berkeley Realty Property Management, Inc. and 1985 Algonquin Trail, LLC
REB File Number: 2020-00146
HUD File Number: 03-19-3494-8
{*Conciliation: Sex*}
 8. Kurt Dadd v. Rocketts Block 18 LLC and PRG Real Estate Management, Inc.
REB File Number: 2019-02984
HUD File Number: 03-19-2252-8
{*Conciliation: Disability*}
 9. Kenneth Hauge and Liv Hauge v. Community Realty Company and The Evergreens at Smith Run LLC
REB File Number: 2019-01244
HUD File Number: 03-19-0768-8
{*Conciliation: Religion*}

VI. REAL ESTATE CASES

1. File Number 2020-00623 – Thomas Allen Hill
IFF by Eldridge – Licensing
2. File Number 2020-00947 – Andre Joseph Lovell, II
IFF by Eldridge – Licensing
3. File Number 2020-00949 – Jovanta Lionel Verdun
IFF by Eldridge – Licensing
4. File Number 2020-00621 Kim Rane'e Day-Wiggs
IFF by Eldridge - Licensing
5. File Number 2019-02764 – Woo Sik Oh
IFF by Gatewood – Licensing
6. File Number 2020-00058 – Ronald Patrick Frank
IFF by Gatewood – Licensing
7. File Number 2018-00425 – Elizabeth Powell
IFF by Gatewood – Disciplinary
8. File Number 2019-02818 – Kelly Marie Nicol Matthews
Pre-IFF Consent Order by Gatewood – Disciplinary

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9. File Number 2019-02616 – Tiffany St. John Catlin
Pre-IFF Consent Order by Grimsley – Disciplinary
 10. File Number 2018-03330 – Jasoin Eric Dehlin
IFF by Grimsley & Hoover – Disciplinary
 11. File Number 2019-02397 – Wilson Clinton Ricks
Pre-IFF Consent Order by Hoover – Disciplinary
 12. File Number 2019-02731 – Lisa Rene Sinibaldi
Pre-IFF Consent Order – Disciplinary
 13. File Number 2019-02895 – Elaine L. Angelini
Pre-IFF Consent Order – Disciplinary
 14. File Number 2019-02684 – Maxwell B. Sarpong
Pre-IFF Consent Order – Disciplinary
 15. File Number 2019-02601 – Christine Jennier Armintrout
Pre-IFF Consent Order – Disciplinary
 16. File Number 2019-02594 – Laura Ann Hallman
Pre-IFF Consent Order – Disciplinary
 17. File Number 2019-01744 – Matthew Nelsen Herrick
Pre-IFF Consent Order – Disciplinary
 18. File Number 2019-01516 – Carlton H. Lafoon, Jr.
Pre-IFF Consent Order – Disciplinary
 19. File Number 2019-01399 – Jennifer L. Jesse
Pre-IFF Consent Order – Disciplinary
 20. File Number 2019-00715 – Chase V. Womack d/b/a Chase Womack
Pre-IFF Consent Order – Disciplinary
 21. File Number 2019-02917 Kyle Grayson Bell
Pre-IFF Consent Order – Disciplinary

VII. ADMINISTRATIVE ISSUES

- Board Financial Statements
- Exempt Regulatory Action
- Death of broker

VIII. EDUCATION

- January 22, 2020, Education Committee Report

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT

NEXT MEETING SCHEDULED FOR THURSDAY, March 19, 2020 – BOARD ROOM 2

** 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.

Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

REAL ESTATE BOARD
MINUTES OF MEETING

November 14, 2019

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

Steve Hoover, Chair
Lynn Grimsley
Libby Gatewood
Margaret Davis
Mayra Pineda
Candice Bower
Ibrahim Moiz
Sharon Johnson

Board members absent from the meeting: Lee Odems, Vice-Chair

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

Mary Broz-Vaughan, Director
Christine Martine, Executive Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Jim Chapman, Board Administrator
Emily Trent, Administrative Assistant
Angela Keefe-Thomas, Fair Housing Investigator
Karen Taylor, Fair Housing Investigator
Loraine Schroeder, Fair Housing Investigator
Dominica McGowen, Fair Housing Investigator

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

Mr. Hoover called the meeting to Order at 10:03 A.M.

Call to Order

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

Agenda

Grimsley, Hoover, Johnson, Moiz and Pineda.

A motion was made by Ms. Johnson and seconded by Ms. Pineda to adopt the September 12, 2019, Fair Housing Subcommittee Meeting minutes, September 12, 2019, Real Estate Board Meeting minutes, and September 12, 2019, Real Estate Board Regulatory Review Meeting minutes. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

There was no public comment.

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

Tom Payne gave the Board a litigation update. No action was taken by the Board.

In the matter of **George Ferguson v. Priority Home Solutions LLC, Hylton & Company LLC, LeQuan M. Hylton, Tiffany Jackson & Insurance Matters LLC, REB File Number 2019-02862**, the case was deferred.

In the matter of **Ned Johnson v. SP Place One LP, Edgewood Management Corporation, Jeffrey Frederick, Christina LNU, and Joy Wyant, REB File Number 2019-02364**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. LaKisha Taylor, complainant’s representative, Lola Freeman, complainant’s representative, and Elizabeth Shu, attorney for the respondents, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Gatewood to find no reasonable cause the respondents discriminated against the complainant by refusing to rent; imposing discriminatory terms, conditions, privileges, or services and facilities; or refusing to make a reasonable accommodation based upon disability. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz

Minutes

Public Comment

Fair Housing Administrator’s Report

Litigation Update

George Ferguson v. Priority Home Solutions LLC, Hylton & Company LLC, LeQuan M. Hylton, Tiffany Jackson & Insurance Matters LLC, REB File Number 2019-02862

Ned Johnson v. SP Place One LP, Edgewood Management Corporation, Jeffrey Frederick, Christina LNU, and Joy Wyant, REB File Number 2019-02364

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and Pineda.

In the matter of **Sheri Weinberg v. Berkeley Realty Property Management, Inc. and Seasons Trace Homeowners Association, REB File Number 2019-02314**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant by refusing to make a reasonable accommodation for her or by retaliating against her or intimidating, harassing or coercing her based upon disability. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Sheri Weinberg v. Berkeley Realty Property Management, Inc. and Seasons Trace Homeowners Association, REB File Number 2019-02314

In the matter of **Tanya Swain v. The Franklin Johnston Group Management and Pavillion Investors LP, REB File Number 2019-02804**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Tanya Swain, complainant, submitted a written statement which was presented to the Board. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant by refusing to make a reasonable accommodation or by offering discriminatory terms and conditions based upon disability or national origin. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Tanya Swain v. The Franklin Johnston Group Management and Pavillion Investors LP, REB File Number 2019-02804

In the matter of **Alicia Bryant v. Lisa McCormick, Craig McCormick, Mildred Trail, Howard Trail, Jane Hamilton, 178 Sycamore, LLC and DELS, Inc. dba First Virginia Homes, REB File Number 2019-00074**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to find no reasonable cause the respondents discriminated against the complainant by refusing to make a reasonable accommodation based upon disability; or by offering discriminatory terms and conditions of a rental, or by failing to grant a reasonable accommodation based upon disability or national origin. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Alicia Bryant v. Lisa McCormick, Craig McCormick, Mildred Trail, Howard Trail, Jane Hamilton, 178 Sycamore, LLC and DELS, Inc. dba First Virginia Homes, REB File Number 2019-00074

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In the matter of **William Bray and Carol A. Bray v. Maggie Riso, Fairmark Properties of Virginia LP and AERC Belvedere LLC, REB File Number 2020-00277**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

William Bray and Carol A. Bray v. Maggie Riso, Fairmark Properties of Virginia LP and AERC Belvedere LLC, REB File Number 2020-00277

In the matter of **Jamie Huebert v. Joseph Elliott, Allegiance Realty Partners LLC, Elliott Real Estate Sales & Property Management LLC and Daniel McGonegle, REB File Number 2019-02929**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Jamie Huebert v. Joseph Elliott, Allegiance Realty Partners LLC, Elliott Real Estate Sales & Property Management LLC and Daniel McGonegle, REB File Number 2019-02929

In the matter of **Deirdre Gatling v. Fatmir Menkulasi, Tidewater Real Estate Alliance Inc. t/a Remax Alliance and Sandra Cullom, REB File Number 2019-02425**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Deirdre Gatling v. Fatmir Menkulasi, Tidewater Real Estate Alliance Inc. t/a Remax Alliance and Sandra Cullom, REB File Number 2019-02425

In the matter of **Qurshonda Lomans v. University Garden Apartments, and S. L. Nusbaum Realty Co., REB File Number 2020-00689**, a motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Qurshonda Lomans v. University Garden Apartments, and S. L. Nusbaum Realty Co., REB File Number 2020-00689

In the matter of **File Number 2020-00388, Adam Christian Watts**, 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. Adam Christian Watts, applicant, and Melvin Watts, witness, were

File Number 2020-00388, Adam Christian Watts

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present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Mr. Watts' application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Watts and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

In the matter of **File Number 2020-00201, Mohammad Ashraf**, 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. Mohammad Ashraf, applicant, and Mahnaz Safavi, witness, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Gatewood 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. Ashraf's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Pineda.

File Number 2020-00201, Mohammad Ashraf

Due to a possible conflict of interest, Moiz did not participate in the discussion or vote in this matter.

In the matter of **File Number 2020-00313, Michael Reed**, 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 Reed, applicant, and Ashlee Murphy, witness, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Reed's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2020-00313, Michael Reed

In the matter of **File Number 2019-02839, Christian S. Miller**, 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. Christian S. Miller, applicant, and Chance Bland, witness, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Miller's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2019-02839, Christian S. Miller

In the matter of **File Number 2019-02782, Bethany N. Foshee**, 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. Bethany N. Foshee, applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Foshee's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2019-02782, Bethany N. Foshee

In the matter of **File Number 2019-02840, April B. Paulines-Sanchez**, 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. April B. Paulines-Sanchez, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Paulines-Sanchez's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and

File Number 2019-02840, April B. Paulines-Sanchez

Pineda.

In the matter of **File Number 2020-00203, DeForest N. Ross, Jr.**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Mr. Moiz and seconded by Ms. Gatewood to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Mr. Ross' application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Mr. Ross and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2020-00203, DeForest N. Ross, Jr.

In the matter of **File Number 2020-00205, Erik T. Korondy**, 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. Gatewood and seconded by Ms. Johnson 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. Korondy's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2020-00205, Erik T. Korondy

In the matter of **File Number 2020-00284, Taylor W. Bishop**, 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. Taylor W. Bishop, applicant, Edward Bishop, witness, and Margaret White, witness, were 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 (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Bishop's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood,

File Number 2020-00284, Taylor W. Bishop

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Grimsley, Hoover, Johnson, Moiz and Pineda.

In the matter of **File Number 2020-00199, Kevin J. Connelly**, 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. Kevin J. Connelly, applicant, and Lawrence Marshall, II, attorney for the applicant, were present and addressed the Board. A motion was made by Ms. Bower and seconded by Ms. Gatewood 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. Connelly's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz.

File Number 2020-00199, Kevin J. Connelly

Due to possible conflict of interest, Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2020-00283, David R. Kipper**, 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. David R. Kipper, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Kipper's application for a salesperson's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, the Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crime, the relationship of the crime to the purpose for requiring a license to engage in the occupation, the extent to which the profession might offer Mr. Kipper an opportunity to engage in further criminal activity of the same type and the limited amount of time that has elapsed since Kipper's last involvement in the commission of a crime and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2020-00283, David R. Kipper

In the matter of **File Number 2020-00163, Peter D. Donahue**, 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. Peter D. Donahue, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Mr. Donahue's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Moiz and Pineda.

File Number 2020-00163, Peter D. Donahue

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

In the matter of **File Number 2020-00310, Lawrence C. Kim**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Kim's application for a real estate broker's license as he did not provide sufficient evidence that he has equivalent experience to that which is required therefore he has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding his application. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Moiz and Pineda.

File Number 2020-00310, Lawrence C. Kim

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

In the matter of **File Number 2020-00278, Kristin E. Thompson**, 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. Kristin E. Thompson, applicant, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Gatewood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny

File Number 2020-00278, Kristin E. Thompson

Ms. Thompson's application for a real estate broker's license as she did not provide sufficient evidence that she has equivalent experience to that which is required therefore she has not been actively engaged as a real estate salesperson and/or broker for 36 of the 48 months preceding her application. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Moiz, and Pineda.

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

Mr. Hoover turned the position of Chair over to Ms. Grimsley and recused himself from the meeting.

Transfer of Chair

In the matter of **File Number 2018-02625, Ruchi Kapani**, 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. Ruchi Kapani, respondent, was present and addressed the Board. A motion was made by Mr. Moiz and seconded by Ms. Davis to find a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.7 (Count 2) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.1 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Moiz, and Pineda.

File Number 2018-02625, Ruchi Kapani

A motion was made by Mr. Moiz and seconded by Ms. Bower to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$400.00 for the violation contained in Count 3, for a total of \$400.00. In addition, for violation of Count 1, Kapani's license is placed on probation for two (2) years under the following term: Kapani and her principal broker will provide quarterly reports to the Board that she is in compliance with the rules and regulations of the Board. In addition, for violation of Count 3, Kapani's license will be placed on probation and Kapani will be required to complete two classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in a classroom. Further, Kapani shall provide evidence acceptable to the Board that Kapani has successfully completed the course(s) within six (6) months of the effective

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date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Moiz and Pineda.

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

In the matter of **File Number 2018-03166, Greg V. Ford**, 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. Gatewood and seconded by Mr. Moiz to find a violation of 18 VAC 135-20-160.B (Count 1) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-190.B (Count 3) of the Board's 2015 Regulations, and find no violation of 18 VAC 135-20-190.E.3 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz, and Pineda.

File Number 2018-03166, Greg V. Ford

A motion was made by Ms. Johnson and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty. The Board also imposes the following sanctions: For violation of Count 1, Ford's license will be placed on probation and Ford will be required to complete eight (8) classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in a classroom. Further, Ford shall provide evidence acceptable to the Board that he successfully completed the course within six (6) months of the effective date of the Order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz and Pineda.

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

In the matter of **File Number 2019-02394, Harene Nana Brew**, the Board reviewed the Consent Order as seen and agreed to by Ms. Brew. A motion was made by Ms. Johnson and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Brew admits to a violation of 18 VAC 135-20-260.11.i (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$1,000.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for the violation of Count 1, Brew agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz and Pineda.

File Number 2019-02394, Harene Nana Brew

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

In the matter of **File Number 2019-01806, Mitch Lee Shumate, t/a Mitch Shumate**, the Board reviewed the Consent Order as seen and agreed to by Mr. Shumate. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Mr. Shumate admits to a violation of 18 VAC 135-20-260.11.a; 18 VAC 135-20-260.11.b; and 18 VAC 135-20-260.11.f (Count 1) of the Board's 2015 Regulations, §54.1-2135.E (Count 2) of the *Code of Virginia*, and a violation of 18 VAC 135-20-165.2 (Count 3) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$200.00 for the violation 18 VAC 135-20-260.11.a; \$650.00 for the violation of 18 VAC 135-20-260.11.b; and \$650.00 for the violation of 18 VAC 135-20-260.11.f contained in Count 1, \$450.00 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 \$2,600.00. In addition, Shumate agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six

File Number 2019-01806, Mitch Lee Shumate, t/a Mitch Shumate

(6) months of the effective date of the Consent Order. The courses must be completed in the classroom.

- For violation of Count 1, four (4) hours pertaining to Escrow Management; and
- For violation of Count 2, eight (8) hours pertaining to Broker Management and Supervision.

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

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

In the matter of **File Number 2019-01713, Nicol Z. Perry**, the Board reviewed the Consent Order as seen and agreed to by Ms. Perry. A motion was made by Ms. Davis and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Ms. Perry admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$200.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$350.00. In addition, for violation of Count 1, Perry agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz and Pineda.

File Number 2019-01713, Nicol Z. Perry

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

In the matter of **File Number 2019-01625, Vincent Larry McFarley, t/a Vincent McFarley**, the Board reviewed the Consent Order as seen and agreed to by Mr. McFarley. A

File Number 2019-01625, Vincent Larry McFarley, t/a

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motion was made by Ms. Johnson and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Mr. McFarley admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, McFarley agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Real Estate Agency and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz and Pineda.

Vincent McFarley

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

In the matter of **File Number 2019-00837, Sandra Ellen Alford**, the Board reviewed the Consent Order as seen and agreed to by Ms. Alford. A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Ms. Alford admits to a violation of 18 VAC 135-20-260.6 (Count 1) of the Board’s 2015 Regulations, and agrees to \$150.00 in Board costs, for a total of \$150.00. In addition, for violation of Count 1, Alford agrees to revocation of her license. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Johnson, Moiz and Pineda.

File Number 2019-00837, Sandra Ellen Alford

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

Mr. Hoover returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2019-01111, Anna Clarina Paduhovich**, the Board reviewed the Consent Order as seen and agreed to by Ms. Paduhovich. A motion was made by Ms. Davis and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Ms. Paduhovich admits to a violation of 18 VAC 135-20-260.12 (Count 1) of the Board’s

File Number 2019-01111, Anna Clarina Paduhovich

2015 Regulations, and agrees to a monetary penalty of \$2,500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$2,650.00. In addition, for violation of Count 1, Paduhovich agrees to a one (1) year probation of his license as of the effective date of the Order. During the one (1) year probation, Paduhovich agrees to comply with the regulations of the Real Estate Board; and to provide to the Board, on a quarterly basis and in a form acceptable to the Board, a written statement from Paduhovich and her principal broker that Paduhovich is in compliance with the regulations of the Real Estate Board. If Paduhovich violates any terms of the probation, her license may be revoked, pending review by the Board. In addition, for violation of Count 1, Paduhovich agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency and complete at least three (3) hours of Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Hoover, Johnson, Moiz and Pineda.

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

In the matter of **File Number 2019-01651, Terria Galvez**, the Board reviewed the Consent Order as seen and agreed to by Ms. Galvez. A motion was made by Ms. Johnson and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Ms. Galvez admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$300.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$450.00. In addition, for violation of Count 1, Galvez agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing

File Number 2019-01651, Terria Galvez

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education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Hoover, Johnson, Moiz and Pineda.

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

In the matter of **File Number 2019-01930, Mohammad Shahverdi**, the Board reviewed the Consent Order as seen and agreed to by Mr. Shahverdi. A motion was made by Ms. Johnson and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Mr. Shahverdi 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 of Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, for violation of Count 1, Shahverdi agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Hoover, Johnson, Moiz and Pineda.

File Number 2019-01930, Mohammad Shahverdi

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

In the matter of **File Number 2018-01711, Carol Bultman**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, the Revised Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Johnson and seconded by Ms. Gatewood to find a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.11 (Count 2) of the Board's 2003 Regulations, a violation of 18 VAC 135-20-260.12.b (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11 (Count 4) of the Board's 2003 Regulations. The motion passed

File Number 2018-01711, Carol Bultman

unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

A motion was made by Ms. Grimsley and seconded by Ms. Johnson to impose a monetary penalty of \$1,450.00 for violation contained in Count 1, \$1,450.00 for the violation contained in Count 2, \$2,050.00 for the violation contained in Count 3, and \$1,450.00 for the violation contained in Count 4, for a total of \$6,400.00. In addition, license revocation is imposed for the violations of Counts 1, 2, 3, and 4. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

In the matter of **File Number 2019-01171, Andre Dirk Sadowski t/a Andre Sadowski**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, the Report of Findings, including exhibits, and the Recommendation. A motion was made by Ms. Grimsley and seconded by Ms. Bower to find a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board’s 2015 Regulations, a violation of 18 VAC 135-20-300.6 (Count 2) of the Board’s 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 3) of the Board’s 2015 Regulations. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

File Number 2019-01171, Andre Dirk Sadowski t/a Andre Sadowski

A motion was made by Ms. Grimsley and seconded by Ms. Bower to impose a monetary penalty of \$500.00 for violation contained in Count 1, \$600.00 for the violation contained in Count 2, \$600.00 for the violation contained in Count 3, for a total of \$1,700.00. The Board also imposes the following sanctions: For violation of Counts 1 and 3, license revocation is imposed. In addition, for the violation of Count 2, Sadowski shall be placed on probation and required to complete two (2) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts. Such course(s) shall be completed in a classroom. Further, Sadowski shall provide evidence acceptable to the Board that he successfully completed the course(s) within three (3) months of the effective date of the order. The above-referenced continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

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In the matter of **File Number 2020-00637, Virginia Real Estate Transaction Recovery Act Claim of Karla Zeledon (Claimant) and Platinum Realty Inc. (Regulant)**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, the claim review file, exhibits, and the Recovery Fund claim form and Claim Review. A motion was made by Mr. Moiz and seconded by Ms. Davis to adopt the recommendation to approve payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

File Number 2020-00637, Virginia Real Estate Transaction Recovery Act Claim of Karla Zeledon (Claimant) and Platinum Realty Inc. (Regulant)

In the matter of **File Number 2019-00823, Matthew Shin Chiang, t/a Matthew Chiang**, the Board reviewed the Consent Order as seen and agreed to by Mr. Chiang. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Mr. Chiang admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations and agrees to a monetary penalty of \$500.00 for the violation of Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, Chiang agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Consent Order. The courses must be completed in the classroom.

File Number 2019-00823, Matthew Shin Chiang, t/a Matthew Chiang

- For violation of Count 1, three (3) hours pertaining to Real Estate Contracts; and
- For violation of Count 2, two (2) hours pertaining to Real Estate Agency.

It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2019-01120, Christine Marie**

File Number 2019-

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Knowles, t/a Crysty Knowles, the Board reviewed the Consent Order as seen and agreed to by Ms. Knowles. A motion was made by Ms. Johnson and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Knowles 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 of Count 1, as well as \$150.00 in Board costs, for a total of \$750.00. In addition, for violation of Count 1, Knowles agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

01120, Christine Marie Knowles, t/a Crysty Knowles

In the matter of **File Number 2019-01266, James Randy Andrews, t/a Randy Andrews**, the Board reviewed the Consent Order as seen and agreed to by Mr. Andrews. A motion was made by Ms. Johnson and seconded by Ms. Gatewood to accept the proposed Consent Order offer wherein Mr. Andrews admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Andrews agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

File Number 2019-01266, James Randy Andrews, t/a Randy Andrews

In the matter of **File Number 2019-01508, Kristen Hetherington Cacoperdo, t/a Kristen Cacoperdo**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cacoperdo. A motion was made by Ms. Johnson and seconded by Ms. Bower to accept the proposed Consent Order offer wherein Ms. Cacoperdo admits to a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-220.A.3 (Count 2) of the Board's 2015 Regulations, and a violation of §54.1-2131.A.1 (Count 3) of the *Code of Virginia*, and agrees to a monetary penalty of \$300.00 for the violation of Count 1, \$700.00 for the violation contained in Count 2, \$1,200.00 for the violation contained in Count 3, as well as \$150.00 in Board costs, for a total of \$2,350.00. In addition, Cacoperdo agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Consent Order. The courses must be completed in the classroom.

- For violation of Count 1, three (3) hours pertaining to Real Estate Contracts; and
- For violation of Count 2, three (3) hours pertaining to Real Estate Agency.

It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2019-01893, Norman Glenn Odeneal, II, t/a Norm Odeneal**, the Board reviewed the Consent Order as seen and agreed to by Mr. Odeneal. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to accept the proposed Consent Order offer wherein Mr. Odeneal admits to a violation of 18 VAC 135-20-310.1 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$450.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$600.00. In addition, for violation of Count 1, Odeneal agrees to complete at least two (2) classroom hours of Board-approved continuing education pertaining to Legal Updates and provide proof of

File Number 2019-01508, Kristen Hetherington Cacoperdo, t/a Kristen Cacoperdo

File Number 2019-01893, Norman Glenn Odeneal, II, t/a Norm Odeneal

attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2019-02046, Marion K. Anglin**, the Board reviewed the Consent Order as seen and agreed to by Mr. Anglin. A motion was made by Ms. Johnson and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Ms. Anglin admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$600.00 for the violation of Count 1, \$600.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,350.00. In addition, for violation of Counts 1 and 2, Anglin agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

File Number 2019-02046, Marion K. Anglin

In the matter of **File Number 2019-02147, Sunhee Chung**, the Board reviewed the Consent Order as seen and agreed to by Ms. Chung. A motion was made by Ms. Davis and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Chung admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$950.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,100.00. In addition, for violation of Count 1,

File Number 2019-02147, Sunhee Chung

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Chung agrees to complete at least two (2) classroom hours of Board-approved continuing 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 continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2019-02475, Armin Delmont Harris, Sr., dba Armin Harris**, the Board reviewed the Consent Order as seen and agreed to by Mr. Harris. A motion was made by Ms. Johnson and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Mr. Harris admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, \$600.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,250.00. In addition, Harris agrees to complete at least the number of classroom hours, as specified below, of Board-approved continuing education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Consent Order. The courses must be completed in the classroom.

- For violation of Count 1, three (3) hours pertaining to Escrow Management; and
- For violation of Count 2, three (3) hours pertaining to Real Estate Contracts.

It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

In the matter of **File Number 2020-00745, Dominion**

File Number 2019-02475, Armin Delmont Harris, Sr., dba Armin Harris

File Number 2020-

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Properties Virginia, LLC, the Board reviewed the Consent Order as seen and agreed to by Dominion Properties Virginia, LLC. A motion was made by Ms. Grimsley and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Dominion Properties Virginia, LLC, admits to a violation of 18 VAC 48-50-190.1 (To wit: 18 VAC 48-70-50.4 and 7) (Count 1) of the Board's 2012 Regulations, and agrees to a monetary penalty of \$750.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$900.00. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson and Moiz. Ms. Pineda did not participate in the discussion or vote in this matter.

00745, Dominion Properties Virginia, LLC

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

Administrative Issues

A motion was made by Ms. Johnson and seconded by Ms. Davis to approve the proposed language for 18 VAC 130-20-155. Grounds for disciplinary action; and 18 VAC 130-20-180. Maintenance and management of escrow accounts, and file exempt regulatory actions to amend the Real Estate regulations as proposed. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

A motion was made by Ms. Grimsley and seconded by Ms. Gatewood to retain the Real Estate Board regulations and Public Participant Guidelines in their current forms pursuant to the Notice of Periodic Review. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

A motion was made by Ms. Bower and seconded by Ms. Grimsley to approve a one year contract extension for examination provider PSI. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

The Board reviewed the report from the November 13, 2019, Real Estate Board Education Committee meeting. A motion was made by Ms. Grimsley and seconded by Ms. Johnson to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and

Education

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Pineda.

A motion was made by Ms. Grimsley and seconded by Ms. Johnson to approve a continuing education waiver request for Peggy Coffey. The motion passed unanimously. Members voting "Yes" were Bower, Davis, Gatewood, Grimsley, Hoover, Johnson, Moiz and Pineda.

Ms. Martine thanked the Board members for attending the Board Member Training Conference held in October.

New Business

There being no further business, the Board adjourned at 11:44 A.M.

Adjourn

Steve Hoover, Chair

Mary Broz-Vaughan, Secretary

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VIRGINIA REAL ESTATE BOARD
COMMITTEE MEETING

November 14, 2019

The Regulatory Review Committee of the Real Estate Board held a meeting on Thursday, November 14, 2019, at the Department of Professional and Occupational Regulation, Richmond, Virginia.

The following Members were present for the meeting:

Sharon Johnson
Maggie Davis
Libbie Gatewood
Joe Funkhouser
Kit Hale
Boyd Smith

DPOR Staff Members present for all or part of the meeting included:

Christine Martine, Executive Director
Jim Chapman, Board and Regulatory Administrator
Matt McCabe
Connor Eads

Ms. Johnson called the meeting to order at 12:33p.m.

The Regulatory Review Committee reviewed the proposed changes from the previous meeting to regulations 18 VAC 135-20-190 Advertising by Licensees and 18 VAC 135-20-210 Disclosure of Interest. The committee then discussed regulations 18 VAC 135-20-220 Disclosure of Brokerage Relationships, 18 VAC 135-20-225 Audits, 18 VAC 135-20-240 Provision of Records to the Board, 18 VAC 135-20-250 Response to Any Inquiry of the Board, 18 VAC 135-20-260 Prohibited Acts and 18 VAC 135-20-270 Conflict of Interest.

There being no further business or public comment, the meeting adjourned at 2:30 p.m.

Steve Hoover, Chair

Mary Broz-Vaughan, Secretary

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Custodian of Record

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Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Real Estate Board
954640**

2018-2020 Biennium

November 2019

	November 2019 Activity	Biennium-to-Date Comparison	
		July 2016 - November 2017	July 2018 - November 2019
Cash/Revenue Balance Brought Forward			4,538,946
Revenues	283,599	5,654,284	5,994,681
Cumulative Revenues			10,533,627
Cost Categories:			
Board Expenditures	17,245	304,647	358,054
Board Administration	96,848	1,378,967	1,620,703
Administration of Exams	4,231	61,966	77,290
Enforcement	94,302	1,603,741	1,698,210
Legal Services	13,312	28,886	32,988
Information Systems	65,621	956,607	1,247,869
Facilities and Support Services	37,172	530,456	591,208
Agency Administration	55,076	867,414	745,112
Other / Transfers	0	718,245	719,610
Total Expenses	383,807	6,450,929	7,091,044
Transfer To/(From) Cash Reserves	(100,208)	0	3,442,583
Ending Cash/Revenue Balance			0

Cash Reserve Beginning Balance	3,542,791	0	0
Change in Cash Reserve	(100,208)	0	3,442,583
Cash Reserve Ending Balance	3,442,583	0	3,442,583

Number of Regulants

Current Month	74,185
Previous Biennium-to-Date	67,321

18VAC135-20-20. Necessity for license. (Refer to § 54.1-2106.1 of the Code of Virginia.)

A. Sole proprietor (principal broker owner). A real estate broker's license shall be issued to an individual trading under an assumed or fictitious name, that is, a name other than the individual's full name, only after the individual signs and acknowledges a certificate provided by the board, ~~setting that sets~~ that sets forth the name under which the business is to be organized and conducted, the address of the individual's residence, and the address of the individual's place of business. ~~Each certificate must be attested by the clerk of court of the county or jurisdiction wherein the business is to be conducted. The attention of all applicants and licensees is directed to §§ 59.1-69 through 59.1-76 of the Code of Virginia. The Board will consider the application of an individual only after the individual is authorized to conduct business in accordance with §§ 59.1-69 through 59.1-76 of the Code of Virginia.~~

B. Sole proprietor (nonbroker owner), partnership, association, limited liability company, or corporation. Every sole proprietor (nonbroker owner), partnership, association, limited liability company, or corporation must secure a real estate license for its firm before transacting real estate business. This license is separate and distinct from the individual broker license required of each partner, associate, manager of a limited liability company, and officer of a corporation who is active in the firm's brokerage business. Each applicant for such license shall disclose, and the license shall be issued to, the name under which the applicant intends to do or does business and holds itself out to the public. Each applicant shall also disclose the business address of the firm. The board will consider the application of any partnership, association, corporation or limited liability company only after the entity is authorized to conduct business in accordance with §§ 59.1-69 through 59.1-76 of the Code of Virginia.

C. Each real estate firm is required to have a principal broker whose license is in good standing with the board in order to transact real estate business.

D. Branch office license. If a real estate broker maintains more than one place of business within the state, a branch office license shall be issued for each place of business maintained.

Application for the license shall be made on forms provided by the board and shall reveal the name of the firm, the location of the branch office, and the name of the supervising broker for that branch office. The branch office license shall be maintained at the branch office location.

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PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.