

REAL ESTATE BOARD

TENTATIVE AGENDA

Thursday, November 19, 2020 - 10:00 a.m.

2nd Floor – Board Room 2

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 19, 2020, Fair Housing Sub-Committee Meeting
 - B. November 19, 2020, Real Estate Board Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORTS

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

V. FAIR HOUSING CASES

1. Jasmine Williams v. Artcraft Mangement, Inc. and Meridian Harbourview, LLC
REB File Number: 2020-01374
HUD File Number: 03-20-3993-8
2. Latoria Brooks and Nashat Abulubad v. RFI Seven Gables, LLC, Drucker & Falk LLC, Elizabeth Holloman, and US Residential Group LLC
REB File Number: 2019-02995
HUD File Number: 03-19-2916-8
Appointment – Eve Campbell, attorney for respondents
3. Joan Bland v. Dodson Property Management, LLC and OM SHIVAM & E II, LLC
REB File Number: 2020-02468
HUD File Number: 03-20-5218-8
4. Briana Nelson v. BH Management Services, LLC and Excel WBV III, LLC
REB File Number: 2020-01658
HUD File Number: 03-20-4878-8
{*Conciliation: Race*}

VI. REAL ESTATE CASES

1. File Number 2020-02629 – Anna Maria Anderson
IFF by Eldridge – Licensing
Appointment – Anna Maria Anderson, applicant

2. File Number 2020-02244 – Jeffrey Bartmanski
IFF by Eldridge – Licensing
3. File Number 2018-02115 – Johana Bendfeldt
IFF by Grimsley – Disciplinary
4. File Number 2018-02116 – Anthony Lowstuter, Jr.
IFF by Grimsley – Disciplinary
5. File Number 2020-00195 – Nina Koeppen
IFF by Grimsley – Disciplinary
6. File Number 2020-00412 – Christine Cahoon
IFF by Grimsley – Disciplinary
7. File Number 2020-01016 – Amir Eram
IFF by Grimsley – Disciplinary
8. File Number 2020-00504 – Kirill Lazar Gorbounov
Pre-IFF Consent Order by Moiz – Disciplinary
9. File Number 2020-00320 – Khalil Ullah Naim
IFF by Moiz & Grimsley – Disciplinary
10. File Number 2020-01052 – Alexander Gulino
IFF by Moiz & Bower – Disciplinary
11. File Number 2020-00770 – William Henry McCoy, II
Prima Facie by Bower – Disciplinary
12. File Number 2020-01884 – William Henry McCoy, II
Prima Facie by Bower – Disciplinary
13. File Number 2020-01696 – Kelly Honora Peay-Boston
Prima Facie – Disciplinary
14. File Number 2020-00511 – Amy Lynn Taylor
Prima Facie – Disciplinary
15. File Number 2020-02987 – Jennifer Tietjen
Prima Facie – Disciplinary
16. File Number 2020-00312 – Reginald Lamar Pearson, Jr.
Prima Facie by Pineda – Disciplinary
17. File Number 2020-01423 – Dever McElya Clevinger
Pre-IFF Consent Order by Pineda – Disciplinary

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Materials contained in this agenda are proposed for discussion and are not to be construed as regulation or official Board position.
18. File Number 2019-01392 – Usman Sayed
IFF by Johnson – Disciplinary
 19. File Number 2019-00918 – Alonzo Bell
IFF by Johnson & Grimsley – Disciplinary
 20. File Number 2018-03176 – Kim Curtis
IFF by Johnson & Grimsley – Disciplinary
 21. File Number 2019-02276 – Maxine Lambert
IFF by Johnson & Gatewood – Disciplinary
 22. File Number 2020-00793 – Frederick William Gaston
Pre-IFF Consent Order by Grimsley – Disciplinary
 23. File Number 2020-00063 – Seth Bayard Haskins t/a Seth Haskins
Pre-IFF Consent Order – Disciplinary
 24. File Number 2020-01594 – Carol Jean Hommel
Pre-IFF Consent Order – Disciplinary
 25. File Number 2020-01894 – Kimberly A. Witherspoon
Pre-IFF Consent Order – Disciplinary
 26. File Number 2020-00294 – Patrick Michael Gee
Pre-IFF Consent Order – Disciplinary
 27. File Number 2020-01075 – Austin Stancliff Karvelis
Pre-IFF Consent Order – Disciplinary
 28. File Number 2020-01784 – Melissa J. Stewart
Pre-IFF Consent Order – Disciplinary
 29. File Number 2020-01415 – David Alan Smith
Pre-IFF Consent Order – Disciplinary

VII. ADMINISTRATIVE ISSUES

- Board Financial Statements
- 2021 Board Dates

VIII. EDUCATION

- November 18, 2020, Education Committee Report

IX. OLD BUSINESS

X. NEW BUSINESS

XI. ADJOURNMENT

NEXT MEETING SCHEDULED FOR WEDNESDAY, January 20, 2021

** 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 FAIR HOUSING SUB-COMMITTEE
MEETING MINUTES**

September 17, 2020

On Thursday, September 17, 2020 at 9:45 a.m., the Real Estate Board Fair Housing sub-committee met at the Department of Professional and Occupational Regulation. Board members Sharon Johnson and Mayra Pineda attended on behalf of the Real Estate Board. Lizbeth Hayes, Deanda Shelton, Trudy Miller and Dominica McGowen attended on behalf of the Fair Housing Office. Helen Hardiman and Tom Payne attended on behalf of the Office of the Attorney General.

The meeting was called to order at approximately 9:45 a.m. by Sharon Johnson. Staff advised board members of the number of cases currently under investigation and in intake. The board members and staff briefly discussed the cases on the agenda.

Ms. Johnson adjourned the meeting at approximately 9:50 a.m.

Sharon Johnson, Chair

Mary Broz-Vaughan, Secretary

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Materials contained in this
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Proposed topics for discussion and are not to be construed as regulation or official Board position.

REAL ESTATE BOARD
MINUTES OF MEETING

September 17, 2020

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

Sharon Johnson, Chair
Ibrahim Moiz, Vice-Chair
Margaret Davis
Mayra Pineda
Candice Bower
Marzia Abbasi
Nan Piland
David Perry

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
Dominica McGowen, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Trudy Miller, Fair Housing Investigator

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

Ms. Johnson called the meeting to Order at 10:04 A.M.

Call to Order

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

Agenda

A motion was made by Ms. Davis and seconded by Ms. Bower

Minutes

to adopt the July 16, 2020, Fair Housing Sub-Committee Meeting minutes; and July 16, 2020, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

There was no public comment.

Deanda Shelton, Assistant Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Joice Kirtley Dameron v. Unit Owners’ Association of Pheasant Ridge Condominiums Inc., Edwin C. Hall Associates Inc., and Brenda Bova, File Number 2019-03154**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Eileen Geller, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions or intimidating, coercing, or interfering with complainant’s fair housing rights based upon familial status. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **Sheri Charles v. Gem Management, LLC and Timberland Park VA, LLC, REB File Number 2020-01557**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Bower to find no reasonable cause the respondents discriminated against the complainant by refusing to make a reasonable accommodation or by offering discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **Anne M. Baptiste v. S. L. Nusbaum Realty Co. and Lake Ridge Elderly Development, Inc., REB File Number 2020-01779**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis. James Woods, attorney for respondents, was present and addressed the Board. A motion was made by Ms. Davis and

Public Comment

Fair Housing Administrator’s Report

Joice Kirtley Dameron v. Unit Owners’ Association of Pheasant Ridge Condominiums Inc., Edwin C. Hall Associates Inc., and Brenda Bova, File Number 2019-03154

Sheri Charles v. Gem Management, LLC and Timberland Park VA, LLC, REB File Number 2020- 01557

Anne M. Baptiste v. S. L. Nusbaum Realty Co. and Lake Ridge Elderly Development, Inc., REB File Number

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seconded by Mr. Moiz to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions based on disability. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **Lauren Haman v. Gibson and Associates, LLC and Stonehenge Homeowners Association, Inc., REB File Number 2018-03119**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis, and Official Consultation from the Office of the Attorney General. Vijay Mago, attorney for respondents, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Moiz to find reasonable cause the respondents discriminated against the complainant by imposing discriminatory terms and conditions based on familial status and find no reasonable cause the respondents discriminated against the complainant by making discriminatory statements based on familial status. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-02242, Regina Maccine Lewis**, 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. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Ms. Lewis’ application for a real estate salesperson’s license, subject to an agreement for licensure for a period of two years wherein Ms. Lewis and her broker will provide quarterly reports to the Board.

A substitute motion was made by Ms. Davis and seconded by Ms. Bower to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead deny Ms. Lewis’ application for a salesperson’s license based upon the record. After review of the facts, and the information obtained at the IFF, the Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of Lewis’ previous professional discipline, and the limited amount of time that has passed

2020-01779

Lauren Haman v. Gibson and Associates, LLC and Stonehenge Homeowners Association, Inc., REB File Number 2018-03119

File Number 2020-02242, Regina Maccine Lewis

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since the revocation of Lewis' previous license by the Board. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-01627, Patrick Earl Carpenter, 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 Ms. Davis and seconded by Mr. Moiz to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Carpenter's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Mr. Carpenter and his broker will provide quarterly reports to the Board due to the serious nature of the conviction. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-01627, Patrick Earl Carpenter, Jr.

In the matter of **File Number 2020-02631, Logan Shay Moubray**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Moubray's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-02631, Logan Shay Moubray

In the matter of **File Number 2020-02606, Andrew Morgan Piccione**, 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. Andrew Morgan Piccione, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and,

File Number 2020-02606, Andrew Morgan Piccione

after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Piccione's application for a real estate salesperson's license, subject to an agreement for licensure for a period of one year wherein Mr. Piccione and his broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-01955, Dominic Christopher Garito**, 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. Dominic Christopher Garito, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Pineda to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, approve Mr. Garito's application for a real estate salesperson's license, subject to an agreement for licensure for a period of three years wherein Mr. Garito and his broker will provide quarterly reports to the Board due to the recentness of the convictions. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-01955, Dominic Christopher Garito

In the matter of **File Number 2020-01957, Darin Monta Satterwhite**, 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. Darin Monta Satterwhite, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Pineda to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia*, and approve Mr. Satterwhite's application for a real estate salesperson's license, subject to an agreement for licensure for a period of two years wherein Mr. Satterwhite and his broker will provide quarterly reports to the Board due to the seriousness nature of his murder conviction and recentness of his conviction for assault. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-01957, Darin Monta Satterwhite

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In the matter of **File Number 2020-01956, Claudine Nicole DuPont**, 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. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Ms. DuPont's application for a salesperson's license based upon the record. After review of the facts, the information obtained at the IFF, 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 crimes, the relationship of her crime to the purpose for licensure, to engage in the profession, the amount of time that has elapsed since DuPont's last involvement in the commission of a crime, and the limited rehabilitation or rehabilitative effort while incarcerated or following release and agreed it would be negligent to grant a license and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-01956, Claudine Nicole DuPont

In the matter of **File Number 2020-02267, Danny Xu Zhao**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Ms. Pineda to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after review of the facts, the information obtained at the IFF and in consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* and instead deny Mr. Zhao's application for a salesperson's license based upon the record. The Board determined it could not protect the health, safety and welfare of the public due to the nature and seriousness of the crime, and the limited amount of time that has passed since the Zhao's last involvement in the commission of a crime and voted to deny the license. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-02267, Danny Xu Zhao

In the matter of **File Number 2020-02608, Javoun T. Smallwood**, the Board reviewed the record which consisted of

File Number 2020-02608, Javoun T.

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the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. 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 his previous disciplinary action, approve Mr. Smallwood's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

Smallwood

In the matter of **File Number 2020-01044, Jonathan Melvin**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the recommendation to find no violation of 18 VAC 135-20-300.3 of the Board's 2015 Regulations, and close the file. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-01044, Jonathan Melvin

In the matter of **File Number 2020-00954, Kofi Mintah**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Moiz and seconded by Ms. Pineda to find a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations, and a violation of 18 VAC 135-20-260.7 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-00954, Kofi Mintah

A motion was made by Mr. Moiz and seconded by Ms. Pineda to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose no monetary penalty for the violation contained in Count 1 and Count 2. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Johnson, Moiz, Perry, Piland and Pineda.

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

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In the matter of **File Number 2019-01647, Mouri Ferreira**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Moiz and seconded by Ms. Bower to find a violation of 18 VAC 135-20-260.6 (Count 1) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.7 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Johnson, Moiz, Perry and Piland.

File Number 2019-01647, Mouri Ferreira

A motion was made by Mr. Moiz and seconded by Mr. Perry to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$300.00 for the violation contained in Count 2, for a total of \$300.00. In addition, for the violation of Count 1, the Board imposes revocation of Ferreira's license. The motion passed unanimously. Members voting "Yes" were Abbasi, Bower, Johnson, Moiz, Perry and Piland.

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

In the matter of **File Number 2020-00847, Joel Matthew Saunders, t/a Joel Saunders**, the Board reviewed the Consent Order as seen and agreed to by Mr. Saunders. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Mr. Saunders 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 of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Saunders agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Abbasi, Davis Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-00847, Joel Matthew Saunders, t/a Joel Saunders

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

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

Transfer of Chair

In the matter of **File Number 2020-00141, James Biedrzycki**, the Board reviewed the Consent Order as seen and agreed to by Mr. Biedrzycki. A motion was made by Ms. Davis and seconded by Mr. Perry to accept the proposed Consent Order offer wherein Mr. Biedrzycki admits to a violation of 18 VAC 135-20-260.12 (Count 1) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$250.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$400.00. In addition, for violation of Count 1, Biedrzycki agrees to a six (6) month suspension of his license as of the effective date of the Order. The six (6) month suspension will be stayed provided Biedrzycki: (1) Pays the agreed monetary penalty and costs as set forth in the Consent Order and (2) Complies with the rules and regulations of the Real Estate Board for a period of six (6) months from the effective date of the Order. Further, for violation of Count 1, Biedrzycki 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 Biedrzycki and his principal broker that Biedrzycki is in compliance with the regulations of the Real Estate Board. Also, for violation of Count 1, Biedrzycki 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 Consent 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 Abbasi, Bower, Davis, Moiz, Perry, Piland and Pineda.

File Number 2020-00141, James Biedrzycki

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

Ms. Johnson returned and assumed the position of Chair.

Transfer of Chair

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In the matter of **File Number 2019-02866, Carrie G. Cochran**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cochran. A motion was made by Ms. Davis and seconded by Mr. Perry to accept the proposed Consent Order offer wherein Ms. Cochran admits to a violation 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations, a violation of § 54.1-2131.B (Count 2) of the *Code of Virginia*, a violation of § 54.1-2131.A.4 (Count 3) of the *Code of Virginia*, and a violation of 18 VAC 135-20-240 (Count 4) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$950.00 for the violation of Count 1, \$400.00 for the violation of Count 2, \$500.00 for the violation of Count 3, \$1,400.00 for the violation of Count 4, as well as \$150.00 in Board costs, for a total of \$3,400.00. In addition, Cochran agrees to revocation of her license. Further, for the violation of Count 1, Cochran agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct; for the violation of Count 2, four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Electives; and for the violation of Count 4, eight (8) classroom hours of Board-approved continuing education pertaining to Legal Updates. 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 Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2019-02866, Carrie G. Cochran

In the matter of **File Number 2020-01559, Blair Cole Fackler**, the Board reviewed the Consent Order as seen and agreed to by Mr. Fackler. A motion was made by Ms. Bower and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Mr. Fackler admits to a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$700.00. In addition, for violation of Count 1, Fackler 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 Consent Order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not

File Number 2020-01559, Blair Cole Fackler

count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-00559, George William Gearhart, Jr. /a Bill Gearhart**, the Board reviewed the Consent Order as seen and agreed to by Mr. Gearhart. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Mr. Gearhart admits to a violation of 18 VAC 135-20-260.11.a (Count 1) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for the violation of Count 1, Gearhart agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Broker Management and Supervision; and complete at least four (4) classroom hours of Board-approved education pertaining to Property Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-00559, George William Gearhart, Jr. /a Bill Gearhart

In the matter of **File Number 2020-01061, Iris Ellen Cauldwell**, the Board reviewed the Consent Order as seen and agreed to by Ms. Cauldwell. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Ms. Cauldwell admits to a violation of 18 VAC 135-20-260.11.1 (Count 1) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$1,250.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,400.00. In addition, for violation of Count 1, Cauldwell 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

File Number 2020-01061, Iris Ellen Cauldwell

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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 Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-00633, Vernon Raynard Sims, Jr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Sims. A motion was made by Ms. Bower and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Mr. Sims admits to a violation of §54.1-2137.B (Count 1) of the Code of Virginia, and agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$450.00. In addition, for violation of Count 1, Sims 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 Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-00633, Vernon Raynard Sims, Jr.

In the matter of **File Number 2020-01325, Belen Martinez**, the Board reviewed the Consent Order as seen and agreed to by Mr. Martinez. A motion was made by Ms. Davis and seconded by Ms. Pineda to accept the proposed Consent Order offer wherein Mr. Martinez admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11.g (Count 2) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,150.00. In addition, for violation of Counts 1 and 2, Martinez 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

File Number 2020-01325, Belen Martinez

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count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2019-03199, Billy R. Coons**, the Board reviewed the Consent Order as seen and agreed to by Mr. Coons. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Mr. Coons admits to a violation of §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, and agrees to a monetary penalty of \$550.00 for the violation contained in Count 1, and as well as \$150.00 in Board costs, for a total of \$700.00. In addition, for violation of Count 1, Coons 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 Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2019-03199, Billy R. Coons

In the matter of **File Number 2020-00814, Charles S. Ebbets, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Ebbets. A motion was made by Ms. Davis and seconded by Mr. Moiz to accept the proposed Consent Order offer wherein Mr. Ebbets admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board’s 2015 Regulations, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Ebbets agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and complete at least three (3) classroom hours of Board-approved education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or

File Number 2020-00814, Charles S. Ebbets, Sr.

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reinstatement of license. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

In the matter of **File Number 2020-00670, Todd David Hastings**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hastings. A motion was made by Mr. Moiz and seconded by Ms. Davis to accept the proposed Consent Order offer wherein Mr. Hastings 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 the violation of Count 1, Hastings agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Consent 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 Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

File Number 2020-00670, Todd David Hastings

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

Administrative Issues

A motion was made by Ms. Bower and seconded by Ms. Davis to accept proposal A from the fee increase options presented to the Board and to file the Notice of Intended Regulatory Action (NOIRA) when appropriate. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

A motion was made by Mr. Moiz and seconded by Ms. Davis to adopt the following resolution to honor the years of dedicated service by a former Board Member to the Board:

Resolution

RESOLUTION IN HONOR OF

Steve Hoover

WHEREAS, **Steve Hoover**, has faithfully and diligently served as a member of the Real Estate Board since 2012; and

WHEREAS, **Steve Hoover**, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, **Steve Hoover**, 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 seventeenth day of September, 2020 that he be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Real Estate Board; and

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

The motion passed unanimously. Member voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland, and Pineda.

A motion was made by Mr. Moiz and seconded by Ms. Davis to adopt the following resolution to honor the years of dedicated service by a former Board Member to the Board:

Resolution

RESOLUTION IN HONOR OF

Lynn G. Grimsley

WHEREAS, **Lynn G. Grimsley**, has faithfully and diligently served as a member of the Real Estate Board since 2012; and

WHEREAS, **Lynn G. Grimsley**, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, **Lynn G. Grimsley**, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

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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 seventeenth day of September, 2020 that **Lynn G. Grimsley** 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 motion passed unanimously. Member voting "Yes" were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

A motion was made by Mr. Moiz and seconded by Ms. Davis to adopt the following resolution to honor the years of dedicated service by a former Board Member to the Board:

Resolution

RESOLUTION IN HONOR OF

Libby C. Gatewood

WHEREAS, **Libby C. Gatewood**, has faithfully and diligently served as a member of the Real Estate Board since 2016; and

WHEREAS, **Libby C. Gatewood**, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, **Libby C. Gatewood**, 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

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Board this seventeenth day of September, 2020 that **Libby C. Gatewood** 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 motion passed unanimously. Member voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

The Board reviewed the report from the September 16, 2020, Real Estate Board Education Committee meeting. A motion was made by Ms. Bower and seconded by Ms. Davis to accept the Education Committee meeting report. The motion passed unanimously. Members voting “Yes” were Abbasi, Bower, Davis, Johnson, Moiz, Perry, Piland and Pineda.

Education

There being no further business, the Board adjourned at 11:25 A.M.

Adjourn

Sharon Johnson, Chair

Mary Broz-Vaughan, Secretary

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Real Estate Board
954640**

2020-2022 Biennium

September 2020

	September 2020 Activity	Biennium-to-Date Comparison	
		July 2018 - September 2018	July 2020 - September 2020
Cash/Revenue Balance Brought Forward			0
Revenues	385,806	1,074,045	1,119,510
Cumulative Revenues			1,119,510
Cost Categories:			
Board Expenditures	3,404	67,125	66,192
Board Administration	86,340	321,289	301,810
Administration of Exams	3,804	17,465	13,353
Enforcement	90,380	328,746	311,039
Legal Services	0	4,919	6,951
Information Systems	60,129	226,940	195,926
Facilities and Support Services	35,197	87,385	106,422
Agency Administration	37,664	145,524	130,452
Other / Transfers	0	0	0
Total Expenses	316,918	1,199,393	1,132,146
Transfer To/(From) Cash Reserves	0	0	(81,524)
Ending Cash/Revenue Balance			68,888

Cash Reserve Beginning Balance	2,566,621	0	2,648,145
Change in Cash Reserve	0	0	(81,524)
Cash Reserve Ending Balance	2,566,621	0	2,566,621

Number of Regulants

Current Month	73,407
Previous Biennium-to-Date	72,310