

REAL ESTATE BOARD

TENTATIVE AGENDA

Thursday, May 18, 2023 - 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. February 15, 2023, Real Estate Regulatory Review Committee Meeting
 - B. March 16, 2023, Real Estate Fair Housing Sub-Committee Meeting
 - C. March 16, 2023, Real Estate Board Meeting
 - D. May 2, 2023, Real Estate Regulatory Review Committee Meeting

III. PUBLIC COMMENT PERIOD **

IV. FAIR HOUSING REPORTS

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

V. FAIR HOUSING CASES

1. Deanna Bell v. Christopher and Natasha Tejada, Danielle (LNU) and TWG Enterprises, Inc.
REB File Number: 2023-00410
HUD File Number: 03-22-2001-8
2. Carolyn Robinson v. Lee's Crossing Community Association and Landmarc Real Estate, Inc.
REB File Number: 2020-01820
HUD File Number: 03-20-5698-8
3. Kimberly Newman v. Van Metre Management Company and Van Metre at Southern Walk Apartments, LLP
REB File Number: 2021-00865
HUD File Number: 03-21-7349-8

VI. REAL ESTATE CASES

1. File Number 2023-01364 – Woo Sik Oh
IFF by Jackson-Bailey – Licensing
Appointment – Woo Sik Oh, applicant

2. File Number 2023-01522 –Shani N. Garrett
IFF by Jackson-Bailey – Licensing
3. File Number 2023-01752 – Tonya Marie Martin
IFF by Jackson-Bailey – Licensing
4. File Number 2023-01383 – Mohammad Abdo
IFF by Jackson-Bailey – Licensing
5. File Number 2023-01045 – Carl William Jones, Sr.
IFF by Jackson-Bailey – Licensing
6. File Number 2023-01281 –Sara Louise Cummings
IFF by Jackson-Bailey – Licensing
Appointment – Sara Louise Cummings, applicant
7. File Number 2023-01282 – Sarah Ann Russell
IFF by Jackson-Bailey - Licensing
8. File Number 2023-01637 – Timothy Andrew Litzenburg
IFF by Jackson-Bailey – Licensing
Appointment – Timothy Andrew Litzenburg, applicant
9. File Number 2023-01014 – Jodi Danielle Robinson
IFF by Grimsley – Licensing
10. File Number 2023-01017 – Christian S. Harris
IFF by Grimsley – Licensing
11. File Number 2023-01367 – Tracy D. Healy
IFF by Piland – Licensing
12. File Number 2022-02762 – Simon Judas Dart
IFF by Piland & Funkhouser – Disciplinary
Appointment – Simon Judas Dart, respondent
13. File Number 2022-01993 – Brian Darrell Hall
IFF by Perry & Funkhouser – Disciplinary
14. File Number 2023-00115 – Frank Cava
Pre-IFF Consent Order by Perry – Disciplinary
15. File Number 2022-02436 – Randy Wampler
Pre-IFF Consent Order by Johnson – Disciplinary
16. File Number 2023-01433 – Lisa Garrett
Pre-IFF Consent Order – Disciplinary

17. File Number 2022-02444 – Cynthia Diane Ward
Pre-IFF Consent Order – Disciplinary
18. File Number 2023-01165 – Kacie Erin Jenkins
Pre-IFF Consent Order – Disciplinary
19. File Number 2023-00393 – Ian Di Sesa
Pre-IFF Consent Order – Disciplinary
20. File Number 2023-01504 – Antionette Royal
Pre-IFF Consent Order – Disciplinary
21. File Number 2023-00408 – Diane Steele
Pre-IFF Consent Order – Disciplinary
22. File Number 2023-00276 – Zhenhe Pan
Pre-IFF Consent Order – Disciplinary
23. File Number 2023-00135 – Jimmy Yeh
Pre-IFF Consent Order – Disciplinary
24. File Number 2023-00004 – Jeffrey Leighton
Pre-IFF Consent Order – Disciplinary
25. File Number 2023-00127 – Trevor Moore
Pre-IFF Consent Order – Disciplinary
26. File Number 2023-01008 – Danielle Dickerson
Pre-IFF Consent Order - Disciplinary

VII. ADMINISTRATIVE ISSUES

- Regulatory Review Committee Membership and Meeting Schedule
- Board Financial Statement
- Licensing Report
- Regulatory Report
- Legislative Report

VIII. EDUCATION

- May 17, 2023, Education Committee Report

IX. OLD BUSINESS

X. NEW BUSINESS

- Election Policy
- Board Elections
- Fair Housing Training

XI. ADJOURNMENT

NEXT MEETING SCHEDULED FOR THURSDAY, JULY 13, 2023

** 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.

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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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VIRGINIA REAL ESTATE BOARD
COMMITTEE MEETING

February 15, 2023

The Regulatory Review Committee of the Real Estate Board held a meeting on Wednesday, February 15, 2023, at the Department of Professional and Occupational Regulation, Richmond, Virginia.

The following Members were present for the meeting:

Sharon Johnson
Joseph 'Kemper' Funkhouser, III
Joseph 'Joe' Funkhouser, II
Lawrence 'Lem' Marshall
Boyd Smith
Kit Hale
Nancy 'Nan' Piland
Lynn Grimsley

Members absent from the meeting: Margaret 'Maggie' Davis
Catina Jones
Cavelle Mollineaux

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

Stephen Kirschner, Deputy Director
Emily Trent, Administrator Coordinator

Ms. Johnson called the meeting to order at 10:02 a.m.

The motion was made by Ms. Grimsley and seconded by Mr. Boyd to approve the minutes from the November 17, 2022, Regulatory Review Committee meeting. The motion passed unanimously. Members voting "Yes" were: J. Funkhouser, K. Funkhouser, Grimsley, Hale, Johnson, Marshall, Piland and Smith.

The Regulatory Review Committee reviewed the proposed changes compiled from the previous meetings. The Committee discussed the proposed changes to regulations 18VAC135-20-10 Definitions; 18VAC135-20-20 Necessity for license; 18VAC135-20-30 Qualifications for licensure; 18VAC135-20-40 Additional qualification for brokers; 18VAC135-20-45 Additional qualifications for salesperson's or broker's license as a business entity; 18VAC135-20-50 Concurrent licenses; 18VAC135-20-60 Qualification for licensure by reciprocity; and 18VAC135-20-70 Activation or transfer of license.

There being no further business or public comment, the meeting adjourned at 1:57 p.m.

Ibrahim Moiz, Vice-Chair

Demetrios Melis, Secretary

COPY TESTE:

Custodian of Record

REAL ESTATE BOARD FAIR HOUSING SUB-COMMITTEE MEETING MINUTES

March 16, 2023

On Thursday, March 16, 2023, at 9:50 a.m., the Real Estate Board Fair Housing sub-committee met at the Department of Professional and Occupational Regulation. Board members Margaret "Maggie" Davis and Catina Jones attended on behalf of the Real Estate Board. Lizbeth Hayes, Deanda Shelton, Donnitria Mosby and Angela Keefe-Thomas attended on behalf of the Fair Housing Office.

The meeting was called to order at approximately 9:50 a.m. by Maggie Davis. 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. Davis adjourned the meeting at approximately 9:56 a.m.

Ibrahim Moiz, Vice-Chair

Demetrios J. Melis, Secretary

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REAL ESTATE BOARD
MINUTES OF MEETING

March 16, 2023

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
Margaret Davis
Kemper Funkhouser
Cavelle Mollineaux
David Perry
Nan Piland
Catina Jones

Board members absent from the meeting: Ibrahim Moiz, Vice-Chair
Anna Thronson

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

Demetrios Melis, Director
Tom Payne, Deputy Director
Stephen Kirschner, Deputy Director
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Donnitria Mosby, Fair Housing Investigator
Angela Keefe-Thomas, Fair Housing Investigator
Erin Madden, Regulatory Operations Administrator
Emily Trent, Administrator Coordinator

Elizabeth Peay and Todd Shockley, from the Office of the Attorney General were present.

Ms. Johnson called the meeting to Order at 10:00 A.M.

Call to Order

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

Agenda

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A motion was made by Ms. Davis and seconded by Ms. Piland to adopt the January 19, 2023, Real Estate Fair Housing Sub-Committee Meeting minutes and the January 19, 2023, Real Estate Board Meeting minutes. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

There was no public comment.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load. No action was taken by the Board.

In the matter of **Harold Scheuer and Liga Scheuer v. Jorge Campos, Damian Pacheco, Patrica Feinberg dba Patsy Feinberg and Realty Group of Springfield dba RE MAX 100, REB File 2022-01301**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Matt Cockerham, Supervising Broker, Realty Group of Springfield dba RE MAX 100, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find no reasonable cause the respondents discriminated against the complainants in terms and conditions or refusal to sell based upon source of funds. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **Jaleh Ames v. Accend Ellipse LLC, Drucker & Falk, LLC and Nicole Scheidler, REB File 2023-00030**, 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 Mr. Funkhouser to find no reasonable cause the respondents discriminated against the complainant by otherwise making housing unavailable or discriminating in terms and conditions of rental based upon race. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **Winfred Mills v. Melissa LNU, Lantern Ridge, LC and Weinstein Management Company, Inc., REB File 2023-00044**, 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 Mr. Funkhouser to find no reasonable cause the respondents

Minutes

Public Comment

Fair Housing Report

Harold Scheuer and Liga Scheuer v. Jorge Campos, Damian Pacheco, Patrica Feinberg dba Patsy Feinberg and Realty Group of Springfield dba RE MAX 100, REB File 2022-01301

Jaleh Ames v. Accend Ellipse LLC, Drucker & Falk, LLC and Nicole Scheidler, REB File 2023-00030

Winfred Mills v. Melissa LNU, Lantern Ridge, LC and Weinstein Management Company Company,

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discriminated against the complainant by offering discriminatory terms and conditions or by refusing to provide a reasonable accommodation based upon disability. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

Mr. Sheekley gave the Board a litigation update. No action was taken by the Board.

In the matter of **File Number 2023-01016, Hilda Teresa Parrales**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Ms. Parrales’ application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2023-01043, Devon Rashad Burke**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Devon Rashad Burke, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Burke’s application for a real estate salesperson’s license. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2023-01283, Michelle Renea Wheeler**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to approve Ms. Wheeler’s application for a real estate broker’s license. The motion passed unanimously. Members voting “Yes”

Inc., REB File 2023-00044

Fair Housing – Litigation Report

File Number 2023-01016, Hilda Teresa Parrales

File Number 2023-01043, Devon Rashad Burke

File Number 2023-01283, Michelle Renea Wheeler

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were Davis, Funkhouser, Johnson, Jones, Mollineaux and Piland.

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

In the matter of **File Number 2022-01648, Diondra Gray**, the Board reviewed the record which consisted of the investigative file transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find a violation of 18 VAC 135-20-260.12 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones and Piland.

File Number 2022-01648, Diondra Gray

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$2,500.00 for the violation contained in Count 1, for a total of \$2,500.00. In addition, for violation of Count 1, license revocation is imposed. In addition, for the violation of Count 1, Gray's license shall be placed on probation for a period of three (3) months and required to complete three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct and six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing. Such course(s) shall be completed in a classroom. Further, Gray shall provide evidence acceptable to the Board that Gray successfully completed the course(s) within three (3) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones and Piland.

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

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

In the matter of **File Number 2023-00116, Raven Katherine Docia Sickal t/a Raven Sickal**, the Board reviewed the Consent Order as seen and agreed to by Ms. Sickal. A motion

File Number 2023-00116, Raven Katherine Docia

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was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Sickal 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. It is acknowledged that, following the showing, no purchase offer was presented to the Listing Agent by Sickal, and on May 22, 2022, an Exclusive Right to Represent Buyer Agreement was executed. Therefore, the Board shall waive imposition of \$250.00 of the monetary penalty for Count 1. Additionally, Sickal agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Agency Law within sixty (60) days of the effective date of the Order. The course(s) must be completed in the classroom. Furthermore, it is acknowledged that satisfactory completion of the above referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux and Piland.

Sickal t/a Raven
Sickal

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

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

Transfer of Chair

In the matter of **File Number 2022-02104, Lilibeth Samin Racelis**, 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. Lilibeth Samin Racelis, respondent, was present and addressed the Board. A motion was made by Mr. Funkhouser and seconded by Mr. Perry to accept the recommendation to find no violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations, and no violation of §54.1-2132.A.4 (Count 2) of the *Code of Virginia* and close the file. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Jones, Mollineaux and Perry.

File Number 2022-
02104, Lilibeth
Samin Racelis

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

Ms. Johnson returned and assumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2022-02105, Anna Lea Jenkins**, the Board reviewed the record which consisted of 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 written statement from Ms. Jenkins, respondent, was presented and read by the Board. A motion was made by Ms. Davis and seconded by Mr. Perry to find a violation §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-300.9 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Jones, Mollineaux and Perry.

File Number 2022-02105, Anna Lea Jenkins

A motion was made by Ms. Davis and seconded by Mr. Mollineaux 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 1, and \$1,050.00 for the violation contained in Count 2, for a total of \$1,350.00. The Board also imposes the following sanctions: For violations of Counts 1 and 2, Jenkins' license shall be placed on probation for a period of six (6) months and shall complete three (3) classroom hours of Board-approved Post-License education related to Agency Law, and three (3) classroom hours of Board-approved Post-License education pertaining to Risk Management. Such courses shall be completed in a classroom. Further, Jenkins shall provide evidence acceptable to the Board that Jenkins successfully completed the course within six (6) months of the effective date of the Board's Order. The above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Jones, Mollineaux and Perry.

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

In the matter of **File Number 2022-02025, Gretchen Michelle Sherrill**, the Board reviewed the record which consisted of the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the

File Number 2022-02025, Gretchen Michelle Sherrill

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Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Mr. Mollineaux to find a violation §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-310.2 (Count 3) of the Board's 2015 Regulations, and to find no violation of §54.1-2132.A.4 (Count 2) of the *Code of Virginia* and close that aspect of the file. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux and Perry.

A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,000.00 for the violation contained in Count 1, and \$750.00 for the violation contained in Count 3, for a total of \$1,750.00. The Board also imposes the following sanctions: For violation of Counts 1 and 3, Sherrill's license is placed on probation for a period of six (6) months and shall complete the following Board-approved Post-License education courses:

- Six (6) classroom hours pertaining to Real Estate Law and Regulations;
- Three (3) classroom hours pertaining to Ethics and Standards of Conduct;
- Two (2) classroom hours pertaining to Current Industry Issues and Trends;
- Three (3) classroom hours pertaining to Agency Law;
- Six (6) classroom hours pertaining to Contract Writing;
- Three (3) classroom hours pertaining to Risk Management; and
- Three (3) classroom hours pertaining to Escrow Requirements;

Further, Sherrill shall provide evidence acceptable to the Board that Sherrill successfully completed the courses within six (6) months of the effective date of the Order. The above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux and Perry.

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

In the matter of **File Number 2022-02376, Stacy Samuel Scott Johnson**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2131.A.2.d (Count 2) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

File Number 2022-02376, Stacy Samuel Scott Johnson

A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$600.00 for the violation contained in Count 1, and \$1,000.00 for the violation contained in Count 2, for a total of \$1,600.00. In addition, for violations of Count 1 and 2, Johnson's license shall be placed on probation for a period of six (6) months and required to complete six (6) classroom hours of Board-approved continuing education pertaining to Contract Writing. Such course(s) shall be completed in a classroom. Further, Johnson shall provide evidence acceptable to the Board that Johnson successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2022-02213, Charles Raymond Fobes**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to find a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2015 Regulations, and two violations of §54.1-2135.A.1 (Count 2) of the *Code of Virginia*. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

File Number 2022-02213, Charles Raymond Fobes

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following

Official Board position.

sanctions: A monetary penalty of \$600.00 for the violation contained in Count 1, and \$800.00 for each violation contained in Count 2, for a total of \$2,200.00. In addition, for violations of Counts 1 and 2, Fobes' license shall be placed on probation for a period of six (6) months. For violation of Count 1, Fobes shall complete six (6) hours of Board-approved Post-License education pertaining to Contract Writing; For violations of Count 2, Fobes shall complete two (2) classroom hours of Board-approved Post-License education pertaining to Property Management. Such course(s) shall be completed in a classroom. Further, Fobes shall provide evidence acceptable to the Board that Fobes successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2023-00255, Robert Duke Lawrence, t/a Bobby Lawrence**, the Board reviewed the Consent Order as seen and agreed to by Mr. Lawrence. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Lawrence admits to a violation of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2021 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, Lawrence agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

File Number 2023-00255, Robert Duke Lawrence, t/a Bobby Lawrence

In the matter of **File Number 2022-02053, Frederick Jamel Culbreath, t/a Fred Culbreath**, the Board reviewed the Consent Order as seen and agreed to by Mr. Culbreath. A motion was made by Ms. Davis and seconded by Mr.

File Number 2022-02053, Frederick Jamel Culbreath, t/a Fred Culbreath

Funkhouser to accept the proposed Consent Order offer wherein Culbreath 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 \$1,650.00 for each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,800.00. In addition, Culbreath agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2022-02321, Munineeraja Jadapalli**, the Board reviewed the Consent Order as seen and agreed to by Mr. Jadapalli. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Jadapalli admits to a violation of 18 VAC 135-20-260.11.1 (Count 1) of the Board's 2021 Regulations, and agrees a monetary penalty of \$1,400.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$1,550.00. In addition, Jadapalli agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2022-02455, Paul Michael Dimaio**, the Board reviewed the Consent Order as seen and agreed to by Mr. Dimaio. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the proposed Consent Order offer wherein Dimaio admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 2015 Regulations and agrees a

File Number 2022-02321, Munineeraja Jadapalli

File Number 2022-02455, Paul Michael Dimaio

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monetary penalty of \$600.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$750.00. In addition, Dimaio agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2022-02487, Rachael Beasley**, the Board reviewed the Consent Order as seen and agreed to by Ms. Beasley. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Beasley admits to a violation of §54.1-2132.A.4 (Count 1) of the *Code of Virginia*, and agrees a monetary penalty of \$500.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$650.00. In addition, Beasley agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Escrow Requirements and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

File Number 2022-02487, Rachael Beasley

In the matter of **File Number 2023-00280, Robert Wayne McCarty, Jr., t/a Robbie McCarty**, the Board reviewed the Consent Order as seen and agreed to by Mr. McCarty. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein McCarty admits to a violation of 18 VAC 135-20-210 (Count 1) of the Board's 2015 Regulations and agrees a monetary penalty of \$600.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$750.00. In addition, McCarty agrees to complete at least six (6) classroom hours of Board-approved

File Number 2023-00280, Robert Wayne McCarty, Jr., t/a Robbie McCarty

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Post-License education pertaining to Contract Writing and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

In the matter of **File Number 2023-00456, Jonnie Kay Mellen**, the Board reviewed the Consent Order as seen and agreed to by Ms. Mellen. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to accept the proposed Consent Order offer wherein Mellen admits to a violation of 18 VAC 135-20-300.9 (Count 1) of the Board's 2015 Regulations and agrees a monetary penalty of \$500.00 for the violation contained in Count 1, and \$150.00 in Board costs, for a total of \$650.00. In addition, Mellen agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Agency Law and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced Post-License education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

File Number 2023-00456, Jonnie Kay Mellen

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

Administrative Issues

A regulatory report was given by Mr. Kirschner which addressed a proposed fee adjustment. No action was taken by the Board.

Mr. Kirschner gave a legislative report. No action was taken by the Board.

Ms. Piland provided a report from the March 15, 2023, Real Estate Education Committee meeting. A motion was made by Ms. Davis and seconded by Mr. Perry to adopt the March 15, 2023, Real Estate Regulatory Review Committee Meeting

Education

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minutes. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

Mr. Kirschner presented the Universal License Recognition Emergency Regulation to the Board. The Board and staff discussed and revised the proposed regulation. A motion was made by Ms. Davis and seconded by Mr. Funkhouser to adopt the amended Universal License Recognition Emergency Regulation. The motion passed unanimously. Members voting “Yes” were Davis, Funkhouser, Johnson, Jones, Mollineaux, Perry and Piland.

New Business

There being no further business, the Board adjourned at 11:24 A.M.

Adjourn

Ibrahim Moiz, Vice-Chair

Demetrios J. Melis, Secretary

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VIRGINIA REAL ESTATE BOARD
COMMITTEE MEETING

May 2, 2023

The Regulatory Review Committee of the Real Estate Board held a meeting on Tuesday, May 2, 2023, at the Department of Professional and Occupational Regulation, Richmond, Virginia.

The following Members were present for the meeting:

Sharon Johnson, Chair
Nan Piland
Cavelle Mollineaux
Catina Jones
Joseph 'Joe' Funkhouser, II
Lawrence 'Lem' Marshall
Boyd Smith
Lynn Grimsley
Candice Bower
Erin Kormann

Members absent from the meeting: Joseph 'Kemper' Funkhouser, III
Kit Hale
Margaret 'Maggie' Davis

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

Stephen Kirschner, Deputy Director
Joseph Haughwout, Regulatory Affairs Manager
Erin Madden, Regulatory Operations Administrator
Emily Trent, Administrator Coordinator

Ms. Johnson called the meeting to order at 9:10 a.m.

Mr. Kirschner introduced Erin Madden, Regulatory Operations Administrator, and Joseph Haughwout, Regulatory Affairs Manager.

A motion was made by Ms. Piland and seconded by Mr. Mollineaux to approve the minutes from the February 15, 2023, Regulatory Review Committee meeting. The motion passed unanimously. Members voting "Yes" were: Bower, J. Funkhouser, Grimsley, Johnson, Jones, Kormann, Marshall, Mollineaux, Piland and Smith.

The Regulatory Review Committee reviewed the proposed changes compiled from the previous meetings. The Committee discussed the proposed changes to regulations 18VAC135-20-20 Necessity for license; 18VAC135-20-30

Qualifications for licensure, 18VAC135-20-50 Concurrent licenses; 18VAC135-20-60 Qualifications for licensure by reciprocity; 18VAC135-20-101 Qualification for renewal; continuing education requirements and 18VAC135-20-250 Response to inquiry of the board.

There being no further business or public comment, the meeting adjourned at 1:00 p.m.

Ibrahim Moiz, Vice-Chair

Demetrios Melis, Secretary

COPY TESTE:

Custodian of Record

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

**Real Estate Board
954640**

2022-2024 Biennium

March 2023

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	March 2023 Activity	Biennium-to-Date Comparison	
		July 2020 - March 2021	July 2022 - March 2023
Cash/Revenue Balance Brought Forward			0
Revenues	474,780	3,315,301	3,494,967
Cumulative Revenues			3,494,967
Cost Categories:			
Board Expenditures	34,130	200,854	252,929
Board Administration	145,257	809,061	952,980
Administration of Exams	5,837	35,961	70,406
Enforcement	134,515	838,438	936,617
Legal Services	10,009	20,903	40,086
Information Systems	67,150	569,327	521,941
Facilities and Support Services	40,230	302,737	310,365
Agency Administration	101,295	374,942	641,674
Other / Transfers	0	0	(984)
Total Expenses	538,423	3,152,224	3,726,014
Transfer To/(From) Cash Reserves	0	0	(262,118)
Ending Cash/Revenue Balance			31,071

Cash Reserve Beginning Balance	1,694,193	0	1,956,311
Change in Cash Reserve	0	0	(262,118)
Cash Reserve Ending Balance	1,694,193	0	1,694,193