



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
November 20, 2002
Meeting**

Florida's Future...
**Right Here.
Right Now.**

Jeb Bush
Governor

Kim Binkley-Seyer
Secretary

Division of Real Estate

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Chairman Matey Veissi, called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida.

The Chair introduced the Commissioners and their legal counsel. The following Commission members were in attendance: Matey H. Veissi, Chairman, Carlos Valdes, Vice-Chairman, Tina Richardson, Poul Hornsleth, Noel McDonnell and Guy Sanchez, Jr. The Chair declared a quorum present. Daniel Villazon appeared as counsel for the Commission.

At the Chair's request, Director Buddy Johnson presented the Division of Real Estate staff: Buddy Johnson, Director; Nancy Campiglia, Chief Attorney; Kathleen Koeberich, Bureau Chief of Enforcement; Chris DeCosta, James Harwood, Stacy Robinson Pierce, and Joseph Solla, Prosecutors; Fred Clanton, Investigative Supervisors; JoEllen Peacock, Education Coordinator, Jeannie Adkinson, Regulatory Specialist II; and Jocelyn Pomales, Regulatory Specialist I. Also present was Mr. Jay Culley, DBPR, Business Manager. American Court Reporting Service (407/324-4290) provided court reporter services.

Commission Business

The Commission deferred the Fee Review and remarks of DBPR Business Director Jay Culley, until after the Summary of Applicants.

Bureau of Licensing

The Commission considered the Summary of Applicants Consent Agendas, at approximately 8:30 a.m., requiring one appearance from Consent Agenda #1, and five from Consent Agenda #2, otherwise unanimously approving the applicants on the respective consent agendas. Jeannie Adkinson, Regulatory Specialist II, presented the Summary of Applicants requesting to sit for the real estate examination. The Commission's orders on these matters are attached hereto and made a part of these minutes.

Commission Business continued

Director Johnson requested the Commission ratify the reinstatement of Jeanne Tompkins and Willie Bryant, who have met the requirements for reinstatement. The Commission ratified the action by general consent. Next, Director Johnson advised that an application, renewal, etc. is effective on the date the Department receives it in Tallahassee.

Mr. Jay Culley, Business Manager for the Department of Business and Professional Regulation, addressed the Commission and answered numerous questions regarding the Real Estate Recovery Fund, the Education and Research Foundation, and Unlicensed Activity funds. Having provided packets, Business Manager Culley reviewed the Department's Budget with the Commission. The handouts are attached to the permanent minutes of this meeting.

Next, Mr. James Varnado, Director of Compliance, addressed the Commission relating to unlicensed activity. Upon Commissioner McDonell's motion, and Commissioner Valdes' second, the Commission voted, unanimously, to recommend that the DRE adopt the Division of Compliance's template for prosecuting unlicensed activity.

Director Johnson and Business Manager Culley recommended the Commission approve a 25% reduction on renewal fees. Commissioner Richardson moved the recommendation; Commissioner McDonell seconded the motion; which carried three to two, with Commissioners Sanchez and Valdes voting no; Commissioner Hornsleth was not in the room.

Attorney Villazon presented correspondence from: Shane B. Vogt, Jane Bretens, David S. Fisher. Further, he recommended that the Commission withdraw Rules 61J2-3.008; .009; and .020, which it had slated for workshop and recommended that it appoint a task force to propose the language of the rules. Commissioner Sanchez voted to cancel the day's rule workshop; Commissioner McDonell seconded the motion, which carried unanimously. Next, the Chair appointed Commissioner Sanchez to preside at the task force. In addition, she invited all education providers to participate in the task force.

Legal Matters

At approximately 1:30 p.m., the Commission took up the Legal Agenda, consisting of 29 items. It heard 21 items, continued 5 and withdrew 3. The Commission's decisions on these matters are attached to the official minutes.

Upon recommendation of the Legal Section, the Commission unanimously issued 182 Escrow Disbursement Orders (EDO) and 24 Orders of denial. A list of the Orders is attached to the official minutes. The Commission considered 4 requests for disbursement from the Recovery Fund; the Commission's decisions on these matters are attached to the official minutes.

There being no further business and no objection, the Chair adjourned the meeting at 6:25 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for December 18, 2002, in Orlando, Florida.

Matey Veissi
Chairman

Buddy Johnson
Division Director

Respectfully submitted:

Nancy Campiglia, Chief Attorney, DRE