



**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
September 16 and 17, 2003  
Meeting**

Chairman Matey Veissi called the meeting of the Florida Real Estate Commission to order, at approximately 1:05 p.m., at the Division of Real Estate Headquarters, Orlando, Florida, on this 16<sup>th</sup> day of September, 2003.

The Chair introduced the members of the Commission and its legal counsel. The following Commission members were in attendance: Matey H. Veissi, Chairman; Carlos Valdes, Vice-Chairman, Poul Hornsleth, Guy Sanchez, Jr. and Nancy B. Hogan. Commissioner Noel McDonell was absent. The Chair declared a quorum present. Daniel Villazon appeared as counsel for the Commission.

Division of Real Estate staff present at the meeting: Jason Steele, Director; Keith Chapman, Deputy Director; Kathleen Koeberich, Bureau Chief; Chris DeCosta, Sven Smith and Jason W. Holtz, Prosecutors; Lori Crawford, Regulatory Supervisor/Consultant; Jeannie Adkinson, Regulatory Specialist II; Maxine Carter; Regulatory Specialist I. American Court Reporting Service (407-324-4290) provided court reporter services.

**Commission Business**

**Approval of the Minutes**

The Commission unanimously approved the minutes of the August 19 and 20, 2003, meeting, as written.

**Summary of Applicants-Bureau of Licensing**

The Commission considered the Summary of Applicants Consent Agenda, at approximately 1:10 p.m., September 16, 2003, requiring 16 applicants from the Consent Agenda to appear before it. 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.

**Unfinished Business**

Chairman Veissi presented a Resolution for Phillip A. Thomas (deceased). The Commission unanimously approved the Resolution.

Chairman Veissi presented a Resolution in support of the United States Military Troops. The Commission unanimously approved the Resolution.

Vice-Chair Carlos Valdes presented an overview of guidelines and instructions he and several other participants of the Education and Research Foundation Committee recommended for instituting the educational scholarship program. Vice-Chair Valdes recommended that the individual who selects the student not be involved in the real estate industry. Upon conclusion of the Commission's discussions, Commissioner Hornsleth moved to support the Educational Scholarship Program and requested that the Department work on a process to implement the program. Commissioner Sanchez seconded it. Motion carried unanimously.

The Chair recessed the meeting at approximately 5:45 p.m., September 17, 2003.

Chairman Matey Veissi reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:35 a.m., at the Division of Real Estate Headquarters, Orlando, Florida, on this 17<sup>th</sup> day of September, 2003.

The following Commission members were in attendance: Matey H. Veissi, Chairman; Carlos Valdes, Vice-Chairman, Poul Hornsleth, Nancy B. Hogan, Noel McDonell and Guy Sanchez, Jr. The Chair declared a quorum present. Daniel Villazon appeared as counsel for the Commission.

Division of Real Estate staff present at the meeting: Jason Steele, Director; Keith Chapman, Deputy Director; Juana C. Watkins, Chief Attorney; Kathleen Koeberich, Bureau Chief, JoEllen Peacock, Education Coordinator; Chris DeCosta, James Harwood, Sven Smith and Joseph Solla, Prosecutors; David Guerdan, Investigator Supervisor; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting Service (407-324-4290) provided court reporter services.

Chairman Matey Veissi directed James Mitchell to present the Petition for the Rule Variance under Rule 61J2-3.013, *Fla. Admin. Code* on behalf of Lori Pheasant, Petitioner. The Commission stated that Ms. Pheasant qualifies for a 6-month extension under physical hardship and that a variance is not required. Vice-Chair Valdes moved to deny the rule variance. Commission McDonell seconded. Motion carried unanimously.

### **Legal Matters**

At approximately 10:30 a.m., the Commission took up the Legal Agenda, consisting of 62 items. It heard 43 items, withdrew 2 and continued 17. The Commission's decisions on these matters are attached to the official minutes.

Upon recommendation of the Legal Section, the Commission unanimously issued 155 Escrow Disbursement Orders (EDO) and 3 orders of denial. A list of the Orders is attached to the official minutes.

**New Business**

FREC Counsel presented the following rules for a rule development workshop:

61J2-1.011	61J2-10.022
61J2-2.029	61J2-10.029
61J2-2.032	61J2-14.009
61J2-3.011	61J2-14.010
61J2-3.012	61J2-14.011
61J2-4.007	61J2-14.012
61J2-4.010	61J2-17.009
61J2-5.018	61J2-24.001
61J2-5.019	61J2-24.002
61J2-5.020	61J2-24.003
61J2-6.006	61J2-24.005

The Commission unanimously approved the above-referenced rules for rulemaking.

Chairman Veissi presented three Education and Research Foundation proposals to the Commissioners.

- ◆ “Florida Real Estate Brokerage Relationships and Agency: Explained” – submitted by Professor Glenn Boggs.
- ◆ An Examination of Florida’s Major Metropolitan Markets for house Price “Bubbles” – submitted by Dean H. Gatzlaff, Ph.D. and David C. Ling, Ph.D.
- ◆ Changing Housing Patterns: Valuing the New Urbanism – submitted by Professor G. Stacy Sirmans and Professors David A. Macpherson

Commissioner Hogan moved to reject the funding for the education research proposals, Commissioner Sanchez seconded the motion. Motion carried unanimously.

FREC Counsel Daniel Villazon stated that with the Commission’s permission, he would respond to John J. Gallagher’s correspondence and refer him to the appropriate statutes, rules or information.

Director Steele informed the Commission that the Department approved Chairman Matey Veissi and Chief Attorney Juana Watkins to attend the ARELLO conference in Oregon scheduled for October 25-28, 2003.

Director Steele requested the Commission ratify the reinstatement of Ivan Caro, Bruce Dewald and Mark F. Threnhauser, who have met the requirements for reinstatement. The Commission ratified the action unanimously.

Director Steele gave a brief report regarding various issues effecting the Division.

Next, Chairman Veissi stated that she wanted to address the testing issues, specifically the pass/fail rate. Chairman Veissi stated that the numbers reflect that more real estate applicants are failing than are passing. Director Steele stated that the Bureau of Education and Testing has scheduled a meeting to review the real estate examination questions.

Last, Chairman Veissi asked that the Commissioners offer nominations for Chair and Vice-Chair of the Commission. Commissioner Hogan nominated Carlos Valdes as Chairman of the Real Estate Commission. Commissioner Sanchez seconded. Motion carried unanimously.

Commissioner Hogan nominated Guy Sanchez as Vice-Chairman of the Real Estate Commission. Vice-Chair Valdes seconded. Motion carried 5 to 1.

There being no further business and no objection, the Chair adjourned the meeting at approximately 6:00 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for October 14 and 15, 2003, at Division Headquarters in Orlando, Florida.

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Matey Veissi  
Chairman

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Jason Steele  
Division Director

Respectfully submitted:

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Lori Crawford  
Deputy Clerk