



**Minutes of  
THE FLORIDA REAL ESTATE COMMISSION  
June 14 and 15, 2005  
Meeting**

Chairman Guy P. Sanchez called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., at Orlando, Florida, on this 14<sup>th</sup> day of June, 2005.

The Chairman introduced the members of the Commission and its legal counsel. The following Commission members were in attendance: Chairman Guy P. Sanchez; Vice-Chairman Nancy B. Hogan, Matey H. Veissi, Bob Beals, S. W. Ellis, Poul Hornsleth and James D. Varnado. The Chairman declared a quorum present. Ms. Barbara R. Edwards appeared as counsel for the Commission.

Department and Division staff present at the meeting: Andy Edwards, Deputy Secretary; Elizabeth P. Vieira, Director; Sharon Thayer, Deputy Director; Bennett M. Miller, Chief Attorney; Kathleen Koeberich, Bureau Chief; James P. Harwood, Alpheus C. Parsons and Alfonso Santana Prosecutors; David Guerdan and Fred Clanton, Investigator Supervisors; Fred Seli, OPS Supervisor for Unlicensed Activity; Lori Crawford, Regulatory Supervisor/Consultant; Jeanne Adkinson, Regulatory Specialist III; Laurie A. Roessler-Solis, Regulatory Specialist II; Jan Dodd, Regulatory Specialist II; and American Court Reporting, Inc. (407-896-1813) provided court reporter services.

**Approval of the Minutes**

The Commission unanimously approved the Minutes of the May 17 and 18, 2005, General meeting, as written.

**Legal Matters**

At approximately 8:35 a.m., the Commission took up the Legal Agenda, consisting of 27 items. The Commission heard 20 items, withdrew 3 and continued 4. The Commission's decisions on these matters are attached to the official minutes maintained at the Division of Real Estate headquarters.

**Commission Discussion**

Commissioners expressed their concerns regarding the extensive waiting period when calling the Tallahassee Call Center. The Commissioners also referred to problems with the fax line, the Department's website not being up to date, and issues with Promissor.

Deputy Secretary Edwards replied that several of the issues have been corrected; other issues are in the process of being resolved through technological improvements and further stated that any other outstanding issues would be investigated.

Vice-Chairman Hogan inquired about the implementation of a toll-free number for unlicensed activity, and she stated that the unlicensed activity fees paid by the licensees each year should be more than adequate to cover implementation costs. Deputy Secretary Edwards stated that it is not an issue of financing, but an issue of the Department implementing the Governor's initiative of centralizing operations so that an individual has just one number to call to get the assistance they need.

### **Summary of Applicants**

At approximately 1:50 p.m. Jeannie Adkinson, Regulatory Specialist III, 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 part of these minutes.

### **Escrow Disbursement Orders**

Upon recommendation of the Legal Section, the Commission unanimously issued 167 Escrow Disbursement Orders and 7 Orders. A list of the Orders is attached to the official minutes. Chairman Sanchez, Vice-Chairman Hogan, and Commissioner Ellis had various questions regarding escrow dispute procedures. Mr. Solla clarified procedures for the Commission.

### **Consent Agenda**

The Commission considered the Summary of Applicants Consent agenda, requiring 27 applicants from the Consent agenda to appear before it.

### **Commission Business**

#### **Division Follow-Up**

#### **Unlicensed Activity Monthly Report**

OPS Supervisor, Fred Seli, presented the monthly report regarding unlicensed activity. Mr. Seli addressed several questions regarding the report, including, the issuance of citations and the procedures for prosecuting individuals who do not pay the citations.

Bureau Chief of Enforcement, Kathleen Koeberich, provided a brief update regarding the unlicensed activity advertisements. Ms. Koeberich reported that the

contracts are ready to go and the first advertisements are expected to run in the near future.

### Report regarding Real Estate Scholarship Disbursements

Director Vieira provided a final report regarding scholarship disbursement. Commissioners agreed that this matter should go to bidding to continue the program during the next fiscal year.

### New Business

#### Future FREC Meetings

Commissioners and the Department discussed whether the meetings should continue schedule 2-day meetings from 8:30 a.m. to 5:00 p.m. or if changes need to be made. Director Vieira requested to continue scheduling applicants for Tuesday afternoon and all day Wednesday for the next few months. The Commission agreed to continue this discussion until tomorrow.

Commissioners discussed whether attendees should be required to stay throughout the entire meeting, even if it extends after 5:00 p.m. Commissioner Varnado moved, subject to review by the Chief Attorney of the Division of Real Estate, that the licensee attending the FREC proceedings to comply with disciplinary sanctions of the Commission stay for the entire meeting until adjournment. Commissioner Hornsleth seconded the motion. The motion carried five to two.

#### Ratification of Suspended Licenses

Division Director Elizabeth P. Vieira requested that the Commission ratify the reinstatement of real estate licenses of Sandra Mayes, Robert J. Pitocchelli, Jr., and Alex Zangen.

The Chairman recessed the meeting at approximately 5:45 p.m., June 14, 2005.

### June 15, 2005

Chairman Guy P. Sanchez, Jr. reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:45 a.m., at Orlando, Florida, on this 15<sup>th</sup> day of June, 2005.

The following Commission members were in attendance: Chairman Guy P. Sanchez, Jr.; Vice-Chairman Nancy B. Hogan; Matey H. Veissi, Bob Beals; S. W. Ellis; James D. Varnado and Poul Hornsleth. The Chairman declared a quorum present. Ms. Barbara R. Edwards appeared as counsel for the Commission.

Department and Division staff present at the meeting: Andy Edwards, Deputy Secretary; Elizabeth P. Vieira, Director; Sharon Thayer, Deputy Director; Bennett M. Miller, Chief Attorney; Lori Crawford, Regulatory Supervisor/Consultant; Jeannie Adkinson, Regulatory Specialist III; Jan Dodd, Regulatory Specialist II; Laurie A. Roessler-Solis, Regulatory Specialist II. American Court Reporting (407-896-1813) provided court reporter services.

### **Summary of Applicants**

At approximately 8:50 a.m. Jeannie Adkinson, Regulatory Specialist III, 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 part of these minutes.

Upon conclusion of the Summary of Applicant agenda, Ms. Adkinson asked whether a licensed sales associate applying for a broker license and who disclosed the same charges as sales associate application could fill out a notarized document stating that they have not had any new convictions, or would the Commission require the applicant to appear before it. The Commissioners stated that applying for a broker license is a different issue and agreed that the individual would need to come before the Commission.

### **Chairman's Remarks**

Commissioners readdressed the issues continued from yesterday.

Director Vieira requested to continue the discussion of Commissioners providing their input into future budget discussions and suggested appointing a Budget Committee to review revenue and expense projections for the 2006-2007 Fiscal Year. Chairman Sanchez appointed Commissioners James D. Varnado and S.W. Ellis. Commissioner Ellis stated that she would like to receive some direction from the other Commissioners as to the issues. Commissioner Hogan stated that she felt very strongly that the licensing records be updated timely and suggested possibly hiring college students to process applications for status changes. Commissioner Veissi suggested that the Committee look into the possibility of scheduling a fee holiday as an alternative to hiring additional employees.

### **Summary of Applicants Scheduling Continued**

Commissioners continued the discussion of scheduling more applicants for future meetings. The Commission directed Ms. Adkinson to schedule up to 50 applicants on Tuesday and 10 to 15 additional applicants on Wednesday for the months of July and August.

**Adjournment**

There being no further business and no objection, the Chairman adjourned the meeting at approximately 5:10 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for July 19 and 20, 2005, at the Division Headquarters in Orlando, Florida.

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Guy P. Sanchez, Jr.  
Chairman

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Elizabeth P. Vieira  
Director, Division of Real Estate

Respectfully submitted,

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Laurie A. Roessler-Solis

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Lori Crawford, Deputy Clerk