



**Minutes of
THE FLORIDA REAL ESTATE COMMISSION
August 15 and 16, 2006
Meeting**

Chairman Nancy B. Hogan called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., at Orlando, Florida, on this 15th day of August, 2006.

The Chairman introduced the members of the Commission and its legal counsel. The following Commission members were in attendance: Chairman Nancy B. Hogan, Vice-Chairman S. W. Ellis, Matey Veissi, Poul Hornsleth, Bob Beals and James Varnado. The Vice-Chairman declared a quorum present. Tom Barnhart, Assistant Attorney General, appeared as counsel for the Commission.

Department and Division staff present at the meeting: Simone Marstiller, Secretary; James Blount, Chief of Staff; Dennis J. Yecke, Deputy Secretary for Professional Regulation; James P. Harwood, Chief Attorney; Sorin Ardelean, Liz Hickman, Chris Lindamood, Shiv Persaud and Joseph Solla, Senior Attorneys; Kathleen Koeberich, Bureau Chief of Enforcement; Fred Seli, OPS Supervisor for Unlicensed Activity; JoEllen Peacock, Education Coordinator; Lori Crawford, Regulatory Supervisor/Consultant; Jocelyn Pomales, Regulatory Specialist II. American Court Reporting, Inc. (407-896-1813) provided court reporter services.

Deputy Secretary Yecke addressed the Commission informing that Director Murphy will be away on an extended leave.

Approval of the Minutes

The Commission unanimously approved the Minutes of the July 18 and 19, 2006, General Meeting, as written.

Secretary Marstiller

Secretary Marstiller provided a brief report of various department initiatives, which include; restructuring the call center, document imaging processing and a periodic newsflash from her via email informing board members of various improvements, which the Commission should have recently received. Secretary Marstiller addressed comments and questions from the Commission. The Commission thanked Secretary Marstiller for her report.

Legal Docket

At approximately 8:45 a.m., the Commission addressed the Legal Agenda, consisting of 31 docket items. The Commission considered 25 docket items. The Commission approved the continuance of six docket items. The Commission's decisions on these matters are attached to the official minutes maintained at the Division of Real Estate headquarters.

Escrow Disbursement Orders

Senior Attorney Solla addressed questions from the Commission. Upon recommendation of the Legal Section, the Commission unanimously issued 131 Escrow Disbursement Orders and 6 Orders. A list of the Orders is attached to the official minutes.

JAPC Objections

Rule 61J2-3.010 – The Commission tabled this for discussion at the Rule Review Workshop scheduled for 2:00 p.m.

Other Matters

Chairman Hogan stated that it is her understanding that Promissor only administers one Spanish language real estate test. Ms. Peacock stated she would have to defer to the Bureau of Education and Testing (BET). Commissioner Veissi requested that a representative from BET attend the next meeting to address several questions the Commission has relating to education and Promissor.

Chairman Hogan reported that the Adam Walsh bill passed relating to sexual predators and requested that FREC Counsel, Tom Barnhart, research this to determine whether this affects real estate licensees or applicants in the State of Florida.

Unlicensed Activity Report

OPS Supervisor for Unlicensed Activity, Fred Seli presented the monthly report regarding unlicensed activity. Ms. Kathleen Koeberich provided a report for Enforcement. Ms. Koeberich further reported that the budget increase is in effect for the 2006/2007 fiscal year, and these funds have not been utilized to date. Ms. Koeberich stated there are plans for new advertisement campaigns and the Division is looking into continuing some of the magazine ads.

Chairman Hogan stated that the cases are referred to the State Attorney's Office and that it appears they are being filed away. She inquired whether the Commission could promote more response from the State Attorney's Office. Mr. Seli reported there have been two arrests for unlicensed activity. Department and DRE staff addressed additional questions from the Commission.

Courses Recommended for Denial

JoEllen Peacock presented two courses the Bureau of Education and Testing (BET) recommended for denial. Commissioner Hornsleth moved to accept BET's recommendations of denial of the continuing education courses submitted by CLE International, entitled "Eminent Domain" and Indian River Community College, entitled "Spanish in the Workplace for Real Estate." Commissioner Veissi seconded the motion. The motion carried unanimously.

Ratification of Suspended Licenses

Deputy Secretary Yecke requested that the Commission ratify the reinstatement of real estate licenses of Carl Edward Flack and Lisbet (Palau) Garcia, who have met the requirements for reinstatement. The Commission ratified the actions unanimously.

Public Comments

The Commission addressed an inquiry from the audience relating to mortgage fraud.

Consent Agenda

The Commission considered 142 applicants from the Summary of Applicants Consent Agenda, requiring 18 applicants from the Consent Agenda to appear at a future meeting.

The Chair recessed the meeting at approximately 2:30 p.m., August 16, 2006.

August 16, 2006

Chairman Nancy Hogan reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., at Orlando, Florida, on this 16th day of August, 2006.

The following Commission members were in attendance: Chairman Nancy B. Hogan, Vice-Chairman S. W. Ellis, Matey Veissi, Poul Hornsleth, Bob Beals and James Varnado. The Vice-Chairman declared a quorum present. Mr. Tom Barnhart, Assistant Attorney General, appeared as counsel for the Commission.

Department and Division staff present at the meeting: Dennis J. Yecke, Deputy Secretary; James P. Harwood, Chief Attorney; Sorin Ardelean, Chris Lindamood, Senior Attorneys; Kathleen Koeberich, Bureau Chief of Enforcement; Jeannie Adkinson, Regulatory Specialist III; Jan Dodd, Regulatory Specialist II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting (407-896-1813) provided court reporter services.

Summary of Applicants

At approximately 8:40 a.m. Jeannie Adkinson, Regulatory Specialist III, presented the Summary of Applicants requesting to sit for the real estate examination. The Commission orders on these matters are attached hereto and made part of these minutes.

Public Comments

The Commission addressed an inquiry from the audience relating to obtaining mutual recognition from another state.

Adjournment

There being no further business and no objection, the Chairman adjourned the meeting at approximately 1:30 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for September 19 and 20, 2006, at the Division Headquarters in Orlando, Florida.

Nancy B. Hogan, Chairman
Florida Real Estate Commission

Dennis Yecke, Deputy Secretary for
Professional Regulation

Respectfully submitted,

Lori L. Crawford
Deputy Clerk, FREC
Regulatory Supervisor/Consultant