Chair Chip Boring called the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, Florida, on this 19th day of March, 2013.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Roger Enzor, Darla Furst, Poul Hornsleth and Josh Podolsky. Commissioner DeNapoli was excused and not present. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Christina Arzillo, Lauren Roderick and Joseph Solla, Assistant General Counsels; Sara Kimmig, Bureau Chief of Enforcement; Jocelyn Pomales, Operation Management Consultant II; JoEllen Peacock, Education Coordinator; Johanne Knudson, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Beverly Ridenauer, Government Analyst II; Sissy Atkinson, Government Analyst I; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court services.

Approval of the Minutes

Commissioner Hornsleth moved; seconded by Vice-Chair Enzor to approve the Minutes of the February 19 and 20, 2013, General Meeting, as written. The motion passed without dissent.

Monthly Exam Performance Summary Report

Deputy Director Johnson presented the monthly Exam Performance Summary Report and addressed comments from the Commission.

Unlicensed Activity Report

Bureau Chief Kimmig presented the Unlicensed Activity Report and addressed questions from the Commission.

Report Regarding Enforcement Trends and Escrow Audits

Bureau Chief Kimmig presented the report regarding Complaint Trends and Escrow Audit Summary. Ms. Kimmig addressed questions and comments from the Commission.
Financial Reports Ending December 31, 2012

Deputy Director Johnson presented the Financial Reports ending December 31, 2012 and the expenses paid from the FREC account to the FREAB account. Vice-Chair Enzor inquired about the charges related to the Federal Registry. Ms. Johnson explained that those funds are in-and-out transactions and the funds do not come out of the FREC or FREAB budget. Vice-Chair Enzor also inquired how the incurred bank charges are assessed found in line item “Revenue Bank Charges” under “Expenses”. Ms. Johnson stated that she would consult with Mr. Hurley in Finance and Accounting and report back to the Commission.

Chair Boring inquired about the balance of the Recovery Fund and whether the Commission would receive an accounting at the end of the quarter. Ms. Johnson stated they are provided quarterly. Ms. Johnson reported that the division has requested the Legislature approve an increase in spending authority for next year based on Mr. Solla’s estimates. Vice-Chair Enzor inquired about the transfer of funds in the amount of $2.7 million in 2011 as reflected on page 9 and reflects receiving $1 million in 2012. Ms. Johnson stated that she would consult with Mr. Hurley on this also.

Report Regarding Legal Case Activity

Chief Attorney Cunningham presented the monthly report regarding legal case activity and addressed comments and questions from the Commission.

Legal Agenda Schedule

Escrow Disbursement Orders

Assistant General Counsel Joseph Solla presented 23 Escrow Disbursement Orders and 3 Orders for the Commission’s consideration. Mr. Solla stated that Tab F has been settled and therefore is withdrawn. Commissioner Hornsleth moved to accept the 22 Escrow Disbursement Orders, amending Tab J, and 3 Orders. Commissioner Furst seconded the motion. The motion passed without dissent.

Recovery Fund Claims

Tab A – Thomas C. Parks and Ellen H. Parks v. 30A Resort, LLC, DBPR Case No. 2013004419

Assistant General Counsel Solla presented this matter to the Commission. Neither the Claimant nor the Licensee was present. Mr. Solla advised that the Claimant does not qualify statutorily to receive payment from the recovery fund and recommended the Commission deny the request. The Commission considered the facts and circumstances. Commissioner Hornsleth moved to approve the order denying the claim. Vice-Chair Enzor seconded the motion. The motion passed without dissent.

Legal Final Order Docket

Agenda A, Tab B – Valentina Haun a/k/a Valentina Brown, BK 3046561, Case No. 2011059481 – Respondent’s Request for an Informal Hearing

Respondent was not present. Respondent was represented by Steven Johnson, Esquire, present. Commissioner Hornsleth was recused due to participation on the probable cause panel.
Ms. Arzillo represented the department and presented the case to the Commission. Mr. Johnson requested a
continuance until the April FERC meeting. Commissioner Furst moved; seconded by Vice-Chair Enzor;
motion passed without dissent to continue the matter until April 16, 2013.

**Action Taken:** Case continued until April 16, 2013.

**Agenda A, Tab I – Betty Jean Walter, SL 3097873, Case No. 2010034375 – Petitioner’s Request for an
Informal Hearing, and if Granted, Conduct an Informal Hearing**

Respondent was present and was represented by Nancy Campiglia, Esquire, also present. No current
Commission members were recused due to participation on the probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. Ms. Arzillo stated that the
department would drop Count II. Commissioner Hornsleth moved; seconded by Commissioner Podolsky;
motion passed without dissent to dismiss Count II of the Administrative Complaint provided the Respondent
remove the objection of moving forward with an informal hearing for Count I of the Administrative
Complaint. The Commission granted the informal hearing and entered into discussion. Ms. Campiglia
presented a Motion to Amend Order of Continuance. Commission Podolsky moved; seconded by Vice-Chair
Enzor; motion passed without dissent to deny Respondent’s Motion. Ms. Campiglia presented an ore tenus
motion to dismiss the Administrative Complaint. Commission Podolsky moved; Vice-Chair Enzor seconded;
the motion passed without dissent to deny Respondent’s motion to dismiss the Administrative Complaint.
Commissioner Podolsky moved; seconded by Commissioner Hornsleth to find the Respondent guilty of
Count I as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by
Commissioner Hornsleth; motion passed without dissent to impose the following sanctions:

**Action Taken:** $500.00 within 12 months; 6 months probation. **Violation:** Section 475.25(1)(f), Florida
Statutes, when Respondent entered a plea of guilty and was adjudicated guilty.

**Agenda A, Tab C – Theresia Marie Helton, BK 3077530 and 3248280, Case No. 2011018510 –
Recommended Order w/Exceptions**

Respondent was not present. Respondent was represented by Daniel Villazon, Esquire, present. Chair Boring
was recused due to participation on the probable cause panel.

Ms. Arzillo represented the Department and presented the case to the Commission. Mr. Villazon filed
exceptions on behalf of the Respondent as to the penalty. Ms. Matchett filed a Response to Respondent’s
Exceptions to the Recommended Order. The Commission entered into discussion. Commissioner Podolsky
moved to accept the exception as to the penalty filed by the Respondent; seconded by Commissioner
Hornsleth, motion passed 3 to 1. Commissioner Podolsky moved, seconded by Commissioner Hornsleth;
motion passed 3 to 1 to adopt the Administrative Law Judge’s findings of fact and conclusions of law and to
modify the penalty imposing the following sanctions:

**Action Taken:** Suspension for 5 years; $5,000.00 fine; 28-hour reactivation course; 5 years probation
concurrent with suspension. **Violation:** Respondent violated Section 475.25(1)(b), Florida Statutes, by acting
with culpable negligence in accounting or committing a breach of trust when Respondent failed to deliver
material documents or payments made by Tenant for the rental of Subject Property; violated Section
475.25(1)(d), Florida Statutes, when Respondent failed to account or deliver material documents or
payments made by Tenant for the rental of Subject Property as agreed upon or required by law.

**Action taken:** Adopted Recommended Order with modification.
Agenda A, Tab A; Agenda B, Tab D – Shirley Ann Copenhaver, SL 643653, Case No. 2009006401 – Settlement Stipulation

Respondent was present and was represented by Nancy P. Campiglia, Esquire, also present. Chair Boring was recused due to participation on the probable cause panel.

Mr. Cunningham represented the department and presented the case to the Commission. The Commission entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky to accept the Stipulated Settlement dropping Counts I and II of the Administrative Complaint. The motion passed without dissent.

**Penalty imposed:** $250.00 fine; investigative costs; 46 hours of post-licensure courses; shall attend one 2-day FREC general meeting. **Violation(s):** Section 475.25(1)(d), Florida Statutes, by collecting money in Respondent’s own name in connection with a real estate transaction.

**Action taken:** Settlement Stipulation accepted.

Agenda A, Tab F; Agenda B, Tab C; Agenda C, Tab A – Andy Mendez, SL 3180244, Case No. 2012037848 – Respondent’s Request for an Informal Hearing

Respondent was not present. Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Furst was recused due to participation on the probable cause panel.

Ms. Roderick represented the department and presented the case to the Commission. Mr. Villazon requested a continuance until the April FREC meeting. Commissioner Podolsky moved; seconded by Commissioner Hornsleth; motion passed without dissent to continue the matter until April 16, 2013.

**Action Taken:** Case continued until April 16, 2013.

Agenda A, Tab G – Robert J. Smith, III, SL 3210890, Case No. 2009049533 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing

Respondent was present and was represented by Daniel Villazon, Esquire. Chair Boring was recused due to participation on the probable cause panel. Commissioner DeNapoli participated on the probable cause panel. Commissioner DeNapoli was excused and not present.

Ms. Arzillo represented the department and presented the case to the Commission. Mr. Villazon requested a continuance until the April FREC meeting. Commissioner Hornsleth moved; seconded by Commissioner Podolsky; motion passed without dissent to continue the case.

**Action Taken:** Case continued until April 16, 2013.

Agenda A, Tab J – Jose P. Cazas, P.A., SL 651092, Case No. 2011016863 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal Hearing

Respondent was not present. Respondent was represented by Daniel Villazon, Esquire, present. Commissioner Furst was recused due to participation on the probable cause panel.
Ms. Arzillo represented the department and presented the case to the Commission. Mr. Villazon requested a
continuance until the April FREC meeting. Commissioner Hornsleth moved; seconded by Commissioner
Furst; motion passed without dissent to continue the matter until April 16, 2013.

Action Taken: Case continued until April 16, 2013.

Agenda B, Tab E – Judy Luiz, BK 3264513, Case No. 2013005394 – Voluntary Relinquishment of License

Respondent was not present. Respondent was represented by Daniel Villazon, Esquire, present. There was
no probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission entered
into discussion. Commissioner Furst moved, seconded by Commissioner Hornsleth to accept the Voluntary
Relinquishment of License. The motion passed without dissent.

Action taken: Accepted Relinquishment of License for Permanent Revocation.

Agenda C, Tab B – Rent Works, LLC, CQ 1042389, Case No. 2013005395 – Voluntary Relinquishment of License

Respondent was not present. Respondent was represented by Daniel Villazon, Esquire, present. There was
no probable cause panel.

Ms. Arzillo represented the department and presented the case to the Commission. The Commission entered
into discussion. Commissioner Furst moved, seconded by Commissioner Hornsleth to accept the Voluntary
Relinquishment of License. The motion passed without dissent.

Action taken: Accepted Relinquishment of License for Permanent Revocation.

Agenda A, Tab D; Agenda B, Tab B – Cristine Marie Hollingsworth, SL 3185032, Case No.
2011051102 – Petitioner’s Request for an Informal Hearing, and if Granted, Conduct an Informal
Hearing

Respondent was not present and was not represented by counsel. Commissioner Podolsky was recused due to
participation on the probable cause panel.

Ms. Roderick represented the department and presented the case to the Commission. Ms. Roderick notified
the Commission of a scrivener’s error contained in the Administrative Complaint relating to the statute
reference in Count II, which should have read Section 475.25(1)(p), Florida Statutes. The Respondent
requested a continuance. Commissioner Furst moved to deny the request for continuance. Vice-Chair Enzor
seconded; the motion passed without dissent. The Commission granted the informal hearing and entered into
discussion. Commissioner Furst moved, seconded by Commissioner Hornsleth; motion carried unanimously
to find the Respondent guilty as charged in the Administrative Complaint as orally amended. Commissioner
Furst moved, seconded by Vice-Chair Enzor; motion passed without dissent to impose the following
sanctions:

Penalty imposed: Revocation; investigative costs. Violation(s): Section 475.25(1)(f), Florida Statutes, when
Respondent plead nolo contendere to grand theft; Section 475.25(1)(p), Florida Statutes, when
Respondent failed to provide written notification to the Commission of her felony plea of nolo contendere
within 30 days.

Minutes prepared by L. Crawford
Agenda A, Tab E – Michael Richard Mazzoli, SL 3227275, Case No. 2012032200 – Respondent’s Request for an Informal Hearing

Respondent was present and not represented by counsel. Commissioner DeNapoli participated on the probable cause panel. Commissioner DeNapoli was excused and not present.

Ms. Roderick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Podolsky moved; seconded by Commissioner Furst; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Podolsky moved, seconded by Commissioner Furst; motion passed without dissent to impose the following sanctions:

**Action Taken:** $500.00; investigative costs; must complete an ethics course; 6 months probation.

**Violation(s):** Sections 455.227(1)(i) and 475.25(1)(e), Florida Statutes, by failing to inform the Commission in writing within 30 days after the Respondent entered a plea of nolo contendere to DUI Alcohol or Drugs 1st Offense, a misdemeanor, and was adjudicated guilty of same.

Agenda A, Tab H – Jeremy Waller, SL 3037732, Case No. 2012043771 – Respondent’s Request for an Informal Hearing

Respondent was present and not represented by counsel. Commissioner Furst was recused due to participation on the probable cause panel.

Ms. Roderick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

**Action Taken:** $500.00; investigative costs; attend two 2-day FREC meetings; 6 months probation.

**Violation(s):** Sections 455.227(1)(i) and 475.25(1)(e), Florida Statutes, by failing to report to the Commission that he pled guilty to Wholesale Promotion of Obscene Materials, within 30 days after entering his plea; Sections 455.227(1)(i) and 475.25(1)(e), Florida Statutes, by failing to inform the Commission in writing within 30 days after the Respondent entered a plea of nolo contendere to Reckless Driving First Offense and was adjudicated guilty of same.

Agenda A, Tab K; Agenda B, Tab A – Martin R. Beck, Jr., BK 3071793, Case No. 2012032201 – Respondent’s Request for an Informal Hearing

Respondent was not present and not represented by counsel. Commissioner Furst was recused due to participation on the probable cause panel.

Ms. Roderick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:
Action Taken: $500.00; investigative costs; 12 months probation. Violation(s): Sections 455.227(1)(t) and 475.25(1)(e), Florida Statutes, by failing to report to the Commission that he pled nolo contendere to DUI Alcohol or Drugs, within 30 days after entering his plea of nolo contendere or being found guilty of a crime in any jurisdiction.

Agenda A, Tab L – Sarah P. Messer, BK 3138208, Case No. 2012004125 – Respondent’s Request for an Informal Hearing

Respondent was not present and not represented by counsel. Commissioner Furst was recused due to participation on the probable cause panel.

Ms. Roderick represented the department and presented the case to the Commission. The Commission granted the informal hearing and entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky; motion passed without dissent to find the Respondent guilty as charged in the Administrative Complaint. Commissioner Hornsleth moved, seconded by Commissioner Podolsky; motion passed without dissent to impose the following sanctions:

Action Taken: $500.00; investigative costs; 12 months probation. Violation(s): Sections 455.227(1)(t) and 475.25(1)(e), Florida Statutes, by failing to inform the Commission in writing within 30 days after the Respondent entered a plea of nolo contendere to Driving While License Suspended and was adjudicated guilty of same.

General Session

Rules Report

FREC Counsel Barnhart reported on the status of pending rules.

Review and Consideration of the Real Estate Continuing Education Course

Director Watkins presented the following continuing education course for the Commission’s consideration:

FL 14 Hours Essential Residential Topics – New Course (14-hour CE) – Application No. 17920 – Amy Zanzinger, RealEstateCE.com

Ms. Zanzinger was not present. The Commission entered into discussion. Commissioner Furst moved to deny the continuing education course listed above as it does not meet the requirements set forth in Section 475.182(1), Florida Statutes and for the reasons listed in the recommendation of the evaluator; Commissioner Podolsky seconded the motion. The motion passed without dissent.

Special Agenda

Correspondence from Mark Dickson

Deputy Director Johnson presented correspondence received from Mark Dickson requesting the Florida Real Estate Commission to consider allowing him to use master’s degree to substitute for 1 year of the 24-month experience requirement to become a broker. Commissioner Furst moved to recommend the division to send a letter explaining that the department or Commission does not have statutory authority to allow Mr. Dickson’s master’s degree to qualify for 1 year experience toward the 24-month experience requirement. Commissioner Podolsky seconded the motion; the motion passed without dissent.
Correspondence from Ashley Wolfington

Deputy Director Johnson presented correspondence from Ashley Wolfington expressing her appreciation of the sales associate with whom she had real estate dealings. The Commission appreciated Ms. Wolfington’s letter and recommended that the division send a letter thanking her for her letter and suggest that she express her appreciation to the local Realtor Association and the licensee’s broker.

Consent Agendas

Agenda A

The Commission considered 163 applicants from the Consent Agenda A; Commissioner Hornsleth moved; seconded by Commission DeNapoli to approve 123 applicants and require 40 applicants to be placed on the Summary of Applicant Agenda; the motion passed without dissent.

The following applicants were approved:

Abreu, Barbara
Adams, Jeremy
Albritton, Stephen
Allen, Katrina
Arguello, Douglas
Bach, Melissa
Banasiak, Steven
Barbano, Dominick
Bedzow, Jeremy
Bezdek, James
Bianco, John
Bosch, Abraham
Bostick, Amanda
Boyett, Jillian
Brand, Ken
Brooks, Lynne
Brown, Jeffery
Bunce, John
Cairns, Jodi
Cannavino, John
Carithers, Brian
Caughman, Rica
Chryssakis, Phil
Clavijo, Sandra
Collins, Michael
Connor, Craig
Deardorf, Teri
Debeer, Hans
Deelely, Kevin
Defoe, Venita
Diaz, Roy
Dixon, Jennifer
Dovidio, Louis Jr.
Doyle, Ian
Droz, Rene
Gionfriddo, Rachael
Grace, Steven
Guerrero, Nahum
Hanna, Nagy
Harry, Ashlee
Hayes, Clinton
Haynes, David
Herron, Justin
Hoflund, Patricia
Huffer, Peter
Jaramillo, Carol
Johnson, Diane
Johnston, Darryl
Joy, David
Joyer, Rex Jr.
Juarez, Mario
Kennedy, Brady
Kovacs, Alexander
Lassetter, Karen
Legg, David
Licari, Brittany
Linde, Armando
Lyons, Nancie
Madison, Michele
Maldonado, Alfonso
Marro, Christopher
McLain, Nikki
McMillian, Adrian
McWhorter, Erin
Mendes, Jose
Mullinax, Michael
Munear, Monica
Nogowski, Roy
Nzuuz, Emmanuel
Pardee, Bobbie
Pierre Louis, Teddy PA
Pilson, Kendra
Polsky, Brandon
Price, Audrey
Quintana, Wilfredo
Rancourt, Norman
Reynolds, Adam
Rodriguez, Lariadne
Ross, Mitchell II
Rudd, Pamela
Sakeslos, Costas
Sanders, Ronald Jr
Schereschesky, Scott
Schlein, Yair
Shakir, Wanda
Shapton, Matthew
Silva, Alan
Silva, Eddie
Sims, John III
Singh, Sandeep
Smith, David II
Stanek, Char
Stepps, Ladi
Stoia, Matthew
Stuckey, Wendell
Sullivan, Edward
Swain, Christopher
Thomson, Kathy
Tucciaroni, Gene
Tyner, Wesley
Tyson, Frederic
Urena, Milaya
Vascotto, Jamie
Velez, Leonard
Vogel, Bradford

Minutes prepared by L. Crawford
Ellis, Rosemary  
Parker, Mark

Eloi, Frantz  
Pena, Ireneo

Fernandez Guillot, Taimi  
Pena, Raybel

Fernandez, Clara  
Perez, Anibal

Fleming, Karriem  
Philuis, Jynio

Gaylord, Nathan  
Walton, Scott

Baerga, Henry  
Florian, Beth

Bain, Yahica  
Franco, Cesar

Bauer, Richard  
French, Christopher

Butler, William  
Friese, Stephen

Cesery, Christie  
Giacomotti, Andres

Crites, Andrew  
Heiss, Jenna

Dahle, Mark  
Hypes, Lisa

Dennis, Daniel  
Infantolino, Dean

Drescher, Edward  
Leszcynski, Michael

Eagle, Cathy  
Letourneau, Andrew

English, Scott  
Lockhart, Wendy Pa

Epsten, Richard  
Mendoza, Danilo

Estrada, Juan Jr.  
Mitchell, Donald

Falzarano, Philip  
Morse, Calvin

Pasha, Bibi

Ramirez, Daniel

Rosillo, Joel

Salom, Beatrice

Sarta, Richard

Shwartzbach, Abraham

Taylor, Troy

Theune, Eric

Thibodeau, Beverly

Uncapher, Jason

Zapata, Jacob

Zurzolo, Anthony Jr.

The following applicants will be placed on the next available Summary of Applicant agenda:

Baerga, Henry  
Florian, Beth

Bain, Yahica  
Franco, Cesar

Bauer, Richard  
French, Christopher

Butler, William  
Friese, Stephen

Cesery, Christie  
Giacomotti, Andres

Crites, Andrew  
Heiss, Jenna

Dahle, Mark  
Hypes, Lisa

Dennis, Daniel  
Infantolino, Dean

Drescher, Edward  
Leszcynski, Michael

Eagle, Cathy  
Letourneau, Andrew

English, Scott  
Lockhart, Wendy Pa

Epsten, Richard  
Mendoza, Danilo

Estrada, Juan Jr.  
Mitchell, Donald

Falzarano, Philip  
Morse, Calvin

Pasha, Bibi

Ramirez, Daniel

Rosillo, Joel

Salom, Beatrice

Sarta, Richard

Shwartzbach, Abraham

Taylor, Troy

Theune, Eric

Thibodeau, Beverly

Uncapher, Jason

Zapata, Jacob

Zurzolo, Anthony Jr.

The Commission considered 9 applicants from the Consent Agenda B; Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve 8 applicants and require 1 applicant to be placed on the Summary of Applicants Agenda; the motion passed without dissent.

The following applicants were approved:

Ballard, Justin  
Crabtree, John

Bartolotta, Michael  
Letts, Timothy

Bermudez, Rene  
Mosher, Steve

Powers, Lisa  
Vaughan, Todd

Agenda C

The Commission considered 3 applicants from the Consent Agenda C; Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve 1 applicant and require 2 applicants to be placed on the Summary of Applicants Agenda; the motion passed without dissent.

The following applicant was approved:

McHenry, Steven

Valentin, Nicholas
The following applicants will be placed on the next available Summary of Applicant agenda:

Crabtree, Jere  
Wallace, Elissa

There being no further business and no objection, the Chair recessed the meeting at approximately 12:45 p.m. until 8:30 a.m. tomorrow.

March 20, 2013

Chair Chip Boring reconvened the meeting of the Florida Real Estate Commission to order, at approximately 8:30 a.m., in Orlando, on this 20th day of March, 2013.

The following Commission members were in attendance: Chair Chip Boring, Vice-Chair Roger Enzor, Darla Furst, Poul Hornsleth and Josh Podolsky. Commissioner Richard DeNapoli was excused and was not present. Mr. Tom Barnhart, Senior Assistant Attorney General, appeared as counsel for the Commission. Mr. Barnhart declared a quorum present.

Department and Division staff present at the meeting: Juana Watkins, Director; Denise Johnson, Deputy Director; Patrick Cunningham, Chief Attorney; Jocelyn Pomales, Operations Management Consultant II; JoEllen Peacock, Education Coordinator; Jeannie Adkinson, Regulatory Specialist III; Susan Bailey, Administrative Assistant II; Beverly Ridenauer, Government Analyst II; Lori Crawford, Regulatory Supervisor/Consultant. American Court Reporting, Inc. (407) 896-1813 provided court reporter services.

Summary of Applicants

OMC II Jocelyn Pomales presented 47 Summary of Applicants requesting to sit for the real estate examination.

Tab AG – Seneca M. McMillan, present; represented by Mr. Randy Schwartz, Esquire, also present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab A – Leslie Arouh, present – present; was represented by Daniel Villazon, Esquire, also present – informal hearing – The Commission granted the informal hearing and entered into discussion. Vice-Chair Enzor moved; seconded by Commissioner Furst to vacate the Notice of Intent to Deny the Commission previously entered regarding the application for sales associate. Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed without dissent.

Tab C – Wesly Todd Tyner, not present; was represented by Daniel Villazon, Esquire, present – Applicant withdrew the informal hearing and withdrew the application.

Tab D – Asdiel Brunet Carcases, not present; represented by Daniel Villazon, Esquire, present – Vice-Chair Enzor moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 4 to 1.
Tab N – Ileana Fedo, present – present; represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Enzor to approve the application for sales associate; the motion passed without dissent.

Tab R – Eric Handte, not present; represented by Daniel Villazon, Esquire, present – Applicant withdrew the application and waived the 90-day requirement.

Tab Z – Victoria N. Lindsay, present; represented by Daniel Villazon, Esquire, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for sales associate; the motion passed 4 to 1.

Tab AB – Brandy Lothian, P.A., present; was represented by Daniel Villazon, Esquire, also present – Commissioner Podolsky moved; seconded by Vice-Chair Enzor to approve the application for broker; the motion passed 4 to 1.

Tab AR – Gustavo J. Sperman, not present; was represented by Daniel Villazon, Esquire, present – Commissioner Hornsleth moved; seconded by Vice-Chair Enzor to approve the application for broker; the motion passed without dissent.

Tab J – Judith M. Dale, not present; was represented by Nancy Campiglia, Esquire, present – Ms. Campiglia presented that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office. Director Watkins presented that the application is not complete. Commissioner Podolsky moved; seconded by Commissioner Furst to deny the applicant’s request for approval by the department by default upon reliance on Section 120.60(1), Florida Statutes; motion passed without dissent. Commissioner Podolsky moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab AD – Fernando G. Martinez, present; was represented by Nancy P. Campiglia, Esquire, present – Ms. Campiglia presented that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office. The Deputy Director concurred. No action was required of the Commission.

Tab AM – Robert N. Rouleau, not present; was represented by Nancy P. Campiglia, Esquire, present – The application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office. The Deputy Director concurred. No action was required of the Commission.

Tab AO – Richard Simone, not present; was represented by Nancy P. Campiglia, Esquire, present – Ms. Campiglia presented that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office. Director Watkins presented that the application is not complete. Commissioner Podolsky moved; seconded by Commissioner Furst to deny the applicant’s request for approval by the department by default upon reliance on Section 120.60(1), Florida Statutes; motion failed. Upon further discussion, Commissioner Furst moved; seconded by Commissioner Hornsleth that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office; the motion passed 4 to 1. No further action was required of the Commission.
Tab AT – Mario M. Velis, not present; was represented by Nancy P. Campiglia, Esquire, present – Ms. Campiglia presented that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office. Director Watkins presented that the application is not complete. Upon discussion, Commissioner Furst moved; seconded by Commissioner Podolsky that the application qualifies for approval by the department by default upon the applicant filing a Notice of Reliance on Section 120.60(1), Florida Statutes with the Agency Clerk’s Office; the motion passed 4 to 1. No further action was required of the Commission.

Director Watkins stated that the department receives approximately 2600 applications per month and that the Commission only sees about 10% of those applications and wanted to go on record to say that while she will not negate nor challenge that mistakes are made and perhaps there needs to be an adjustment to the process, she wanted to acknowledge the hard work of the application processing unit. Ms. Watkins further stated after the one application was approved by default last month, the department and division did exam the process and added the topic on the agenda to discuss applications relating to complete versus deficient so to resolve this issue.

Tab F – Jack R. Cauchois, present – Vice-Chair Enzor moved; seconded by Commissioner Hornsleth to deny the application for sales associate; the motion passed 3 to 2.

Tab I – Lucas Costello, Jr., present – Applicant withdrew the application and waived the 90-day requirement.

Tab E – John R. Canzoneri, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab K – Joseph E. DiPaula, Jr., present – Applicant withdrew the application and waived the 90-day requirement.

Tab L – Elgin A. Duley, III, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed 4 to 1.

Tab M – Sharon R. Ecker, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed without dissent.

Tab P – David D. Garner, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for sales associate; the motion passed 3 to 2.

Tab Q – Eileen M. Griffin, present – Applicant withdrew the application and waived the 90-day requirement.

Tab S – Park K. Haws, present – Applicant withdrew the application and waived the 90-day requirement.

Tab T – Wayne Hockrow, present – Applicant withdrew the application and waived the 90-day requirement.

Tab V – Hunter Leon, present – Commissioner Podolsky moved; seconded by Vice-Chair Enzor to approve the application for sales associate; the motion passed without dissent.

Tab W – Dennis C. Jackson, present – Commissioner Furst moved; seconded by Commissioner Hornsleth to approve the application for broker; the motion passed without dissent.

Tab AA – Jorge H. Llano, present – Commissioner Hornsleth moved; seconded by Commissioner Podolsky to approve the application for broker; the motion passed without dissent.
Tab AE – Anna M. McDonald, present – Applicant withdrew the application and waived the 90-day requirement.

Tab Y – Elsie L. Lilly, present – Commissioner Podolsky moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed without dissent.

Tab AF – Jerome O. McLean, P.A., present – Applicant withdrew the application and waived the 90-day requirement.

Tab AH – Steven C. Mogerman, present – Applicant withdrew the application and waived the 90-day requirement.

Commissioner Hornsleth was not present and did not participate in discussion or vote for the following applicants:

Tab AP – Kelton Smith, present – Commissioner Furst moved; seconded by Vice-Chair Enzor to approve the application for sales associate; the motion passed without dissent.

Tab AQ – Roger Lee Smith, present – Applicant withdrew the application and waived the 90-day requirement.

Tab G – Edward Condry, Jr., not present – Commissioner Podolsky moved; seconded by Vice-Chair Enzor to deny the application for sales associate; the motion passed without dissent.

Tab H – Abigail L. Conrad, not present – Commissioner Podolsky moved; seconded by Commissioner Furst to deny the application for sales associate; the motion passed without dissent.

Tab O – Donnie R. Galli, not present – Vice-Chair Enzor moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

Tab U – Joseph Humet, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab X – Kevin L. Kasarda, not present – Commissioner Podolsky moved; seconded by Commissioner Furst to approve the application for sales associate; the motion passed 3 to 1.

Tab AC – Cornelius C. Martin, not present – Applicant continued the application to April 2013 and waived the 90-day requirement.

Tab AI – Richard A. Ontolchik, not present – Vice-Chair Enzor moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.

Tab AJ – Michael Petrevski, not present – Applicant withdrew the application and waived the 90-day requirement.

Tab AN – Ronald M. Schiller, not present – Commissioner Furst moved; seconded by Commissioner Podolsky to deny the application for sales associate; the motion passed without dissent.
Tab AS – Carly M. Thompson, not present – Commissioner Podolsky moved; seconded by Vice-Chair Enzor to approve the application for sales associate; the motion passed without dissent.

Tab AU – David B. Wilson, not present – Applicant continued the application to April 2013 and waived the 90-day requirement.

Commissioner Hornsleth returned to the meeting.

Vice-Chair Enzor was dismissed for the remainder of the meeting.

Tab J – Judith M. Dale, not present; was represented by Nancy Campiglia, Esquire, present – Ms. Campiglia requested the Commission reconsider the denial of the application and presented arguments in support of her request. Director Watkins responded that it is the department’s position the application is not complete. The Commissioner entered into discussion. Commissioner Hornsleth moved; seconded by Commissioner Podolsky to reconsider the denial; the vote was 2 to 2; the denial was not reconsidered.

**Director’s Comments**

**Scholarship Program**

Director Watkins provided an update regarding the scholarship program. Ms. Watkins reported that division was required to submit to a formal proposal process following strict guidelines under state purchasing requirements and they are happy to report that a notice has been published that it is the department’s intent to award the scholarship contract to the Florida Realtor Scholarship Education Foundation. Ms. Watkins stated that they are happy to be furthering their relationship with the vendor in light of the fantastic service previously under the program.

**Applications**

Director Watkins stated that the department and division have identified there is an issue regarding applications with incomplete or insufficient supporting documents. Ms. Watkins stated that the volume is increasing and that the current process should be evaluated and changed to accommodate the increase moving forward to avoid applicants becoming exam eligible by default. Ms. Watkins further stated that she would bring several proposals to the Commission next month and thanked them for their input.

**Public Comments**

The Commission received no comments from the audience.

**Adjournment**

There being no further business and no objection, the Chair adjourned the meeting at approximately 3:45 p.m. The next general meeting of the Florida Real Estate Commission is scheduled for April 16 and 17, 2013, in Orlando, Florida.

[Signatures]

Chip Boring, Chair
Florida Real Estate Commission

Julana Watkins, Director
Florida Real Estate Commission