



# Illinois Department of Financial and Professional Regulation

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## Division of Profession Regulation - Real Estate

PAT QUINN  
Governor

BRENT E. ADAMS  
Secretary

DANIEL BLUTHARDT  
Director  
Division of Professional Regulation

### MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD November 19, 2009

The Real Estate Administration and Disciplinary Board convened at 11:15 a.m. on November 19, 2009, at the Department of Financial & Professional Regulation Division of Professional Regulation, 100 W Randolph, Chicago, Illinois for the purpose of conducting a general business meeting.

The following member(s) were present for all or part of the meeting:

Ron Hardgrove, Chairman – Real Estate  
Judie McConville, Member  
Paul Park, Member  
Patrick Sharpe, Member  
Walter Son, Member

The following member(s) were excused from the meeting:

Also present for all or part of the meeting:

Young Brockhouse, Acting Chief Testing Officer  
Mark Oaks, Education Coordinator  
John Botner, Chief of Prosecutions  
Matt Rupsis, representing General Council Mark Thompson  
Ernest Hernandez, Chief of Investigations  
Debra Dolinski, Board Liaison/Administrative Assistant

#### APPROVAL OF MINUTES:

**Motion:** A motion made/seconded to approve the October 8, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

## **AGENCY UPDATE:**

The Law Clerk that was temporary assigned to Real Estate will be returning to Medical Division.

## **EDUCATIONAL ADVISORY COUNCIL (EAC):**

EAC approved the following number of applications at today's meeting:

- 5 CE courses
- 8 CE Instructors with 1 being restricted
- 2 Pre-License Instructor pending approval
- 1 Request for CE Credit for out-of-state course

## **LICENSING:**

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for October 2009 was distributed.

A report showed the pass rate for broker and salesperson's State Examinations from January through September 2009.

Appraiser's licenses were non-renewed effective September 30, 2009; our data system reflects that 40% of the Associate's licenses did not renew. The new law for the Real Estate Appraisal Act changed the Appraisal Associate License name to Appraisal Associate Training and restricting it to be renewed twice; the law also limits the number of sponsored licenses that a Certified Residential and Certified General can supervise.

### Active Real Estate Licensees for October

All Licensees	81,494
Brokers	27,649
Salespersons	43,847 (this does not include licenses with an inoperative status)
Leasing agents	1,291

## **EXAMINATIONS:**

Two Examination's Reports were distributed; one was dated October 8, 2009 reflecting the activity for the month of September and the second one was dated November 19, 2009 reflecting the activity for the month of October; both were categorized by "Examinations Completed by Examiner – Licensees with First Examination", Follow-Up Examinations Completed by Examiner", and "Examinations Referred to Supervisor – Closed."

## **INVESTIGATIONS:**

Distributed was the Investigated Report; the number of open cases as of November 13, 2009 were 287; for October 9, 2009 it was 309; and for November 13, 2008 it was 788. The report also reflected the number of cases that were referred to Prosecutions and closed from Investigations from January 1, 2009 thru November 12, 2009. Allen Zack took a training course and Eleni Markos is presently taking a training course.

## **PROSECUTIONS:**

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for October 2009. Mr. Botner gave a verbal breakdown of the number of cases broken down by year and the cases that were referred to Prosecutions from January 1, 2009 thru November 2009. Majority of the open Prosecutions Cases are 2007 thru 2009.

## **OLD BUSINESS:**

The License Law Bill passed but no information that the Governor has signed the Bill.

At today's EAC Meeting, Counsel discussed in great length the 30 & 45 hour transition courses; the outcome was that the courses, at a minimum, will be outlined; if written, it will be to create two uniform courses.

The Proficiency Exam is currently still in discussion; there are differences in opinion in that some feel it should be tough while others feel that it should be lenient.

Mr. Hardgrove had previously asked the Educators to submit questions and/or comments regarding the Broker Management Course Exam. Ron Hardgrove, Young Brockhouse, Mark Oaks and Sarajane Wright met to review the questions that were submitted; but REEF was unable to meet at that time. After reviewing the questions, it was determined that there were about 20 different ones in questioned and made changes to 10 questions along with additional comments to the remaining questions; those changes and comments were forward to Steve Sunquist for his review. This should be resolve in the next week or two.

## **DELIBERATIONS:**

At 11:35 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and November's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

**DPR v. Gloria Delgado #2007-60522**  
**DPR v. Hitesh Seth & Cadence Realty Inc #2006-60382**  
**DPR v. Samad Moragheb #2007-60106 & 2009-01869**  
**DPR v. John Groll #2007-60358**  
**DPR v. Jeff Warren Davis #2007-60468**  
**DPR v. Steven Becker #2008-01269**  
**DPR v. Susan Milewski #2007-60373**

## **REOPEN THE MEETING:**

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:20 p.m.

## **RATIFICATIONS:**

Case File Review Committee Members for November were Judie McConville, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 35 cases recommended for closure from Investigations from the memo dated October 29, 2009 with 2 referred to Prosecutions for the issuance of administrative warning letters. Motion passed unanimously.

Motion made/seconded to ratify the 20 cases being referred to Prosecutions from Investigations, 1 being closed, 10 cases closed with the issuance of an administrative warning letter or Cease & Desist from the memo dated October 29, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 1 case for closure from Prosecutions from the memo dated October 29, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 3 cases for closure from Prosecution from the memo dated November 19, 2009. Motion passed unanimously.

Motion made/seconded to close case #2007-60715 which was held from the previous month. Motion passed unanimously.

### **RECOMMENDATIONS:**

Upon reconvening in open session, motion was made, seconded to approve as presented consent orders in the following cases:

#### **DPR v. Gloria Delgado #2007-60522**

### **RECOMMENDATIONS:**

Upon reconvening in open session, motions were made in the following cases.

#### **DPR v. Hitesh Seth & Cadence Realty Inc #2006-60382**

Motion made/seconded that the above-mentioned licensee be indefinitely suspended for a minimum of 1 year. Motion passed unanimously.

#### **DPR v. Samad Moragheb #2007-60106 & 2009-01869**

Motion made/seconded that the above-mentioned licensee be indefinitely suspended for a minimum period of 2 years and imposed a fine of \$10,000.00. Motion passed unanimously.

#### **DPR v. John Groll #2007-60358**

Motion made/seconded that to table until next month. Motion passed unanimously.

#### **DPR v. Jeff Warren Davis #2007-60468**

Motion made/seconded that the above-mentioned license be imposed a \$25,000.00 civil penalty. Motion passed unanimously.

#### **DPR v. Steven Becker #2008-01269**

Motion made/seconded that the above-mentioned license be indefinitely suspended for a minimum period of 1 year and imposed a fine a \$2,500.00. Motion passed unanimously.

**DPR v. Susan Milewski #2007-60373**

Motion made/seconded be refuse to renew. Motion passed unanimously.

**ADJOURNMENT:**

Motion made/seconded to adjourn the meeting at 12:55 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is December 10, 2009 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION  
AND DISCIPLINARY BOARD

\_\_\_\_\_  
Ron Hardgrove, Real Estate Director

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Debra Dolinski, Liaison

DATE: \_\_\_\_\_