



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

BRENT E. ADAMS
Secretary

DONALD W. SEASOCK
Acting Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD July 15, 2010

The Real Estate Administration and Disciplinary Board convened at 10:00 a.m. on July 15, 2010, at the Department of Financial & Professional Regulation Division of Professional Regulation, 320 W. Washington, Springfield, 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
Judy Higgins Stowe, Member
Paul Park, Member
Chris Read, Member
James Schaid, Member
Patrick Sharpe, Member
Carol Strader, Member
Scott Toban, 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
Bill Laskaris, Acting Chief of Prosecution for Real Estate Professions
Daniel Faermark, Chief of Prosecutions for Real Estate Professions
Ernest Hernandez, Chief of Investigations
Sarajane Wright, Supervisor of Examinations
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the June 17, 2010 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

Daniel Faermark is the new Chief of Prosecutions for Real Estate Professions; Bill Laskaris was introduced to the Board as the Acting Chief of Prosecutions for Real Estate Professions as well as the Chief of Prosecutions for Business Professions. Long-time Licensing Processor Nancy Ealey has retired. Matthew Stonecipher is real estate's new staff attorney that transferred within Department of Regulation; Tiffany Kay, Prosecution's new 711, started last month; she is working with our other 711, Marisa Sharko.

EDUCATIONAL ADVISORY COUNCIL (EAC):

EAC approved the following number of applications on July 15, 2010:

3 CE courses with 1 pending approval after submission of the exam
6 CE Instructors with 3 pending the completion of a workshop
1 Pre-License Instructor

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for June 2010 was distributed by Young Brockhouse.

The report also showed the pass rate for broker and salesperson's State Examinations each month from January through June 2010.

Loan Originator's license expired June 30th; currently, there are 5,573 which is a decrease from May's number of 11,418.

Active Real Estate Licensees for June

All Licensees 79,518
Brokers 24,707
Salespersons 44,130 (this does not include licenses with an inoperative status)
Leasing agents 1,560

EXAMINATIONS:

Sarajane Wright distributed were the Examination Reports dated July 15, 2010, categorized by "Examinations Completed – Licensees with First Examination," "Follow-Up Examinations Completed by Examiner," "Examinations Referred to Supervisor-Closed" for the month of June. For the month of June, Examinations have conducted 39 audits by using the "Brokerage Verification Report." Examiners completed 32 examinations. The follow up examinations showed 51 offices in compliance, 3 offices were referred to Supervisor. "Examination Referred to Supervisor- Closed" showed 3 offices the issues were resolved, 5 files returned to examiner with instructions, 14 license status changes, 2 offices had no activity, 1 deceased and 1 referred to Prosecutions. "Examinations completed – Findings Summary 2nd Quarter 2010" showed total of 171 examinations completed for the period, 37 examinations completed without findings, and the total number of findings were 619.

INVESTIGATIONS:

Chief of Investigations, Ernie Hernandez distributed the Real Estate Investigation Report dated July 15, 2010 that showed the number of cases received and completed since June 11, 2010. There were 73 open real estate cases plus 12 auction cases assigned to investigators as of June 11th.

On May 26, 2010, Rutan interviews of candidates for the real estate investigator's position in Chicago were conducted; a candidate was selected; but no further information has been forthcoming from shared services at this time. Rutan interviews of candidates for the real estate investigator's position in Springfield are expected to be conducted on July 22, 2010.

Preparation for an internal audit of case reviews has continued, with a future date to be determined. Investigators continue to assist with interviews in Appraisal Cases.

PROSECUTIONS:

Dan Faermark presented the Prosecution Report reflecting the Real Estate activity for the month of June. To be noted there were 35 Cases Referred to Prosecutions in June; 16 Cases were Closed from Prosecutions; and 7 orders were Referred to the Director. The current caseload was reported to be 370 Cases.

OLD BUSINESS:

The Department was unable to file the Real Estate Emergency Rules because the General Counsel at the Governor's Office has the opinion that these Rules does not rise to the level to Emergency as define by JCAR. The Department will now be working with the Associations and industry representatives to have a draft version for the Real Estate Rules within the next couple weeks. The Department will distribute to EAC and READ Members a draft copy of the Real Estate Rules before it's filed.

EAC/READ September's Board Meeting is schedule for September 16th; due to conflict in no availability, we are changing the date to September 15th.

DELIBERATIONS:

At 10:45 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Sonja Baur #2006-60672
DPR v. Ronald Ward #2009-06949

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 11:25 a.m.

RATIFICATIONS:

Case File Review Committee Members for July 14, 2010 were Carol Strader, Ron Hardgrove, Bill Laskaris, Daniel Faermark and Ernest Hernandez

Motion made/seconded to ratify the 9 cases recommended for closure with 1 case referred to Prosecutions from the memo Cases being closed from Investigations dated June 24, 2010. Motion passed unanimously.

Motion made/seconded to ratify the 12 cases being referred to Prosecutions from the memo Cases Referred to Prosecutions dated June 24, 2010. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Sonja Baur #2006-60672

RECOMMENDATIONS:

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

DPR v. Ronald Ward #2009-0649

Motion made/seconded that the above-mentioned to accept the Administrative Law Judge's recommendation in ordering to cease and desist from representing to the public that he is a real estate broker unless he is properly licensed in this State. Motion passed unanimously.

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 11:30 am. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is August 12, 2010 at 100 W. Randolph, Chicago, IL.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison