



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

MICHAEL T. MCRAITH
Acting Secretary

DANIEL BLUTHARDT
Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD MARCH 19, 2009

The Real Estate Administration and Disciplinary Board convened at 11:15 a.m. on March 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
Paul Park, Member
Patrick Sharpe, Member
Walter Son, Member

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

Judie McConville, Member
Carol Shields, Member

Also present for all or part of the meeting:

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

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the February 19, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

John Rogers is the new real estate investigator that started on February 9, 2009.

EDUCATIONAL ADVISORY COUNCIL (EAC):

EAC's Meeting cancelled due to lack of quorum; Board Members present approved or denied courses that will be ratified at the next meeting.

LICENSING:

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

Licensing's main propriety is processing the salesperson's renewal applications. Our data system does not include the number of inoperative licenses to the number of active licenses; but licenses with an inoperative status did receive a renewal notice. The number of renewals that were sent out has dropped approximately 5,000 from the last renewal.

A report was given on the passing rate for broker and salesperson's State Examinations for January 2009. AMP started the new broker's simulation exam in February which had a pass rate of 38%; for March, the pass rate was 43% with the national part having 54%.

Active Real Estate Licensees for February

All Licensees	86,249
Brokers	27,236
Salespersons	49,714
Leasing agents	1,076

EXAMINATIONS:

There was not an Examination Report distributed. All examiners continue to work on the investigation aged caseload.

INVESTIGATIONS:

Mr. Hernandez distributed a report that reflected the number of new cases assigned, number of cases completed since January 1, 2009; and the number of open cases investigations. John Rogers, a new investigator, started the Department on February 2, 2009; training needs continue to be evaluated.

PROSECUTIONS:

Distributed was the Prosecution Report reflecting the total real estate cases in Legal; and the activity for February 2009. Mr. Capilla is focus on addressing the appraisal cases for the upcoming ASC's audit.

OLD BUSINESS:

The Department made their changes to the Broker Management's supplement and returned it back to REEF. The Department hopes to meet with REEF next week to discuss the changes that were made; overall, the material is positive.

Mr. Hardgrove mentioned that the License Law Rewrite Senate Bill and House Bill are both active and have not come out of the Committees. The Division has submitted another Bill to reset the sunset date.

DELIBERATIONS:

At 11:07 p.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters on February's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Christian Padven #2005-80063
DPR v. Loretta Grigler # 2008-01118

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:15 p.m.

RATIFICATIONS:

Case File Review Committee Members for March were Walter Son, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 28 cases recommended for closure from Investigations from the memo dated February 27, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 9 cases being referred to Prosecutions from Investigations 2 cases being closed, 18 cases closed with the issuance of an administrative warning letter, 2 cases closed with the issuance of a compliance directive, 2 cases closed with the issuance of a cease & desist, and 2 case remaining in Investigations from the memo dated February 27, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure by Prosecutions from the memo dated February 27, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 13 cases recommended for closure by Prosecutions from the memo dated March 19, 2009. Motion passed unanimously.

RECOMMENDATIONS:

DPR v. Loretta Grigler #2008-01118

The Board deliberated the above mentioned at the February's Board meeting recommending that Ms. Grigler's be fined \$5,000.00. Motion made/second to change the recommendation to an administrative warning. Motion passed unanimously.

DPR v. Christian Padven #2005-80063

Motion made/seconded that the above-mentioned be imposed a \$15,000.00 civil penalty. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

The Board signed Findings of Fact, Conclusions of Law and Recommendations to the Director:

DPR v. Patricia Nielsen #2008-2527
DPR v. Derrick Thomas #2007-60481
Donnell Thomas
Cavanaugh, Shapiro & Block
DPR v. Susanne Atanus #2005-70103

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:30 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is April 16, 2009 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison