



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
August 13, 2009

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on August 13, 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

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
Allan Zack, Real Estate Investigator
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the July 9, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

A processor in Licensing is retiring; two summer interns in Prosecutions are leaving. A 711 that currently works for DPR will be assisting in Real Estate for 90 days. Staff in the Chicago Office were shuffled around on August 12th and 13th to accommodate other staff in DFI moving back to the Thompson Center from 122 S. Michigan.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 11 CE courses
- 9 CE Instructors
- 1 CE Instructor tabled until next meeting
- 2 special requests were denied

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for July 2009 was distributed. Licensing processed over 2,000 renewals over the last couple of months; hopefully the renewals will slow down so Licensing can address other issues.

A report was given on the passing rate for broker and salesperson's State Examinations for June 2009. Candidates passing the Broker's Simulation Test Exam for June was 53.6%; national average was 55%. Mr. Hardgrove mentioned the passing rate for January which was the last month for the old Broker's Exam comparing the passing rate for June. The pass rate for the Broker's Simulation Test Exam is almost the same as the old exam.

Loan Originator Licenses expired June 30, 2009; the number of active licenses in July shown a decline of approximately 5,000.

Active Real Estate Licensees for July

All Licensees	80,982
Brokers	27,672
Salespersons	43,259 (this does not include licenses with an inoperative status)
Leasing agents	1,225

EXAMINATIONS:

Mr. Hardgrove mentioned the Examiners were investigating aged cases in Investigations from June 2008 through June 2009. As of July 1st, Examiners have started scheduling office examinations. Distributed was the Examination Report dated August 13, 2009 that was categorized by "Examinations Completed by Examiner – Licensees with First Examination", Follow-Up Examinations Completed by Examiner", and "Examinations Referred to Supervisor – Closed" for the month of July.

INVESTIGATIONS:

Distributed was the Investigated Report; the number of open cases as of April 3, 2009 was 580 and as of August 4, 2009 it was 353. The report included the investigators moving to the office in Des Plaines, IL with the reception desk and Chief of Investigator's phone numbers. Mr. Hernandez mentioned that the focus is now addressing the cases opened in 2007.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for July 2009. Prosecutions have filed more formal complaints giving the respondent a choice to appear on September 9th or September 16th. The Formal Complaints that were filed on August 12th gave the respondent the choice to appear on October 7th or October 14th. Mr. Botner asked for a Board Member to appear for each of these dates.

NEW BUSINESS:

The current status of the License Law Bill is it missed the deadline to be presented at the Spring Session; and is now on hold until the Fall Session.

DELIBERATIONS:

At 11:30 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters on August CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Leonard Chavin #2000-62042

DPR v. Timothy Hague #2009-04619

DPR v. George Doyle #2008-03267

DPR v. Michael Levine #2008-09852

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:05 p.m.

RATIFICATIONS:

Case File Review Committee Members for August were Paul Park, Ron Hardgrove, John Botner and Allen Zack

Motion made/seconded to ratify the 44 cases recommended for closure from Investigations from the memo dated July 28, 2009 with 3 remaining in investigations, and 1 referring to legal. Motion passed unanimously.

Motion made/seconded to ratify the 38 cases being referred to Prosecutions from Investigations 1 case being closed, and 23 cases either closed with the issuance of an administrative warning letter or a compliance directive from the memo dated July 28, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 5 cases recommended for closure by Prosecutions from the memo dated July 28, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure by Prosecutions from the memo dated July 28, 2009. Motion passed unanimously.

Motion made/seconded to close 5 cases that the Board requested further review on that were previously presented for closure. 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. Leonard Chavin #2000-62042
DPR v. Timothy Hague #2009-04619
DPR v. George Doyle #2008-03267
DPR v. Michael Levine #2008-09852

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:15 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is September 10, 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