



Illinois Department of Financial and Professional Regulation

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 December 10, 2009

The Real Estate Administration and Disciplinary Board convened at 11:15 a.m. on December 10, 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
John Botner, Chief of Prosecutions
Matt Rupsis, representing General Council Mark Thompson
Ernest Hernandez, Chief of Investigations
Kristyn Gleasen, Staff Attorney
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

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

AGENCY UPDATE:

There were no staff changes to report.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 3 CE courses with 1 pending
- 3 CE Instructors with 1 being restricted
- 1 CE Instructor denied
- 2 Pre-License Instructors

LICENSING:

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

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

Appraiser's licenses that didn't renew their license became non-renewed effective September 30, 2009; our data system reflects that there was a significant drop in Appraiser's that did not renew.

The Associate Auction license was eliminated and was automaticity switched to a full auction license.

Active Real Estate Licensees for November

All Licensees	81,694
Brokers	27,692
Salespersons	43,928 (this does not include licenses with an inoperative status)
Leasing agents	1,326

EXAMINATIONS:

Distributed was the Examination Report dated December 10, 2009 that was categorized by "Examinations Completed – Licensees with First Examination", and Follow-Up Examinations Completed by Examiner" for the month of November. For the month of November, Examinations have conducted 57 audits by using the "Brokerage Verification Report." Examiners completed 11 examinations. The follow up examinations showed 28 offices in compliance, 2 offices were referred to Supervisor, 2 offices no follow up required due to license status change.

INVESTIGATIONS:

Distributed was the Investigated Report; the number of open cases as of December 3, 2009 were 279 with the breakdown of open cases by year; and for December 31, 2008 it was 788 that too with the breakdown of open cases by year.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for November 2009. The two law students had finals for the past several weeks which caused a slow down in activity in Prosecutions; they are returning next week and will be working full-time till the end of January. Prosecutions have been filing formal complaints before scheduling informal conferences; if respondents responded to the complaint, we then gave them the opportunity of scheduling an informal conference. Prosecutions have seen an increase of respondents attending informal conferences.

OLD BUSINESS:

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

At today's EAC Meeting, the main goal is to have the Broker Management Course and Proficiency Test be more meaningful; and that the Proficiency to Broker would be a less stringent test. Mr. Hardgrove also mentioned that we are encouraging all the educators to attend the next upcoming EAC Meetings to contribute outlines or criteria ideas for the two courses.

At last month's meeting it was mentioned that four Staff members met and reviewed 20 or so questions that were submitted regarding the Broker Management Course; it came down to changing 10 and adding general comments on how to handle some other questions. Those changes were submitted to Steve Sunquist at REEF to review. All but two have been changed with at least five being changed dramatically. EAC has recommended that these changes be forwarded to all instructors which should take place within the next 30 days.

NEW BUSINESS:

The Board Members should have received by email the Master 2010 Scheduled that has the dates with the designated Board Member for CRC; the only possible changed will be in May. For the January's Meeting there are no conference rooms available; Mr. Hardgrove asked the Board if they would consider having the meeting in Springfield; because of the uncertainty of the weather, it was decided not to. The other option is to see if 122 S. Michigan can accommodate us. The Board will receive confirmation of where the meeting will be held at.

DELIBERATIONS:

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

DPR v. Bryan Weeks #2006-60324

DPR v. Steven Hattan #2006-60370

DPR v. Steven Loerop #2007-60117

DPR v. Nathaniel Morgan and N.E.M Properties #2008-10898

DPR v. John Groll #2007-60358

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:40 p.m.

RATIFICATIONS:

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

Motion made/seconded to ratify the 19 cases recommended for closure from Investigations from the memo dated November 25, 2009 with 1 case remaining in investigations. Motion passed unanimously.

Motion made/seconded to ratify the 11 cases being referred to Prosecutions from Investigations, 2 being closed, 5 cases closed with the issuance of an administrative warning letter or Cease & Desist from the memo dated November 25, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 2 case for closure from Prosecutions from the memo dated December 9, 2009. Motion passed unanimously.

Motion made/seconded to refer case #2009-06551 to Prosecutions. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Bryan Weeks #2006-60324

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

DPR v. Eileen Hattan #2006-60370

Motion made/seconded that the above-mentioned licensee shall be refuse to renew. Motion passed unanimously.

DPR v. Steven Loerop #2007-60117

Motion made/seconded to withdraw from deliberations and be sent back to Prosecutions. Motion passed unanimously.

DPR v. Nathaniel Morgan and N.E.M. Properties #2008-10898

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

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Robert D. McCullough Jr

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:45 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is January 14, 2010 at a location to be determined.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison