



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 July 9, 2009

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on July 9, 2009, 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
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
Ernest Hernandez, Chief of Investigations
John Botner, Chief of Prosecutions
Sarajane Wright, Supervisor of Examination
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the June 11, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

Prosecutions have two 7-11's and two interns; one is currently working mostly on appraisal cases.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

2 CE instructors
1 Pre-license instructor

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for June 2009 was distributed. Licensing processed 1,200 renewals last month mostly due to the MLS notifying the licensee that they would be cut off from the MLS on July 10th if they were not renewed.

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

Appraisers are in their renewal period which will expire September 30, 2009. Auctioneers have changed their expiration date to December 31, 2010.

Active Real Estate Licensees for June

All Licensees	79,576
Brokers	27,686
Salespersons	41,968 (this does not include licenses with an inoperative status)
Leasing agents	1,190

EXAMINATIONS:

Ms. Wright distributed a report showing the real estate investigation cases completed by the Examination Section with the breakdown of the examiner's recommendation. Paula Taylor has been on medical leave since August 2008. As of July 1, 2009, the examiners are back full time doing examinations.

INVESTIGATIONS:

Mr. Hernandez distributed a report that reflected the number of new cases received, number of cases completed since the last Board Meeting; and the number of open cases as of July 3, 2009 and as of June 11, 2009. The report included that the examiners are no longer assigned to do investigations as of July 1, 2009; and the investigators are moving to the office in Des Plaines IL.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for June 2009. Prosecutions have filed 10 formal complaints; if the respondent files a motion for hearing, the

Department will either schedule an informal conference which will need a Board Member or a formal hearing. If the respondent fails to respond, he/she will be in default. If this process is successful, we'll continue to use this process. Mr. Capilla explained the process that the Appraisal Board does in presenting offer(s) to the respondent(s) that seems to expedite settling cases.

Mr. Botner mentioned that there are formal hearings scheduled for the following dates: July 17th, August 13th, August 18th, August 27th, and September 22nd.

OLD BUSINESS:

The License Rewrite Law that was attached to the Predatory Lending Bill has passed the Senate; now it's back in the House. There is hope that the Bill will pass.

DELIBERATIONS:

At 11:25 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters on July's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Anthony Hardy #2008-08398

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:10 p.m.

RATIFICATIONS:

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

Motion made/seconded to ratify the 22 cases recommended for closure from Investigations from the memo dated June 23, 2009 with 2 remaining in investigations, 1 referring to legal, and 3 cases pending. Motion passed unanimously.

Motion made/seconded to ratify the 15 cases being referred to Prosecutions from Investigations 1 case being closed, 10 cases closed with the issuance of an administrative warning letter, 1 case closed with the issuance of a compliance directive, 3 cases closed with the issuance of a cease & desist, 1 case remaining in investigations from the memo dated June 23, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure by Prosecutions from the memo dated July 8, 2009. 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. Anthony Hardy #2008-08398

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 August 13, 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