



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

BRENT E. ADAMS
Acting Secretary

DANIEL BLUTHARDT
Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD September 10, 2009

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

Mark Oaks, Education Coordinator
John Botner, Chief of Prosecutions
Craig Capilla, Staff Attorney
Matt Rupsis, representing General Council Mark Thompson
Allan Zack, Real Estate Investigator
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the August 13, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

A processor in Licensing has retired. Two law students that currently work for DPR will be assisting in Real Estate – Enforcement: one will be here for 90 days; the other until her contract ends.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 5 CE courses
- 3 CE Instructors
- 3 Pre-license instructors
- 1 request for 6 hours of out of state CE
- 1 CE course denied
- 1 CE instructor denied

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for August 2009 was distributed. For last month, the number of active brokers has decrease with salespersons increasing. For over the last two renewals, the number active Broker licenses have remained rather constant (27,600); the number of active salespersons has dropped from a high of 62,000 to a current 43,500. The report also reflected the active number of Loan Originator's licenses which the Department no longer processes their applications.

Appraisers are in their renewal cycle; as of today, 40 percent have renewed their licenses. The Division is expecting that there will be a decrease of 35 to 40 percent in the number of licenses that renew. There are several factors contributing to this decrease: 1) no business, 2) the training appraiser license will no longer be capable of upgrading under the new AQB criteria and 3) by the end of October, the new Appraisal Act will go in affect.

A report was given on the passing rate for broker and salesperson's State Examinations for July 2009.

Active Real Estate Licensees for August

All Licensees	80,822
Brokers	27,402
Salespersons	43,638 (this does not include licenses with an inoperative status)
Leasing agents	1,255

EXAMINATIONS:

Mr. Hardgrove mentioned the Examiners are back visiting and scheduling office examinations. Currently, there are no examiners living in the Metro Chicago Area. Distributed was the Examination Report dated September 10, 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 August. For the month of August, Examinations have conducted 70 audits by using the "Brokerage Verification Report." Examiners completed 39 examinations. The follow up examinations showed 29 offices in compliance, 7 offices no

follow up required due to license status change. Examinations Referred to Supervisor – Closed showed 9 issued resolved; 4 offices have an examination completed after referral; and 1 license status change and 1 no licensed activity.

INVESTIGATIONS:

Mr. Zack reported that investigations received 24 new cases, 49 cases were completed, and the number of open cases as of September 4, 2009 was 326.

Mr. Zack also reported that investigations are working on a major unlicensed practice case that may need Board Member assistance.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for August 2009. Mr. Botner mentioned that there is a higher rate of respondents showing up for informal conferences since the Department starting filing formal complaints. Patrick Sharpe and Judie McConville are scheduled for a formal hearing on September 22nd.

NEW BUSINESS:

The status for the License Law Bill has not changed from the last report because the Legislatures will not be in session until October but we are still confident that the Bill will pass.

DELIBERATIONS:

At 11:40 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters on September CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Calvin Townsend#2008-10791
DPR v. Tampus Hickman #2008-05388
DPR v. Robert McCullough Jr. #2004-60404

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:30 p.m.

RATIFICATIONS:

Case File Review Committee Members for September were Walter Son, Ron Hardgrove, John Botner and Allen Zack

Motion made/seconded to ratify the 28 cases recommended for closure from Investigations from the memo dated August 27, 2009 with 2 remaining in investigations. Motion passed unanimously.

Motion made/seconded to ratify the 12 cases being referred to Prosecutions from Investigations and 11 cases closed with the issuance of an administrative warning letter from the memo dated August 27, 2009. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Calvin Townsend #2008-10791

Motion made/seconded that the above-mentioned licensee be indefinitely suspended. Motion passed unanimously.

DPR v. Tamptha Hickman #2008-05388

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

DPR v. Robert McCullough Jr. #2004-60404

Motion made/seconded that the above-mentioned licensee be indefinitely suspended and fined \$5,000.00. Motion passed unanimously.

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:35 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is October 8, 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