



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 FEBRUARY 11, 2010

The Real Estate Administration and Disciplinary Board convened at 11:10 a.m. on February 11, 2010, at the Department of Financial & Professional Regulation Division of Professional Regulation, 122 S. Michigan Avenue, 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 - teleconference
Mark Oaks, Education Coordinator
John Botner, Chief of Prosecutions
Matt Rupsis, representing General Council Mark Thompson
Ernest Hernandez, Chief of Investigations
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the January 14, 2010 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

There were two postings for a Real Estate Investigator position; one for Chicago and one for Springfield. There will also be a posting for two or three attorneys for Prosecutions. Springfield has a temp to assist Licensing during the Broker renewal period.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 1 CE course
- 2 CE Instructors
- 2 Pre-License Instructors
- 3 request for a 12 month extension to complete CE for 2010 renewal

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for January 2010 was distributed.

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

Licensing sent out the broker renewal postcards allowing them to renew their license by phone, internet or downloading the renewal application from our website. Licensing hired a temp to answer the phones during the broker renewal. The week of March 15th, Licensing will mail out renewal applications to licensees that have not renewed. The Act now requires Licensing to mail out to the list of sponsored licenses that are in renewal to the sponsoring brokers.

Active Real Estate Licensees for January

All Licensees	81,661
Brokers	27,757
Salespersons	43,589 (this does not include licenses with an inoperative status)
Leasing agents	1,386

EXAMINATIONS:

Distributed was the Examination Report dated February 11, 2010 that was categorized by "Examinations Completed – Licensees with First Examination," Follow-Up Examinations Completed by Examiner," "Examinations Referred to Supervisor-Closed" for the month of January. For the month of January, Examinations have conducted 43 audits by using the "Brokerage Verification Report." Examiners completed 29 examinations. The follow up examinations showed 21 offices in compliance, 1 office was referred to Supervisor; 4 files were closed, 1 was referred, 1 returned to examiner and 1 sponsor change under "Examinations Referred to Supervisor."

INVESTIGATIONS:

Distributed was the Investigated Report dated February 11, 2010; since the last Meeting, 42 cases were received, 55 cases were completed. There are 213 open cases in Investigations as of February 5, 2010; of that, 124 cases are over 5 months old.

Training for the Investigators in Appraisal Investigation was conducted on January 15, 2010 at the Thompson Center; and was presented by Brian Weaver.

The bid for two Real Estate Investigators has been posted and it is expected that interviews through the Rutan process procedure will begin shortly.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for January 2010. The report reflected that there are 708 total cases in the Division as of January 31, 2010; as of today, there are 660. Prosecutions continue working on continuing education deficiencies for Real Estate Brokers and Real Estate Appraisers; and register sex offenders.

There are 6 formal hearings scheduled; a Board Member has volunteered for the following formal hearings: Walter Son on February 18th, Patrick Sharpe on February 25th, Paul Park on March 16th, Walter Son on March 31st. A Board Member is needed for the following dates: April 6th and May 4th.

NEW BUSINESS:

IAR has FAQ's on their website concerning the changes in the rewrite of the Illinois Real Estate Act of 2000 that went into effect; a print-out of that was distributed. Mr. Hardgrove suggested that Mr. Hernandez, Ms. Wright and the investigators meet sometime after February 18th to discuss the changes in the Real Estate Act.

IAR submitted to the Department a rough draft of the Rules; next Thursday, DPR Staff will be meeting to discuss drafting the Rules. Once we create our version of the Rules, we'll present it to the Board before filing which will most likely be at the April's Meeting. Once it's filed there is a 45 day comment period, follow by a response period for making changes, then presented again for another 45 day comment period.

DELIBERATIONS:

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

DPR v. Sean Sedrick #2009-11810
DPR v. Risa Williams #2008-08140
DPR v. Samad Moragheb #2009-07373
DPR v. Todd Van Buren #2007-60397
DPR v. Diane Street #2006-80061

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:45 p.m.

RATIFICATIONS:

Case File Review Committee Members for January were Patrick Sharpe, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 42 cases recommended for closure from Investigations from the memo dated February 10, 2010 and open a case on the buyer's agent. Motion passed unanimously.

Motion made/seconded to ratify the 9 cases being referred to Prosecutions from Investigations, 2 being closed, 9 cases closed with the issuance of an administrative warning letter or Cease & Desist, and 2 cases filing a refuse to renew from the memo dated February 10, 2010. Motion passed unanimously.

Motion made/seconded to ratify the 8 cases for closure from Prosecutions from the memo dated February 10, 2010. Motion passed unanimously.

Motion made/seconded to close 2 cases that were previously returned back to investigations for further review. 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. Sean Sedrick #2009-11810

RECOMMENDATIONS:

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

DPR v. Risa Williams #2008-08140

Motion made/seconded that the above-mentioned license shall be indefinitely suspended for a minimum of 1 year. Motion passed unanimously.

DPR v. Samad Moragheb #2009-07373

Motion made/seconded that the above-mentioned license shall be indefinitely suspended for a minimum of 2 years. Motion passed unanimously.

DPR v. Todd Van Buren #2007-60397

Motion made/seconded that the above-mentioned license shall be indefinitely suspended for a minimum of 5 years. Motion passed unanimously.

DPR v. Diane Street #2006-80061

Motion made/seconded that the above-mentioned license shall be indefinitely suspended for a minimum of 1 year. Motion passed unanimously.

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 March 11, 2010 at 100 W. Randolph, Chicago, IL.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison