



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

BRENT E. ADAMS
Secretary

JAY STEWART
Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD JULY 14, 2011

The Real Estate Administration and Disciplinary Board convened at 11:15 p.m. on July 14, 2011, 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
Judy Higgins Stowe, Member
Paul Park, Member
Chris Read, Member
James Schaid, Member
Carol Strader, Member
Scott Toban, Member
Linda Walton-Todd, Member
Wayne Williams, Member

The following member(s) were excused from the meeting:

Patrick Sharpe, Member

Also present for all or part of the meeting:

Ernie Hernandez, Chief of Investigations
Daniel Faermark, Chief of Prosecutions
Matt Rupsis, representing General Council Mark Thompson
Mark Oaks, Education Coordinator
Sarajane Wright, Supervisor of Examinations
Debra Malinowski (Dolinski), Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the June 9, 2011 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

Thomas Vasak is Real Estate Prosecution’s new law student.

EDUCATIONAL ADVISORY COUNCIL (EAC):

EAC approved the following number of applications on July 14, 2011:

- 8 CE courses with 4 pending additional requirements
- 1 CE course denied
- 2 CE courses tabled
- 4 CE Instructors with 2 limited scope
- 2 CE Instructors tabled
- 1 CE Instructor denied
- 1 Pre-license school tabled
- 20 Broker Pre-License courses with 2 tabled
- 18 Broker Post license courses with 2 tabled
- 22 Managing Broker Pre-license courses with 2 tabled
- 3 Transition Courses with 2 tabled

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for June 2011 was distributed. The report showed 32 Real Estate Managing Broker’s license issued in June.

The report also showed the state examination pass rate for brokers from January through June; salespersons from January through March; and Managing Brokers for the last two months.

As of July 8, 2011, the number that passed and the pass rate for the proficiency exam salesperson to broker was 11,282 at 95.6%; and broker to managing broker was 3,228 at 98.2%.

Mr. Faermark presented to Mr. Hardgrove a copy of an updated application clarifying the language on an applicant and/or a licensee disclosing a positive history to the Department.

Active Real Estate Licensees for June

All Licensees	78,699
Managing Broker	856
Brokers	28,154
Salespersons	39,769 (this does not include licenses with an inoperative status)
Leasing agents	1,676

EXAMINATIONS:

Mr. Hardgrove introduced Sarajane Wright to the Board. The Examination Reports dated July 14, 2011 were distributed. They are categorized by “First Examinations Completed,” Follow-Up Examinations Completed by Examiner,” “Examinations Referred to Supervisor-Closed” for the month of June. For the month of June, Examinations have conducted 34 audits by using the “Brokerage Verification Report.” Examiners completed 46 examinations. The follow up examinations showed 52 offices in compliance, 6 offices were referred to Supervisor. “Examination Referred to Supervisor-

Closed” showed 6 offices the issues were resolved. “Examination Completed-Findings Summary (2nd Quarter 2011) show a total number of examinations completed in reporting period: 172; total number of examinations completed without findings: 13; and total number of findings: 897.

INVESTIGATIONS:

Mr. Hernandez distributed the Real Estate Investigation Report dated July 14, 2011 that showed the number of cases received and completed since the last Board Meeting. There are 39 open real estate cases with 1 case that are over 6 months old. The Real Estate Investigators are assisting the Mortgage Fraud Task Force Investigators; the investigators are also involved in appraisal and auction cases.

Investigator Markos will be on maternity leave within the next month; and 2 investigators have submitted bids to other professions/agencies with the results be known as the bid process proceeds.

PROSECUTIONS:

Mr. Faermark presented the Prosecution Report reflecting the Real Estate activity for the month of June. To be noted, there were 36 Cases Referred to Prosecutions in June, 12 Cases Closed from Prosecutions; and 21 orders referred to the Director. The current total Real Estate caseload was reported to be 356. Mr. Faermark will email Ron Hardgrove and Deb Dolinski every Friday indicting the status of the upcoming trials that will be forwarded to the Board Members.

OLD BUSINESS:

Mr. Hardgrove mentioned that the Department is aware of a few violations of the Act as a result of educational course activity and/or delivery of such; the Department has decided on the licensee that is a provider to have the examiners visit and review process; and the licensees that were caught cheating are required to complete the 30-hour Transition Course.

DELIBERATIONS:

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

DPR v. Solomon Butler #2007-60493
DPR v. Yaser Maksoud #2011-02322
DPR v. Taras Bebko #2011-02156
DPR v. Katye Olsen #2011-02331
DPR v. Bahidad Javid #2009-03661
DPR v. David Dright #2010-07444
DPR v. Lanita Billingsley Morris #2010-05506
DPR v. Martha Quezada #2007-60478
DPR v. Abe Karn #2009-03663
DPR v. Atukwe Newell #2008-03336
DPR v. Blaine Holtke/Reliable Property Management #2010-08589
DPR v. Brandon Serpette #2010-01684
DPR v. Enrique Hernandez #2010-01684
DPR v. Nick Dupree & The Raasnic Group Inc #2008-02792
DPR v. Richard Knapp #2009-00485

DPR v. Steven Miskowicz #2010-01083
3 non-disciplinary Consent Orders

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:50 p.m.

RATIFICATIONS:

Case File Review Committee Members for July 13, 2011 were Chris Read, Judy Higgins-Stowe, Ron Hardgrove, Daniel Faermark and Ernest Hernandez.

Motion made/seconded to ratify the 12 cases recommended for closure be closed; 2 cases remaining in investigations; 1 case tabled; and one referred to Prosecutions to be merged into the other prosecution case from the memo Cases being closed from Investigations dated June 30, 2011, remain open pending that disposition. Motion passed unanimously.

Motion made/seconded to ratify the 15 cases being referred to Prosecutions with 1 being closed from the memo Cases Referred to Prosecutions dated June 30, 2011. Motion passed unanimously.

Motion made/seconded to ratify the 15 cases recommended for closure with 2 cases tabled from the memo Cases for Closure from Prosecutions dated June 30, 2011. Motion passed unanimously.

Motion made/seconded to ratify the 9 cases recommended for closure from the updated memo Cases for Closure from Prosecutions dated July 12, 2011. 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. Solomon Butler #2007-60493
DPR v. Yaser Maksoud #2011-02322
DPR v. Taras Bebko #2011-02156
DPR v. Katie Olsen #2011-02331
DPR v. Bahidad Javid #2009-03661
DPR v. David Dright #2010-07444
DPR v. Lanita Billingsley Morris #2010-05506
3 non-disciplinary Consent Orders

RECOMMENDATIONS:

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

DPR v. Martha Quezada #2007-60478

Motion made/seconded that the above-mentioned license shall be revoked and fined \$25,000.00. Motion passed unanimously.

DPR v. Atukwe Newell #2008-03336

Motion made/seconded that the above-mentioned license shall be revoked and fined \$5,000.00. Motion passed unanimously.

DPR v. Abe Karn #2009-03663

Motion made/seconded that the above-mentioned license shall be revoked. Motion passed unanimously.

DPR v. Blaine Holtke/Reliable Property Management #2010-08589

Motion made/seconded that the above-mentioned licenses shall be revoked; in addition, Blaine Holtke be fined \$10,000.00 and to consider petition for restoration be granted, submission of proof that restitution has been made to harmed parties. Motion passed unanimously.

DPR v. Brandon Serpette & Enrique Hernandez #2010-08589

Motion made/seconded that the above-mentioned licenses shall be refuse to renew and each fined \$5,000.00. Motion passed unanimously.

DPR v. Nick Dupree & The Raasnic Group Inc #2008-02792

Motion made/seconded to accept the Administrative Law Judge's recommendation that Mr. Dupree be fined \$5,000.00. Motion passed unanimously.

DPR v. Richard Knapp #2009-00485

Motion made/seconded to accept the Administrative Law Judge's recommendation that Mr. Knapp's license be indefinitely suspended for a minimum period of 4 years. Motion passed unanimously.

DPR v. Steven Miskowicz #2010-01083

Motion made/seconded to accept the Administrative Law Judge's recommendation that Mr. Miskowicz's license be revoked and fined \$25,000.00. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Stanislaw Krozel #2010-08582

DPR v. Brad Huffman #2009-11343

DPR v. Denise Pence #2009-11638

DPR v. Eric Prince #2010-06261

DPR v. Paul Shelton #2010-08633

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 1:00 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is August 11, 2011 at 100 W. Randolph, Chicago, IL.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE:_____

Debra Malinowski, Liaison