



# 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 MAY 19, 2011

The Real Estate Administration and Disciplinary Board convened at 12:15 p.m. on May 19, 2011, 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  
Chris Read, Member  
Patrick Sharpe, Member  
Carol Strader, Member  
Scott Toban, Member  
Linda Walton-Todd, Member

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

Judy Higgins Stowe, Member  
James Schaid, Member  
Wayne Williams, Member

Also present for all or part of the meeting:

Young Brockhouse, Chief Testing Officer  
Ernie Hernandez, Chief of Investigations  
Craig Capilla, Attorney  
Caren Gordon, representing General Council Mark Thompson  
Matt Rupsis, representing General Council Mark Thompson  
Debra Dolinski, Board Liaison/Administrative Assistant

### APPROVAL OF MINUTES:

**Motion:** A motion made/seconded to approve the April 14, 2011 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

## **AGENCY UPDATE:**

Jay Stewart was appointed by the Governor as Director for Department of Professional Regulation. Coreen Gordon was introduced to the Board as General Council for Real Estate. Springfield has two postings for office coordinator; one position is for time share/land sales clerical and the other position is for real estate.

## **EDUCATIONAL ADVISORY COUNCIL (EAC):**

EAC approved the following number of applications on May 19, 2011:

- 8 CE courses with 2 courses requiring additional requirements
- 4 CE Instructors
- 1 Pre-license Instructor pending approval
- 1 Pre-License School pending approval
- 16 Broker Pre-License courses
- 16 Broker Post license courses
- 10 Managing Broker Pre-license courses
- 3 Transition Courses

## **LICENSING:**

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for April 2011 was distributed by Young Brockhouse.

The report also showed the pass rate for broker's state examination from January through April; and the pass rate for salesperson's state examination from January through March.

Licensing is accepting and processing broker applications postmark April 30, 2011 to be eligible to transition for a managing broker's license. Staff has been working overtime in order to process the increase in real estate license applications; also, compounded by the onslaught of Course and Instructor License Applications. .

As of May 18, 2011, the number that passed and the pass rate for the proficiency exam salesperson to broker was 9,895 at 95.8%; and broker to managing broker was 2,548 at 98.4%.

### Active Real Estate Licensees for April

All Licensees 78,853

Brokers 26,444

Salespersons 42,784 (this does not include licenses with an inoperative status)

Leasing agents 1,625

## **EXAMINATIONS:**

The Examination Reports dated May 19, 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 April. For the month of April, Examinations have conducted 50 audits by using the "Brokerage Verification Report." Examiners completed 11 examinations. The follow up examinations showed 38 offices in compliance, 7 offices were referred to Supervisor. "Examination Referred to Supervisor- Closed" showed 5 offices the issues were resolved.

## **INVESTIGATIONS:**

Mr. Hernandez distributed the Real Estate Investigation Report dated May 19, 2011 that showed the number of cases received and completed since the last Board Meeting. There are 42 open real estate cases with 0 cases that are over 6 months old.

Robert Wasiak began working on January 18, 2011 as a Real Estate Investigator and continues his training with members of the Investigation section.

## **PROSECUTIONS:**

Mr. Capilla presented the Prosecution Report reflecting the Real Estate activity for the month of April. To be noted, there were 22 Cases Referred to Prosecutions in April, 34 Cases Closed from Prosecutions; and 22 orders referred to the Director. The current total Real Estate caseload was reported to be 355. 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.

Prosecutions have lost 2 law students they had for the past year; hopefully, next month will be getting 2 new law students. One of the two law students will be Patrick Bernard that has been working for the Department as an intern for the past year.

## **OLD BUSINESS:**

Mr. Toban discussed his concerns regarding the requirement that attorneys have in transitioning their real estate license. There was a lengthy discussion on this topic.

## **NEW BUSINESS:**

On May 20, 2011, Scott Toban, Ron Hardgrove and Young Brockhouse will be speaking at the Illinois Association of Realtors Instructor's Conference at the Holiday Inn in Tinley Park, IL.

## **DELIBERATIONS:**

At 1:00 p.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. Eric Prince #2010-06261**  
**DPR v. Paul Shelton #2010-08633**  
**DPR v. Richard Souyoul #2011-02340**  
**DPR v. Nicholas A. Vangel #2008-05021**  
**DPR v. John Morgan #2010-07236**  
**DPR v. Scott Kurfirst #2011-02316**  
**DPR v. Lamont Farr #2011-01571**  
**DPR v. Patrick Washington #2011-03224**  
**DPR v. Michael Flynn #2010-08585**  
**DRP v. Burnette Hughes #2004-60448**  
**DPR v. David Brown #2006-60384**  
**DPR v. Dwayne Lawrence #2011-03316**  
**DPR v. Nicole Hardemon/Urban Relocators #2010-05852**  
**DPR v. Joseph Betancourt #2007-70123**

## **4 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 2:00 p.m.

### **RATIFICATIONS:**

Case File Review Committee Members for May 18, 2011 were Paul Park, Scott Toban, Ron Hardgrove, Daniel Faermark and Ernest Hernandez.

Motion made/seconded to ratify the 6 cases recommended for closure with 3 referred to Prosecutions and 1 remaining in investigations from the memo Cases being closed from Investigations dated April 28, 2011. Motion passed unanimously.

Motion made/seconded to ratify the 22 cases being referred to Prosecutions with 2 being closed from the memo Cases Referred to Prosecutions dated April 28, 2011. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure from the memo cases for closure from Prosecutions dated April 28, 2011. Motion passed unanimously.

Motion made/seconded to ratify the 15 cases recommended for closure from the updated memo Cases for Closure from Prosecutions dated May 18, 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. Richard Souyoul #2011-02340**  
**DPR v. Nicholas A. Vangel #2008-05021**  
**DPR v. John Morgan #2010-07236**  
**DPR v. Scott Kurfirst #2011-02316**  
**DPR v. Lamont Farr #2011-01571**  
**DPR v. Patrick Washington #2011-03224**  
**DPR v. Michael Flynn #2010-08585**  
**DRP v. Burnette Hughes #2004-60448**  
**DPR v. David Brown #2006-60384**  
**DPR v. Dwayne Lawrence #2011-03316**  
**DPR v. Nicole Hardemon/Urban Relocators #2010-05852**  
**DPR v. Joseph Betancourt #2007-70123**  
**4 non-disciplinary Consent Orders**

### **RECOMMENDATIONS:**

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

**DPR v. Eric Prince #2010-06261**

Motion made/seconded that the above-mentioned license shall be revoked and fined \$50,000.00. Motion passed unanimously.

**DPR v. Paul Shelton #2010-08633**

Motion made/seconded that the above-mentioned license shall be indefinitely suspended 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. Gabriel Matache #2007-60672**  
**DPR v. Yong Yu d/b/a/ Blend, Inc #2010-07447**  
**DPR v. Verdis Muhammad #2010-07218**  
**DPR v. Francisco Garcia #2010-01432**  
**DPR v. Brad Court #2007-60099**

**ADJOURNMENT:**

Motion made/seconded to adjourn the meeting at 2:15 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is June 9, 2011 at 100 W. Randolph, Chicago, IL.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION  
AND DISCIPLINARY BOARD

\_\_\_\_\_  
Ron Hardgrove, Real Estate Director

DATE: \_\_\_\_\_

\_\_\_\_\_  
Debra Dolinski, Liaison