



# Illinois Department of Financial and Professional Regulation

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## Division of Profession Regulation - Real Estate

**ROD R. BLAGOJEVICH**  
Governor

**DEAN MARTINEZ**  
Secretary

**DANIEL BLUTHARDT**  
Director  
Division of Professional Regulation

### MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD January 10, 2008

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on January 10, 2008, 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  
Patrick Sharpe, Member  
Toni Sherman, Member  
Walter Son, Member

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

Judie McConville, Member  
Carol Shields, Member

Also present for all or part of the meeting:

Michael Garvin, Acting Chief of Prosecutions  
Young Brockhouse, Manager of Licensing & Education  
Ernest Hernandez, Chief of Investigations  
Mark Oaks, Education Coordinator  
Debra Dolinski, Board Liaison/Administrative Assistant

#### **APPROVAL OF MINUTES:**

**Motion:** A motion made/seconded to approve the December 13, 2007 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

## **AGENCY UPDATE:**

Mr. Hardgrove mentioned that at a meeting with IAR staff it was mentioned that they are going to bring back to the General Assembly the bill that was introduced in the last two years. IAR is suggesting for the next renewal, that Managing Brokers would have a Certificate issued after they have completed the Broker Management Course and show proof that they have a reasonable amount of Errors and Omission insurance. Mr. Hardgrove would rather prefer a certificate showing that you are a broker associate and that Managing Brokers would have the license after they have completed the additional requirements.

The Division is preparing to offer brokers, as alternatives, the opportunity to complete the Broker Management Course by Home Study and Interactive Internet Delivery with controlled testing.

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

The REEF website shows 32.7% of brokers have taken and passed the broker management course; that reflects a slight change from last month because of the holidays. Mr. Hardgrove mentioned that the Broker Management Exam had 4 questions that over 25% of the brokers and instructors did not answer correctly; one of which 57% of the brokers and 72% of the instructors missed!

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

- 1 Pre-license school
- 6 pre-license courses
- 7 CE courses
- 4 CE instructors

## **LICENSING:**

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for December 31, 2007 was distributed.

Licensing is anticipating sending out approximately 30,760 renewal applications once our system conversion has taken place. The conversion is expected to take place at the end of January; therefore, the renewal applications will be sent out shortly after that. The licensee will first receive a post card indicating that they can renew on-line or by phone; 45 days later, Licensees that did not renew will receive the hard copy application.

Report was given on the passing rate for broker and salesperson's State Examinations through November 30 2007.

### Active Real Estate Licensees for December

All Licensees	96,842
Brokers	30,764
Salespersons	55,208
Leasing agents	1,280

## **EXAMINATIONS:**

Distributed was the examination report dated January 10, 2008 that was categorized by “Examinations Completed by Examiner – Licensees with First Examination”, “Examinations Completed by Examiner – Compliance Review,” and “Examinations – 60 Day Follow-Up” for the month of December. For the month of December, Examinations have conducted 117 audits by using the “Brokerage Verification Report.” Examiners completed 24 examinations. The compliance review showed 2 with no pending issues and no offices “referred to supervisor; the 60 day follow up showed 43 offices in compliance, 3 offices “referred to supervisor.” Examinations Referred to Supervisor – Closed showed 2 issues resolved; 1 office that was exam after it was referred to Prosecutions, 4 office with a license status change, 2 offices that cannot be located and 7 offices referred to Enforcement.

## **INVESTIGATIONS:**

Mr. Hernandez reported that 14 new cases were assigned to Investigators in December; 23 cases were closed, and 163 investigation reports were submitted. Investigations lost a lot of man hours due to the holiday season.

All the investigators are scheduled for additional internal training which includes training for ILES.

Mr. Hernandez continues to work with Director Hardgrove in addressing different strategies on the investigation’s caseload.

## **PROSECUTIONS:**

The Prosecution’s Report was distributed to the Board. Mr. Garvin reported the caseload numbers with the break down on the types of violations, the upcoming formal hearings and informal conferences, and case activity for December; included in the report was the total number of cases for the Real Estate Profession.

Two of the three law students were out for the holiday with one not returning.

For the upcoming Formal Hearing on January 16, 2008, Patrick Sharpe is the Board Member that is schedule to attend. Mr. Garvin asked the Board to pick dates that he has selected, to schedule informal conferences for January and February. The Board suggested that for CRC/informal conferences scheduled on the same day to have one board member handle CRC and another board member handled the informal conferences. The Real Estate Licensing Act/Rules does not require a Board Member to attend conferences; the Division might consider having the conferences without having a board member in the less serious conferences.

## **DELIBERATIONS:**

At 11:55 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and January’s CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

**DPR v. Ronald Ulakovich #E2007-174RE**

**DPR v. Philip Prassas #E2007-150RE**

**DPR v. Victor Moreno #E2007-113RE**

**DPR v. Ronald Lloyd #E2007-223RE**

**DPR v. Ram Seth #E2007-11RE**

**DPR v. Diana Thames #E2007-201RE**

**DPR v. Bernard Kelly #E2006-1RE**

**DPR v. Lana McCarroll #E2007-124RE**  
**DPR v. Alberto Rodriguez E2007-155RE**  
**DPR v. Roger Scott #E2007-261RE**

**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.

**RECOMMENDATIONS:**

Upon reconvening in open session, motion was made, seconded to approve as presented consent orders in the following cases:

**DPR v. Ronald Ulakovich #E2007-174RE**

**RATIFICATIONS:**

Case File Review Committee Members for January 9, 2008 were Walter Son, Ron Hardgrove and Michael Garvin.

Motion made/seconded to ratify the 10 cases recommended for closure from Investigations from the memo dated December 27, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for referral to Prosecutions from the memo dated December 27 2007. Motion passed unanimously.

Motion made/seconded to ratify the 3 cases recommended for closure by Prosecutions from the memo dated January 10, 2008. Motion passed unanimously.

The cases that were tabled for January's READ Board meeting were recommended that one case would be referred to Prosecutions and the second case would be closed. Motion made/seconded to refer to Prosecutions the one case and close the other. Motion passed unanimously.

**RECOMMENDATIONS:**

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

**DPR v. Philip Prassas #E2007-150RE**

Motion was made/second that the above-mentioned licensee's license is indefinitely suspended until he submits proof of completing the continuing education requirements. Motion passed unanimously.

**DPR v. Ronald Llyoyd #E2007-223RE**

Motion made/second that above-mentioned licensee's license is revoked for a minimum period of 10 years. Motion passed unanimously.

**DPR v. Diana Thames #E2007-201RE**

Motion made/seconded that the above-mentioned licensee's license is revoked for a minimum period of 10 years. Motion passed unanimously.

**DPR v. Victor Moreno #E2007-113RE**

Motion made/seconded that the above-mentioned licensee's license is revoked for a minimum period of 10 years and a fine of \$25,000.00 be imposed.

**DPR v. Ram Seth #E2007-11RE**

Motion made/seconded that the above-mentioned licensee's license is revoked for a minimum period of 10 years and a fine of \$25,000.00 be imposed.

**DPR v. Bernard Kelly #E2006-1RE**

Motion made/seconded that the above mentioned licensee's license is revoked for a minimum period of 10 years and a fine of \$25,000.00 be imposed

**DPR v. Lana McCarroll #E2007-124RE**

Motion made/seconded that the above-mentioned licensee's license is indefinitely suspended until she submits proof of completing continuing education requirements. Motion passed unanimously.

**DPR v. Roger Scott #E2007-261RE**

Motion made/seconded that the above-mentioned licensee's license is revoked for a minimum period of 2 years. Motion passed unanimously.

**DPR v. Alberto Rodriguez #E2007-155RE**

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

**FINDINGS/CONCLUSIONS/RECOMMENDATIONS:**

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

**DPR v. Bernard Kelly #E2007-113RE**

**DPR v. Diana Thames #E2007-201RE**

**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 February 14, 2008 at 100 W. Randolph, Suite 9-300, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION  
AND DISCIPLINARY BOARD

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

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

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Debra Dolinski, Liaison