



Illinois Department of Financial and Professional Regulation

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 March 8, 2007

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on March 8, 2007, 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
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:

Young Brockhouse, Manager of Licensing & Education
Mark Thompson, General Counsel
Wayne Straza, Deputy Director Enforcement Administration – Acting Chief for Real Estate & Appraisal
Mark Oaks, Education Coordinator
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the February 8, 2007 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

The Agency posted one real estate investigator's position as of Tuesday; no posting for a prosecuting attorney but Director Bluthardt is pushing the issue. Holly Grady returned on a limited basis as a processor from her maternity leave. Mark Thompson was introduced to the Board as the new General Counsel to replace Don Seasock who was promoted to Administrative Law Judge.

The five Chapters in the Broker Management Course are finalized and returned to Dearborn for printing as well as the exam; the Division is also requesting one more exam. REEF and IAR still have to finalize the power-point presentation and instructor's guide. Mr. Hardgrove mentioned that the tentative dates for the instructor training will be April 23rd or April 24th in Springfield; May 7th, May 8th or May 9th in Chicago; there will be additional instructor training seminars to follow. The Division will soon be implementing the two core courses now that the Broker Management Course is almost finalized. Mr. Hardgrove thanked the staff at IAR & REEF for putting in the extra time to make all of the necessary corrections in order to keep the course on schedule for its May availability.

Mr. Brockhouse gave a verbal update on the changes for the salesperson's renewal; Licensing sent post cards in the beginning of March to the licensees with their user name and password to renew on-line or by the automated phone service; the new software that the Division had to order is not going to be available until March 21, 2007. In the first two days, there were approximately 2000 licensees that renewed on-line. Another mailing will be going out at the end of March for licensees that have not renewed that will include the additional option to renew by mail.

The Chicago staff is reported to be moving to the Thompson Center as early as May.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 1 continuing education school
- 5 continuing education courses
- 6 pre-license instructor
- 6CE instructors
- 2 Limited CE instructors
- 2 CE extensions

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for February 28, 2007 was distributed. Mr. Hardgrove requested that the licensing reports reflect the last year figures.

A report was given on the passing rate for broker and salesperson's State Examinations for January 2007.

Active Real Estate Licensees:

All Licensees	101,490
Brokers	28,814
Salespersons	62,884
Leasing agents	1,157

FISCAL REPORT:

Fiscal Reports are distributed on a quarterly basis; therefore, no Fiscal Report was distributed for this month's meeting.

EXAMINATIONS:

Distributed were three examination reports for the month of February 2007 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 February. Examinations have conducted 79 audits by using the "Brokerage Verification Report." Examiners completed 17 examinations with 16 not inspected – as authorized. The compliance review showed 8 offices had no pending issues with 1 office being "Referred to Supervisor" because they were not in compliance; and the 60 day follow up showed 58 offices had no pending issues and 3 offices with follow-up no longer required.

INVESTIGATIONS:

Mr. Straza reported that there are 769 opened real estate cases; and 5 candidates were interviewed for the real estate investigator's position. Once the interview reports are written, they will be forwarded to the Director to review. Mr. Straza praised the Real Estate Division on conducting a 100% CE Audit on our licenses; currently, the other professions within DPR do not have a 100% CE Audit which is being looked into expending. Investigations have redirected their emphases to escrow and unlicensed practice violations. There is a major appraisal investigation dealing with fraud that is being addressed in Financial Institutions with tie ins mortgage, loan originators, and appraisers that has Secretary Martinez is very concerned. Mr. Straza has been in contact with Appraisal Chairperson, Mr. McCarthy, to inform him that Director Bluthardt and Secretary Martinez have signed off on recommending contracting 10 outside appraisal investigators which will allow the real estate investigators to focus mainly on addressing the real estate cases.

PROSECUTIONS:

The Prosecution reports were distributed to the Board. There are seven formal hearings scheduled for the next 4 months; March 21st with Judie McConville and Walter Son scheduled and the two that are scheduled for April 12th will be Walter Son and Toni Sherman, the rest of the hearings still needs a designated board member (s).

NEW BUSINESS:

Mr. Hardgrove mentioned that there was a discussion at the EAC Meeting regarding the request made by Director Bluthardt that EAC and READ Board would meet quarterly in Springfield which Council agreed to start with April's meeting. After reviewing the Prosecution's report showing two formal hearings scheduled for that date, it is now being reconsidered.

DELIBERATIONS:

At 11:38 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and March's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

BRE v. Angela Moss #E2007-6
BRE v. Rosalba Pasillas #E2006-123
BRE v. Sonja Baur #E2006-116
BRE v. Charles Chianelli #E2006-107
BRE v. Caletta Key #E2006-134
BRE v. Judith Bowman-Rhodes #E2006-121
BRE v. Gerald Anderson #E2007-5

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:05 p.m.

RATIFICATIONS:

Case File Review Committee Members for March 7, 2007 were Paul Park, Ron Hardgrove and Mary Anne Benden.

Motion made/seconded to ratify the 11 cases for closure by Investigations with 1 remaining open from the memo dated February 22, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 1 case for closure by Investigations from the memo dated March 8, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 6 cases recommended for referral to Prosecutions from Investigations with 1 case to be closed from the memo dated February 22, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for referral to Prosecutions from Investigations from the memo dated March 8, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 3 cases recommended for closure by Prosecutions from the memo dated February 22, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 8 cases recommended for closure by Prosecutions with 1 case to verify information before closing from the memo dated March 8, 2007. Motion passed unanimously.

RECOMMENDATIONS:

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

BRE v. Angela Moss #E2007-6
BRE v. Rosalba Pasillas #E2006-123

RECOMMENDATIONS:

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

BRE v. Caletta Key #E2006-134

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

BRE v. Judith Bowman-Rhodes #E2006-121

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

BRE v. Gerald Anderson #E2007-5

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

BRE v. Sonja Baur #E2006-116

BRE v. Charles Chianelli #E2006-107

Motion was made/seconded that the above-mentioned licensees are Refused Renewal until such time as they submits proof from the Department of Revenue that their Illinois Income taxes, if due and owing, have been paid, and/or returns have been filed. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

BRE v. Sonja Baur #E2006-116

BRE v. Charles Chianelli #E2006-107

BRE v. Caletta Key #E2006-134

BRE v. Judith Bowman-Rhodes #E2006-121

BRE v. Gerald Anderson #E2007-5

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:30 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is April 12, 2007 at 122 S. Michigan Avenue, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison