



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 13, 2008

The Real Estate Administration and Disciplinary Board convened at 11:15 a.m. on March 13, 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
Judie McConville, Member
Paul Park, Member
Patrick Sharpe, Member
Walter Son, Member

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

Toni Sherman, Member
Carol Shields, Member

Also present for all or part of the meeting:

John Botner, Chief of Prosecutions
Ernest Hernandez, Chief of Investigations
Mark Oaks, Education Coordinator
Debra Dolinski, Board Liaison/Administrative Assistant
Dale McConville

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the February 14, 2008 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

A new law student started March 11th; Charles Rocek is transferring to another department within the Division; and one of the other investigators applied for a different position.

Mr. Hardgrove distributed and discussed the four legislative bills that are pending in the General Assembly. They are: 1) HB4313 - No licensee shall compensate a party to the transaction; 2) HB5358 - amend the Licensing Act of 2000; 3) HB4892 - Creates the Home Buyer's Protection Lien Act; 4) HB4394 - transferring escrow funds to the Office of the State Treasurer.

The Division is adapting to the new data base system, ILES.

EDUCATIONAL ADVISORY COUNCIL (EAC):

The Division has a report showing 40.07% of brokers have taken and passed the broker management course; 120 have failed but have retaken the test and passed. Real Estate Brokers have an option of transferring back to a real estate salesperson license; the form is on our website.

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

- 11 CE courses
- 5 CE instructors
- 2 pre-license instructor
- 1 denying a pre-license instructor
- 1 pre-license course
- 3 request for a 6 month extension to complete Broker CE
- 1 approving Category E

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for February 2008 was distributed. The number of active Home Inspector's license has dropped after their renewal date of November 30, 2007.

Report was given on the passing rate for broker and salesperson's State Examinations through January 2008.

Active Real Estate Licensees for February

All Licensees	96,681
Brokers	30,843
Salespersons	54,854
Leasing agents	1,304

EXAMINATIONS:

Distributed was the examination report dated March 13, 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 months of January and February. For the months of January and February, Examinations have conducted 88 audits by using the "Brokerage Verification Report." Examiners completed 129 examinations. The compliance review showed 6 with no pending issues and 1 office that was "referred to supervisor; the 60 day follow up showed 46 offices in compliance, 6 offices "referred to supervisor." Examinations Referred to Supervisor

– Closed showed 6 issues resolved; 11 offices have an examination after referral; and 2 offices referred to Enforcement.

INVESTIGATIONS:

Mr. Hernandez reported that 79 new cases were assigned to Investigators in February; 44 cases were closed, and 82 investigation reports were submitted during the month; currently there are 864 open cases.

Training the Investigators in ILES is still a priority for the Division; additional training has been scheduled. One investigator has chosen to leave the Real Estate Department for another position within DPR. The Department has posted another investigator position.

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

PROSECUTIONS:

Mr. Botner reported that Prosecutions has 367 open cases; 200 of which are brokers that were deficient with their continuing education requirements for the 2006 renewal period; he also discussed the case activity for February.

DELIBERATIONS:

At 11:55 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. Robert Abrams #2007-60934
DPR v. Nye Bouslgo #2007-60950
DPR v. Anthony Brizic #2007-60955
DPR v. Cynthia Cronin #2007-60976
DPR v. Thomas Hanley #2007-61028
DPR v. William Moran #2007-61041
DPR v. George Anthony Petros #2007-61066
DPR v. Michael Feinstein #2007-61100
DPR v. Edward Rowe #2007-61101
DPR v. James Sather #2007-61108
DPR v. Marvin Spatz #2007-61134
DPR v. Dragomir Stojkovich #2007-61138
DPR v. Gabriele Wehler #2007-61162
DPR v. Peter Zouvas #2007-61183
DPR v. Diane Campa #2007-60524
DPR v. William Moorehead #2007-60844

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 1:20 p.m.

RECOMMENDATIONS:

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

DPR v. Robert Abrams #2007-60934
DPR v. Nye Bouslgo #2007-60950
DPR v. Anthony Brizic #2007-60955
DPR v. Cynthia Cronin #2007-60976
DPR v. Thomas Hanley #2007-61028
DPR v. William Moran #2007-61041
DPR v. George Anthony Petros #2007-61066
DPR v. Michael Feinstein #2007-61100
DPR v. Edward Rowe #2007-61101
DPR v. James Sather #2007-61108
DPR v. Marvin Spatz #2007-61134
DPR v. Dragomir Stojkovich #2007-61138
DPR v. Gabriele Wehler #2007-61162
DPR v. Peter Zouvas #2007-61183

RATIFICATIONS:

Case File Review Committee Members for March 12, 2008 were Toni Sherman, Ron Hardgrove and John Botner.

Motion made/seconded to ratify the 28 cases recommended for closure from Investigations from the memo dated February 29, 2008 with 6 remaining open, 1 to receive an administrative warning letter and 1 to receive a compliance agreement. Motion passed unanimously.

Motion made/seconded to ratify that 8 cases being referred to Prosecutions from Investigations with 8 cases receive compliance directives; 6 cases receive administrative warning letters; 4 cases being close and 2 remaining investigations from the memo dated February 29, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 5 cases recommended for closure by Prosecutions from the memo dated February 29, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 5 cases recommended for closure by Prosecutions from the memo dated March 13, 2008. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Diane Campa #2007-60524

Motion was made/second that the above-mentioned license is revoke and \$5,000.00 civil fee. Motion passed unanimously.

DPR v. William Moorehead #2007-60844

Motion was made/second that the above-mentioned licensee is indefinitely suspended until such time as he 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 Director:

DPR v. De'Lores Caine 2007-60480

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 1:15 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is April 10, 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: _____

Debra Dolinski, Liaison