



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 May 10, 2007

The Real Estate Administration and Disciplinary Board convened at 11:15 p.m. on May 10, 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
Judie McConville, Member
Paul Park, Member
Carol Shields, Member
Walter Son, Member

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

Patrick Sharpe, Member
Toni Sherman, Member

Also present for all or part of the meeting:

Young Brockhouse, Manager of Licensing & Education
Mary Anne Benden, Director of Enforcement
Mark Oaks, Education Coordinator
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the April 16, 2007 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

On April 16, 2007, Allen Zack was hired as a real estate investigator. Mr. Zack previously worked for DCFS with 18 years of investigation experience. All of the Chicago Real Estate investigators are working on a major task force attacking the mortgage fraud problem; the real estate caseload may suffer during this time period. The current law students will be leaving this month and it appears that there is a problem hiring new law students for the upcoming year. May 14, 2007, Licensing will be interviewing for the processor's position.

Mr. Brockhouse mentioned that approximately 66 percent of the licensees have renewed to date; which is a little lower from the last renewal. There are approximately 2 to 3 thousand deficiency letters that needs to be addressed.

The Chicago Real Estate staff has moved to the Thompson Center as of May 9, 2007; all the phone numbers have remain the same.

EDUCATIONAL ADVISORY COUNCIL (EAC):

At the EAC meeting there was a motion made to defer the broker management continuing education course applications to the Director for approval. There was also a lengthy discussion on the seminars conducted on April 24th and May 8th on training the instructors for the Broker Management Course; in summary, the schools and professions would like to have more control over the course. There were 35 attendees in Springfield; and 83 attendees in Oakbrook; all of the attendees passed. Ninety percent of the evaluations were positive to very positive on the course. There will be other seminars for instructors to attend but no dates have been made. The Division is on schedule in having the course available for the brokers but is waiting for the completed contract with REEF. To insure that the course is taught properly; the Division will have to consider monitoring the instructors. EAC approved the following number of applications at the May 10, 2007 meeting:

- 9 continuing education courses with 1 being denied
- 3 pre-license instructor
- 7 CE instructors
- 6 CE extensions

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for April 30, 2007 was distributed. For the month of April, there were 23,258 salesperson's licenses renewed.

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

Active Real Estate Licensees:

All Licensees	79,869
Brokers	29,414
Salespersons	40,206
Leasing agents	1,234

FISCAL REPORT:

Fiscal Reports as of March 31, 2007 were distributed. The report showed the 850 fund having a balance of approximately \$13,750,000; this does not include the salesperson's renewal fee which should bring it to \$15,000,000.

EXAMINATIONS:

Distributed were three examination reports for the month of April 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 April. Examinations have conducted 95 audits by using the "Brokerage Verification Report." Examiners completed 52 examinations with 12 not inspected – as authorized. The compliance review showed 7 offices with 2 offices "referred to supervisor; and the 60 day follow up showed 57 offices with 4 offices "referred to supervisor." Examinations Referred to Supervisor – Closed showed 1 exam completed after referral; 2 issues resolved and 1 referred to prosecutions.

Mr. Hardgrove mentioned that there were 398 findings from 124 offices examined; 30 offices had no violations. Majority of the violations are minor and are easily resolved.

INVESTIGATIONS:

There is no investigation report to distribute.

PROSECUTIONS:

The Prosecution reports were distributed to the Board. Ms. Benden reported that the caseload numbers increase due to the 170 salespersons deficient in continuing education for the 2005 renewal and 17 child support cases. As of April 30th, the Division filed 51 complaints; since that time, there were an additional 85 complaints filed. The formal hearing that was scheduled for April 25th has been rescheduled; and there is a hearing today that Carol Shields will be attending. Ms. Benden presented to the Board the proposal in resolving the cases for salespersons deficient in CE for the 2005 renewal. Ms. Benden is looking for Board Members to attend the next multiple hearing date on June 19th; Judy McConville volunteered.

DELIBERATIONS:

At 11:55 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. Nancy Parker #E2007-191RE
BRE v. Elizabeth Jurgens #E2007-102RE
BRE v. Raymond Huertas #E1996-13471RE
BRE v. Joel Patch #E2007-21RE
BRE v. William Mears #E2007-22RE
BRE v. Thomas Elliott #E2006-18RE

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:10 p.m.

RATIFICATIONS:

Case File Review Committee Members for May 9, 2007 were Judie McConville, Paul Park, Ron Hardgrove and Mary Anne Benden.

Motion made/seconded to ratify the 2 cases for closure by Investigations with 1 remaining in Investigations from the memo dated April 27, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for referral to Prosecutions from Investigations dated April 27, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure by Prosecutions from the memo dated April 27, 2007. Motion passed unanimously.

Motion made/seconded to ratify the 5 cases recommended for closure by Prosecutions from the memo dated May 9, 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. Nancy Parker #E2007-191RE
BRE v. Elizabeth Jurgens #E2007-102RE
BRE v. Raymond Huertas #E1996-13471RE
BRE v. Joel Patch #E2007-21RE
BRE v. William Mears #E2007-22RE

RECOMMENDATIONS:

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

BRE v. Thomas Elliott #E2006-18RE

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

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

BRE v. Thomas Elliott #E2006-18RE
BRE v. Betty Brown #E2006-68RE

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:10 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is June 14, 2007 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison