



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

MICHAEL T. MCRAITH
Acting Secretary

DANIEL BLUTHARDT
Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD May 21, 2009

The Real Estate Administration and Disciplinary Board convened at 11:10 a.m. on May 21, 2009, 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
Walter Son, Member

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

Judie McConville, Member

Also present for all or part of the meeting:

Young Brockhouse, Acting Chief Testing Officer
Mark Oaks, Education Coordinator
Ernest Hernandez, Chief of Investigations
John Botner, Chief of Prosecutions
Craig Capilla, Attorney
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the April 16, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

Carol Shields has resigned from EAC and READ Board effective this month.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 4 CE courses
- 3 CE instructors
- 1 Pre-license instructor – deferred to next month
- 1 request for consideration – Pre-license Instr. Renewal

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for April 2009 was distributed.

Seventy percent of salespersons have renewed their license; next month will have a more accurate number. Licensing is catching up in processing the salesperson's renewal applications; and processing the renewal for Pre-license Schools, pre-license courses, and pre-license instructors.

A report was given on the passing rate for broker and salesperson's State Examinations for March 2009. Candidates passing the Broker's Simulation Test Exam for April were: first timers, 41%; repeaters, 56%; overall, 47%.

Active Real Estate Licensees for April

| | |
|----------------|--------|
| All Licensees | 87,195 |
| Brokers | 27,436 |
| Salespersons | 50,160 |
| Leasing agents | 1,133 |

EXAMINATIONS:

There was not an Examination Report distributed. All examiners continue to work on the investigation aged caseload.

INVESTIGATIONS:

Mr. Hernandez distributed a report that reflected the breakdown of the number of open cases by year in Investigations for May 20, 2009 and April 3, 2009. The report included the number of new cases opened and cases completed, the reassignment of cases and Mr. Rogers, the newest investigator, training completed.

PROSECUTIONS:

Distributed was the Prosecution Report reflecting the total real estate cases in Legal; and the activity for April 2009. Prosecutions are expecting to have a 711 law Student start in late June.

OLD BUSINESS:

The Broker Management Course supplement is completed. IAR has scheduled an instructor's training on May 27th that will have a "live interactive network" to be broadcast at CAR, Peoria Assoc., and Gateway Assoc of Realtors.

Candidates are still struggling with the new Broker Simulation Test Exam; the Division will be looking into some of the questions to make sure that there are not any flaws.

NEW BUSINESS:

The License Rewrite Law has been on and off the agenda; they have also included the Land Sales/Time Share sunset into the Bill. The Auction Bill has passed.

DELIBERATIONS:

At 12:00 p.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters on April's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Jill Krawczynsyn # 2009-01529

DRP v. Eric Mundy #2009-01539

DRP v. Douglas Hasting #2005-60357

DPR v. Oscar Bonilla #2005-60657

DPR v. Marta Njos #2005-70261

DRP v Stuart Kaiserman # 2008-04842

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:00 p.m.

RATIFICATIONS:

Case File Review Committee Members for May were Walter Son, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 60 cases recommended for closure from Investigations from the memo dated April 30, 2009 with 3 cases remaining in investigations. Motion passed unanimously.

Motion made/seconded to ratify the 24 cases being referred to Prosecutions from Investigations 3 cases being closed, 18 cases closed with the issuance of an administrative warning letter, 4 cases closed with the issuance of a compliance directive, 4 cases closed with the issuance of a cease & desist, 1 case being referred to Time Share from the memo dated April 30, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for closure by Prosecutions from the memo dated April 30, 2009. Motion passed unanimously.

Motion made/seconded to close case number 2007-60361 . Motion passed unanimously.

RECOMMENDATIONS:

DPR v. Oscar Bonilla #2005-60657

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

DPR v. Marta Njos #2005-70261

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

DPR v. Stuart Kaiserman #2007-60361

Motion was made/second that the above-mentioned license is revoked and fined \$3,000.00.
Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Loretta Grigler #2008-01118

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:15 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is June 11, 2009 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison