



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 July 18, 2008

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on July 18, 2008, at the Department of Financial & Professional Regulation Division of Professional Regulation, 500 E. Monroe, Springfield, 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

Also present for all or part of the meeting:

Young Brockhouse, Manager of Licensing & Education
Mark Oaks, Education Coordinator
John Botner, Chief of Prosecutions
Ernest Hernandez, Chief of Investigations
Sarajane Wright, Supervisor of Examination
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the June 19, 2008 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

The system conversion from CLEAR to ILES still doesn't show the sponsoring broker's name to the sponsored licensee on our website; the Director has now requested this to be completed.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

18 CE courses with 5 of them pending due to submission of additional documents
2 CE instructors

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for June 2008 was distributed.

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

Active Real Estate Licensees for June

All Licensees	92,247
Brokers	25,845
Salespersons	55,088
Leasing agents	1,373

FISCAL REPORT:

Mr. Brockhouse verbally reported that the Real Estate Administrative Fund has a balance of 22.3 million dollars.

EXAMINATIONS:

Distributed was the examination report dated July 18, 2008 that was categorized by "Examinations Completed by Examiner – Compliance Review," "Examinations – 60 Day Follow-Up," "Examinations Completed – Findings Summary," and "Examinations referred to Supervisor –Closed" for the month of June. For the month of June, Examinations have conducted 18 audits by using the "Brokerage Verification Report." Examiners completed 22 examinations. The compliance review showed 1 office with no pending issues and 3 offices referred to supervisor; the 60 day follow up showed 30 offices in compliance, 3 offices "referred to supervisor." Examinations Referred to Supervisor – Closed showed 2 issues resolved, 5 offices no license activity.

Examinations are down due to the temporary reassignment of examiners for the 60 work days to investigate the aged cases. Ms. Wright mentioned that 5 cases were closed because the licenses have not been renewed but will reopen the case if the license is reinstated.

A summary report showed the number of brokers that were examined from FY02 though FY08 was distributed. The report also had the breakdown on the majority of issues found in the past three fiscal years.

INVESTIGATIONS:

Mr. Hernandez verbally reported that there are 903 open cases with the breakdown of the number of cases that are in each year. The examiners have been reassigned to work on the open cases prior to 2006; they are making progress. Cases that were assigned to the investigators that left the department are being reassigned to the current investigators and examiners. Interviews for 2 investigation positions are being conducted. The new investigator is doing an excellent job.

PROSECUTIONS:

The Prosecution's Report was distributed to the Board. Mr. Botner made a request to Mr. Seasock for an additional attorney. Prosecutions have help for the summer; but when they're gone, it will affect us tremendously.

OLD BUSINESS:

EAC is planning on changing the course material for Core A and Core B; the Broker Management Course will emphasize supervision; the teaching will be enhanced utilizing situations with previous disciplines.

DELIBERATIONS:

At 11:30 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and July's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

DPR v. Janet Foster – 2007-61004
DPR v. Linda Baldwin – 2007-60943
DPR v. Tem Horwitz & Horwitz Co – 2000-61874
DPR v. Leo Roditis – 2003-61331
DPR v. Suzanne Atanus – 2005-70103
DPR v. Derrick Thomas – 2007-60481
DPR v. Marilyn Cook – 2007-60973
DPR v. Ronald Ritchart – 20007-61091
DPR v. Genevieve Rohr – 2007-61095
DPR v. Beulahmae Taylor – 2007-61142

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:30 p.m.

RECOMMENDATIONS:

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

DPR v. Janet Foster – 2007-61004
DPR v. Linda Baldwin – 2007-60943

DPR v. Tem Horwitz & Horwitz Co – 2000-61874
DPR v. Leo Reditis – 2003-61331

RATIFICATIONS:

Case File Review Committee Members for July 17, 2008 were Judie McConville, Carol Shields, Ron Hardgrove, John Botner and Ernest Hernandez.

Motion made/seconded to ratify the 24 cases recommended for closure from Investigations with 1 case issuing a compliance directive and 1 case issuing an AWL from the memo dated June 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify that 3 cases being referred to Prosecutions from Investigations with 3 cases being closed, and 4 cases receiving compliance directive from the memo dated June 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 2 cases recommended for closure by Prosecutions from the memo dated June 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 14 cases recommended for closure by Prosecutions from the memo dated July 18, 2008. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Suzanne Atanus #2005-70103

Motion made/seconded that Ms. Atanus' petition denied the issuance of a license. Motion passed unanimously.

DPR v. Derrick Thomas; Donnell Thomas; Cavanaugh/ Shapiro & Block #2007-60452

Motion made/seconded that Mr. Thomas be imposed a civil penalty of \$25,000.00; Donnell Thomas be imposed a civil penalty of \$10,000.00; Cavanaugh/Shapiro & Block be imposed a civil penalty of \$10,000.00. Motion passed unanimously.

DPR v. Marilyn Cook – 2007-60973
DPR v. Ronald Ritchart – 2007-61091
DPR v. Genevieve Rohr – 2007-61095
DPR v. Beulahmae Taylor – 2007-61142

Motion made/seconded the above mentioned licensees shall be refuse to renew. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Roger Scott #2007-70081

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 12:35 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is August 14, 2008 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION
AND DISCIPLINARY BOARD

Ron Hardgrove, Real Estate Director

DATE: _____

Debra Dolinski, Liaison