



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 August 14, 2008

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on August 14, 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
Carol Shields, Member
Patrick Sharpe, Member
Walter Son, Member

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

Also present for all or part of the meeting:

Young Brockhouse, Manager of Licensing & Education
Mark Oaks, Education Coordinator
Ernest Hernandez, Chief of Investigations
Craig Capilla, Attorney
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the July 18, 2008 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

Prosecutions dismissed Madison Palmer, the law clerk, 2 weeks ago; and replaced him with another law clerk, Benjamin Kempton that will be working part-time.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 6 CE courses
- 2 CE instructors
- 1 Pre-license instructor
- 1 Pre-license school – pending course approval
- 7 Pre-license courses – pending further review

EAC discussed changing some of the Rules that are in conflict of the Act. Two such examples are the age requirement to obtain a broker's license; and the practice of requiring schools having classroom courses before they can provide internet courses.

LICENSING:

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for July 2008 was distributed. Leasing Agent's license expired July 31, 2008; the number of active leasing agent's license should drop next month. Corporation, Branch, Partnership and LLC's are in their renewal cycle with those licenses expiring October 31, 2008.

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

Active Real Estate Licensees for July

All Licensees	92,217
Brokers	26,235
Salespersons	54,794
Leasing agents	1,181

EXAMINATIONS:

Distributed was the Examination Report dated August 14, 2008 that was categorized by "Examinations Completed by Examiner – Compliance Review," "Examinations – 60 Day Follow-Up," and "Examinations referred to Supervisor – Closed" for the month of July. For the month of July, Examinations have conducted 9 audits by using the "Brokerage Verification Report." Examiners completed 17 examinations. The compliance review showed 0 office with no pending issues and 1 office referred to supervisor; the 60 day follow up showed 15 offices in compliance, 3 offices "referred to supervisor." Examinations Referred to Supervisor – Closed showed 4 issues resolved; 1 with no license activity; and 1 with a license status change.

INVESTIGATIONS:

Distributed was the Investigation Report reflecting the activity since the last Board Meeting on July 18, 2008. There are 876 open cases with the breakdown of the number of cases that are in each year. The examiners are in their second month working on the open cases prior to 2006; to date, 26 additional cases may have been closed by examiners; this does not include the cases that have been completed but needs approval from Mr. Hardgrove.

Shared Services revealed that the interviews for 2 investigation positions have been notified to start the process at the next level; the person who conducts the Rutan Interviews is on vacation and when he comes back he will compile a list of candidates to be interview which should be done in the near future.

PROSECUTIONS:

Distributed was the Prosecution Report reflecting the total real estate cases in Legal, the activity for July 2008, the number of closing memos, consent orders, deliberations, the Findings of Fact for the Board to sign, the formal hearing and the upcoming informal conferences.

OLD BUSINESS:

Steve Sundquist, from REEF, sent an email to the EAC Members and course providers for comments and suggestions on the Broker Management Course rewrite. The course rewrite will emphasize on supervision and actual case studies within the Department.

DELIBERATIONS:

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

DPR v. Dennis Coll #2007-60970

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:15 p.m.

RATIFICATIONS:

Case File Review Committee Members for August 13, 2008 were Judie McConville, Ron Hardgrove, and Craig Capilla.

Motion made/seconded to ratify the 44 cases recommended for closure from Investigations with 3 cases issuing a compliance directive, 4 cases issuing an AWL, 1 case being referred to Prosecutions, 2 cases being merged into current case in Prosecutions, 1 case remaining in Investigations from the memo dated July 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify that 7 cases being referred to Prosecutions from Investigations with 1 case being closed, and 2 cases receiving compliance directive, and 1 case sent a cease & desist from the memo dated July 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 4 cases recommended for closure by Prosecutions from the memo dated June 30, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for closure by Prosecutions from the memo dated August 14, 2008. Motion passed unanimously.

RECOMMENDATIONS:

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

DPR v. Dennis Coll #2007-60970

Motion made/seconded that Mr. Coll's salesperson license impose a fine of \$500.00 and complete 30 hours of continuing education; these courses will be applied towards the 2006 and 2008 renewal periods. Motion passed unanimously.

DELIBERATIONS:

At 12:16 p.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and August's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:25 p.m.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

- DPR v. Ronald Ritchhart #2007-60452**
- DPR v. Genevieve Rohr #2007-60456**
- DPR v. Marilyn Cook #2007-60345**
- DPR v. Beulahame Taylor #2007-60500**

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 September 11, 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