



# Illinois Department of Financial and Professional Regulation

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## 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 October 9, 2008

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on October 9, 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, Staff Attorney  
Debra Dolinski, Board Liaison/Administrative Assistant

### APPROVAL OF MINUTES:

**Motion:** A motion made/seconded to approve the September 11, 2008 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

## **AGENCY UPDATE:**

A new real estate investigator will be starting October 16, 2008; Mr. Botner interviewed and selected a new clerk for Prosecutions that should be finalized within the next couple of weeks.

Licensing will be moving to 320 W. Washington within the next 60 days.

## **EDUCATIONAL ADVISORY COUNCIL (EAC):**

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

- 12 CE courses
- 4 CE instructors
- 1 Pre-license course
- 3 Pre-license instructors

## **LICENSING:**

The Licensing report reflecting the number of all professional licenses issued within the Real Estate Bureau for September 2008 was distributed. Corporation, Branch, Partnership and LLC's are in their renewal cycle with those licenses expiring October 31, 2008. For the month of September, Licensing processed a high volume of sponsor changes. Home Inspection's are the next profession that will be in renewal with their license expiring November 30, 2008.

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

### Active Real Estate Licensees for September

All Licensees	91,762
Brokers	26,700
Salespersons	54,563
Leasing agents	912

## **EXAMINATIONS:**

Due to all the examiners doing 100% investigations and conducting zero office examinations; no examination report was distributed.

## **INVESTIGATIONS:**

Mr. Hernandez distributed the Investigation Report reflecting the activity since the last Board Meeting. The report reflected 773 (+ 32 Auctioneer cases) open cases with the breakdown of the number of cases in each year. The report also stated that one of the two open bids for real estate investigator has been filled at this time by Ms. Eleni Markos. The process to fill the second position has not yet begun.

## **PROSECUTIONS:**

Distributed was the Prosecution Report reflecting the total real estate cases in Legal; and the activity for the month of September 2008. Mr. Capilla mentioned that Prosecutions is trying to increase scheduling informal conferences; the goal is to have two or three Board Members to be scheduled on the same day so

that both Mr. Capilla and Mr. Botner could conduct two separate conferences at the same time; Paul Park volunteered for October 28<sup>th</sup>, and Patrick Sharpe volunteered for November 12<sup>th</sup>.

### **OLD BUSINESS:**

Mr. Hardgrove met with REEF to discuss the rewrite for the Broker Management Course. REEF has 2 or 3 people involved to write the course material which consists of topical things that are in front of the practitioners in the last year or so. The other part of the course material will be consisted of actual case studies from the Department. Mr. Brockhouse will investigated to find out if our computer data system can separate managing brokers from sponsored (associate) brokers; if they can, the goal will be to have separate material for managing brokers and sponsored brokers. The Division is hoping by making these changes to the Broker Management Course that it will be a positive learning experience.

On October 21, 2008 at the Sheridan in Elk Grove Village, AMP will have a presentation on transferring to the Broker Simulation Pre-license exam; invitations have been sent out to every school & AMP contacted AIREE to inform them to pass it on to their individuals; response is necessary to ensure that there will be enough room

On October 22, 2008 at the same location, AMP will have the Broker, Salesperson and Auction's item review. Board Members interested in going to either one of these events, please let Mr. Hardgrove know.

### **NEW BUSINESS:**

The Division is awaiting a License Law Task Force report from the Association; their "wrap-up" meeting is October 14<sup>th</sup>. After that, the Division will review it and have a meeting with IAR that should take place before the next Board meeting to determine what needs to be revised.

### **DELIBERATIONS:**

At 11:45 a.m., a motion made/seconded to go into closed session to deliberate on disciplinary matters and October's CRC recommendations pursuant to the provisions of Section 2 of the Open Public Meeting Act. Motion passed unanimously.

**DPR v. Michael Gibbs #2007-61009**  
**DPR v. Nancy Palemo #2006-70150**

### **REOPEN THE MEETING:**

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 12:20 p.m.

### **RATIFICATIONS:**

Case File Review Committee Members for October 8, 2008 were Judie McConville, Ron Hardgrove, John Botner and Ernest Hernandez.

Motion made/seconded to ratify the 26 cases recommended for closure from Investigations with 1 case issuing an AWL and 1 remaining in investigations from the memo dated September 26, 2008. Motion passed unanimously.

Motion made/seconded to ratify that 12 cases being referred to Prosecutions from Investigations with 1 case being closed, and 3 cases receiving compliance directive, 8 cases receiving an administrative warning letter and 2 cases receiving cease & desist letters from the memo dated September 26, 2008. Motion passed unanimously.

Motion made/seconded to ratify the 4 cases recommended for closure by Prosecutions from the memo dated October 8, 2008. Motion passed unanimously.

**RECOMMENDATIONS:**

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

**DPR v. Michael Gibbs #2007-61009**

**DPR v. Nancy Palemo #2006-70150**

**FINDINGS/CONCLUSIONS/RECOMMENDATIONS:**

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

**DPR v. John Remington #2000-60611**

**DPR v. Frederick Graham #2007-60452**

**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 November 13, 2008, 2008 at 100 W. Randolph, Chicago, Illinois.

APPROVED:

Respectfully submitted,

REAL ESTATE ADMINISTRATION  
AND DISCIPLINARY BOARD

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Ron Hardgrove, Real Estate Director

DATE: \_\_\_\_\_

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Debra Dolinski, Liaison