



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 April 16, 2009

The Real Estate Administration and Disciplinary Board convened at 11:15 a.m. on April 16, 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
Judie McConville, Member
Paul Park, Member
Patrick Sharpe, Member
Walter Son, Member

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

Carol Shields, Member

Also present for all or part of the meeting:

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 March 19, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

John Rogers is the newest real estate investigator; he started on February 9, 2009; his case load is mostly escrow violations. The Springfield Office has officially moved to 320 W. Washington.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 18 CE courses; denying 2
- 13 CE instructors; 4 having a limited license; denying 1
- 2 Pre-license instructors
- 4 requesting for 6 month extension to complete 2009 CE
- 1 denying the request for Category E Exemption

LICENSING:

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

Licensing's main propriety is processing the salesperson's renewal applications; as of April 15th, 27 ½ percent have renewed. The Division is expecting a 33 percent drop off in salesperson's renewing their license. Mr. Hardgrove mentioned that a license is renewed the day that the Division is in receipt of payment on our system.

A report was given on the passing rate for broker and salesperson's State Examinations for February 2009. For first time candidates taking the new Simulation Test Broker's Exam for the month of February, 43.75% passed; for March almost 47% passed; all candidates passed at 38.50 % for February; 40.25% for March. Mr. Hardgrove has communicated by email with 18 to 20 individuals; 40% are upset that they've failed; beyond this; most of the individuals that failed did not have a salesperson's license prior to sitting for this exam. Mr. Hardgrove explained how the Simulation Test Broker's Exam is worded and graded.

Active Real Estate Licensees for March

All Licensees	86,596
Brokers	27,415
Salespersons	49,759
Leasing agents	1,107

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 audits that were conducted on December 31, 2008 and on April 3 2009 on the number of open cases. The report included the number of cases closed by examiners, the reassignment of cases and training scheduled for the investigators. The Board suggested that the investigators that do not have a real estate license complete Real Estate Courses.

PROSECUTIONS:

Distributed was the Prosecution Report reflecting the total real estate cases in Legal; and the activity for March 2009. Mr. Capilla is focus on addressing the appraisal cases for the upcoming ASC's audit; the Law Students are working on processing the AWL's, compliance directives and cease & desist letters for the Real Estate cases approved by the Board. For scheduling informal conferences, Prosecutions are finding that the addresses on record are stale and unable to contact the respondent; for respondents that have been contacted they appear to be unavailable. Mr. Hardgrove suggested that the respondent be given an option of two dates or file a formal complaint.

OLD BUSINESS:

All the revisions for the Broker Management Course supplement have been made; it appears all brokers will have to take this course for the next renewal. 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.

NEW BUSINESS:

The License Rewrite Law did not make the list for the third reading; which means the Division will file an amendment to extend the sunset date.

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. Loretta Grigler # 2008-01118

REOPEN THE MEETING:

A motion made/seconded to reopen the closed meeting of the Real Estate Administration and Disciplinary Board at 1:00 p.m.

RATIFICATIONS:

Case File Review Committee Members for April were Patrick Sharpe, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 31 cases recommended for closure from Investigations from the memo dated March 27, 2009 with 3 cases being referred to Prosecutions for the issuance of an AWL; and 1 case remaining in investigations. Motion passed unanimously.

Motion made/seconded to ratify the 12 cases being referred to Prosecutions from Investigations 5 cases being closed, 3 cases closed with the issuance of an administrative warning letter, 2 cases closed with the issuance of a compliance directive, 4 cases closed with the issuance of a cease & desist from the memo dated March 27, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for closure by Prosecutions from the memo dated March 27, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 1 case recommended for closure by Prosecutions from the memo dated April 16, 2009. Motion passed unanimously.

Motion made/seconded for case number 2004-60678 is referred to Prosecutions. Motion passed unanimously.

RECOMMENDATIONS:

DPR v. Loretta Grigler #2008-01118

The Board deliberated the above mentioned at the March's Board meeting recommended that an administrative warning be issued to Ms. Grigler's. Motion made/second rescind the March's motion and that the recommendation is a revocation and fined \$5,000.00. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Christian Padven #2005-80063

ADJOURNMENT:

Motion made/seconded to adjourn the meeting at 1:05 pm. Motion passed unanimously. The next scheduled meeting of the Real Estate Administration and Disciplinary Board is May 21, 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