



Illinois Department of Financial and Professional Regulation

Division of Profession Regulation - Real Estate

PAT QUINN
Governor

BRENT E. ADAMS
Secretary

DANIEL BLUTHARDT
Director
Division of Professional Regulation

MINUTES REAL ESTATE ADMINISTRATION & DISCIPLINARY BOARD October 8, 2009

The Real Estate Administration and Disciplinary Board convened at 11:00 a.m. on October 8, 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:

Mark Oaks, Education Coordinator
John Botner, Chief of Prosecutions
Matt Rupsis, representing General Council Mark Thompson
Ernest Hernandez, Chief of Investigations
Debra Dolinski, Board Liaison/Administrative Assistant

APPROVAL OF MINUTES:

Motion: A motion made/seconded to approve the September 10, 2009 Real Estate Administration and Disciplinary Board Minutes. Motion passed unanimously.

AGENCY UPDATE:

There were no staff changes.

EDUCATIONAL ADVISORY COUNCIL (EAC):

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

- 9 CE courses
- 5 CE Instructors with 2 being restricted
- 1 CE Instructor pending approval
- 1 Pre-license instructor
- 1 request for a 12 month extension to complete 2009

LICENSING:

The Licensing Report reflecting the number of all professional licenses issued within the Real Estate Bureau for September 2009 was distributed. For August, there were 500 sponsored changes for Brokers and 1,256 for Salespersons.

A report showed the pass rate for broker and salesperson's State Examinations from January through August 2009.

Appraiser's licenses were non-renewed effective September 30, 2009; 70 to 80 percent of the Certified Residential and Certified General licenses renewed; and 20 percent of the Associates licenses renewed.

Active Real Estate Licensees for September

All Licensees	81,299
Brokers	27,535
Salespersons	43,847 (this does not include licenses with an inoperative status)
Leasing agents	1,276

EXAMINATIONS:

No Examination's Report was distributed.

INVESTIGATIONS:

Distributed was the Investigated Report; the number of open cases as of October 2, 2009 was 307 and as of September 4, 2009 it was 326. Investigations are currently working on a major investigation that involves unlicensed practice, aiding and abetting unlicensed practice, failure to maintain records and unprofessional conduct.

PROSECUTIONS:

The Prosecution Report was distributed reflecting the total real estate cases in Legal; and the activity for September 2009. There are informal conferences scheduled for October 14, 2009 that needs a Board Member; Walter Son volunteered.

OLD BUSINESS:

Mr. Hardgrove attended AMP's Advisory Board Meeting that was held in Kansas City. The main reason for attending the meeting was to evaluate AMP's Real Estate Job Analysis Survey that is conducted every 5 years. Also at the meeting, AMP distributed a Broker's Comparative Sim Test Results by Jurisdiction Report that showed all the States are pretty much consistent with results.

NEW BUSINESS:

Last year, the Real Estate License Law Bill passed the Senate; in the last session, the House attached this Bill to a larger Bill which filed a new amendment yesterday that the Division will review to determine if it affects the Real Estate License Law to file a response before the Fall Veto Session starts which is next week.

DELIBERATIONS:

At 11:35 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. William Squires #2006-60616
DPR v. Jacqueline Moynihan #2008-06605 2002-61391
DPR v. Gustavo Jager #2006-60652
DPR v. James Singleton #2008-08736
DPR v. Joe Hathorne #2007-60614

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 October were Patrick Sharpe, Ron Hardgrove, John Botner and Ernest Hernandez

Motion made/seconded to ratify the 23 cases recommended for closure from Investigations from the memo dated September 24, 2009 with 2 remaining in investigations and 2 referred to Prosecutions. Motion passed unanimously.

Motion made/seconded to ratify the 4 cases being referred to Prosecutions from Investigations, 1 being closed, 2 remaining in Investigations, 11 cases closed with the issuance of an administrative warning letter or Cease & Desist from the memo dated September 24, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 4 cases for closure from Prosecutions from the memo dated September 24, 2009. Motion passed unanimously.

Motion made/seconded to ratify the 4 cases for closure from Prosecution from the memo dated October 7, 2009. 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. William Squires #2006-60616

DPR v. Jacqueline Moynihan #2008-06605 & #2002-61391

RECOMMENDATIONS:

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

DPR v. Gustavo Jager #2006-60652

Motion made/seconded that the above-mentioned licensee be indefinitely suspended for a minimum of 2 years. Motion passed unanimously.

DPR v. James Singleton #2008-08736

Motion made/seconded that the above-mentioned licensee be indefinitely suspended for a minimum period of 3 years and imposed a fine of \$25,000.00. Motion passed unanimously.

DPR v. Joe Hathorne #2007-60614

Motion made/seconded that to issue a license with probation for 1 year. Motion passed unanimously.

FINDINGS/CONCLUSIONS/RECOMMENDATIONS:

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

DPR v. Tamptha Hickman #2008-05388

DPR v. Calvin Townsend #2008-10791

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 November 19, 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