

Minutes of the Indiana Real Estate Commission
Wednesday, April 22, 2009 at 9:00 a.m.

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Commissioner Shook called the meeting to order at 10:00 a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-34.1-2-3(b).

Commission Members Present:

Charles (Charlie) W. Shook
H. James Litten
Susan Daniel
Mark Bock
Sue Cox
Paul Boyter
Timothy M. Reed
DJ Hines
Michael Lunsford

Commission Members Absent:

Carolyn McClintock
Norman E. McClain

State Officials Present:

Nicholas W. Rhoad, Commission Director, Indiana Professional Licensing Agency
Pat Price, Commission Assistant Director, Indiana Professional Licensing Agency
Stephanie Sims, Commission Litigation Specialist, Indiana Professional Licensing Agency
Jim Schmidt, Commission Advisory Counsel, Office of the Attorney General

II. REVIEW AND DISCUSSION OF CONTINUING EDUCATION AUDIT FILES

A. Review and Discussion

The Commission reviewed the continuing education certificates and made the determination that all those who responded to the audit were in compliance. The Commission decided to contact those who did not respond again before deciding what type of action to take against their license.

III. REVIEW AND DISCUSSION OF CONTINUING EDUCATION AUDIT FILES

A. Licensees who failed to respond to audit

1. Margaret Corbin (SP30301027)

A motion was made and seconded to issue a conditional license and fine the licensee a civil penalty of \$1000 and require them to complete the necessary continuing education hours.

Motion Carried
9-0-0

2. Terry Hammann (SP304002557)

A motion was made and seconded to issue a conditional license and fine the licensee a civil penalty of \$1000 and require them to complete the necessary continuing education hours.

Motion Carried
9-0-0

3. Linda Middleton (SP30102043)

A motion was made and seconded to issue a conditional license and fine the licensee a civil penalty of \$1000 and require them to complete the necessary continuing education hours.

Motion Carried

9-0-0

IV. PETITION FOR SUMMARY SUSPENSION (10:00 a.m.)

A. State of Indiana v. Michelle Bailey Austin

IREC 09-23: Michelle Bailey Austin
Re: Petition for Summary Suspension

A motion was made and seconded to grant the Petition for Summary Suspension
Motion Carried
9-0-0

V. DISCIPLINARY HEARING (10:00 a.m.)

A. State of Indiana v. Mentor Listing Realty, Inc. and Brian Waters

IREC 08-26 and IREC 08-27
Re: Disciplinary Hearing

A motion was made and seconded to dismiss the complaint against Mentor Listing Realty, Inc.
Motion Carried
9-0-0

A motion was made and seconded to find Mr. Waters in violation and place him on probation for six months.

Motion Carried
9-0-0

VI. WITHDRAWAL OF PROBATION HEARING

A. State of Indiana v. John B. Allen

IREC 06-15
Re: Withdrawal of Probation

A motion was made and seconded to grant the Withdraw of Probation
Motion Carried
9-0-0

B. State of Indiana v. Jeffrey Baldwin

IREC 08-39
Re: Withdrawal of Probation

A motion was made and seconded to grant the Withdraw of Probation
Motion Carried
9-0-0

VII. APPEAL OF DENIAL OF LICENSURE RENEWAL

A. State of Indiana v. Ralph J. Frasier

IREC 09-19
Re: Appointment of Administrative Law Judge

A motion was made and seconded to appoint Mr. McClian as the ALJ hearing officer
Motion Carried
9-0-0

VIII. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER

A. State of Indiana v. James F. Sheehan

IREC 08-22
Re: Administrative Law Judge Order

A motion was made and seconded to approve the Administrative Law Judge Order
Motion Carried
9-0-0

IX. CONSIDERATION OF THE MOTION TO DISMISS

A. State of Indiana v. J. Glenn Bennett

IREC 08-49

Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to grant the Motion for Voluntary Dismissal
Motion Carried
9-0-0

B. State of Indiana v. Linda J. Martin

IREC 08-48

Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to grant the Motion for Voluntary Dismissal
Motion Carried
9-0-0

IX. OLD/NEW BUSINESS

A. Legislative Update

Mr. Rhoad provided a legislative update

B. Presentation by PSI

PSI demonstrated the variety of exam and continuing education services available

X. Application Review Committees

A. Positive Responses

1. John H. Cox Personal Appearance
2. Jennifer R. Hall
3. Christopher Marlow Personal Appearance
4. Sasha K. Perry
5. Mark A. Syberg
6. James D. Sunday
7. Geraldo Torrez
8. Mark R. VanderVeen
9. Tamara Walters
10. Gregory Sporre
11. Myles S. Kleinfelter

B. Application for Waiver of One Year Experience

1. Timothy Wade
2. Kathleen Ann Davis
3. Michelle R. Strohm
4. Mark B. Dolfini

C. Continuing Education Instructors

- i. Brent E. Inabnit
- ii. Timothy A. Curd
- iii. Ben T. Caughey
- iv. Carl R. Pebworth
- v. Harry F. Todd
- vi. John De Souza

D. Pre-Licensing Instructors

- i. James Christopher Adams
- ii. Amy E. Steinhart

E. Pre-Licensing Education Providers

1. Real Estate Career Institute 6500 Technology Center Drive, Suite 100 Indpls.
New School site

2. **Michiana School of Real Estate** new provider application

F. Continuing Education Providers

1. **Sterling Education Services**

- a. Landlord-Tenant Law: Beyond the Basics 8.0E

2. **Indiana Builders Association, Inc.**

- a. Unlock the Secrets! Connecting with clients for a Positive Experience 3.0E

3. **Coldwell Banker West Shell**

- a. Facebook Your Business 3.0E

4. **Tucker School of Real Estate**

- a. Demystifying Real Estate Short Sales 4.0E

5. **HomeServices Real Estate Academy**

- a. Short Sales, Contracts for Deeds, and Lease Options 2.0M/1.0E

6. **Continuing Ed Express, LLC**

- a. Mortgage Products 101 3.0E

7. **Cressy & Everett School of Real Estate**

- a. Avoiding Litigation in a Real Estate Transaction 2.0M
- b. Using High-Tech to Deliver High-Touch 2.0E

8. **American Society of Farm Managers and Rural Appraisers**

- a. Land Investment Analysis Seminar 3 days at 8.0E each

XIII. Adjournment

A motion was made and seconded to adjourn the meeting.
Motion Carried
10-0-0

Charlie Shook, Chairman

Date