

**Indiana Real Estate Commission**

Will meet on Wednesday, August 26, 2009 at 9:30 a.m.  
Indiana Government Center-South, W064  
402 West Washington Street, Indianapolis, Indiana 46204

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**I. CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Commissioner Shook called the meeting to order at 10:00 a.m. in Conference Center Rooms 1 & 2 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  
Susan Daniel  
Mark Bock  
Sue Cox  
Paul Boyter  
Timothy M. Reed  
Carolyn McClintock  
Norman E. McClain

**Commission Members Absent**

H. James Litten  
DJ Hines  
Michael Lunsford

**State Officials Present:**

Nicholas W. Rhoad, Commission 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. ADOPTION OF JUNE 3, 2009 MINUTES**

A motion was made and seconded to approve the June 3, 2009 minutes

**III. ADOPTION OF JULY 15, 2009 MINUTES**

A motion was made and seconded to approve the July 15, 2009 minutes

**IV. RENEWAL OF SUMMARY SUSPENSION HEARING**

**A. State of Indiana v. Donella Locke**

IREC 08-08

Re: Renewal of summary suspension

A motion was made and seconded to approve the Renewal of summary suspension

McClintock / McClain

8-0-0

**V. WITHDRAWAL OF PROBATION HEARING**

**A. State of Indiana v. Leah Essex**

IREC 08-41

Re: Withdrawal of probation

A motion was made and seconded to grant the withdrawal of probation

Reed / McClain

Motion Carried 8-0-0

**VI. ACTION ON ORDER FROM CHILD SUPPORT**

Re: License of Brad Huffman  
License No. SP30100606

A motion was made and seconded to approve the Probation order from the court.  
Motion Carried  
8-0-0

**VII. CONSIDERATION OF THE MOTION TO DISMISS**

**A. State of Indiana v. Frank Vogel**

IREC 09-12

Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion for Voluntary Dismissal by  
Petitioner

Motion Carried

8-0-0

**B. State of Indiana v. Denice L. Jones**

IREC 09-17

Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion for Voluntary Dismissal by  
Petitioner

Motion Carried

8-0-0

**C. State of Indiana v. Claudia White**

IREC 09-25

Re: Motion for Voluntary Dismissal by Petitioner

A motion was made and seconded to approve the Motion for Voluntary Dismissal by  
Petitioner

Motion Carried

8-0-0

**VIII. UPDATE OF LICENSEES ON PROBATION**

**A. PLA Report**

Mr. Rhoad provided a PLA report

**B. Licensees in non-compliance with final order**

**1. State of Indiana v. Brandon Steffen**

Re: IREC 07-55

Civil fee \$500 - 3 months

Final Order dated 1/30/08

A motion was made and seconded to issue a Notice of Show Cause Order

McClain / Reed

Motion Carried

8-0-0

**2. State of Indiana v. Aaron Lane**

Re: IREC 07-61

2 CE hrs. - 3 months

Final Order dated 6/5/08

A motion was made and seconded to issue a Notice of Show Cause Order

McClain / Reed

Motion Carried

8-0-0

**3. State of Indiana v. Richard Bird**

Re: IREC 08-16

2 CE hrs. - 3 months

Final Order dated 6/30/08

A motion was made and seconded to issue a Notice of Show Cause Order

McClain / Reed

Motion Carried

8-0-0

**4. State of Indiana v. Raymond Modglin**

Re: IREC 08-17

10 CE hrs. - 6 months

Final Order dated 9/29/08

A motion was made and seconded to issue a Notice of Show Cause Order

McClain / Reed

Motion Carried

8-0-0

**IX. DELIBERATIONS AND POSSIBLE ISSUANCES OF FINAL ORDER**

**A. State of Indiana v. Ralph Frasier**

IREC 09-19

Re: Administrative Law Judge Order

A motion was made and seconded to affirm the Administrative Law Judge Order

McClintock / Reed

Motion Carried

8-0-0

**B. State of Indiana v. Ellen Sue Marvel**

IREC 09-05

Re: Proposed Findings of Fact, Conclusions of Law, and Order

A motion was made and seconded to approve the Proposed Findings of Fact,

Conclusions of Law, and Order

McClain / Reed

8-0-0

**C. State of Indiana v. Ronald Hertenstein**

IREC 09-06

Re: Proposed Findings of Fact, Conclusions of Law, and Order

A motion was made and seconded to approve the Proposed Findings of Fact,

Conclusions of Law, and Order

McClain / Boyer

8-0-0

**D. State of Indiana v. Michelle Uebelhoer**

IREC 09-09

Re: Proposed Findings of Fact, Conclusions of Law, and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order

McClain / Boyter

8-0-0

**E. State of Indiana v. James Terrell**

IREC 09-10

Re: Proposed Findings of Fact, Conclusions of Law, and Order

A motion was made and seconded to approve the Proposed Findings of Fact, Conclusions of Law, and Order

McClain / Reed

8-0-0

**X. COST**

**A. State of Indiana v. Krishna Lundgard**

IREC 08-59

Re: Approval of costs

**XV. OLD/NEW BUSINESS**

Mr. Rhoad provided an update on the legislative and regulatory affairs.

**A. Legislative Update**

1. PLA Update

**B. IREC Rule changes**

1. Fingerprints

2. Rule rewrite

3. Continuing Education and other licensing revisions

4. Investigative Fund

5. Fingerprints

**C. Discussion regarding attendance at closings**

**D. ARELLO update and conference attendance request**

**XVI. Application Review Committees**

**A. Positive Responses**

1. Tara Grace-Ruiz

2. Kelly Harris

3. Virgen Medford-Morales

4. Aaron Rader

5. Deborah Shufflebarger

6. Terry Lee Simpson

7. William L. Staten

8. John Allan Wright

9. Vasquero D. Ferguson

**B. Application for Acceptance of College Course Credits**

1. Diana Jeffers

2. James M. Kratochvil

3. John Harris

**C. Application for Waiver of One Year Experience**

1. James M. Kratochvil
2. John Harris
3. Terry D. Hughes III
4. Robert B. Golding Jr.
5. Lori A. Christian

**D. Continuing Education Instructors**

1. Kenneth B. Chigges
2. Brian C. Crist
3. Jeffery C. Dack
4. Matthew G. DeLaruelle
5. Steven J. Rypma
6. Shirley Hornig
7. Joseph Glennon
8. Kevin Chestnut
9. Brad Zimmer

**E. Pre-Licensing Instructor**

1. Patricia J. Kaiser

**F. Continuing Education Providers**

**1. Provider Education Resource,LLC**

Course and hours Market Analysis in Residential Appraisals: Market Conditions and 1004 MC Forms CE1082 7.0 elective hours  
Instructor: Mark Ratterman

**2. Provider: National Business Institute**

Course and hours How to Obtain Good Title in Real Estate Transactions 6.0 elective hours

Course and hours: Land Use and Zoning Law Litigation 7.0 elective hours

**3. Provider: Ice Miller LLP (new applicant for sponsorship for brokers)**

Course and hours: Real Estate: Dirt, Sticks, Bricks- How to Buy It, Sell It, Lease It, and Finance It! 3.0 elective hours

**4. Provider: The CE Shop, Inc. (online courses)**

Course and hours: Short Sale and Foreclosure Risk Management 4.0 elective

Course and hours: Seller Representative Specialist (SRS) 10.0 elective

**5. Provider: Lorman Business Center, Inc.**

Course and hours: Property Tax 8.0 elective hours

**XVII. Adjournment**

**Next Scheduled Meeting:**

**October 7, 2009**

**W064**