

REAL ESTATE BOARD
MINUTES OF MEETING

May 7, 2015

The Real Estate Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following Board members were present:

Joseph Funkhouser, II, Chair
Santee Ferebee, Vice-Chair
Lynn G. Grimsley
Catherine M. Noonan
Steve Hoover
Lee Odems
Jennifer Boysko
Antonio Elias
Anh Tu Do

DPOR staff present for all or part of the meeting included:

Jay DeBoer, Director
Nick Christner, Deputy Director
Mark Courtney, Senior Manager
Christine Martine, Executive Director
Bonnie Rhea Adams, Director of Complaint Analysis & Resolution
Doug Schroder, Director of Adjudication
Liz Hayes, Fair Housing Administrator
Deanda Shelton, Assistant Fair Housing Administrator
Dominica McGowen, Fair Housing Investigator
Joe Haughwout, Assistant Director of Adjudication
Jeffrey Williams, Board Administrator
Kevin Hoeft, Education Administrator
Emily Trent, Administrative Assistant

Elizabeth Peay and Tom Payne from the Office of the Attorney General were present.

Mr. Funkhouser called the meeting to Order at 9:07 A.M.

Call to Order

A motion was made by Ms. Ferebee and seconded by Mr. Hoover to approve the agenda. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Agenda

A motion was made by Ms. Ferebee and seconded by Ms. Noonan to adopt the following minutes: March 19, 2015, Real Board Meeting and March 19, 2015, Fair Housing Sub-Committee Meeting. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

There was no public comment.

Deanda Shelton, Assistant Fair Housing Administrator, updated the Board on the current Fair Housing case load.

In the matter of **Shirea Hines v. Virginia Beach-Friendship Village, LLC and Community Housing Partners, REB File Number 2015-01560**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation and Supplemental Final Investigative Report. Scott Reithel, Vice-President of Property Management, Community Housing Partners, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **Chuck Johns v. Priority Property Management, LLC, David Culver and Ruth Culver, REB File Number 2015-01868**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. Roy Brooks, Priority Property Management, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

In the matter of **Jose Ramos and Rose Salazar Garcia v. Denise Bennett, Amurcon Realty Company and Stafford Lakes Associates, LLP, REB File Number 2015-00963**, the Board reviewed the record which consisted of the Final Investigative Report, and Case Analysis and Recommendation. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to find no reasonable cause. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Minutes

Public Comment

Fair Housing Administrator's Report

Shirea Hines v. Virginia Beach- Friendship Village, LLC and Community Housing Partners, REB File Number 2015-01560

Chuck Johns v. Priority Property Management, LLC, David Culver and Ruth Culver, REB File Number 2015- 01868

Jose Ramos and Rose Salazar Garcia v. Denise Bennett, Amurcon Realty Company and Stafford Lakes Associates, LLP, REB File Number 2015-00963

In the matter of **File Number 2015-02000, Dayna Akers**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Dayna Akers, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Akers' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02000, Dayna Akers

In the matter of **File Number 2015-02175, Amberlynn Acierto**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Acierto's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02175, Amberlynn Acierto

In the matter of **File Number 2015-02185, Steven Halota**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Steven Halota, applicant, was present and addressed the Board. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Halota's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02185, Steven Halota

In the matter of **File Number 2015-02188, Robert McClellan**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Noonan and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. McClellan's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02188, Robert McClellan

In the matter of **File Number 2015-02190, Nicholas Poliansky**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Poliansky's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02190, Nicholas Poliansky

In the matter of **File Number 2015-02239, Corey Willis**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Willis' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02239, Corey Willis

In the matter of **File Number 2015-01999, Kelly Rae Fairman**, the Board reviewed the record which consisted of

File Number 2015-01999, Kelly Rae

the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Noonan and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Ms. Fairman's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Fairman

In the matter of **File Number 2015-02121, James P. McDowell**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. McDowell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02121, James P. McDowell

In the matter of **File Number 2015-02199, Richard Joyeusaz**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, the Summary of the Informal Fact-Finding Conference of the presiding officer and a letter from Mr. Joyeusaz addressed to the Board. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the *Code of Virginia* approve Mr. Joyeusaz's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02199, Richard Joyeusaz

In the matter of **File Number 2015-01964, Mark Ricardo**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal

File Number 2015-01964, Mark Ricardo

Fact-Finding Conference of the presiding officer. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Mr. Ricardo's application based upon the record. After review of the testimony and documentation presented by Ricardo, the Board approves Ricardo's request for an experience waiver but denies Ricardo's request for an education waiver. The Board regulations currently require an applicant to have 180 hours of pre-license education. Further, the Board requires completion of the Real Estate Brokerage course which provides important instruction on how to run a brokerage firm, as well as leadership and management skills. Mr. Ricardo has not completed the current requirements therefore the Board denies the request for an education waiver. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

As the presiding Board member, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02097, Rocio Benavides**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Rocio Benavides, respondent, and Thomas Abbenante, attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems. A motion was made by Mr. Odems and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: For the violation of Count 1, Benavides' license shall be placed on probation for three (3) years. While on probation, Benavides and her broker will provide quarterly reports to the Board that Benavides is in compliance with the regulations of the Board. In addition, for violation of Count 1, Benavides is placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and three (3) classroom hours of Board-approved continuing education

File Number 2014-02097, Rocio Benavides

pertaining to Legal Updates. Such course(s) shall be completed in a classroom, and will not count towards any continuing education requirements. Benavides must provide evidence to the Board that she has successfully completed the course(s) within six (6) months of the effective date of the order. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

As the presiding Board member, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00529, Leslie Lynn Carpenter**, the Board reviewed the Consent Order as seen and agreed to by Ms. Carpenter. A motion was made by Ms. Noonan and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. Carpenter admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2008 Regulations, and a violation of §54.1-2132.A.4 (Count 2) of the *Code of Virginia* and agrees to a monetary penalty of \$650.00 for the violation of Count 1, \$400.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,200.00. The Board shall waive \$200.00 of the monetary penalty for Count 2. In addition, for violation of Count 1, Carpenter agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. Further, for violation of Count 2, Carpenter agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

**File Number 2015,
00529, Leslie Lynn
Carpenter**

As the Board member who reviewed the file, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-01343, Janelle Jean Larco**, the Board reviewed the Consent Order as seen and agreed to by Ms. Larco. A motion was made by Mr. Odems and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Ms. Larco admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2008 Regulations, and a violation of §54.1-2132.A.4 (Count 2) of the *Code of Virginia* and agrees to a monetary penalty of \$650.00 for the violation of Count 1, \$400.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,200.00. The Board shall waive \$200.00 of the monetary penalty for Count 2. In addition, for violation of Count 1, Larco agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. Further, for violation of Count 2, Larco agrees to complete at least four (4) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

**File Number 2015,
01343, Janelle Jean
Larco**

As the Board member who reviewed the file, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00938, William Vincent Burke dba Bill Burke**, the Board reviewed the Consent Order as seen and agreed to by Mr. Burke. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Burke admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Noonan and Odems.

**File Number 2015,
00938, William
Vincent Burke dba
Bill Burke**

As the Board member who reviewed the file, Mr. Hoover did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00911, Tracy Leigh Kerzanet**, the Board reviewed the Consent Order as seen and agreed to by Ms. Kerzanet. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Kerzanet admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$200.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$350.00. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2015, 00911, Tracy Leigh Kerzanet

As the Board member who reviewed the file, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00997, Paul Michael Herrick**, the Board reviewed the Consent Order as seen and agreed to by Mr. Herrick. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Herrick admits to a violation of 18 VAC 135-20-310.2 (Count 1) of the Board's 1999 Regulations, and agrees to a monetary penalty of \$750.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$900.00. In addition, for violation of Count 1, Herrick agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2015, 00997, Paul Michael Herrick

As the Board member who reviewed the file, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02161, Anne Overington**, the Board reviewed the record which consisted of the

File Number 2015-02161, Anne

application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Anne Overington, was present and addressed the Board. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Overington's application for a real estate salesperson's license with the following condition: Ms. Overington must successfully complete five (5) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct in order to comply with the Board's May 19, 2009 Order by May 7, 2015. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

Overington

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02067, Baldemar Sanchez**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Baldemar Sanchez, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Odems to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Mr. Sanchez's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2015-02067, Baldemar Sanchez

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02161, Anne Overington**, a motion was made by Mr. Hoover and seconded by Ms. Grimsley to reconsider the matter. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the salesperson's license subject to completion of the remaining two (2) classroom hours of continuing education pertaining to Ethics and Standards of

File Number 2015-02161, Anne Overington

Conduct from the May 19, 2009 Order within thirty (30) days. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02070, Joseph Guilford**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Joseph Guilford, applicant, was present and addressed the Board. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to deny Mr. Guilford’s broker application based upon the record and instead issue a real estate salesperson’s license. After review of the testimony and documentation presented by Guilford, the Board is of the opinion that Guilford does not meet the requirements of being actively engaged in real estate activities for the 36 of the last 48 months as he has not been actively engaged since 2011. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems.

File Number 2015-02070, Joseph Guilford

As the presiding Board member, Ms. Noonan did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02002, Stuart Cox**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to deny Mr. Cox’s broker application based upon the record. After review of the testimony and documentation presented by Mr. Cox, the Board is of the opinion that Cox does not meet the current education requirement of having completed 180 hours of pre-licensure education. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02002, Stuart Cox

As the presiding Board member, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-02068, Laura Springham**, the Board reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Noonan and seconded by Mr. Hoover to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to approve Ms. Springham's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2015-02068, Laura Springham

As the presiding Board member, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-02455, Josephine A. Pascarella, t/a Jo Pascarella**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Odems and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-260.10 (Count 1) of the Board's 2003 Regulations and a violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,500.00 for the violation contained in Count 1, and \$1,500.00 for the violation of Count 2, for a total of \$3,000.00. The Board also imposes the following sanctions: For violation of Count 1, Pascarella shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct. Such course(s) shall be completed in a classroom. Further, Pascarella shall provide evidence acceptable to the Board that Pascarella has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or

File Number 2014-02455, Josephine A. Pascarella, t/a Jo Pascarella

activation of a license. In addition, for violation of Count 2, Pascarella shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in a classroom. Further, Pascarella shall provide evidence acceptable to the Board that Pascarella has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. For violations of Counts 1 and 2, revocation of Pascarella's broker's license is imposed, and a salesperson license will be issued. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

As the presiding Board member, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00394, Josephine A. Pascarella, t/a Jo Pascarella**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Grimsley and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-180.C.5 (Count 1) of the Board's 2008 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Mr. Odems and seconded by Ms. Noonan to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$900.00 for the violation contained in Count 1, for a total of \$900.00. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2015-00394, Josephine A. Pascarella, t/a Jo Pascarella

As the presiding Board member, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00461, Deborah Daniels Leiba**, the Board reviewed the Consent Order as seen and agreed to by Ms. Leiba. Lawrence Marshall, attorney for the

File Number 2015-00461, Deborah Daniels Leiba

respondent, was present and addressed the Board. A motion was made by Ms. Noonan and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Leiba admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$250.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$400.00. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

As the Board member who reviewed the file, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00637, Bing Sing D. Wang**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Odems and seconded by Ms. Noonan to accept a violation of 18 VAC 135-20-260.5 (Count 1) of the Board's 2003 Regulations and a violation of 18 VAC 135-20-260.6 (Count 2) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for the violation contained in Count 2, for a total of \$500.00. The Board also imposes the following sanctions: For violation of Count 1, Wang shall be placed on probation and required to complete three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and three (3) classroom hours of Board-approved continuing education pertaining to Legal Updates. Such course(s) shall be completed in a classroom. Further, Wang shall provide evidence acceptable to the Board that Wang has successfully completed the course(s) within six (6) months of the effective date of the order. The above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. In addition, Wang's license is placed on probation for three (3) years. While on probation, Wang and her broker will provide quarterly reports to the Board that

File Number 2015-00637, Bing Sing D. Wang

she is in compliance with the rules and regulations of the Board. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Funkhouser, Hoover, Grimsley, Noonan and Odems.

As the presiding Board member, Ms. Ferebee did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00059, Andrew Michael Demaree, t/a Drew Damaree**, the Board reviewed the Consent Order as seen and agreed to by Mr. Damaree. A motion was made by Ms. Grimsley and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Damaree admits to a violation of 18 VAC 135-20-260.10 (Count 1) of the Board’s 2003 Regulations, and agrees to a monetary penalty of \$1,500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Damaree agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley and Noonan.

File Number 2015-00059, Andrew Michael Demaree, t/a Drew Damaree

As the Board member who reviewed the file, Mr. Odems did not vote or participate in the discussion in this matter.

In the matter of **File Number 2014-03072, James Craig Via**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Noonan and seconded by Ms. Grimsley to reject the recommendation of the Informal Fact-Finding Conference and instead find a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*. The motion failed. Members voting “Yes” were Noonan. Members voting “No” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. A motion was made by Ms. Grimsley and

File Number 2014-03072, James Craig Via

seconded by Ms. Ferebee to accept the recommendation of the Informal Fact-Finding Conference to close the file and find no violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*. The motion passed by majority vote. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover and Odems. Member voting “No” was Noonan.

As the presiding Board member, Ms. Do did not participate in the discussion or vote pertaining to this matter.

In the matter of **File Number 2014-02361, Michael Gregory Shockley, t/a Mike Shockley**, the Board reviewed the record which consisted of the investigative file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Mr. Hoover and seconded by Ms. Grimsley to accept a violation of 18 VAC 135-20-260.11 (Count 1) of the Board’s 2003 Regulations. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems. A motion was made by Ms. Ferebee and seconded by Ms. Grimsley to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,650.00 for the violation contained in Count 1, for a total of \$1,650.00. The Board also imposes the following sanctions: For the violation of Count 1, license revocation is imposed. The motion passed unanimously. Members voting “Yes” were Boysko, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

File Number 2014-02361, Michael Gregory Shockley, t/a Mike Shockley

As the presiding Board member, Ms. Do did not vote or participate in the discussion in this matter.

In the matter of **File Number 2015-00219, Randy Sciangula**, the Board reviewed the Consent Order as seen and agreed to by Mr. Sciangula. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Sciangula admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Sciangula agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful

File Number 2015-00219, Randy Sciangula

completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

In the matter of **File Number 2015-00799, Patricia Ann Rudd, t/a Pat Rudd**, the Board reviewed the Consent Order as seen and agreed to by Ms. Rudd. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Rudd admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$400.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, for violation of Count 1, Rudd agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2015-00799, Patricia Ann Rudd, t/a Pat Rudd

In the matter of **File Number 2015-01055, Corneila Schwartzman**, the Board reviewed the Consent Order as seen and agreed to by Ms. Schwartzman. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Schwartzman admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Schwartzman agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Ethics and Standards of Conduct and provide proof of attendance and successful completion within

File Number 2015-01055, Corneila Schwartzman

six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

In the matter of **File Number 2015-00981, Stephen Michael Fox**, the Board reviewed the Consent Order as seen and agreed to by Mr. Fox. A motion was made by Mr. Hoover and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Fox admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Fox agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Contracts and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2015-00981, Stephen Michael Fox

In the matter of **File Number 2015-01065, Wayne Anthony Lee**, the Board reviewed the Consent Order as seen and agreed to by Mr. Lee. A motion was made by Ms. Ferebee and seconded by Ms. Noonan to accept the proposed Consent Order offer wherein Mr. Lee admits to a violation of 18 VAC 135-20-300.6 (Count 1) of the Board's 2008 Regulations, and agrees to a monetary penalty of \$550.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$700.00. In addition, for violation of Count 1, Lee agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing

File Number 2015-01065, Wayne Anthony Lee

education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

In the matter of **File Number 2015-01428, John Foy Hall, t/a John F. Hall**, the Board reviewed the Consent Order as seen and agreed to by Mr. Hall. A motion was made by Ms. Grimsley and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Mr. Hall admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$300.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$450.00. In addition, for violation of Count 1, Hall agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2015-01428, John Foy Hall, t/a John F. Hall

In the matter of **File Number 2015-01541, John Christopher Thatcher**, the Board reviewed the Consent Order as seen and agreed to by Mr. Thatcher. A motion was made by Ms. Noonan and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Mr. Thatcher admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$400.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, for violation of Count 1, Thatcher agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing

File Number 2015-01541, John Christopher Thatcher

education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

In the matter of **File Number 2014-03442, Irene Carr Lewin**, the Board reviewed the Consent Order as seen and agreed to by Ms. Lewin. A motion was made by Ms. Grimsley and seconded by Mr. Odems to accept the proposed Consent Order offer wherein Ms. Lewin admits to a violation of §54.1-2131.A.4 (Count 1) of the *Code of Virginia*, and a violation of 18 VAC 135-20-180.B.1.a (Count 2) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, \$1,000.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,650.00. In addition, for violation of Count 1, Lewin agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Real Estate Agency, and for violation of Count 2, Lewin agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management. Lewin shall provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

**File Number 2014,
03442, Irene Carr
Lewin**

In the matter of **File Number 2015-01661, Janet A. McCarraher, t/a Janet McCarraher**, the Board reviewed the Consent Order as seen and agreed to by Ms. McCarraher. A motion was made by Ms. Noonan and seconded by Ms. Grimsley to accept the proposed Consent Order offer wherein Ms. McCarraher admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$400.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$550.00. In addition, for violation of Count 1, McCarraher agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the

**File Number 2015-
01661, Janet A.
McCarraher, t/a
Janet McCarraher**

Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

In the matter of **File Number 2015-00217, Nina Marcheta Boyce, t/a Nina Davis**, the Board reviewed the Consent Order as seen and agreed to by Ms. Boyce. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to accept the proposed Consent Order offer wherein Ms. Boyce admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations and a violation of 18 VAC 135-20-310.2 (Count 2) of the Board’s 1999 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, \$650.00 for the violation of Count 2, as well as \$150.00 in Board costs, for a total of \$1,300.00. In addition, for violation of Count 1, Boyce agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal or reinstatement of license. The motion passed unanimously. Members voting “Yes” were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

File Number 2015-00217, Nina Marcheta Boyce, t/a Nina Davis

In the matter of **File Number 2015-00682, Lisa G. Ware**, the Board reviewed the Consent Order as seen and agreed to by Ms. Ware. A motion was made by Ms. Ferebee and seconded by Mr. Hoover to accept the proposed Consent Order offer wherein Ms. Ware admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) of the Board’s 2008 Regulations, and agrees to a monetary penalty of \$500.00 for the violation of Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, for violation of Count 1, Ware agrees to complete at least three (3) classroom hours of Board-approved continuing education pertaining to Escrow Management and provide proof of attendance and successful completion within

File Number 2015-00682, Lisa G. Ware

six (6) months of the effective date of the Order. The course(s) must be completed in the classroom. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Hoover, Grimsley, Noonan and Odems.

A motion was made by Ms. Noonan and seconded by Mr. Hoover to adopt the revision to 18 VAC 135-20-101 of the Real Estate Regulations as presented to the Board so that the regulation conforms to the statute as amended by the 2015 Acts of Assembly, Chapter 692. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Administrative Issues

The Board reviewed the report from the May 6, 2015, Real Estate Education Committee meeting. A motion was made by Mr. Hoover and seconded by Ms. Ferebee to approve the Education Committee meeting minutes. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Education

At 10:30 A.M., Ms. Ferebee offered a motion which was seconded by Mr. Hoover, that the Board meeting be recessed and that the Real Estate Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation as permitted by §2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Jay DeBoer, Christine Martine, Jeffrey Williams and Elizabeth Peay.

Closed Session

This motion is made with respect to the matter(s) identified as agenda item(s):

Old Business

- Request for Intermediate Relief by Melvyn Williams
- Legal guidance regarding licensees contacting board member regarding the licensees' discipline or licensing file.

At 10:49 A.M., a motion was made by Ms. Ferebee and

seconded by Ms. Noonan that the Board reconvene in open session.

WHEREAS, the Real Estate Board has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

Certification

WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by this Real Estate Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Real Estate Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Real Estate Board.

VOTE: 9-0

AYES: Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

NAYS: None.

ABSENT DURING THE VOTE: None.

ABSENT DURING THE MEETING: None.

A motion was made by Mr. Hoover and seconded by Ms. Ferebee to deny the request for intermediate relief in File Number 2014-02354 – Melvyn Williams. The motion passed unanimously. Members voting "Yes" were Boysko, Do, Elias, Ferebee, Funkhouser, Grimsley, Hoover, Noonan and Odems.

Old Business

There being no further business, the Board adjourned at 10:50 A.M.

Adjourn

Joseph Funkhouser, II, Chair

Jay DeBoer, Secretary

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