## **REAL ESTATE BOARD**

## TENTATIVE AGENDA

Thursday, March 16, 2023 - 10:00 a.m. 2<sup>nd</sup> Floor – Board Room 2 **Department of Professional and Occupational Regulation** 9960 Mayland Drive Richmond, Virginia 23233 (804) 367-8526

## TO ORDER I.

# ADMINISTRATIVE MATTERS II.

- Approval of Agenda 1.
- Approval of Minutes: 2.
  - January 19, 2023, Real Estate Fair Housing Sub-Committee Meeting
  - January 19, 2023, Real Estate Board Meeting В.

## **PUBLIC COMMENT PERIOD \*\*** III.

## **FAIR HOUSING REPORTS** IV.

- 1. Fair Housing Administrator's Report
- 2. Litigation update

## V. **FAIR HOUSING CASES**

1. Harold Scheuer and Liga Scheuer v. Jorge Campos, Damian Pacheco, Patrica Feinberg dba Patsy Feinberg and Realty Group of Springfield dba RE MAX 100 REB File Number: 2022-01301

REB File Number: 2022-01301

HUD File Number: N/A

2. Jaleh Ames v. Accend Ellipse LLC, Drucker & Falk, LLC and Nicole Scheidler

REB File Number: 2023-00030
HUD File Number: 03-22-1631-8

3. Winfred Mills v. Melissa LNU, Lantern Ridge, LC and Weinstein Management

Company, Inc.

REB File Number: 2023-00044 HUD File Number: 03-22-1654-8

## VI. **REAL ESTATE CASES**

- File Number 2023-01016 Hilda Teresa Parrales IFF by Jackson-Bailey – Licensing
- File Number 2023-01043 –Devon Rashad Burke 2. IFF by Jackson-Bailey – Licensing

- 3. File Number 2023-01283 – Michelle Renea Wheeler IFF by Perry – Licensing
- File Number 2022-01648 Diondra Gray IFF by Perry – Disciplinary
- File Number 2023-00116 Raven Katherine Docia Sickal t/a Raven Sickal Pre-IFF Consent Order by Perry – Disciplinary
- Pre-IFF Consent File Number 2022-02104 Lilibeth Samu IFF by Piland & Johnson Disciplinary Number 2022-02105 Anna Lea Je File Number 2022-02104 –Lilibeth Samin Racelis
  - File Number 2022-02105 Anna Lea Jenkins IFF by Piland & Funkhouser – Disciplinary
  - File Number 2022-02025 Gretchen Michelle Sherrill 8. IFF by Piland Disciplinary
  - File Number 2022-02213 Charles Raymond Fobes Prima Facie - Disciplinary
  - File Number 2022-02376 Stacy Samuel Scott Johnson 10. Prima Facie - Disciplinary
  - File Number 2023-00255 Robert Dake Lawrence t/a Bobby Lawrence 11. Pre-IFF Consent Order – Disciplinary
  - File Number 2022-02053 Frederick Jamel Culbreath, t/a Fred Culbreath 12. Pre-IFF Consent Order – Disciplinary
  - 13. File Number 2022-02321 – Munineeraja Jadapalli Pre-IFF Consent Order – Disciplinary
  - File Number 2022-02455 Paul Michael Dimaio 14. Pre-IFF Consent Order – Disciplinary
  - 15. File Number 2022-02487 – Rachel Beasley Pre-IFF Consent Order – Disciplinary
  - 16. File Number 2023-00280 – Robert McCarty Pre-IFF Consent Order – Disciplinary
  - 17. File Number 2023-00456 – Jonnie Kay Mellen Pre-IFF Consent Order – Disciplinary

### ADMINISTRATIVE ISSUES VII.

- **Board Financial Statement**
- Regulatory Report
- Legislative Report

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## VIII. EDUCATION

March 15, 2023, Education Committee Report

# IX. OLL SEW BUSINESS

Universal License Recognition Emergency Regulation

# NEXT MEETING SCHEDULED FOR THURSDAY, MAY 18, 2023

ADJOURNMENT
NEXT \*\* 5-minute public comment, per person, in those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.

Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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# REAL ESTATE BOARD FAIR HOUSING SUB-COMMITTEE **MEETING MINUTES**

# **January 19, 2023**

On Thursday, January 19, 2023 at 9:46 a.m., the Real Estate Board Fair Housing sub-committee met at the Department of Professional and Occupational February 19, 2023 February 19, 2023 at 9:46 a.m., the Real Estate Board Fair Housing Office.

Davis. Staff advised board members of the number of cases currently under investigation and in intake. The board members and staff briefly discussed the cases on the agendac

Jay, January 19, 2025
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Jard members Margaret "Mags,
ehalf of the Real Estate Board. Lt.
Geefe-Thomas attended on behalf of tr.

Meeting was called to order at approximately caff advised board members of the number of cases, alon and in intake. The board members and staff briefly.

In the agendation of the meeting at approximately 9:51 a.m.

This on, Chair

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This on, Chair

The correctant of the meeting at approximately 9:51 a.m. Sharon Johnson, Chair Demetrios J. Melis, Secretary

January 19, 2023

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

Sharon Johnson, Chair Margaret Davis Anna Thronson David Perry Davia i San Piland Con

Board members absent from the meetings.

Ibrahim Moiz, Vice-Chair Kemper Funkhouser Catina Jones

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

Kishore Thota, Deputy Director Tom Payne, Deputy Director Christine Martine, Executive Director Liz Hayes, Fair Housing Administrator ator Sulation of Official Board Position. Deanda Shelton, Assistant Fair Housing Administrator Donnitria Mosby, Fair Housing Investigator Angela Keefe-Thomas, Fair Housing Investigator Loraine Schroeder, Fair Housing Investigator Emily Trent, Administrator Coordinator

Jim Flaherty, from the Office of the Attorney General was present.

Ms. Johnson called the meeting to Order at 10:06 A.M.

Call to Order

A motion was made by Ms. Davis and seconded by Mr. Perry to approve the agenda. The motion passed unanimously. Members voting "Yes" were: Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

**Agenda** 

A motion was made by Ms. Davis and seconded by Mr. Perry to adopt the November 17, 2022, Real Estate Fair Housing Sub-Committee Meeting minutes and the November 17, 2022, Real Estate Board Meeting minutes. The motion passed unanimously. Estate Board Meeting minutes. The motion passed diaminutes. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson. Piland and Thronson.

There was no public comment.

Housing Admi

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load and provided a Fair Housing litigation update. No action was taken by the Board.

In the matter of Jennifer Nicholson on behalf of minor child (H. N.) v. Olah's Landing Property Owner's Association, Inc. and United Property Associates, Inc., REB File 2022-01435, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Henry Moore, attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by failing to permit a reasonable modification or by imposing discriminatory terms and conditions based upon complainant's son's disability. The motion passed manimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of Corwin Jones and Bobbi Staton v. Steve Shifflett and Gloria Mykich, REB File 2021-01546, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by offering discriminatory terms and conditions; otherwise denied or make housing unavailable; make discriminatory statements or intimidated, harassed or coerced them due Jones' race. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of Anjani Moore v. Redfin Corporation and Shannon Parker, REB File 2022-02681, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Shannon Parker, respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to find no reasonable cause the **Minutes** 

## **Public Comment**

**Fair Housing Reports** and Litigation Update

Jennifer Nicholson on behalf of minor child (H. N.) v. **Olah's Landing Property Owner's** Association, Inc. and **United Property** Associates, Inc., REB File 2022-01435

**Corwin Jones and** Bobbi Staton v. Steve Shifflett and Gloria Mykich, REB File 2021-01546

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Alion or Official Board position. Anjani Moore v. **Redfin Corporation** and Shannon Parker, **REB File 2022-02681** 

respondents discriminated against the complainant by offering discriminatory terms and conditions or refusing to sell based upon race. The motion passed unanimously. Members voting Yes" were Davis, Johnson, Mollineaux, Perry, Piland and

"Yes" were Davis, "Thronson.

In the matter of Kraig and Crystal Logston v. JJRE, LLC, Advance Realty Specialists, 2206 Edwards LLC and RFB File 2020-01584, the Board Report and Case Analysis. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainants by otherwise making housing unavailable, discriminating in terms or conditions of a rental making a discriminatory statement, refusing to provide a reasonable accommodation or refusing to make a reasonable modification based upon disability. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

**Kraig and Crystal** Logston v. JJRE, LLC, dba Advance Realty Specialists, 2206 Edwards LLC and Tina Marie Lebrun, REB File 2020-01584

In the matter of Linda Johnson v. Buckroe Bungalow, LLC and Leland Real Estate, Inc., REB File 2023-00046, a motion was made by Ms. Davis and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Linda Johnson v. **Buckroe Bungalow**, **LLC and Leland** Real Estate, Inc., **REB File 2023-00046** 

In the matter of Krista and Chris Tremblay v. Jameson at Wood Quay, LLC; GREP Atlantic, LLC; and Margaret Zapata, REB File 2023-00434, a motion was made by Ms. Davis and seconded by Ms. Piland to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Krista and Chris Tremblay v. Jameson %at Wood Quay, LLC; GREP Atlantic, LLC and Margaret Zapata, REB File Monique Fleming y.

In the matter of Monique Fleming v. Allegiance Realty Partners, LLC, c/o Re/Max Allegiance and Robert C. and Anne R. McDonough, REB File 2021-02778, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Michael Miller, agent for respondent, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to find no reasonable cause the respondents discriminated against the complainant by refusing to negotiate a rental and/or falsely denying housing availability based upon race. The motion Monique Fleming
Allegiance Realty
Allegiance Realty
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Allegiance Anne R. McDonough, REB File 2021-02778

passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of John Phelps v. Richard and Tracy Hughes, Robert Duke Lawrence and Towne Realty LLC, dba Berkshire Hathaway HomeServices, REB File 2021-01993, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis. Dr. John Phelps, complainant, was present and addressed the Board. Richard Hughes, respondent, JC Cancelleri, attorney for the respondents, Robert Duke Lawrence, respondent and Barbara Wolcott, Towne Realty LLC's President, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find no reasonable cause the respondents discriminated against the complainant by offering discriminatory terms and conditions, refusing to sell or making discriminatory statements based on his status as a veteran or source of funds. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Perry, Piland and Thronson.

John Phelps v.
Richard and Tracy
Hughes, Robert
Duke Lawrence and
Towne Realty LLC,
dba Berkshire
Hathaway
HomeServices, REB
File 2021-01993

Due to possible conflict of interest, Mr. Mollineaux did not vote or participate in the discussion in this matter.

In the matter of **File Number 2022-02718**, **Robert L. Lowery**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Robert L. Lowery, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. Lowery's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2022-02719**, **Rachel Ellon Corey**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Rachel Ellon Corey, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF)

File Number 2022-02718, Robert L. Lowery

File Number 2022-02719, Rachel Ellon Corey

and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Ms. Corey's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson,

unanimously. Members voting 100
Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2023-00267, Steven Ray Kerns,
Poord reviewed the record which consisted of the application
Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Steven Ray Kerns, applicant, was present. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1204.B of the Code of Virginia approve Mr. Kerns' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

> In the matter of File Number 2023,00518, Lynnette B. Johnson, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Lynnette B. Johnson, applicant, was present. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained on the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Ms. Johnson's application for a real estate salesperson's license subject to an agreement for licensure for a period of one year wherein Ms. Johnson and her supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

> In the matter of File Number 2023-00630, Joseph R. Collins, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Joseph R. Collins, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Collins' application for a

File Number 2023-00267, Steven Ray Kerns

File Number 2023-00518, Lynnette B. Johnson

File Number 2023-

real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2023-00520, Andres S.

Amaguana, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Andres S. Amaguana, applicant, was present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Amaguana's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Petry, Piland and Thronson.

File Number 2023-00633, Michael C. Jones, Jr.

File Number 2023-00520, Andres S. Amaguana

In the matter of File Number 2023-00633, Michael C. Jones, Jr., the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Jones' application for a real estate salesperson's license subject to an agreement for licensure for a period of two years wherein Mr. Jones and his supervising broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00638, James Mackor George**, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Mr. Mollineaux and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the *Code of Virginia* approve Mr. George's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 202300638, James 77
Mackor George 78
Position

In the matter of File Number 2023-00775, Dwayne A. Bennett, Sr., the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Factapplication file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Dwayne A, Bennett, Sr., applicant, was Finding Conference, and the Finding Conference. Dwayne A, Bennett, Sr., applicant, the present and addressed the Board. A motion was made by Ms. Piland to accept the recommendation and the formal Fact-Finding Conference (IFF) and, after consideration of the criteria contained in §54.1-204.B of the Code of Virginia approve Mr. Bennett's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-**00775, Dwayne A.** Bennett, Sr.

In the matter of File Number 2023-00266, Daniel G. Bickley, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. Daniel G. Bickley, applicant, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Mr. Mollineaux to accept the recommendation Conference (IFF) and, and contained in §54.1-204.B of the Coae of Bickley's application for a real estate salesperson a subject to an agreement for licensure for a period of one year wherein Mr. Bickley and his supervising broker will provide quarterly reports to the Board. The motion passed unanimously.

The McKelvey,

File Number 2023-00637, David A. contained in the Summary of the Informal Fact-Finding

File Number 2023-00266, Daniel G. Bicklev

file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Mr. Mollineaux to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) to deny Mr. Bickley's application for a real estate broker's license based upon the record. After review of the facts, the information obtained at the Informal Fact-Finding Conference, and based on Bickley's failure to provide sufficient evidence that, during 36 of the 48 months preceding his application actively engaged as a real estate salesperson or real estate broker and voted to deny the

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license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2022-02453, Rica Jo Ann In the matter of File Number 2022-02455, Nica of College and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Piland and seconded by Ms. Davis to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and approve Ms. Gilmore's application for a real estate broker's license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2022-02453, Rica Jo Ann Gilmore

In the matter of File Number 2022-02202, Serena R. Boney, the Board reviewed the record which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference (IFF) and instead deny Ms. Boney's application for a real estate broker's license based upon the record. After review of the facts, the and based on Boney's failure to produce during 36 of the 48 months preceding her approximation of the 48 months information obtained at the Informal Fact-Finding Conference,

File Number 2022-02202, Serena R. **Boney** 

Milton Oakley Revocable Living Trust (Claimant) v. Alonzo Randolph Bell, Jr. (Regulant), the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, the claim review file, exhibits, the Recovery Fund claim form, and Claim Review. A motion was made by Ms. Davis and seconded by Ms. Piland to adopt the recommendation to approve payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

O. Perdue and Lynn O. Mosby acting as Trustees for the J. Milton Oakley **Revocable Living** Trust (Claimant) v. Alonzo Randolph Bell, Jr. (Regulant)

In the matter of File Number 2022-01858, David Jon Marple,

File Number 2022-

the Board reviewed the record which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. David Jon Marple, respondent, Katrina Cand addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and instead find no violation of 18 VAC 135-20-155 (Count 1% of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson. A motion was made by Ms. Davis and seconded by Ms. Thronson to find a violation of 18 VAC 135-20-3009 (Count 2) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson. motion.

de of Virginia. The
ting "Yes" were Davis, ac
nronson. A motion was made by Na.

4s. Thronson to reject the recommendation.
Summary of the Informal Fact-Finding Conference
find no violation of §54.1-2131.A.2.d (Count 4) of the Coac
Virginia. The motion passed unanimously. Members woting
"Yes" were Davis, Johnson, Mollineaux, Perry and Thronson,
motion was made by Ms. Davis and seconded by Ms.
to reject the recommendation contained in the
Informal Fact-Finding Conference and instead
motions for the violation of Count 2: A
The forther violation contained in
The coac
man and subject

Official Hopping Advisors

Official Hopping A A motion was made by Ms. Davis and seconded by Ms. Thronson to find a violation of §54.9-2131.B (Count 3) of the

- Board-approved post-license education pertaining to Ethics and Standards of Conduct.
- Further, Marple shall provide evidence acceptable to the Board that Marple has successfully completed the course(s) within six (6) months of the effective date of

# 01858, David Jon Marple

> the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license.

activation of a needed.

The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to reject the recommendation in the Summary of the Informal Fact-Finding Conference for the violation of Count 4, and instead impose a monetary penalty of \$400.00, for a total monetary penalty of \$1,450.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry and Thronson.

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

In the matter of File Number 2022-01113, Philip Michael Maliniak, t/a Phil Maliniak, the Board reviewed the record which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of §54.1-2135.A.2 (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11.m (Count 2) of the Board's 2015 Regulations, three violations of 18 VAC 135-20-260.11.g (Count 3) of the Board's 2015 Regulations, two violations of 18 VAC 135-20-180.B.1.b (Count 4) of the Board's 2020 Regulations, and two violations of 18 VAC 135-20-180.B.1.c (Count 5) of the Board's 2020 violations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$550.00 for the violation contained in Count 1, and \$950.00 for the violation contained in Count 2, \$500.00 for each violation contained in Count 3, \$650.00 for each violation contained in Count 4, and \$1,200.00 for each violation contained in Count 5, for a total of \$6,700.00. In addition, for violations of Counts 1, 2, 3, 4 and 5, Maliniak's license is placed on suspension until he completes six (6) classroom hours

File Number 2022-01113, Philip Michael Maliniak, t/a Phil Maliniak

Tied as regulation or official Board Position.

of Board-approved post-license education pertaining to Contract Writing and eight (8) classroom hours of Board-approved post-license education pertaining to Property Management. Such course(s) shall be completed in a classroom. Maliniak's license shall remain suspended until Maliniak provides evidence acceptable to the Board that Maliniak successfully completed the course(s). The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. As to violation 1 of Count 5, that aspect of the file is closed with a finding of no violation. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2022-01878**, **Angie Sue Lundy**, 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. Davis and seconded by Ms. Thronson to find a violation of §54.1-2137.B (Count 1) of the *Code of Virginia*, a violation of 18 VAC 135-20-260.11 g (Count 2) of the Board's 2021 Regulations, and a violation of F&VAC 135-20-300.9 (Count 3) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$350.00 for the violation in Count 1, \$1,400.00 for the violation in Count 2, and \$1,050.00 for the violation in Count 3, for a total of \$2,800.00. In addition, for violations of Counts 1, 2, and 3, Lundy's license is placed on probation for a period of two (2) years subject to the following terms:

- During the probationary period, Lundy and her broker will provide quarterly reports to the Board that she is in compliance with the Board's rules and regulations;
- Lundy is required to complete six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing, three (3) classroom hours of Board-approved post-license education pertaining to Escrow Requirements, and three (3) classroom hours of Board-

File Number 2022-01878, Angie Sue Lundy

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approved post-license education pertaining to Ethics and Standards of Conduct. Further, Lundy shall provide evidence acceptable to the Board that Lundy has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

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

In the matter of **File Number 2022-01079**, **Jason R. Houser**, 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. Jessica Brown, complainant, Jason R. Houser, respondent, and John M. Kaptan, Esq., attorney for the respondent, were present and addressed the Board. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of 18 VAC 135-20-260.11 (Count 1) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Piland and seconded by Ms. Thronson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$1,400.00 for the violation in Count 1, for a total of \$1,400.00. In addition, for violation of Count 1, Houser's license is placed on probation for a period of three (3) months and Houser is required to complete three (3) classroom hours of Board-approved post-license education pertaining to Ethics and Standards of Conduct, six (6) classroom hours of Board-approved post-license education pertaining to Real Estate Law and Regulations, and three (3) classroom hours of Board-approved post-license education pertaining to Risk Management. Such course(s) shall be completed in a classroom. Further, Houser shall provide evidence acceptable to the Board that Houser has successfully completed the course(s) within three (3) months of the effective date of the Order. The abovereferenced post-license education hours will not count towards File Number 2022-01079, Jason R. Houser

Ms. The lose a 1, for ant 1, ree (3) sroom ing to ours of Real ours of Risk

any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

Johnson, Mollineaux, Pilanu and Johnson, Mollineaux, Pilanu an 

In the matter of File Number 2022-01648, Diondra Gray, due to a lack of guorum the matter was deferred to the next Board

meeting.

In the matter of File Number 2022-00969, Melvyn Alonzo Williams, the Board reviewed the record which consisted of the record which consisted of the investigative file, transcript, and exhibits from the Informal Eact-Finding Conference, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Davis and seconded by Ms. Thronson to find two violations of 18 VAC 135-20-260.11.g (Count 1) of the Board's 2015 Regulations, two violations of 18 VAC. 135-20-260.11.m (Count 2) of the Board's 2015 Regulations, a violation of 18 VAC 135-20-300.9 (Count 3) of the Board's 2015 Regulations, and a violation of 18 VAC 135-20-260.11.j (Count 4) of the Board's 2015 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose a monetary penalty of \$500.00 for each violation contained in Count 1, \$950.00 for each violation contained in Count 2, \$1,050.00 for the violation contained in Count 3, and \$1,500.00 for the violation contained in Count 4, for a total of \$5,450.00. The Board also imposes the following sanctions: For violations of Counts 1, 2, 3, and 4, Williams' license is placed on probation for a period of two (2) years subject to the following terms:

- During the probationary period, Williams and his broker will provide quarterly reports to the Board that he is in compliance with the Board's rules and regulations;
- Williams shall complete three (3) classroom hours of Board-approved post-license education related to Ethics and Standards of Conduct, three (3)

File Number 2022-01648, Diondra Gray

File Number 2022-00969, Melvyn Alonzo Williams

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classroom hours of Board-approved post-license educan.
Regulations. 1...
evidence acceptable to ...
successfully completed the course months of the effective date of the Board's.
The above-referenced post-license education hours will not count towards any continuing education requirements, if applicable, for renewal, 'ement, or activation of a license.

bers voting "Yes" were education related to Agency Law, and six (6)

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

In the matter of File Number 2022-02245, Mohammed Hug, the Board reviewed the Consent Order as seen and agreed to by Mr. Hug. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Huq admits to a violation of 18 VAC \$25-20-310.2 (Count 1) of the Board's 2015 Regulations, and a violation of §54.1-2135.E (Count 2) of the Code of Virginia, and agrees a monetary penalty of \$600.00 for the violation contained in Count 1, \$450.00 for the violation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,200.00. In addition, Huq agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Real Estate Law and Regulations; and
- Three (3) hours pertaining to Ethics and Standards of Conduct.

It is acknowledged that satisfactory completion of the abovereferenced Post-License 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 Davis, Johnson,

File Number 2022-02245, Mohammed Hug

Strued as regulation or official Board Position.

Mollineaux, Piland and Thronson.

As the Board member who reviews wote or participate in the discussion in this matter. As the Board member who reviewed the file, Mr. Perry did not

Vote or participate in the discussion.

In the matter of File Number 2022-01993, Brian Darrell Hall, the Board reviewed the Consent Order as seen and agreed to by A motion was made by Ms. Piland and seconded by Consent Order offer and send the case to an Informal Fact-Finding Conference due to allegations of fraud. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

01993, Brian Darrell Hall

File Number 2022-

In the matter of File Number 2023-00084, Danis Davis Goins, t/a Danis Goins, the Board reviewed the Consent Order as seen and agreed to by Ms. Goins. A motion was made by Ms. Piland and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Goins admits to a violation of §54.1-2132.A.4 (Count 1) of the Code of Virginia, and agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$650.00. In addition, Goins agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Escrow Requirements 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 Post-License 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 Johnson, Mollineaux, Perry, Piland and Thronson.

File Number 2023-00084, Danis Davis Goins

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

In the matter of File Number 2022-02703, Katrina M. G. Wulfeck, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Piland and seconded by Ms. Davis to find a violation of 18 VAC 135-20-260.11.f (Count 1) of the Board's 2021 Regulations, a violation of §54.1-2135.A.1 (Count 2) of the Code of Virginia, and a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2003

Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,500.00 for the violation contained in Count 1, \$800.00 for the violation contained in Count 2, and \$2,000.00 for the violation contained in Count 3, for a total of \$4,300.00. In addition, license revocation is imposed for the violations of Counts 1, 2, and 3. The motion passed unanimously, Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of **File Number 2023-00373, Katrina M. G. Wulfeck**, the Board reviewed the record which consisted of the Notice of Prima Facie Case, investigative file, and the Recommendation. A motion was made by Ms. Davis and seconded by Ms. Piland to find a violation of 18 VAC 135-20-260.11.f (Count 1) of the Board's 2021 Regulations, a violation of §54.1-2135.A.1 (Count 2) of the *Code of Virginia*, and a violation of 18 VAC 135-20-250 (Count 3) of the Board's 2003 Regulations. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Piland to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference to impose the following sanctions: A monetary penalty of \$1,500.00 for the violation contained in Count 1, \$800.00 for the violation contained in Count 2, and \$2,000.00 for the violation contained in Count 3, for a total of \$4,300.00. In addition, license revocation is imposed for the violations of Counts 1, 2, and 3. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

A motion was made by Ms. Davis and seconded by Ms. Thronson to take cases 26-29, as a block vote. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2022-02668, Janeen B. Webb, the Board reviewed the Consent Order as seen and agreed to by

File Number 2023-00373, Katrina M. G. Wulfeck

Consent Orders

THE DOS TO STITUTE OF THE POST OF THE

File Number 2022-02668, Janeen B.

Ms. Webb. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Webb admits to a violation of 18 VAC 135-20-220.A.3 (Count 1) of the Board's 2015 Regulations, and a violation of (Count 1) of the Board's 2015 Regulations, and a vicinity VAC 135-20.300.6 (Count 2) of the Board's 2015 Regulations, and agrees to a monetary penalty of \$750.00 for the violation the violation contained in Count 1, \$600.00 for the violation contained in Count 2, as well as \$150.00 in Board costs, for a total of \$1,500.00. In addition, Webb agrees to complete at least six (6) classroom hours of Board-approved Post-License education pertaining to Real Estate Law and Regulations and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom. It is acknowledged that satisfactory completion of the abovereferenced Post-License 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 Davis, Johnson, Mollineaux, Perry, Piland and Thronson,
In the matter of File Number 2022-02529, Seth G. Barnes, the

Board reviewed the Consent Order as seen and agreed to by Mr. Barnes. A motion was made by Ms. Davis and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Barnes admits to two violations of 18 VAC 135-20-260.11.j (Count 1) of the Board's 2021 Regulations, and agrees to a trued as regulation or official Board Position. monetary penalty of \$1,500.00 for each violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$3,150.00. In addition, Barnes agrees to complete at least three (3) classroom hours of Board-approved Post-License education pertaining to Ethics and Standards of Conduct 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 Post-License 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 Davis, Johnson, Mollineaux, Perry, Piland and

In the matter of File Number 2023-00332, Keona L. Wardrett, the Board reviewed the Consent Order as seen and agreed to by Ms. Wardrett. A motion was made by Ms. Davis

Thronson.

Webb

File Number 2022-02529, Seth G. Barnes

File Number 2023-00332, Keona L. Wardrett

and seconded by Ms. Thronson to accept the proposed Consent Order offer wherein Wardrett admits to a violation of 18 VAC and a violation of 18 VAC 135-20-310.2 (Count 2) of the and a violation of 18 VAC 135-20-310.2 (Count 2)
Board's 2015 Regulations, and agrees a monetary penalty of \$500,00 for the violation contained in Count 1, \$600.00 for the count 2 and \$150.00 in Board costs, for Cytolation contained in Count 2, and \$150.00 in Board costs, for a total of \$1,250.00. In addition, Wardrett agrees to complete at least the number of classroom hours, as specified below, of Board-approved Post-License education and provide proof of attendance and successful completion to the Board within six (6) months of the effective date of the Order. The courses must be completed in the classroom.

- Six (6) hours pertaining to Real Estate Law and Regulations; and
- hours pertaining Three (3) Escrow Requirements.

It is acknowledged that satisfactory completion of the abovereferenced Post-License 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 Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

In the matter of File Number 2022-01772, Hasbrouck Real Estate Corporation, the Board reviewed the Consent Consent Seen and agreed to by Hasbrouck Real Estate Corporation. As I have the Consent Cons to accept the proposed Consent Order offer wherein Hasbrouck Real Estate Corporation admits to a violation of 18 VAC 48-50-190.1 (Count 1) of the Common Interest Community Board's 2019 Regulations and agrees to a monetary penalty of \$1,500.00 for the violation contained in Count 1, as well as \$150.00 in Board costs, for a total of \$1,650.00. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

Ms. Johnson turned the position of Chair over to Ms. Davis and recused herself from the meeting.

In the matter of File Number 2021-02616, Maryam Soroush Jansen, 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

File Number 2022-01772, Hasbrouck **Real Estate** Zos.
Zos regulation or official Board Position. Corporation

File Number 2021-02616, Maryam Soroush Jansen

Fact-Finding Conference of the presiding Board member. John C. Altmiller, attorney for the respondent, was present and addressed the Board. A motion was made by Ms. Piland and seconded by Ms. Thronson to find a violation of 18 VAC 135seconded by Ms. Thronson to find a violation of 10 viii 20, 300.9 (Count 1) of the Board's 2015 Regulations, and three violations of 18 VAC 135-20-310.2 (Count 2) of the Board's The motion passed unanimously. Members 20/300.9 (Count 1) of the Board 2 violations of 18 VAC 135-20-310.2 (Count 2) of the Board 2015 Regulations. The motion passed unanimously. Members "Ves" were Davis, Mollineaux, Perry, Piland and Voting "Yes" were Davis, Mollineaux, Perry, Piland and Thronson;

A motion was made by Ms. Piland and seconded by Ms. Thronson 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 in Count 1, and \$500.00 for each violation in Count 2, for a total of \$2,000.00. In addition, for violation of Count 1, Jansen's license is placed on probation for a period of six (6) months and Jansen is required to complete two (2) classroom hours of Boardapproved post-license education pertaining to Advertising. Further, Jansen shall provide evidence acceptable to the Board that Jansen has successfully completed the course(s) within six (6) months of the effective date of the Order. The abovereferenced post-license education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. For the violation of Count 2, Jansen's license is placed on probation for a period of six (6) months and Jansen is required to complete Stried as regulation or Official Board Position. six (6) classroom hours of Board-approved post-license education pertaining to Contract Writing. Further, Jansen shall provide evidence acceptable to the Board that Jansen has successfully completed the course(s) within six (6) months of the effective date of the Order. The above-referenced postlicense education hours will not count towards any continuing education requirement, if applicable, for renewal, reinstatement, or activation of a license. The motion passed unanimously. Members voting "Yes" were Davis, Mollineaux, Perry, Piland and Thronson.

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

Ms. Johnson returned and assumed the position of Chair.

A motion was made by Ms. Davis and seconded by Ms. Thronson to adopt the November 17, 2022, Real Estate **Transfer of Chair Administrative Issues** 

Regulatory Review Committee Meeting minutes. The motion passed unanimously. Members voting "Yes" were Davis,

Johnson, Mollineaux, reny, .....

A motion was made by Ms. Davis and seconded by Ms.

Threnson to approve payment in the amount of \$14,805.66 to

Stockbridge, P.C., for legal services provided for receivership in Commonwealth of Virginia, et al v. Central Partners Now LLC dba Re/Max Central Realty (CL 14000461-00). The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

> The Board reviewed the Board financial statement as presented. No action was taken by the Board.

> Ms. Piland provided a report from the January 18, 2023, Real Estate Board Education Committee meeting. A motion was made by Ms. Davis and seconded by Mr. Perry to accept the Education Committee meeting report. The motion passed unanimously. Members voting "Yes" were Davis, Johnson, Mollineaux, Perry, Piland and Thronson.

There being no further business, the Board adjourned at 12:26 P.M.

Sharon Johnson, Chair Demetrios J. Melis, Secretary **Education** 

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# Department of Professional and Occupational Regulation Statement of Financial Activity

## Real Estate Board 954640

2022-2024 Biennium

**Number of Regulants** 

**Current Month** 

Previous Biennium-to-Date

January 2023

74×170/2 4C2		Biennium-to-Date Comparison	
ORAK ACKNOA	January 2023 Activity	July 2020 - January 2021	July 2022 - January 2023
Cash/Revenue Balance Brought Forward			0
Revenues	20,955 51,724 3,930 47,873 47,873 59,233	2,461,659	2,655,939
Cumulative Revenues			2,655,939
Cost Categories:			
Board Expenditures	20,955	157,246	192,065
Board Administration	51,724	633,116	713,336
Administration of Exams	3,930	28,304	55,956
Enforcement	47,873	658,577	708,306
Legal Services	10/119,818	20,903	20,168
Information Systems	59,233	422,812	362,673
Facilities and Support Services	30,950	214,852	231,939
Agency Administration	30,135	289,009	478,858
Other / Transfers	(984)	289,009 289,009 0 289,009	(984)
Total Expenses	263,634	2,424,819	2,762,315
Transfer To/(From) Cash Reserves	0	EQUIA O	(262,118)
Ending Cash/Revenue Balance		/ /	
			155,742 155,742 1,956,311 1,694,193
Cash Reserve Beginning Balance	1,694,193	0	1,956,311
Change in Cash Reserve	0	0	(262,118)
Cash Reserve Ending Balance	1,694,193	0	1,694,193

79,231

72,950