

Iowa Real Estate Commission  
200 East Grand, Suite 350  
Des Moines, IA 50309  
MINUTES  
February 1, 2018

**Commissioners present for all or part of the meeting**

Terry Duggan, Chair	Jan DeMott
Dennis Stolk, Vice Chair	Helen Kimes
Michael Telford	Elizabeth Hansen (9:10 a.m.)

**Staff present for all or part of the meeting**

Jeff Evans, Executive Officer	John Lundquist, Assistant Attorney General
Jill Simbro, Education Director	Sandy Malek, Investigator
Colleen Goddard, Trust Account Auditor	Tracy Lindgren, Background Coordinator
Lori SchraderBachar, Site Manager	Ashley Thompson, Licensing Specialist

**Members of Public in attendance for all or part of the open session of the meeting**

Paul McLaughlin, Iowa Association of Realtors, IAR	Daniel Rohrer, Homestead Land & Management Co.
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**Call to Order**

Duggan called the meeting to order at 9:05 a.m.  
Quorum was established.  
Introductions were made.

**Motion by Telford to approve the agenda.**

Seconded by Kimes.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Approval of Minutes**

**Motion by DeMott to approve the open session and the closed session December 7, 2017 IREC meeting minutes.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Commissioner Reports**

None.

**Staff Reports**

Lundquist reported that he is co-chair of the Association of Real Estate Licensed Law Officials (ARELLO) Law & Regulation Committee for 2018 and looks forward to his continued involvement and participation with the organization.

SchraderBachar reminded Commission members to reapply if coming up for reappointment for new term. The Commission still has one vacancy (licensee member).

Evans reminded the Commissioners that if they expect to be reimbursed for travel expenses, original and itemized receipts will need to be submitted to staff. Evans reported that approximately 3,500 licensees had renewed for the last renewal cycle. He also stated that as of January 30, 2018, the renewal period had closed and commended staff for all their hard work.

### **ARELLO**

After discussion, **motion by Telford to approve Evans, Lundquist, Commissioner Duggan, and Commissioner Stolk to attend the 2018 ARELLO Mid-Year Meeting in New Orleans, LA from April 4 – 7, 2018.**

Seconded by DeMott.

VOTE: Aye: DeMott, Hansen, Kimes, Telford      Nay: None      Abstaining: Duggan, Stolk

Motion passed.

### **Communications**

The petitioner of Waiver 17-07 withdrew her waiver request.

After discussion, **Motion by Telford to grant waiver 18-01.** Daniel Rohrer, petitioner, spoke to the Commission and explained the processes and steps he followed to obtain his Iowa license based on his license in Nebraska. In August of 2017 the petitioner was granted authorization to take only the Iowa portion of the broker exam. The petitioner submitted his application in December of 2017. At that time he was advised of a rule change to 193E Iowa Administrative Code § 5.3, effective September 7, 2017, that would require him to take both the state and the national portion of the exam. The petitioner is requesting a waiver of having to take the National portion of the exam.

Seconded by DeMott.

VOTE: Aye: All      Nay: None      Abstaining: None

Motion passed unanimously.

### **Administrative Rules**

Evans reported that the amendments to chapters 7, 16, and 17 of 193E Iowa Administrative Code became effective January 10, 2018.

Discussion was held re: ARC 3564C and the proposed rules changes to chapters 13 and 14 of 193E Iowa Administrative Code. A hearing for public comment will be held on February 6, 2018 at the offices of the Commission.

### **2018 Proposed Legislation**

Lundquist briefly discussed proposed legislation, Senate File 2053 - Introduced. The Commission took no action.

### **Public Comment**

McLaughlin provided his support of the changes discussed to chapters 13 and 14 of Administrative Code 193E. McLaughlin also reported that IAR's Annual Legislative Bus-In Day is scheduled for Tuesday, February 6<sup>th</sup>.

**Motion by Telford to enter into closed session pursuant to Iowa Code §§ 21.5(1)(a), 21.5(1)(d), 21.5(1)(f) and 543B.15(9) to review pending licensee discipline cases and investigations, including any cases ready for final resolution through closure or consent order.**

Seconded by Stolk.

VOTE: Roll call: DeMott, aye; Duggan, aye; Hansen, aye; Kimes, aye; Telford, aye; Stolk, aye

Motion passed unanimously.

The Commission entered into closed session at 9:40 a.m. and arose from there at 10:43 a.m.

**Open Session**

**Motion by Kimes to return to open session.**

Seconded by Telford.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Stolk to enter into a Consent Agreement with the Applicant, with Executive Officer Evans signing on behalf of the Commission and then grant licensure when all other licensing requirements have been met for IREC Case 18-001.**

Seconded by Hansen.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Kimes to grant licensure for IREC Case No. 17-268.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by DeMott to issue a "Notice of Intent to Deny License" for IREC Case No. 17-253.**

Seconded by Telford.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Hansen to find probable cause for the following cases: 17-199, 17-207, 17-216, 17-217, 17-257, 17-270, 17-271, 17-272, and 17-273 as discussed in closed session.**

Seconded by Kimes.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Telford to close the following cases: 17-177, 17-200, 17-211, 17-212, 17-213, 17-224, and 17-225 as discussed in closed session.**

Seconded by DeMott.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Stolk to draft a letter for the individuals seeking a prelicense determination as discussed in closed session for the following cases: 17-266 and 18-002.**

Seconded by Kimes.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Future Meeting Dates**

Future IREC meetings are tentatively scheduled as follows:

**Investigation Committee**

February 28, 2018 (Telford/Hansen)  
April 11, 2018 (Duggan/Stolk)  
May 2, 2018  
June 6, 2018  
No July Meeting  
August 1, 2018

**Commission Meetings**

March 1, 2018  
April 12, 2018  
May 3, 2018  
June 7, 2018  
No July Meeting  
August 2, 2018

**Meeting Adjourned**

With all agenda items covered, the meeting adjourned at 10:52 am.

These minutes accurately reflect the minutes approved by the Commission at the meeting on:

3-1-18  
Date

  
By: TERRANCE M. DUGGAN, Chair