

Iowa Real Estate Commission  
200 East Grand, Suite 350  
Des Moines, IA 50309  
MINUTES  
March 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

**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**

None

**Call to Order**

Duggan called the meeting to order at 9:03 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 February 1, 2018 IREC meeting minutes.**

Seconded by Hansen.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Commissioner Reports**

None.

**Staff Reports**

Lundquist reported that House Bill 2343 passed in Iowa house on 2/27/18.

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 the Commissioners will need to complete the Sexual Harassment course sent out to them via email. This is a requirement of the Governor. Evans also discussed the new Google shared drive with the Commission, where meeting packets will be available electronically starting with the May Commission meeting.

**Administrative Rules**

Evans led discussion re: ARC 3564C and the proposed rules changes to chapters 13 and 14 of 193E Iowa Administrative Code. A public hearing was held, with no public attending.

**After discussion, Motion by Telford to have staff "Notice to Adopt" ARC 3564C for changes made to 193E Iowa Administrative Code Chapters 13 and 14.**

Seconded by Stolks.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Public Comment**

None.

**Motion by Kimes 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 DeMott.

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 9:23 a.m. and arose from there at 10:23 a.m.

**Open Session**

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

Seconded by Hanson.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Telford to issue a "Notice of Intent to Deny License" if Commission does not receive a withdrawn application by March 9, 2018 for IREC Case No. 18-034.**

Seconded by Kimes.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Telford to find probable cause for the following cases: 17-230, 17-249, 17-252, 17-258, 17-260, 17-284, 18-004, 18-011, 18-013, and 18-019 as discussed in closed session.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Hanson to close the following cases: 17-226, 17-237, 17-241, 17-243, 17-247, 17-248, 17-254, 17-255, 17-288, 18-005, and 18-012 as discussed in closed session.**

Seconded by DeMott.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by DeMott for staff to draft a letter for the individual seeking a prelicense determination as discussed in closed session for the IREC case No. 18-026.**

Seconded by Kimes.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-263 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-279 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-280 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-281 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-282 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None  
Motion passed unanimously.

Discussion was held re: IREC case No. 17-283 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue a "Notice of Intent to Impose Civil Penalty" in the amount of \$1,000 pursuant to 193E Iowa Administrative Code § 21.5.**

Seconded by Stolk.

VOTE: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Future Meeting Dates**

Future IREC meetings are tentatively scheduled as follows:

**Investigation Committee**

April 11, 2018 (Duggan/Stolk)  
May 2, 2018 (Kimes/Hanson)  
June 6, 2018 (DeMott/Telford)  
No July Meeting  
August 1, 2018

**Commission Meetings**

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 10:32 am.

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

4-12-18

Date

  
By: **TERRANCE M. DUGGAN**, Chair