

**Iowa Real Estate Commission
200 East Grand, Suite 350
Des Moines, IA 50309
MINUTES
June 7, 2018**

Commissioners present for all or part of the meeting

Terry Duggan, Chair	Jan Demott
Dennis Stolk, Vice Chair	Helen Kimes
James Clingman	Michael Telford

Staff present for all or part of the meeting

Jeff Evans, Executive Officer	Alan Nagel, 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

Call to Order

Duggan called the meeting to order at 9:00 a.m.
Quorum was established.

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 Stolk to approve the open session and the closed session May 3, 2018 IREC meeting minutes.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Commissioner Reports

None.

Staff Reports

Evans reminded the Commissioners that if they expect to be reimbursed for travel expenses, original and itemized receipts would need to be submitted to staff. Evans introduced Alan Nagel from the Attorney General's office, who was filling in for John Lundquist for this month's Commission meetings. Evans demonstrated to the Commissioners how to access Commissioner resources on the shared Google drive. Evans reported that he would be attending the IAR Annual Summer Meetings on June 8, 2018 in Okoboji, Iowa.

SchraderBachar provided Commission members with the State of Iowa's "Do's and Don'ts" pamphlet.

ARELLO

Motion by Telford to approve sending Evans, Lundquist, Commissioner Duggan, and Commissioner Stolk to the 2018 ARELLO Annual Conference in St. Louis, MO in September 2018.

Seconded by Kimes.

VOTE: Aye: Clingman, DeMott, Kimes, Telford Nay: None Abstaining: Duggan, Stolk
Motion passed.

Public Comment

None.

Closed Session

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: Clingman, aye; DeMott, aye; Duggan, aye; Kimes, aye; Stolk, aye; Telford, aye.

Motion passed unanimously.

The Commission entered into closed session at 9:08 a.m. and arose from there at 10:26 a.m.

Open Session

Motion by Telford to return to open session.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Kimes to accept the signed settlements and/or consent agreements for the cases discussed in closed session and to authorize Duggan (Chair), Stolk (Vice Chair), or Jeff Evans (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreements for the following cases: 17-146, 17-157, 17-171, 17-189, 17-208, 17-210, 17-249, 17-260, and 17-273.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Kimes to accept the signed settlements and/or consent agreements for the cases discussed in closed session and to authorize Duggan (Chair), Stolk (Vice Chair), or Jeff Evans (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreements for the following case: 17-167.

Seconded by Clingman.

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

Motion passed.

Motion by DeMott to find probable cause for the cases discussed in closed session and to authorize Duggan (Chair), Stolk (Vice Chair) or Evans (Executive Officer) to sign the accepted, signed settlement agreement for the following cases: 18-059, 18-064, 18-068, 18-071, 18-081, and 18-108.

Seconded by Stolk.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to grant licensure for IREC Case No. 18-120 and IREC Case No. 18-128.

Seconded by DeMott.

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 No. 18-110.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to find probable cause for the following cases: 16-022, 17-205, 17-275, 18-084, 18-088, 18-089, 18-094, 18-095, 18-096, 18-099, 18-109, 18-122, 18-124, 18-133, and 18-137 as discussed in closed session.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Stolk to close the following cases: 18-051, 18-061, 18-062, 18-076, 18-085, 18-086, 18-097, 18-101, 18-103, 18-111, 18-115, and 18-116 as discussed in closed session.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Clingman to rescind the probable cause finding and close IREC Case No. 16-374 as discussed in closed session.

Seconded by Stolk.

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

Motion passed.

Motion by Clingman to rescind the probable cause finding and close IREC Case No. 17-166 as discussed in closed session.

Seconded by Stolk.

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

Motion passed.

Motion by Telford for staff to draft a letter for the individual seeking a prelicense determination as discussed in closed session for the IREC case No. 18-123.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 14-019 and the allegations of the unlicensed practice of real estate.

Motion by Telford to close the file.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 17-154 and the allegations of the unlicensed practice of real estate. No action needed.

Discussion was held re: IREC Case No. 18-082 and the allegations of the unlicensed practice of real estate.

Motion by DeMott to issue "Notice of Intent to Impose Civil Penalty" in the amount of \$500 pursuant to 193E Iowa Administrative Code § 21.5.

Seconded by Telford.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 18-083 and the allegations of the unlicensed practice of real estate.

Motion by Clingman to issue "Notice of Intent to Impose Civil Penalty" in the amount of \$500 pursuant to 193E Iowa Administrative Code § 21.5.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 18-087 and the allegations of the unlicensed practice of real estate.

Motion by Kimes to issue "Notice of Intent to Impose Civil Penalty" in the amount of \$500 pursuant to 193E Iowa Administrative Code § 21.5.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 18-098 and the allegations of the unlicensed practice of real estate.

Motion by Kimes to issue "Notice of Intent to Impose Civil Penalty" in the amount of \$500 pursuant to 193E Iowa Administrative Code § 21.5.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 17-253.

Motion by Telford to issue an "Order Accepting Withdrawal of License Application" and to authorize Duggan (Chair), Stolk (Vice Chair), or Jeff Evans (Executive Officer) to sign Order.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Future Meetings

Future IREC meetings are tentatively scheduled as follows:

Investigation Committee

No July Meeting
Wednesday, August 1 (Duggan, Stolk)
Wednesday, September 5 (Kimes, Clingman)
Wednesday, October 3 (Telford, DeMott)

Commission Meetings

No July Meeting
Thursday, August 2
Thursday, September 6
Thursday, October 4

Meeting Adjourned

With all agenda items covered, the meeting adjourned at 10:45 am.

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

8/2/18
Date

Dennis L. Stolk
By: ~~TERRANCE M. DUGGAN~~, Chair
Dennis L. Stolk, Vice Chair