

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

MINUTES

December 19, 2018

Commissioners present for all or part of the meeting

Terry Duggan, Chair	Helen Kimes
Dennis Stolk, Vice Chair	Michael Telford
Jim Clingman	

Commissioners present for the meeting via teleconference

Jan DeMott

Staff present for all or part of the meeting

Jeff Evans, Executive Officer	John Lundquist, Assistant Attorney General
Jill Simbro, Education Director	Tracy Lindgren, Background Coordinator
Colleen Goddard, Trust Account Auditor	Ashley Thompson, Licensing Specialist
Lucas Longman, PLB Investigator	

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

Paul McLaughlin, Iowa Association of Realtors

Call to Order

Duggan called the meeting to order at 9:10 a.m.
Quorum was established.

Longman, the new PLB Investigator, introduced himself to the Commission.

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 Clingman to approve the open and closed sessions of the November 1, 2018 IREC meeting minutes.

Seconded by Stolk.

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 reported that renewals started November 16, 2018 with 4,500 licenses eligible for renewal. As of today, 2,360 licenses have renewed, leaving 2,100 left to renew by 12/31/18. Evans went on to report that on average, 600 – 800 licenses will not renew each year. Evans acknowledged the Commission’s support staff for their tireless efforts during this laborious time. Evans also introduced PLB’s new Investigator, Lucas Longman, who began his position on November 5, 2018. Longman came from from the Jefferson County (CO) Sheriff’s Department, where he had been a criminal investigator since 2015. Prior to that, he worked in the Patrol Division and Detention Division of the Sheriff’s Office.

Public Comment

McLaughlin reported on the Iowa Association of Realtor’s transition on moving to their new location and their new membership system. He reported that the IAR winter meetings are scheduled for February 5 – 7, 2019

Simbro left the meeting at 9:40 a.m.

Procedural Overview for Commission Members and Staff

Lundquist gave a presentation on legal overview for new Board members and staff. Additional resources are readily available for the Commissioners on their shared drive.

Lundquist left the meeting at 10:21 a.m.

Closed Session (1)

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 discuss the decision to be rendered in a contested case.

Seconded by Clingman.

VOTE: Roll call: Clingman, aye; Duggan, aye; Kimes, aye; Stolk, aye; Telford, aye; and DeMott, aye.

Motion passed unanimously.

The Commission entered into closed session at 10:22 a.m. and arose from there at 10:24 a.m.

Open Session (1)

Motion by Telford to return to open session.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Clingman to accept the Findings of Fact, Conclusions of Law, Decision and Order in IREC Case No. 18-162 and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the Decision and Order.

Seconded by Stolk.

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

Motion passed.

Lundquist rejoined the meeting at 10:26 a.m.

Closed Session (2)

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 Kimes.

VOTE: Roll call: Clingman, aye; DeMott, aye; Duggan, aye; Kimes, aye; Stolk, aye; and Telford, aye.

Motion passed unanimously.

The Commission entered into closed session at 10:27 a.m. and arose from there at 11:35 a.m.

Open Session (2)

Motion by Telford to return to open session.

Seconded by Kimes.

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), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreements for IREC Case No. 17-133 and IREC Case No. 17-229.

Seconded by Clingman.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Stolk to find probable cause for the cases discussed in closed session and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed Settlement Agreements for IREC Case No. 18-196 and IREC Case No. 18-197.

Seconded by Telford.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to grant licensure for IREC Case No. 18-222.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Stolk to grant licensure for IREC Case No 18-238.

Seconded by Kimes.

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

Motion passed.

Seconded by Kimes.

Motion by Telford 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. 18-232 and IREC Case No. 18-240.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Kimes to grant real estate licensure renewal and find probable cause and for IREC Case No. 18-236.

Seconded by Stolk.

VOTE: Roll call: Clingman, aye; Duggan, aye; Kimes, aye; Stolk, aye; Telford, aye; and DeMott, aye.

Motion passed unanimously.

Motion by Telford to find probable cause for IREC Case No. 18-216.

Seconded by Telford.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Future Meetings

Future IREC meetings are tentatively scheduled as follows:

Investigation Committee

No January Meeting
Wednesday, February 6
Wednesday, March 6
Wednesday, April 3
Wednesday, May 1
Wednesday, June 5
No July Meeting

Commission Meetings

No January Meeting
Thursday, February 7
Thursday, March 7
Thursday, April 4
Thursday, May 2
Thursday, June 6
No July Meeting

Meeting Adjourned

With all agenda items covered, the meeting adjourned at 11:47 a.m.

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

2/7/19
Date

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