

IOWA REAL ESTATE COMMISSION

MINUTES

200 East Grand Avenue, Suite 350, Des Moines | Bureau Conference Room & Zoom

Thursday, March 2, 2023 at 9:00 a.m.

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

Jim Clingman, Chair  
Jan DeMott  
Helen Kimes

Dakotah Reed  
John Sweeney  
Tanner Westberg

**Commissioners not present for the meeting**

Wendy Carminhato

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

Lori SchraderBachar, Bureau Chief via Zoom  
John Lundquist, Assistant Attorney General  
Renee Paulsen, Executive Officer  
Collen Goddard, Trust Account Auditor

Ashley Thompson, PLB Investigator  
Danielle Bartkiw, Background Manager  
Kris Conway, Licensing Specialist

**Members of the Public:**

Holly Brink, via Zoom  
Rachel Tiskevics, via Zoom  
Greta Hass, IAR, via Zoom  
Jill Snodgrass, via Zoom  
Lesley Tooley, via Zoom  
Kari Fechter, via Zoom

Rob Goebel, via Zoom  
Ryan Paulus, CE Shop, via Zoom  
JJ Johannes, via Zoom  
Cynthia Grissom, RICE, via Zoom  
Hal Mun, PSI, via Zoom  
Kailey Signs, via Zoom

**Call to Order**

Clingman called the meeting to order at 9:01 a.m.  
Quorum was established.  
Introductions were made.

**Approval of Minutes**

**Motion by Kimes to approve the December 1, 2022 IREC Meeting open and closed session minutes.**

Seconded by Sweeney.

Roll Call: Clingman, aye; DeMott, aye; Kimes, aye; Reed, aye; Sweeney, aye; & Westberg, aye.

Motion passed unanimously.

**Commissioner Reports**

None

**Staff Reports**

SchraderBachar reported that the IREC is in the first group for rule review as part of Executive Order 10, moratorium on rule writing and a red tape review. As of March 2, the Senate Journal had no appointments. SchraderBachar reported she would check again in April. Clingman reported that he was reappointed along with Carminhato.

Paulsen asked Commissioners to sign, date, and return their per diems and travel reports. Paulsen asked the Commissioners if someone requested the Law Update Syllabus to be evaluated along with license standards being discussed. Paulsen had notes regarding the two topics but was unsure if they were topics to be added to a future agenda. The education director position is still vacant. Hopefully, interviews will lead the position being filled in April.

Lundquist had nothing to report.

**Professional Examination Services Contract RFP 005-RFP-0209-2022**

After Discussion, **Motion by Reed to approve the awarded entity "PSI" for RFP 005-RFP-0209-2022**

Seconded by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**IREC Group Errors and Omissions Insurance Program**

After discussion led by Grissom, **Motion by Kimes to approve the new affiliated entity to Accretive on the RICE contract # MA 005 2117.**

Seconded by Reed.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Public Comment**

None.

**Closed Session**

**Motion by Kimes to enter into closed session pursuant to Iowa Code § 21.5(1)(a)& (d) & (f), 272.C.15(5), 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 Reed.

Roll Call: Clingman, aye; DeMott, aye; Kimes, aye; Reed, aye; Sweeney, aye; & Westberg, aye.

Motion passed unanimously.

The Commission entered into closed session at 9:21 a.m. and arose from there at 10:32 a.m.

**Open Session**

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

Seconded by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Kimes to find probable cause and accept signed settlements and/or consent agreements for the cases discussed in closed session and to authorize Clingman (Chair), Reed (Vice Chair) or Paulsen (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreements in the following cases: 21-147, 22-300, 22-330, 23-038, 23-040, and 23-041 as discussed in closed session.**

Seconded by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Kimes to accept signed settlements and/or consent agreements for the cases discussed in closed session and to authorize Clingman (Chair), Reed (Vice Chair) or Paulsen (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreement in the following cases: 18-004, 22-139, 22-337, 23-001, and 23-004 as discussed in closed session.**

Seconded by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Reed to find probable cause for the following cases: 22-272, 23-006, 23-008, and 23-042 as discussed in closed session.**

Seconded by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Kimes to close the following cases: 22-273, 22-274, 22-280, 22-304, 22-305, 22-307, and 22-308 as discussed in close session.**

Second by Reed.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Sweeney to grant license in case IREC No. 23-036 and 23-050.**

Second by Reed.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Kimes to enter into a Consent Agreement with the Applicant, with Executive Officer Paulsen signing on behalf of the Commission and then grant licensure when all other licensing requirements have been met for IREC No. 23-046.**

Second by Westberg.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Reed to rescind the probable cause finding and close IREC Case No. 20-100 and 22-265 as discussed in closed session.**

Second by Westberg.

Vote: Aye: Kimes, Reed, Westberg      Nay: DeMott, Sweeney, Clingman      Abstaining: None

Motion does not pass. Probable cause finding stays.

Discussion was held re: IREC Case No. 18-090 and the allegations of the unlicensed practice of real estate.

**Motion by Westberg to keep original finding; issue cease & desist; impose \$50 civil penalty.**

Seconded by Kimes.

Vote: Aye: Westberg, Kimes, Reed, Sweeney, DeMott      Nay: None      Abstaining: Clingman

Motion passed.

Discussion was held re: IREC Case No. 22-241 and the allegations of the unlicensed practice of real estate.

**Motion by Reed to accept the signed Cease and Desist Order by Consent Agreement and to authorize Clingman (Chair), Reed (Vice Chair), or Paulsen (Executive Officer) to sign the accepted, signed Settlement Agreement.**

Seconded by Kimes.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 22-270 and the allegations of the unlicensed practice of real estate.

**Motion by Reed to close.**

Seconded by Kimes.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 22-292 and 22-293 and the allegations of the unlicensed practice of real estate.

**Motion by Kimes to issue cease and desist; impose \$1000 civil penalty and combine cases against firm.**

Seconded by Reed.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

SchraderBachar left the meeting at 10:45 a.m.

**Future Meetings**

**Investigation Committee Meetings**

Wednesday, April 5  
Wednesday, May 3  
Wednesday, May 31  
No July meeting  
Wednesday, August 2

**Regularly Scheduled Meetings**

Thursday, April 6  
Thursday, May 4  
Thursday, June 1  
No July meeting  
Thursday, August 3

**Meeting Adjourned**

With all agenda items covered, the meeting adjourned at 10:47 a.m.

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

4/6/23

Date

  
By: Jim Clingman, Chair