

IOWA REAL ESTATE COMMISSION

MINUTES

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

Thursday, May 4, 2023 at 9:00 a.m.

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

Jim Clingman, Chair  
Wendy Carminhato

Alicia Porter  
John Sweeney

**Commissioners not present for the meeting:**

Dakotah Reed  
Tanner Westberg

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

Danielle Bartkiw, Background Manager  
Kris Conway, Licensing Specialist  
Collen Goddard, Trust Account Auditor – via Zoom

John Lundquist, Assistant Attorney General  
Renee Paulsen, Executive Officer  
Ashley Thompson, PLB Investigator

**Members of the Public:**

Ryan Paulus, CE Shop  
Les Sulgrove, No Coast MLS

**Call to Order**

Clingman called the meeting to order at 9:00 a.m.  
Quorum was established.  
Introductions were made.

Paulus and Sulgrove entered the meeting at 9:04 a.m.

Porter gave a brief introduction as the new board member. Porter began working in real estate in 2001. She later worked for a construction company till 2006. She obtained a broker license in 2016. Since then, she has been the managing broker at a branch office in Cedar Rapids for Real Estate Concepts.

**Approval of Minutes**

**Motion by Sweeney to approve the April 6, 2023 and April 24, 2023 IREC Meetings open and closed sessions minutes.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Commissioner Reports**

None

**Staff Reports**

Lundquist gave a brief update on Executive Order 10 and realignment with DIA. He announced that he is working on the details for an upcoming commissioner orientation and educational board meeting to train the commissioners on rules, confidential information, and complaints.

Paulsen asked the commissioners to sign their per diems and travel reports. Paulsen notified the commission that the vacant Education Director position is not being filled at this time, and she will continue the duties of the education director. The board meetings on May 31 and June 1 have been moved to June 7 and June 8. Investigator Thompson has passed the CLEAR training, Council on Licensure Enforcement and Regulation training. The salesperson commissioner position on the board is still vacant. The deadline for rules (Executive

Order 10) has been moved up to August 1<sup>st</sup> for Paulsen. She needs to have them to the next level for review by that time in order to make the Governor's deadline of August 31<sup>st</sup>. She asked the board members to communicate which rules they have an interested in sooner than later. Rules will be revised following the Governor's guidelines, and the Governor's office will be providing strikethroughs and redlines.

Bartkiw gave a biography of herself per the Chairman Clingman's request for staff and Commissioners getting to know each other on a more personal level.

#### Election of Officers

**Motion by Carminhato to elect Jim Clingman for Chair of the Commission.**

Seconded by Sweeney.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Carminhato to elect Dakotah Reed for Vice-Chair of the Commission.**

Seconded by Sweeney.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

#### Public Comment

None

Sulgrove left the meeting at 9:19 a.m.

Paulus left the meeting at 9:22 a.m.

#### Closed Session

**Motion by Sweeney 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 Carminhato.

Roll Call: Carminhato, aye; Clingman, aye; Porter, aye; & Sweeney, aye.

Motion passed unanimously.

The Commission entered into closed session at 9:24 a.m. and arose from there at 10:29 a.m.

#### Open Session

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

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Carminhato 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: 23-059, 23-063, 23-071, 23-074, 23-076, 23-082 and 23-122 as discussed in closed session.**

Seconded by Sweeney.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Sweeney 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: 18-096, 20-158, 21-008, 21-108, 21-109, 21-133, 21-167, 22-015, 22-071, 22-080, 22-140, 22-173, 22-174, 23-017, and 23-065 as discussed in closed session.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Sweeney to find probable cause for cases: 22-333, 22-341, 23-019, 23-079, 23-080, 23-090, 23-091, 23-094, 23-095, 23-096, 23-097, and 23-103 as discussed in closed session.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Sweeney to close cases: 22-276, 22-327, 22-331, 22-336, 23-003, 23-018, 23-021, and 21-230 as discussed in close session.**

Second by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Motion by Sweeney to grant license in case IREC No. 23-024.**

Second by Carminhato.

Vote: Aye: Carminhato, Sweeney      Nay: Porter      Abstaining: None

Motion passed.

**Motion by Sweeney 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. 23-126 and 23-127.**

Second by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 22-291 tied to IREC Case No. 23-014 and the allegations of the unlicensed practice of real estate.

**Motion by Sweeney to close IREC Case No. 22-291 and 23-014.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 23-013 and the allegations of the unlicensed practice of real estate.

**Motion by Sweeney to close IREC Case No. 23-013.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 23-026 and the allegations of the unlicensed practice of real estate.

**Motion by Sweeney to close IREC Case No. 23-026.**

Seconded by Carminhato.

Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

**Future Meetings**

**Investigation Committee Meetings**

- Wednesday, June 7
- No July meeting
- Wednesday, August 2
- Wednesday, September 6
- Wednesday, October 4
- Wednesday, November 1
- Wednesday, December 6

**Commission Meetings**

- Thursday, June 8
- No July meeting
- Thursday, August 3
- Thursday, September 7
- Thursday, October 5
- Thursday, November 2
- Thursday, December 7

**Meeting Adjourned**

**Motion by Porter to adjourn the meeting.**

Seconded by Carminhato.

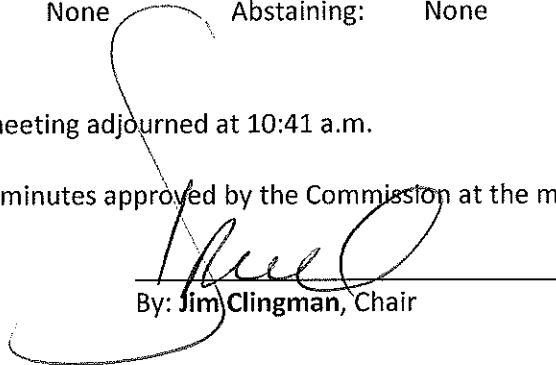
Vote: Aye: All                      Nay: None                      Abstaining: None

Motion passed unanimously.

With all agenda items covered, the meeting adjourned at 10:41 a.m.

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

6/8/23  
Date

  
By: **Jim Clingman**, Chair