

MEETING

WEST VIRGINIA REAL ESTATE COMMISSION
300 CAPITOL STREET, SUITE 400
CHARLESTON, WEST VIRGINIA 25301

February 28, 2018

The Commission met in regular session on February 28, 2018 at 600 Quarrier Street, Charleston West Virginia. The following were in attendance:

Cheryl L. Dawson, Chairman
Kathryn L. Martin, Vice Chairman
Joe L. Ellison, Commissioner
Densil L. Nibert, Commissioner
Debra L. Hamilton, Deputy Attorney General
Michael Bevers, Assistant Attorney General
Jerry A. Forren, Executive Director
Robert W. Rucker, Investigator

Appearances

Prior to the meeting being called to order, the Commission, as an adjudicative body, held an informal conference scheduled at Respondent's request on Complaint C-16-006 against Edward H. Staats, III. Respondent was represented by attorney Booth Goodwin, and Chairman Dawson arrived during the discussion.

The minutes from the meeting held January 24, 2018 were approved as corrected, with motion made by Commissioner Martin; second by Commissioner Nibert and passed.

Commissioner Martin moved to enter executive session to consider matters described in WV Code 6-9A-4(b)(2)(A), (4), (6) and/or (7); second by Commissioner Nibert and passed.

Commissioner Martin moved to return to regular session; second by Commissioner Ellison and passed.

BROKER APPLICANTS

Commissioner Martin moved to deny the application for broker's license of Joshua Michael Conaway of Beaver, WV; second by Commissioner Nibert and passed.

Commissioner Ellison moved to approve the application for broker's license of Letitia Marie Propst of Charleston, WV; second by Commissioner Martin and passed.

APPLICANTS WITH SPECIAL CONSIDERATION

Commissioner Nibert moved to approve the application for salesperson license of William H.J. Spencer, III of Nitro, WV; second by Commissioner Ellison and passed.

Commissioner Ellison moved to approve the application for salesperson license of Allison Marie Litten of Cumberland, MD; second by Commissioner Nibert and passed.

Commissioner Ellison, with Commissioner Dawson recused, moved to approve the application for salesperson license of Ritchie Lee McGrew of Marmet, WV; second by Commissioner Nibert and passed.

OTHER LICENSURE- RELATED ISSUES

None

COMPLAINTS & INVESTIGATIONS

Relating to Complaint C-17-017, Commissioner Ellison moved to initiate a new complaint against the respondent for non-compliance with the Consent Decree in C-17-017; second by Commissioner Martin and passed.

Relating to Complaint P-18-015, Commissioner Martin moved to find probable cause as to Respondents Christopher Shultz and William Shultz; second by Commissioner Ellison and passed. Commissioner Martin moved to find no probable cause as to the third respondent; second by Commissioner Ellison and passed.

Related to the above action, staff was directed to send executed Consent Decrees to the supervising broker of any sanctioned salesperson or associate broker. After discussion, staff was also directed to start notifying respondents of findings of probable cause in most instances unless counsel advises otherwise

Relating to Complaint L-18-017, Commissioner Martin moved to find probable cause; second by Commissioner Nibert and passed.

REPORTS

Executive Director Report

Executive Director Forren presented his report, which included an update on the soft launch for the License Renewal System and draft press release about on-line renewal to go out in April; his plan to contact all licensees that have not renewed for the FY2018 to remind them that they have until June 15 to renew or be cancelled; the status of Commissioner appointments; meetings with the Leadership Academy and the WV Association of Home Inspectors; and some ideas for a training class at the Annual WVAR meeting. All Commissioners' questions and concerns were addressed.

Budget/Financial

Executive Director Forren reviewed the year-to-date financials as budgeted. Commissioner Nibert made a motion to receive the report; second by Commissioner Ellison and passed.

Settlement Report

None

Education Report

There was a brief discussion on the test results and the passing percentage trends.

Legislative Report

Executive Director Forren briefed the Commission on SB 313 and the potential impact on the Commission's finances.

Personnel Matters

None

OLD & NEW BUSINESS

New Business

There was a brief discussion and clarification on the Commission's Agency forms and direction to staff to work on possible changes to the form. There was also discussion on ways that different brokerages properly fill out the forms.

Executive Director Forren was instructed to work with the State of Virginia on full reciprocity.

Old Business / Ongoing Projects

None

POLICIES, PRACTICES AND RULE CHANGES

Executive Director Forren briefed members on the status of the Commission's Rules. The Rules have passed through the House and Senate Judiciary. It is believed that there will be no issues and the Rules will pass the Senate this week.

TRAVEL AND PER DIEM EXPENSES

Per Diem payments were reported by the Commissioners as follows:

Cheryl L. Dawson	4 days
Joe L. Ellison	2 days
Densil L. Nibert	2 days
Kathy Martin	2 days

The next meeting of the Real Estate Commission is scheduled for Wednesday, March 21, 2018.

Commissioner Nibert made a motion to adjourn; second by Commissioner Ellison and passed.

APPROVED: March, 21 2018

Cheryl L. Dawson
Chairman

[Signature]
Secretary