

MEETING

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

June 20, 2017

The Commission met in regular session June 20, 2017, at 300 Capitol Street, Charleston West Virginia. The following were in attendance:

Cheryl L. Dawson, Chairman
Kathryn L. Martin, Vice Chairman
Kathy J. Zaferatos, Secretary
Joe L. Ellison, Commissioner
Densil L. Nibert, Commissioner
Debra L. Hamilton, Deputy Attorney General
Jerry A. Forren, Executive Director
Robert W. Rucker, Investigator
Nedka Dineva, Education Director

The minutes from the meeting held May 24, 2017 were approved with correction upon motion made by Commissioner Zaferatos; second by Commissioner Nibert and passed.

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

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

BROKER APPLICANTS

None

APPLICANTS WITH SPECIAL CONSIDERATION

None

COMPLAINTS & INVESTIGATIONS

Relating to Complaint L-17-019, Commissioner Martin moved to find probable cause; second by Commissioner Zaferatos and passed.

Relating to Complaint P-17-020, Commissioner Zaferatos moved to find no probable cause; second by Commissioner Nibert and passed.

Relating to P-16-034, the Commission was advised that the terms of the Consent Decree had not been complied with by either respondent. Commissioner Nibert moved, pursuant to Paragraph 8 of the Consent Decree, to lift the stay of Respondent Seaton's suspension effective July 1, 2017, unless the terms of the Consent Decree are met prior to that date; second by Commissioner Zaferatos and passed. Commissioner Ellison moved to summarily suspend DuBrueler pursuant to

Paragraph 9 of the Consent Decree effective July 1, 2017, unless the terms of the Consent Decree are met prior to that date; second by Commissioner Martin and passed.

Relating to I-17-035, Commissioner Zaferatos moved to initiate a complaint; second by Commissioner Nibert and passed.

REPORTS

Executive Director Report

Executive Director Forren presented his report. All Commission questions were addressed.

Budget/Financial

Executive Director Forren reviewed the year-to-date financials as budgeted and updated the Commission on the status of the State budget talks. The WVREC budget has already been turned in to the budget office, pending approval of the FY18 budget. Minor adjustments may need to be made once a budget bill is approved. Commissioner Martin made a motion to receive the report; second by Commissioner Ellison and passed.

Settlement Report

None.

Education Report

Executive Director Forren briefed the Commission on the progress with on-line examinations. The Commissioners requested modified reports to show who is sitting for the test and who passed and a report showing more detail on the monthly pass/fail report.

Exam Results

Report on examinations given in April, 2017; the results by name may be obtained from the Commission's examination file:

Broker Examinations - 0

Number Passed - 0 Percentage Passed - %

Number Failed - 0 Percentage Failed - %

Salesperson Examinations (National) - 56

Number Passed - 20 Percentage Passed - 36%

Number Failed - 36 Percentage Failed - 64%

Salesperson Examinations (State) - 47

Number Passed - 27 Percentage Passed - 57%

Number Failed - 20 Percentage Failed - 43%

Broker Audit Report

There were 3 Audits conducted since the May 2017 meeting.

Legislative Report

None

Personnel Matters

None

OLD & NEW BUSINESS

New Business

None

Old Business / Ongoing Projects

A wrap up of the ARELLO District 2/3 Meeting in Charleston was given. The event was a huge success, and everyone was pleased with the turnout and the speakers.

POLICIES, PRACTICES AND RULE CHANGES

The Commission reviewed the draft Series 1-3 proposed rules, and all requested modifications and suggestions for clarification were made informally on the draft proposed rules. Commissioner Dawson moved to authorize staff to make any clean-up and technical changes to the proposed rules as modified and to file the proposed Series 1-3 for public comment; second by Commissioner Zaferatos and passed.

TRAVEL AND PER DIEM EXPENSES

Per Diem payments were reported by the Commissioners as follows:

Cheryl L. Dawson	8 days
Kathy J. Zaferatos	4 days
Joe L. Ellison	5 days
Densil L. Nibert	5 days
Kathy Martin	3 days

The next regular meeting of the Real Estate Commission is scheduled for Wednesday, July 19, 2017.

Commissioner Martin made a motion to adjourn; second by Commissioner Zaferatos and passed.

6-20-17

APPROVED: _____

Cheryl Dawson

Chairman

Katherine J. Zofen

Secretary