

## MEETING

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

October 18, 2017

The Commission met in regular session October 18, 2017 at 300 Capitol 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  
Jerry A. Forren, Executive Director  
Robert W. Rucker, Investigator

The minutes from the meetings held September 20, 2017 were approved with motion made by Commissioner Martin; second by Commissioner Nibert and passed.

Commissioner Nibert 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 Ellison and passed.

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

### Appearances

None

### BROKER APPLICANTS

Commissioner Ellison moved to approve the application for broker's license of Marian Duvall of Belpre, OH; second by Commissioner Nibert and passed.

Commissioner Martin moved to give provisional approval for the application for broker's license of Harry Brent Kepner of Elkins, WV; second by Commissioner Nibert and passed. Mr. Kepner must answer question #9 on the application.

Commissioner Ellison moved to approve the application for broker's license of Joyce Darlene Barker of Princeton, WV; second by Commissioner Martin and passed.

Commissioner Martin moved to approve the application for broker's license of Nicholas Austin Long of Sutton, WV; second by Commissioner Ellison and passed.

### APPLICANTS WITH SPECIAL CONSIDERATION

Commissioner Nibert moved to approve the application for salesperson license of Andrew Contreras Orr of Oakland, MD; second by Commissioner Ellison and passed.

Commissioner Ellison moved to approve the application for salesperson license of Marisa Teel Boone of Gerrardstown, WV; second by Commissioner Nibert and passed.

Commissioner Ellison moved to approve the application for salesperson license of Oakland, MD; Travis B. Michael of Fairmont, WV; second by Commissioner Martin and passed.

Commissioner Nibert moved to approve the application for salesperson license of Manuel Garcia-Pacheco of Martinsburg, WV; second by Commissioner Martin and passed.

Commissioner Ellison moved to deny the application for salesperson license of Jennifer Nicole Gavin of Charles Town, WV; second by Commissioner Martin and passed.

#### OTHER LICENSURE- RELATED ISSUES

Curtis Dean Bias: Commissioner Nibert moved to take this matter off the table; second by Commissioner Martin and passed. Commissioner Nibert then moved to approve the application for salesperson; second by Commissioner Dawson and passed.

#### COMPLAINTS & INVESTIGATIONS

Relating to Complaint P-18-001, Commissioner Nibert moved to find probable cause; second by Commissioner Martin and passed.

Relating to Complaint P-18-004, with Commissioner Dawson recused, Commissioner Nibert moved to table; second by Commissioner Ellison and passed. Based on the allegations in P-18-004, Commissioner Nibert then moved to initiate a complaint against another licensee; second by Commissioner Ellison and passed.

Relating to Complaint L-18-005, Commissioner Martin moved to find no probable cause; second by Commissioner Nibert and passed.

#### REPORTS

##### Executive Director Report

Executive Director Forren presented his report, which included an update on appointments to the Commission, the testing and go-live date for the new agency database, the Auditor's Conference coming up on November 29, 2017, and the one-page checklist for approval criteria for CE Providers and Instructors that he is working on with the Education Director at the request of the Commission. Executive Director Forren also advised that a new Secretary needed to be elected at the next meeting.

##### 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

Counsel updated the Board on the recent settlement of C-17-023. The Consent Decree will be posted to the Commission website within 48 hours.

There was also a report on a respondent's non-compliance with Smith; the Commission will be updated on this at the next meeting.

#### Education Report

Executive Director Forren briefed the Commission on the status of the education report format. There was discussion concerning additional information to be provided each month, such as total new licenses issued each month. Commissioner Dawson briefed the Commission on a new Dearborn Study App that may prove helpful to test candidates.

#### Personnel Matters

None

#### OLD & NEW BUSINESS

##### New Business

None

##### Old Business / Ongoing Projects

None

#### POLICIES, PRACTICES AND RULE CHANGES

Executive Director Forren advised the Commissioners that the Commission does not plan to pursue any amendments to Article 40 during the 2018 Legislative Session.

#### 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	3 days

The next meeting of the Real Estate Commission is scheduled for Wednesday, November 15, 2017.

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

APPROVED: 12-10-17

Cheryl L. Wauson  
Chairman

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Secretary