

## MEETING

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

January 24, 2018

The Commission met in regular session January 24, 2018 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 meeting held December 18, 2017 were approved with clarification, with motion made by Commissioner Martin; 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 Nibert and passed.

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

### Appearances

Lynn Kennedy with attorney Tom Peyton and Mike Bell with attorney Wayne Van Bibber made an appearance before the Commission at their request for the purpose of holding an informal conference in Complaint L-17-019.

### BROKER APPLICANTS

Commissioner Nibert moved to approve the application for broker's license of Cheryl A. White of Wallback, WV; second by Commissioner Ellison and passed.

Commissioner Martin moved to approve the application for broker's license of April Dawn Epperly of Charleston, WV; second by Commissioner Ellison and passed.

### APPLICANTS WITH SPECIAL CONSIDERATION

Commissioner Nibert moved to approve the application for salesperson license of Joel David Bloss of Charleston, WV; second by Commissioner Martin and passed.

Commissioner Ellison moved to approve the application for salesperson license of Cynthia Ann Rogers of Weirton, WV; second by Commissioner Martin and passed.

Commissioner Martin moved to approve the application for salesperson license of Anna Claire Sonnenberg of Fairmont, WV; second by Commissioner Nibert and passed.

Commissioner Martin moved to approve the application for salesperson license of Lia Faith Dorchinez of Charleston, WV; second by Commissioner Ellison and passed.

Commissioner Nibert moved to approve the application for salesperson license of Nathan Robert Harler of Wheeling, WV; second by Commissioner Ellison and passed.

#### OTHER LICENSURE- RELATED ISSUES

None

#### COMPLAINTS & INVESTIGATIONS

Relating to Complaint P-18-013, Commissioner Martin moved to find no probable cause; second by Commissioner Nibert and passed.

Relating to Complaint P-18-014, with Commissioner Dawson recused and Commissioner Martin presiding, Commissioner Ellison moved to find no probable cause; second by Commissioner Nibert and passed.

Relating to Complaint C-18-016, with Commissioner Dawson recused and Commissioner Martin presiding, Commissioner Nibert moved to find probable cause; second by Commissioner Ellison and passed.

#### REPORTS

##### Executive Director Report

Executive Director Forren presented his report, which included an update on how the new database and on-line renewal system are working, an update on the expected appointment of a new Commissioner, the response to Facebook posts concerning proper advertisement on social media, Education Director Nedka Dineva's intention to run for President of ARELLO, an update on a replacement for our current AG Counsel who will be retiring this year, and his upcoming schedule for the month of February. ED Forren also briefed on several meetings where there was discussion on how to properly proceed when addressing unlicensed activity.

##### 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 Martin and passed.

##### Settlement Report

Counsel updated the Board on the recent settlements of C-18-008. The Consent Decree will be posted to the Commission website within 48 hours.

### Education Report

There was a brief discussion on the passing scores of the State and National exams.

### Legislative Report

Executive Director Forren briefed the Commission on recent meetings with the House Government Organization Committee and an upcoming meeting with the same.

### Personnel Matters

Commissioner Martin moved to enter into executive session to consider personnel matters; second by Commissioner Ellison and passed.

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

Executive Director Forren's evaluation was discussed and Commissioner Martin moved to approve staff pay increases in the amount of \$28,485 to be distributed in accordance with the Executive Director's recommendation; second by Commissioner Nibert and passed. Increases will go into effect on March 3, 2018.

### OLD & NEW BUSINESS

#### New Business

Commissioner Martin requested that the Commission have a discussion on the topic of Agency. After some clarifying questions and focusing attention on the provisions Section 26(d) Article 40, it was agreed to place the topic on the February agenda.

#### Old Business / Ongoing Projects

Brief discussion on Facebook/Internet Advertising. It will be revisited in February.

### POLICIES, PRACTICES AND RULE CHANGES

Executive Director Forren briefed on Executive Orders from the Governor's Office which address procedures for filing rules in the future.

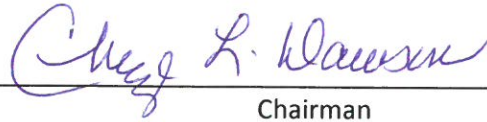
### TRAVEL AND PER DIEM EXPENSES

Per Diem payments were reported by the Commissioners as follows:

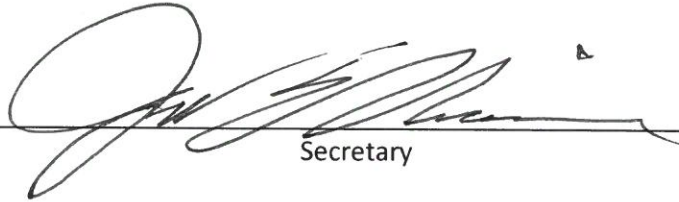
Cheryl L. Dawson	4 days
Joe L. Ellison	4 days
Densil L. Nibert	2 days
Kathy Martin	3 days

The next meeting of the Real Estate Commission is scheduled for Wednesday, February 28, 2018.  
Commissioner Martin made a motion to adjourn; second by Commissioner Nibert and passed.

APPROVED: 2-28-18



Chairman



Secretary