

MEETING

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

December 18, 2017

The Commission met in regular session December 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 meeting held October 18, 2017 were approved with clarification, with motion made by Commissioner Martin; second by Commissioner Ellison 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 Martin moved to return to regular session; second by Commissioner Nibert and passed.

Appearances

None

BROKER APPLICANTS

Commissioner Martin moved to approve the application for broker's license of Zachary Scott Rankin of Huntington, WV; second by Commissioner Ellison and passed.

APPLICANTS WITH SPECIAL CONSIDERATION

Commissioner Ellison moved to approve the application for salesperson license of John Scott Thaxton of Dunbar, WV; second by Commissioner Nibert and passed.

Commissioner Martin moved to approve the application for salesperson license of Angela Perisaw Scholough of Martinsburg, WV; second by Commissioner Ellison and passed.

Commissioner Nibert moved to approve the application for salesperson license of Tracy Nicole Norman of Bruceton Mills, WV; second by Commissioner Martin and passed.

Commissioner Ellison moved to approve the application for salesperson license of Daniel Thomas Bonnell of Vincent, OH; second by Commissioner Martin and passed.

Commissioner Nibert moved to approve the application for salesperson license of Sandee Holley of Birch River, WV; second by Commissioner Martin and passed.

Commissioner Ellison moved to approve the application for salesperson license of Christina Ashley Lilly of Dunbar, WV; second by Commissioner Nibert and passed.

Going forward, Commissioners requested to review the names of all Attorneys that apply for a Broker license.

OTHER LICENSURE- RELATED ISSUES

None

COMPLAINTS & INVESTIGATIONS

Relating to Complaint P-18-003, Commissioner Ellison moved to find no probable cause; second by Commissioner Nibert and passed.

Relating to Complaint P-18-004, with Commissioner Dawson recused, Commissioner Ellison moved to take the complaint off the table for consideration; second by Commissioner Nibert and passed. Commissioner Nibert then moved to find no probable cause; second by Commissioner Ellison and passed.

Relating to Complaint C-18-006, Commissioner Martin moved to find probable cause; second by Commissioner Nibert and passed.

Relating to Complaint P-18-007, with Commissioner Dawson recused , Commissioner Nibert moved to find no probable cause; second by Commissioner Ellison and passed.

Relating to Complaint C-18-008, with Commissioner Dawson recused, Commissioner Nibert moved to find probable cause; second by Commissioner Ellison and passed.

Relating to Complaint P-18-009, Commissioner Martin moved to find no probable cause; second by Commissioner Ellison and passed.

Relating to Complaint P-18-010, Commissioner Nibert moved to find no probable cause; second by Commissioner Ellison and passed.

Relating to Complaint P-18-011, Commissioner Nibert moved to dismiss without prejudice due to primary jurisdiction being in the State of Ohio; second by Commissioner Ellison and passed.

Relating to Complaint P-18-012, Commissioner Martin moved to accept the withdrawal requested by the complainant without making a probable cause determination; second by Commissioner Ellison and passed.

Relating to Investigation I-18-005, with Commissioner Dawson recused, Commissioner Nibert moved to initiate a complaint; second by Commissioner Ellison and passed.

Relating to Investigation I-18-007, For Sale By Owner, Commissioner Ellison move to authorize Executive Director Forren to take appropriate action regarding unlicensed activity; second by Commissioner Martin and passed.

REPORTS

Executive Director Report

Executive Director Forren presented his report, which included an update on the January 16, 2018 go-live date for the new agency database, retiree payments and the status of past employee's payroll deduction status, Commissioner appointments, the Auditor's Conference that was attended on November 29, 2017, and the filing of the Annual Report with the Governor's Office. All Commissioner's questions and concerns were addressed.

Budget/Financial

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

Settlement Report

Counsel updated the Board on the recent settlements of C-17-003 consolidated with C017-008 and C-17-016. The Consent Decrees will be posted to the Commission website within 48 hours.

Education Report

Executive Director Forren distributed a new report format that the Commission will begin receiving monthly. There was a brief discussion on the passing scores of the State and National exams.

Legislative Report

Executive Director Forren briefed on proposed legislation to be introduced to break apart DHHR and form 2 new agencies. One of which all health related Chapter 30 Boards will go under.

Personnel Matters

The Executive Director Performance Evaluation will be addressed at the January 2018 meeting. Staff evaluations completed and will be delivered.

OLD & NEW BUSINESS

New Business

Commissioner Nibert nominated Commissioner Ellison to be the next Commission Secretary; after brief discussion Commissioner Martin moved to elect Commissioner Ellison as Secretary, second by Commissioner Nibert and passed.

Executive Director Forren requested approval to attend WV Selective Service events, in his capacity as a Selective Service Board Member, during work hours. The Commission has no objection as long as it is in accordance with set State DOP Policy.

Old Business / Ongoing Projects

New Salesperson Course outline will be revised this year.

POLICIES, PRACTICES AND RULE CHANGES

Executive Director Forren briefed the Commission on meeting with a portion of the Legislative Rules Making Review Committee and representatives from the WVAR on November 16th where the attendees agreed to change some of the language. He then attended, with other Commission representatives a meeting of the full Committee on Friday, December 1. All of the agreed to language was adopted and the amended rules were filed on Wednesday, December 6.

TRAVEL AND PER DIEM EXPENSES

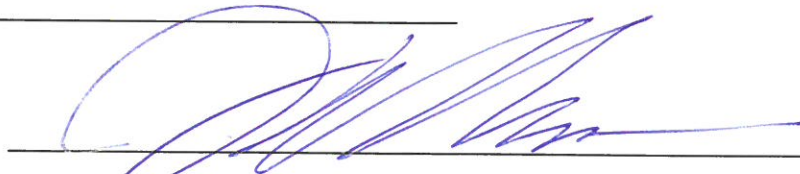
Per Diem payments were reported by the Commissioners as follows:

Cheryl L. Dawson	7 days
Joe L. Ellison	3 days
Densil L. Nibert	2 days
Kathy Martin	3 days

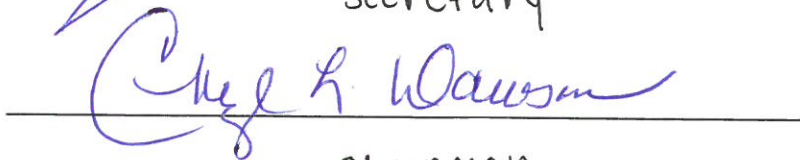
The next meeting of the Real Estate Commission is scheduled for Wednesday, January 24, 2018.

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

APPROVED: _____



secretary



chairman