

MEETING

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

July 19, 2017

The Commission met in regular session July 19, 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

The minutes from the meeting held June 20, 2017 were reviewed, with any action deferred until the next meeting.

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

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

APPEARANCES

Richard Witherspoon appeared and presented information concerning his application.

BROKER APPLICANTS

No action was taken on the applications discussed in executive session.

APPLICANTS WITH SPECIAL CONSIDERATION

No action was taken on the applications discussed in executive session.

COMPLAINTS & INVESTIGATIONS

No action was taken on the complaints discussed in executive session.

REPORTS

Executive Director Report

Executive Director Forren presented his report, which included briefings to Commissioners on the progress of the on-line license renewal system, the recent meeting with representatives from Marshall University, upcoming meetings in Fairmont and Elkins, a potential complaint that was forwarded from the West Virginia Attorney General Office and planned annual leave later this month. All Commission questions were addressed.

Budget/Financial

Executive Director Forren reviewed the FY2017 year-end financials and gave FY18 Budget Report.

Settlement & Other Reports from Counsel

Counsel reported that the compliance issues re: P-16-034 which resulted in Commission action at the June meeting (to take effect July 1, 2017) had been resolved. P-16-034 is now closed.

Counsel reminded Commissioners of the voting provisions of the Open Meetings law; reviewed the provisions regarding when recusal was, was not, or may be required; suggested they contact the Ethics Commission if they had specific questions; and answered Commissioners' questions regarding recusal.

Education Report

The report was presented to the Commissioners in a new format and discussed. Chairman Dawson and Executive Director Forren will work together to further revise the report to show all of the information that the Commissioners want, including how many examinees passed both tests.

Exam Results

Exam Type Totals:	Total Number of Candidates:	50	Total Number Failing:	10
	Total Number Passing:	34	Total Number Absent:	6
Test Program Totals:	Total Number of Candidates:	109	Total Number Failing:	50
	Total Number Passing:	49	Total Number Absent:	10
Client Totals:	Total Number of Candidates:	122	Total Number Failing:	52
	Total Number Passing:	59	Total Number Absent:	11
Report Totals:	Total Number of Candidates:	122	Total Number Failing:	52
	Total Number Passing:	59	Total Number Absent:	11

Broker Audit Report

There were 10 Audits conducted since the June 2017 meeting and will continue the week of July 24th.

Legislative Report

None. This item will likely not re-appear on the regular agenda until the commencement of the 2018 legislative session.

Personnel Matters

None

OLD & NEW BUSINESS

New Business

WVAR State Meeting Educational Sponsorship was discussed, with no action taken.

Old Business / Ongoing Projects

None

POLICIES, PRACTICES AND RULE CHANGES

Staff and counsel responded to questions regarding the previously provided Series 1-3 proposed rules, and comments received to date were provided. A special meeting will be noticed for July 26, 2017 at 11:00 a.m. primarily for consideration of the comments prior to the filing of Agency-Approved Rules. The Executive Director was asked to contact WVAR to request that its anticipated comments be submitted as soon as possible to allow for review by Commissioners.

TRAVEL AND PER DIEM EXPENSES

Per Diem payments were reported by the Commissioners as follows:

Cheryl L. Dawson	4 days
Kathy J. Zaferatos	2 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, July 26, 2017.

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

APPROVED: _____



Chairman



Secretary