

MEETING

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

September 20, 2017

The Commission met in regular session September 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 (portion of meeting only)
Jerry A. Forren, Executive Director
Robert W. Rucker, Investigator

The minutes from the meetings held August 23, 2017 were approved with correction upon motion made by Commissioner Zaferatos; second by Commissioner Ellison 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 Zaferatos moved to return to regular session; second by Commissioner Ellison and passed.

Appearances

Curtis Dean Bias appeared and presented information concerning his application.

BROKER APPLICANTS

Nathan Dean Nibert of Barboursville, WV requested a waiver of two of the requirements to qualify for a broker's license: the apprenticeship requirement (30-40-12(a)(1), over which the Commission has discretion to accept equivalent experience) and the education requirement (30-40-12(a)(2)). With Commissioner Nibert recusing, Commissioner Zaferatos moved to waive the apprenticeship requirement; second by Commissioner Martin and passed. Commissioner Zaferatos moved to deny the request for waiver of the education requirement; second by Commissioner Ellison and passed.

APPLICANTS WITH SPECIAL CONSIDERATION

Commissioner Ellison moved to approve the application for salesperson license of James Michael Keating, Jr. of Fredrick, MD; second by Commissioner Zaferatos and passed.

OTHER LICENSURE- RELATED ISSUES

The Commission reviewed a written request from a PA broker who is considering applying for a WV broker license. He was requesting a waiver of the education requirement of a high school diploma or GED to test for a salesperson license (30-40-11(c) regarding a possible salesperson in WV. Commissioner Martin moved to deny the request; second by Commissioner Nibert and passed.

Curtis Dean Bias: Commissioner Nibert moved to reconsider the earlier decision; second by Commissioner Ellison and passed. Commissioner Ellison moved to table; second by Commissioner Nibert and passed.

COMPLAINTS & INVESTIGATIONS

Relating to Complaint P-18-002, Commissioner Ellison moved to find no probable cause; second by Commissioner Martin and passed.

Relating to Investigation I-17-002, Commissioner Zaferatos moved to initiate a complaint; second by Commissioner Martin and passed.

REPORTS

Executive Director Report

Executive Director Forren presented his report, which included an update on background check training attended by Heather Casdorff, updates on what other Chapter 30 Boards are doing for staff performance evaluations, and the Leadership Academy training next week in Huntington.

Budget/Financial

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

Settlement Report

Counsel updated the Board on the recent settlement of C-17-018. The Consent Decree will be posted to the Commission website within 48 hours.

Education Report

Executive Director Forren briefed the Commission on the criteria for approving or denying CE, providers or instructors. It was decided that a one-page checklist of staff's review of the application based on the criteria be created for review by the Commissioners, any of whom may then move to modify or reverse the staff's decision.

Personnel Matters

Personnel reviews will be completed in December and presented in January of each year.

OLD & NEW BUSINESS

New Business

None

Old Business / Ongoing Projects

None

POLICIES, PRACTICES AND RULE CHANGES

TRAVEL AND PER DIEM EXPENSES

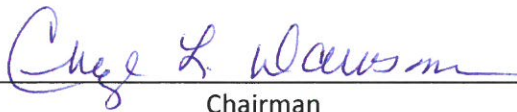
Per Diem payments were reported by the Commissioners as follows:

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, October 18, 2017.

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

APPROVED: 10-18-17



Chairman

Secretary