

**REAL ESTATE COMMISSION
LEGISLATIVE BUILDING
CARSON CITY, NV**

JULY 18-20, 2006

8:30 a.m.

MINUTES

President Rossum called the meeting to order at 8:30 a.m.

1. INTRODUCTION OF COMMISSIONERS IN ATTENDANCE

Lee Gurr, Ben Green, Curry Jameson, Charlie Mack, Beth Rossum, and Kateri Cavin, Sr. Deputy Attorney General, Commission Counsel.

2. INTRODUCTION OF DIVISION STAFF IN ATTENDANCE

Lisa Young, Bruce Alitt, Susan Clark, Kip Steele, Joanne Gierer, Linda Pierson, Gail Anderson, Gina Session, Sr. Deputy Attorney General, Aikaterine Vervilos, Deputy Attorney General and Christine Guerci, Sr. Deputy Attorney General.

(5*) Commission/Division Business

1. Discussion and possible action to approve minutes of July 20-21, 2005 meeting.

Commissioner Jameson moved to approve. Seconded by Commissioner Gurr. Motion carried.

2. Discussion and possible action to approve minutes of August 18, 2005 meeting.

Commissioner Jameson moved to approve. Seconded by Commissioner Gurr. Motion carried.

3. Discussion and possible action to approve minutes of April 18-20, 2006 meeting.

Commissioner Jameson moved to approve. Seconded by Commissioner Gurr. Commissioner Mack corrected one item. Approved as corrected.

4. Discussion regarding Attorney General Case Status Report.

Ms. Cavin presented a summary of this report. Commissioner Mack requested that Ms. Guerci be requested to address one item on this report when she is able to attend the meeting.

5. Discussion regarding Disciplinary Report.

Discussion of this report was continued until later in the meeting.

6. Discussion regarding Administrative Sanction report.

Mr. Alitt presented this report.

7. Discussion regarding the Compliance Section's current caseload report.

Mr. Alitt presented this report.

8. Discussion regarding Administrator's Report on:

(a) Personnel update

Ms. Anderson presented this report, stating that Nancy Smith is retiring August 4, 2006, and that Caroline Washington is a new Compliance Audit Investigator. Other vacancies are currently in recruitment and interviews will be conducted soon.

(b) Business Broker Permit Implementation

Ms. Anderson stated that the Legislative Commission approved the regulations for the Business Broker Permit. Commissioners Green, Jameson, Mack and Gurr asked questions regarding this permit. Ms. Anderson and Ms. Young spoke to the issue.

(c) Status on web redesign project

Ms. Anderson distributed examples of how the web design may look and explained future changes and plans.

(d) Status of on-line renewal implementation

Ms. Anderson and Ms. Young addressed this issue. Ms. Anderson stated that the state has a payment engine to accept payments online, which will require a convenience fee to the licensee. Commissioner Gurr asked if education will also be online, and Ms. Anderson stated that Education will be tracked online as well.

Commissioner Gurr stated that past discussions had revolved around the issue of requiring education providers to check ID of class attendees to ensure the person attending the class is the licensee. Ms. Anderson stated it could be a discussion item for the September agenda.

(2*) 7/18/06 @ 9:30 a.m.

LICENSE DENIAL APPEALS

BARNEY, MICHELLE D., FILE No. N-LDA-06-047 (9:30 a.m. – 9:40 a.m.)

Ms. Barney was present and was not represented by an attorney.

Susan Clark, Licensing Manager, was present for the Division.

Commissioner Jameson moved to go into closed session. Seconded by Commissioner Green. Motion carried.

Discussion in closed session.

Ms. Clark presented the reasons for the license denial.

Ms. Barney presented her case.

Ms. Barney was questioned by Commissioners Green and Mack. Commissioner Mack asked Ms. Clark why it took a long time to get a response. Ms. Clark stated there was a large backlog of license denials.

Commissioner Jameson moved to go to open session. Seconded by Commissioner Mack. Motion carried.

Discussion and possible action in open session.

Commissioner Jameson moved to approve appeal. Seconded by Commissioner Mack . Motion carried.

CARNAHAN, ROBERT E., FILE NO. N-LDA-06-037 (9:40 a.m. – 9:45 a.m.)

Mr. Carnahan was not present and was not represented by an attorney.

Ms. Clark requested proof of service. Ms. Pierson stated that the certified green card was returned on July 5, 2006 with Mr. Carnahan's signature.

Ms. Clark stated that the Division requested a default judgment.

Commissioner Gurr moved to grant a default judgment and dismiss the appeal. Seconded by Commissioner Jameson. Motion carried.

GENTILE, JOSEPH M., FILE NO. N-LDA-07-005 (9:45 a.m. – 10:15 a.m.)

Commissioner Mack moved to close the session. Seconded by Commissioner Jameson. Motion carried.

Mr. Gentile was present and was not represented by an attorney.

Susan Clark, Licensing Manager, and Gina Session, Sr. Deputy Attorney General, were present for the Division.

Discussion in closed session.

Ms. Clark presented the reason for the denial.

Mr. Gentile presented his case, stating that two of the items on the background investigation report were not committed by him.

Mr. Gentile was questioned by Commissioners Gurr, Jameson, and Mack.

Ms. Session stated that the Applicant needs to get documentation from courts showing that he is not on probation.

Commissioner Mack asked a question of Ms. Clark regarding the date of the letter from the Division.

Commissioner Mack moved to open the session. Seconded by Commissioner Gurr. Motion passed.

Discussion and possible action in open session.

Commissioner Gurr moved to uphold the denial. Seconded by Commissioner Green.

Commissioner Mack stated that it's incumbent upon an applicant to prove that the report is wrong. Commissioner Mack did not amend the motion, but would like to give Mr. Gentile an opportunity to gather documents.

Commissioner Gurr spoke in favor of her motion.

Commissioner Jameson stated he will vote for the motion, but feels that there is a process to follow up with further explanation.

President Rossum stated that on the items that Mr. Gentile is disputing there is no sentence stated, so he should be allowed to bring back proof.

Commissioner Gurr spoke again in favor of the motion, particularly regarding the failure to disclose items 1 and 2, which the Applicant does not dispute.

Vote on motion: Motion failed, with Commissioners Rossum, Mack, and Jameson voting against.

Commissioner Mack moved to continue the hearing until the September meeting in Las Vegas to allow time for Applicant to bring requested documents. Seconded by Commissioner Jameson. Motion passed with Commissioners Green and Gurr voting against.

GERSTNER, SCOTT, FILE NO. N-LDA-06-013 (10:15 a.m. – 10:45 a.m.)

Mr. Gerstner was present and was not represented by an attorney.

Susan Clark, Licensing Manager, was present for the Division.

Commissioner Mack moved to close the session. Seconded by Commissioner Jameson second. Motion passed.

Discussion in closed session.

Ms. Clark explained the reason for the license denial.

Mr. Gerstner presented his case.

Mr. Gerstner was questioned by Commissioners Mack and Gurr.

Commissioner Mack moved to open the session. Seconded by Commissioner Jameson. Motion carried.

Discussion and possible action in open session.

Commissioner Mack asked a question of Ms. Cavin regarding vacating of offenses, and how probation fits into the situation. Ms. Cavin stated that the statutes address only probation, not the possibility of vacating offenses.

Commissioner Green moved to uphold the denial. Seconded by Commissioner Mack.

Commissioner Gurr asked for the statutory reference made by Ms. Cavin. Commissioner Green spoke in favor of his motion, since 3 years have not passed since probation ended.

Mr. Gerstner spoke in his defense, stating that since his conviction was vacated he is no longer convicted of a crime.

Lengthy discussion ensued.

Commissioners Gurr and Jameson spoke in opposition to the motion. Motion failed with Commissioner Green voting for, and Commissioners Gurr, Rossum, Jameson, and Mack voting against. Commissioner

Jameson moved to approve the appeal. Seconded by Commissioner Gurr. Motion passed with Commissioner Green voting against.

LUGONE, LESLIE, FILE NO. N-LDA-07-001 (10:55 a.m. – 11:16 a.m.)

Ms. Lugone was present and was not represented by an attorney.

Susan Clark, Licensing Manager, was present for the Division.

Commissioner Jameson moved to go into close session. Seconded by Commissioner Green.

Discussion in closed session.

Ms. Clark explained the reason for the denial.

Ms. Lugone presented her case, presenting documents from the courts.

Ms. Lugone was questioned by Commissioners Green, Gurr, Jameson, and Mack.

Commissioner Green moved to reopen hearing. Seconded by Commissioner Jameson. Commissioner Mack stated that he was not through questioning. Commissioner Green withdrew the motion and Commissioner Jameson withdrew his second. Commissioner Mack questioned the Applicant further.

Commissioner Mack moved to return to open session. Seconded by Commissioner Gurr.

Discussion and possible action in open session.

Commissioner Green moved to approve application. Seconded by Commissioner Gurr. Commissioner Mack spoke in favor of the motion. Motion carried.

MARKLEY, GLEN, FILE NO. N-LDA-07-003 (11:10 a.m. – 11:15 a.m.)

Mr. Markley was not present and was not represented by an attorney.

Susan Clark, Licensing Manager, was present for the Division.

Since Mr. Markley had signed in, the Commission decided to go to the next hearing on the agenda to give Applicant an opportunity to return to the hearing.

TICE, BRIAN, FILE NO. N-LDA-07-002

Mr. Tice was not present and was not represented by an attorney.

Susan Clark, Licensing Manager, was present for the Division.

Ms. Clark requested a default judgment.

Discussion ensued regarding proper service of notice. Ms. Gierer stated that the notice was sent to his home as the Division didn't know that the Applicant had retained an attorney.

Commissioner Green moved to continue the case until the November meeting. Seconded by Commissioner Mack. Commissioner Gurr amended the motion to continue the hearing to the November meeting unless Mr. Tice can be reached and prefers to be heard at this hearing. Commissioner Jameson spoke against the motion. Motion passed. Ms. Session stated that the Division will try to contact Mr. Tice.

(5*) Commission/Division Business

(5-10) Discussion and possible action regarding proposed legislative changes for 2007 Session.

Ms. Anderson stated that at this time the Division had nothing to present.

Commissioner Green spoke to the issue of having renewals every four years as suggested in the workshop on July 17, 2006. Discussion ensued. Ms. Anderson stated that there could be a fiscal impact by extending the renewal cycle to every four years, particularly in the area of education.

President Rossum stated that she would like a written description of items like expungement, sealed, etc.

Commissioner Gurr pointed out that the agenda item under discussion was for legislative changes for 2007 and that the topic of four year renewals was best left for another time.

President Rossum recessed the meeting for lunch at 11:30 a.m...

President Rossum called the meeting to order at 1 p.m.

MARKLEY, GLEN, FILE NO. N-LDA-07-003 (1:04 p.m. – 1:05 p.m.)

Ms. Gierer stated that Mr. Markley had not returned her call.

Ms. Clark stated the Division would like to move for default judgment.

Commissioner Jameson moved to grant a default judgment. Seconded by Commissioner Mack. Motion carried.

3* DISCIPLINARY ACTION

**(3-1) NRED v. Burden, William F. (1:05 p.m. – 1:25 p.m.)
Case No. N06-11-01-040
License No. S.0031442**

The Respondent was not present and was not represented by an attorney.

Aikaterine Vervilos, Deputy Attorney General was present for the Division.

Preliminary matters:

President Rossum swore in the State's witnesses, Charles Henry and Linda Pierson.

Ms. Vervilos questioned Mr. Henry. State's exhibit 1 was presented and admitted during the questioning of this witness.

The witness was questioned by Commissioner Mack.

Ms. Vervilos questioned Ms. Pierson. State's exhibit 2 was presented and admitted during the questioning of this witness.

The witness was questioned by Commissioners Jameson and Gurr.

Based on the testimony of the witnesses, Ms. Vervilos asked the Commission to find that sufficient legal service of the notice was provided to the Respondent and to grant a default judgment.

At Commissioner Mack's request, Ms. Vervilos read the complaint into the record for the purposes of education for attendees.

Ms. Cavin stated that the Commission needed to determine if proper notice was served. If the Commission finds that proper notice was served, then determination can be made as to the Factual Allegations.

Commissioner Gurr moved that the state has proven that adequate notice was given to the Respondent. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the State has proved Factual Allegations 1-30. Seconded by Commissioner Mack. Motion carried.

Violations of Law:

Commissioner Gurr moved that the state has proven Violation of Law #1. Seconded by Commissioner Green. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #2. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #3. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #4. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #5. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #6. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved that the state has proven Violation of Law #7. Seconded by Commissioner Jameson. Motion carried.

Mr. Alitt stated the recommendation of the State for discipline: revocation of license, a fine of \$5,000 per violation for a total of \$35,000, to be paid within 12 months, with debt collection options, plus the cost of the hearing.

Ms. Pierson stated that the cost of the hearing was \$2,767.50.

Commissioner Mack moved that Mr. Burden’s license be revoked, that he be fined \$5,000 per violation for a total of \$35,000, to be paid within 12 months, plus costs of hearing in the amount of \$2,767.50, if the fine and costs are not paid within 12 months the Division may institute debt collection proceedings. Seconded by Commissioner Jameson. Commission Gurr proposed an amendment stating that if the Respondent reapplies for a real estate license, he must come before the Commission. Commissioner Mack and Commissioner Jameson accepted the amendment. Motion passed.

President Rossum reviewed the remaining cases to be heard, stating that these are continued until November:

- (3-4) NRED v. Holl, Norman
Case No. N.06-11-10-049
License No. None
- (3-5) NRED v. Hudler, Martin
Case No. N.05-11-09-044
License No. None
- (3-6) NRED v. The Commonwealth Companies
Case No. N05-11-09-044
License No. None

4* EDUCATION:

PRE-LICENSING CONSENT AGENDA

PRE-LICENSING COURSE RE-APPROVALS

- 1. ABC School of Real Estate

Hours	90 Title	Delivery Classroom	Course Number
	Real Estate Principles, Practices, Procedures, Law & Ethics		PL.9000010-RE
0	Real Estate Principles, Practices, Procedures, Law & Ethics	Correspondence	PL.9000011-RE
45	Real Estate Principles and Practice	Classroom	PL.4501001-RE
45	Real Estate Principles and Practice	Correspondence	PL.4501002-RE
45	Real Estate Law and Ethics	Classroom	PL.4502001-RE

45	Real Estate Law and Ethics	Correspondence	PL.4502002-RE
45	Broker Management Course	Correspondence	PL.4551001-RE
45	Real Estate Appraisal	Correspondence	PL.4552006-RE
18	Nevada Real Estate Law	Classroom	PL.1800010-RE
18	Nevada Real Estate Law	Correspondence	PL.1800011-RE

2. Academy for Real Estate Professionals

Hours	Title	Delivery	Course Number
90	Real Estate Practices, Principles, & Law	Classroom	PL.9000012-RE
90	Real Estate Practices, Principles, & Law	CBT	PL.9000045-RE
45	Nevada Real Estate Law and Ethics	CBT	PL.4502004-RE
45	Broker Management	CBT	PL.4551012-RE
18	Nevada Real Estate Law	CBT	PL.1800038-RE

3. American Career Institute

Hours	Title	Delivery	Course Number
90	Real Estate Principles, Practices, Law & Ethics	Classroom	PL.9000013-RE
90	Real Estate Principles, Practices, Law & Ethics	Correspondence	PL.9000014-RE
45	Real Estate Practices, Law & Ethics	Correspondence	PL.4501004-RE
45	Real Estate Broker Management	Correspondence	PL.4551002-RE
45	Fundamental of Real Estate Appraisal	Correspondence	PL.4552001-RE
24	Property Management Permit Course	Classroom	PL.2400010-RE
18	Nevada Real Estate Law	Classroom	PL.1800013-RE
18	Nevada Real Estate Law	Correspondence	PL.1800014-RE

4. Avalon School of Real Estate

Hours	Title	Delivery	Course Number
90	Avalon Pre-Licensing	Correspondence	PL.9000015-RE
45	Real Estate Law & Ethics	Correspondence	PL.4502005-RE
45	Real Estate Brokerage	Correspondence	PL.4551003-RE
18	Real Estate Nevada Law	Correspondence	PL.1800015-RE

5. Century 21 Real Estate Academy

Hours	Title	Delivery	Course Number
90	Real Estate Principles, Practices and Law	Classroom	PL.9000016-RE
90	Real Estate Principles, Practices and Law	Correspondence	PL.9000017-RE
45	Real Estate Law	Classroom	PL.4502006-RE
45	Real Estate Law	Correspondence	PL.4502007-RE
45	Real Estate Brokerage – A Management Guide	Correspondence	PL.4551007-RE
45	Fundamentals of Real Estate Appraisal	Correspondence	PL.4552004-RE
45	Essentials of Real Estate Finance	Correspondence	PL.4553002-RE
45	Property Management	Correspondence	PL.4554002-RE
45	Essentials of Real Estate Investment	Correspondence	PL.4555002-RE
	18		Nevada Real Estate Law
	Classroom		PL.1800016-RE
18	Nevada Real Estate Law	Correspondence	PL.1800017-RE

6. Community College of Southern Nevada

Hours	Title	Delivery	Course Number
45	Real Estate Brokerage RE 201	Classroom	PL.4551011-RE

7. Excel Real Estate Academy

Hours	Title	Delivery	Course Number
90	Real Estate Pre-Licensing	Classroom	PL.9000018-RE
90	Real Estate Pre-Licensing	Correspondence	PL.9000019-RE
45	Real Estate Principles	Classroom	PL.4501005-RE

	& Practices		
45	Real Estate Principles & Practices	Correspondence	PL.4501006-RE
45	Real Estate Law	Classroom	PL.4502008-RE
45	Real Estate Law	Correspondence	PL.4502009-RE

8. Liberty Real Estate School

Hours	Title	Delivery	Course Number
90	Pre-Licensing	Classroom	PL.9000020-RE
45	Broker Management	Classroom	PL.4551010-RE
18	Nevada Law	Classroom	PL.1800018-RE
18	Nevada Law	Correspondence	PL.1800035-RE

9. Kaplan Professional Schools Nevada

Hours	Title	Delivery	Course Number
90	Modern Real Estate Practice in Nevada	Correspondence	PL.9000021-RE
90	Real Estate Principles, Practice and Law	Classroom	PL.9000038-RE
90	Real Estate Principles, Practice and Law	Correspondence	PL.9000039-RE
45	Real Estate Law and Ethics	Classroom	PL.4502023-RE
45	Real Estate Law and Ethics	Correspondence	PL.4502024-RE
45	Broker Management	Correspondence	PL.4551006-RE
45	Real Estate Brokerage: A Management Guide	Correspondence	PL.4551008-RE
45	Real Estate Appraisal	Classroom	PL.4552005-RE
45	Fundamentals of Real Estate Appraisal	Correspondence	PL.4552003-RE
45	Essentials of Real Estate Finance	Correspondence	PL.4553003-RE
45	Property Management	Correspondence	PL.4554003-RE
45	Essentials of Real Estate Investment	Correspondence	PL.4555003-RE
45	The Real Estate Investor's Tax Guide	Correspondence	PL.4556001-RE
18	Nevada Real Estate Law	Classroom	PL.1800033-RE
18	Nevada Real Estate Law	Correspondence	PL.1800034-RE

10. Key Realty School

Hours	Title	Delivery	Course Number
90	Real Estate Principles and Law	Classroom	PL.9000022-RE
90	Real Estate Principles and Law	Correspondence	PL.9000023-RE
90	Real Estate Principles and Law	Internet	PL.9000024-RE
45	Real Estate Principles and Practices	Classroom	PL.4501007-RE
45	Real Estate Principles and Practices	Correspondence	PL.4501008-RE
45	Real Estate Principles and Practices	Internet	PL.4501009-RE
45	Real Estate Law	Classroom	PL.4502010-RE
45	Real Estate Law	Correspondence	PL.4502011-RE
45	Real Estate Law	Internet	PL.4502012-RE
45	Real Estate Broker Management	Correspondence	PL.4551004-RE
45	Real Estate Appraisal	Correspondence	PL.4552002-RE
45	Real Estate Finance	Correspondence	PL.4553001-RE
45	Property Management	Correspondence	PL.4554001-RE
45	Real Estate Investment	Correspondence	PL.4555001-RE
24	Property Management Permit Course	Classroom	PL.2400011-RE
18	Nevada Real Estate Law	Classroom	PL.1800019-RE
18	Nevada Real Estate Law	Correspondence	PL.1800020-RE
18	Nevada Real Estate Law	Internet	PL.1800021-RE

11. MoneyWorld School of Real Estate

Hours	Title	Delivery	Course Number
90	Real Estate Practices, Principles and Procedures	Classroom	PL.9000025-RE
90	Real Estate Practices, Principles and Procedures (Alternative Course)	Classroom	PL.9000026-RE
45	Real Estate Practices and Procedures	Classroom	PL.4502013-RE
18	Nevada Real Estate Laws and Regulations	Classroom	PL.1800022-RE

12. National Real Estate Institute

Hours	Title	Delivery	Course Number
90	Real Estate Pre-Licensing	Classroom	PL.9000042-RE
90	Real Estate Pre-Licensing	Correspondence	PL.9000043-RE
18	Nevada Real Estate Law	Correspondence	PL.1800036-RE

13. Nevada Real Estate Institute

Hours	Title	Delivery	Course Number
90	Real Estate Principles, Practices, Procedures, Law & Ethics	Classroom	PL.9000027-RE
90	Real Estate Principles, Practices, Procedures, Law & Ethics	Correspondence	PL.9000028-RE
90	Real Estate Principles, Practices, Procedures, Law & Ethics	Internet	PL.9000029-RE
90	Real Estate Principles, Practices, Procedures, Law & Ethics	Computer Based Training	PL.9000030-RE
45	Nevada Law	Internet	PL.4502014-RE
45	Brokerage Management	Correspondence	PL.4551005-RE
18	Nevada Real Estate License Law & Regulations	Classroom	PL.1800023-RE
18	Nevada Real Estate License Law & Regulations	Correspondence	PL.1800024-RE

14. Northern Nevada Real Estate School

Hours	Title	Delivery	Course Number
90	Pre-License Real Estate	Classroom	PL.9000031-RE
90	Pre-License Real Estate	Correspondence	PL.9000032-RE
45	Real Estate Principles	Classroom	PL.4501010-RE
45	Real Estate Principles	Correspondence	PL.4501011-RE
45	Real Estate Law	Classroom	PL.4502015-RE
45	Real Estate Law	Correspondence	PL.4502016-RE
18	Nevada Law	Classroom	PL.1800025-RE
18	Nevada Law	Correspondence	PL.1800026-RE

15. Pioneer School of Real Estate

Hours	Title	Delivery	Course Number
45	Real Estate Principles and Practices	Classroom	PL.4501012-RE
45	Real Estate Principles and Practices	Correspondence	PL.4501013-RE
45	Real Estate Law and Ethics	Classroom	PL.4502017-RE
45	Real Estate Law and Ethics	Correspondence	PL.4502018-RE
24	Property Management	Classroom	PL.2400012-RE
18	Nevada Law	Classroom	PL.1800027-RE
18	Nevada Law	Correspondence	PL.1800028-RE

16. Real Estate Academy

Hours	Title	Delivery	Course Number
90	Real Estate Fundamentals	Classroom	PL.9000033-RE
90	Real Estate Fundamentals	Correspondence	PL.9000034-RE
45	Real Estate Property Law & Nevada Law	Classroom	PL.4502019-RE
45	Real Estate Property Law & Nevada Law	Correspondence	PL.4502020-RE
18	Nevada Real Estate Law	Classroom	PL.1800029-RE
18	Nevada Real Estate Law	Correspondence	PL.1800030-RE

17. Real Estate School of Nevada

Hours	Title	Delivery	Course Number
90	Real Estate Principles, Practice and Law	Classroom	PL.9000036-RE
90	Real Estate Principles, Practice and Law	Correspondence	PL.9000037-RE
45	Principles & Practice	Classroom	PL.4501014-RE
45	Principles & Practice	Correspondence	PL.4501015-RE
45	Real Estate Nevada Law	Classroom	PL.4502021-RE
45	Real Estate Nevada Law	Correspondence	PL.4502022-RE
20	Nevada License Law, Land Sales and Timeshare	Classroom	PL.1800031-RE
20	Nevada License Law, Land Sales and	Correspondence	PL.1800032-RE

	Timeshare		
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18. Truckee Meadows Community College

Hours	Title	Delivery	Course Number
24	Property Management Permit Program	Classroom	PL.2400013-RE

19. Vegas Career Schools

Hours	Title	Delivery	Course Number
90	Real Estate Pre-Licensing	Classroom	PL.9000040-RE
90	Real Estate Pre-Licensing	Correspondence	PL.9000041-RE

20. Welcome Home School of Real Estate

Hours	Title	Delivery	Course Number
45	Real Estate Principles and Practices	Classroom	PL.4501016-RE
45	Nevada Real Estate Licensing Law	Classroom	PL.4502025-RE

21. Western Nevada Community College

Hours	Title	Delivery	Course Number
45	Real Estate Brokerage	Classroom	PL.4551009-RE
30	Real Property Management	Classroom	PL.2400015-RE

NEW REAL ESTATE PRE- LICENSING EDUCATION COURSES

22. Pioneer School of Real Estate
 “Business Opportunity Brokerage”
Request: 24 Hours Classroom
23. Real Estate School of Nevada
 “Property Management”
Request: 24 Hours Classroom
24. Kaplan Professional Schools Nevada
 “Modern Real Estate Practices in Nevada”
Request: 90 Hours Classroom

25. Avalon School of Real Estate
 "Real Estate Appraisal"
Request: 45 Hours Correspondence
26. American Career Institute
 "Real Estate Principles, Practices, Law & Ethics"
Request: 90 Hours Computer Based Training
27. American Career Institute
 "Real Estate Practices, Law & Ethics"
Request: 45 Hours Computer Based Training
28. American Career Institute
 "Nevada Real Estate Law"
Request: 18 Hours Computer Based Training
29. American Career Institute
 "Real Estate Broker Management"
Request: 45 Hours Computer Based Training
30. American Career Institute
 "Fundamentals of Real Estate Appraisal"
Request: 45 Hours Computer Based Training

Commissioner Mack moved to approve items 1-30 on the Pre-licensing consent agenda. Seconded by Commissioner Jameson. Motion carried.

CONTINUING EDUCATION CONSENT AGENDA

NEW REAL ESTATE CONTINUING EDUCATION COURSES

Commissioner Green pulled items 2, 3, 16, 27, 33, 36, 37. Commissioner Mack pulled item 1.

Commissioner Mack moved to approve items 4-15, 17-26, 28-32, and 34-35. Seconded by Commissioner Jameson. Motion carried.

1. Americana School of Real Estate
 "Agency Relationships: and it's Urgency"
Request: 3 Hours Agency Classroom

Commissioner Mack stated that the title needs a grammatical change from "it's" to "its."
 Commissioner Gurr moved to approve the course. Seconded by Commissioner Jameson. Motion carried.

2. American Career Institute
 "Dearborn Reverse Mortgages for Senior Homeowners"
Request: 6 Hours General Internet

Commissioner Green explained his concerns with this course. Lengthy discussion ensued. Commissioner Gurr moved to approve this course. Seconded by Commissioner Jameson. Motion carried with Commissioner Mack voting against.

- 3. American Career Institute
 “Dearborn Reverse Mortgages for Senior Homeowners”
Request: 6 Hours General Correspondence

Commissioner Gurr moved to approve this course. Seconded by Commissioner Jameson. Motion carried with Commissioner Mack voting against.

- 4. American Career Institute
 “Dearborn Commercial Real Estate Listing Properties”
Request: 3 Hours General Internet
- 5. American Career Institute
 “Dearborn Commercial Real Estate Listing Properties”
Request: 3 Hours General Correspondence
- 6. American Career Institute
 “Dearborn Commercial Real Estate: Understanding Investments”
Request: 3 Hours General Internet
- 7. American Career Institute
 “Dearborn Commercial Real Estate: Understanding Investments”
Request: 3 Hours General Internet
- 8. Las Vegas School of Real Estate
 “Dearborn Buyer Representation in Real Estate”
Request: 6 Hours Agency Correspondence
- 9. Las Vegas School of Real Estate
 “Dearborn Risk Management”
Request: 5 Hours Broker Management Correspondence
- 10. Las Vegas School of Real Estate
 “Dearborn Diversity and Doing Business”
Request: 6 Hours Ethics Correspondence
- 11. Las Vegas School of Real Estate
 “Dearborn Fair Housing”
Request: 6 Hours Ethics Correspondence
- 12. Las Vegas School of Real Estate
 “Dearborn Ethics and Real Estate”
Request: 3 Hours Ethics Correspondence
- 13. Las Vegas School of Real Estate
 “Dearborn Electronic Transactions in Real Estate”
Request: 3 Hours Contracts Correspondence

14. Las Vegas School of Real Estate, The
 “Dearborn Property Management and Managing Risk”
Request: 4 Hours General / Property Mgmt. Correspondence
15. Las Vegas School of Real Estate, The
 “Dearborn Red Flags: Property Inspection Guide”
Request: 6 Hours General Correspondence
16. Las Vegas School of Real Estate
 “Dearborn Truth about Mold, The”
Request: 3 Hours General Correspondence

Commissioner Green explained his reasons for pulling the course. Commissioner Mack spoke in favor of approval.

Commissioner Jameson moved to approve this course. Seconded by Commissioner Mack. Commissioner Green spoke against the motion. Motion carried with Commissioner Green voting against.

17. Las Vegas School of Real Estate
 “Dearborn Real Estate and Taxes! What Every Agent Should Know”
Request: 5 Hours General Correspondence
18. Las Vegas School of Real Estate
 “Dearborn Environmental Issues in Your real Estate Practice”
Request: 4 Hours General Correspondence
19. Las Vegas School of Real Estate
 “Dearborn Condo’s and Co-Op’s”
Request: 5 Hours General Correspondence
20. Boardwalk Educational Systems
 “Broker Management (Doin’ it – Steps and Procedures)”
Request: 3 Hours Broker Management Classroom
21. ERA Brokers Consolidated
 “A Look at Real Estate Ethics”
Request: 3 Hours Ethics Classroom
22. Reno/Sparks Association of REALTORS®
 “Protect Your Business, Reduce Your Risk! Ethics and Decision Making”
Request: 4 Hours Ethics Classroom
23. Jay C. Rosen
 “Real Estate Contracts: The Heart of it All”
Request: 3 Hours Contracts Classroom

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| 24. | Bill Wilkis Seminars
“What You Sees is What You Gets”
Request: 3 Hours | Contracts | Classroom |
| 25. | Bill Wilkis Seminars
“Presenting the Purchase Agreement”
Request: 4 Hours | Contracts | Classroom |
| 26. | Dickson Realty
“Commercial & Investment”
Request: 3 Hours | Contracts | Classroom |
| 27. | National Association of REALTORS®
“Reverse Mortgage Facts: What Every Agent Should Know”
Request: 3 Hours | General | Classroom |

Commissioner Green withdrew his complaint on this course.

Commissioner Jameson moved to approve this course. Seconded by Commissioner Mack. Motion passed.

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| 28. | National Association of REALTORS®
“Agents Gone Wild: Don’t Try This At Home”
Request: 3 Hours | General | Classroom |
| 29. | Western Title Company
“Everything You Need to Know About Title”
Request: 3 Hours | General | Classroom |
| 30. | The 1031 Exchange Academy
“Exchange Essentials: Intermediate 1031 Strategies”
Request: 3 Hours | General | Classroom |
| 31. | The 1031 Exchange Academy
“Advanced Principles of 1031 Exchanges”
Request: 3 Hours | General | Classroom |
| 32. | Sales and Marketing Council of Utah
“Certified New Homes Sales Professional”
Request: 24 Hours | General | Classroom |
| 33. | MacQuarrie, Michael W
“Understanding Home Inspections; Screening for Liability”
Request: 3 Hours | General | Classroom |

Commissioner Green explained his reasons for pulling this item. Commissioner Gurr moved to deny approval for this course. Seconded by Commissioner Green. Motion carried.

34. Greater Las Vegas Association of REALTORS®
 “Quantum Sales and Leasing”
Request: 3 Hours Personal Development Classroom
35. Century 21 Aadvantage Gold
 “Writing and Presenting the Purchase Agreement”
Request: 3 Hours Contracts Classroom
36. Kaplan Professional Schools Nevada
 “Dearborn Reverse Mortgages for Senior Homeowners”
Request: 6 Hours General Classroom
37. Kaplan Professional Schools Nevada
 “Dearborn Reverse Mortgages for Senior Homeowners”
Request: 6 Hours General Correspondence

Commissioner Green withdrew his complaint on these courses. Commissioner Jameson moved to approve both courses. Seconded by Commissioner Gurr. Motion carried.

NEW REAL ESTATE POSTLICENSING EDUCATION COURSES

38. Barbara Fenster Mediation & Training
 “Pick a Lender, Pick a Loan”
Request: 3 Hours

Commissioner Mack moved to approve this course. Second by Commissioner Gurr. Motion passed.

39. Pioneer School of Real Estate
 “PostLicensing – Financing / Tax Opportunities & Liabilities Related to the Client / Land”
Request: 4 Hours

Discussion ensued. Commissioner Gurr moved to deny. Seconded by Commissioner Jameson. Motion carried.

(5*) Commission/Division Business

(5-4) Discussion regarding Attorney General Case Status Report. (Continued)

Ms. Guerci provided information regarding two cases on this report.

(3*) Disciplinary Action

- (3-7) NRED v. Pitluck, Raleigh (2:25 p.m. – 2:34 p.m.)**
Case No. N05-06-01-139
License No. S.0050936
Preliminary matters:

Ms. Session stated that the parties had reached a settlement in the matter, and distributed copies of the settlement to the Commission.

President Rossum swore in the respondent.

Ms. Session read the settlement into the record.

Respondent stated that she had read, understood, and signed the settlement.

Commissioner Gurr moved to accept the Stipulation for Settlement. Seconded by Commissioner Green. Motion carried.

(3-8) NRED v. Wheeler, Robert G.

Case No. N06-11-08-047

License Nos. B.0056211.INDV & B.0013568.CORP

President Rossum swore in the Respondent.

Preliminary matters:

Ms. Session stated that a settlement had been reached and distributed copies of the settlement to the commissioners, and proceeded to read the settlement into the record.

Respondent stated that he had read, understood, and signed the settlement.

Commissioner Gurr questioned why the particular course had been chosen for education. Mr. Alitt spoke to the question.

Commissioners Mack and Jameson asked questions regarding the settlement.

Commissioner Green moved to accept the Stipulation for Settlement. Seconded by Commissioner Mack. Motion passed with Commissioner Jameson voting against.

(4*) Education

CONTINUING EDUCATION DISCUSSION AGENDA

NEW REAL ESTATE CONTINUING EDUCATION COURSES

40. Boardwalk Educational Systems
“Legislative Updates”
Request: 3 Hours Law and Legislation Classroom

Commissioner Jameson stated that he had concerns about the instructor.

Commissioner Green moved to approve per the State’s recommendation. Commissioner Gurr seconded for discussion. Commissioner Mack suggested a friendly amendment, stating that approval should be conditional on a one time audit. Vote on motion: Motion failed 4-1, with Commissioner Green voting in favor.

Commissioner Gurr moved that items 40-42 be continued to another regularly scheduled hearing at a time when the sponsor and instructor could be present. Seconded by Commissioner Jameson. Motion passed.

41. Boardwalk Educational Systems
“The “E” Word / Ethics”
Request: 3 Hours Ethics Classroom

42. Boardwalk Education Systems
“Contracts – Promise/Promise/Promise”
Request: 3 Hours Contracts Classroom

43. CAMEO, Inc.
“Managing a Property in a CIC – Property Management vs. Community Management”
Request: 3 Hours Law and Leg Classroom

Lengthy discussion ensued regarding the “Law and Leg” designation. Commissioner Mack moved to approve this course for 3 Hours General Property Management per staff recommendation. Seconded by Commissioner Gurr. Commissioner Green asked if Commissioner Mack would accept a friendly amendment stating that an additional five minutes should be added to the class. Commissioner Mack agreed, as did Commissioner Gurr as second. Motion carried.

44. Giusti Education
“NRS 645 2006 Update”
Request: 4 Hours Law and Leg
Internet

State recommended approval for 3 hours of General. Commissioner Green stated that he would support approval for 3 hours of general as long as the name is changed. Commissioner Mack moved to approve for 3 hours of Law and Leg. Seconded by Commissioner Gurr. Motion carried with Commissioner Green voting against.

45. Giusti Education
“Credit: Understanding the Fair Credit Reporting Act, and the Fair Debt Collection Practice Act”
Request: 5 Hours Property Management Internet

State recommended denial of this course. Commissioner Jameson moved to deny this course. Seconded by Commissioner Gurr. Motion carried.

46. Giusti Education
“R.E.S.P.A. The Real Estate Settlement Procedures Act”
Request: 5 Hours General
Internet

State recommended approval for 5 hours General with a title change. Commissioner Gurr stated she would be in favor of approving the course for 3 hours General. Commissioner Mack moved

to approve this course for 3 hours General. Seconded by Commissioner Gurr. Motion carried with Commissioner Green and Commissioner Jameson voting against.

47. Team Daugherty
“RESPA, HUD & A Thing of Value”
Request: 3 Hours Law and Leg Classroom

State recommends approval for 3 hours of General. Commissioner Mack moved to approve per staff recommendation. Seconded by Commissioner Gurr. Motion carried.

48. Americana School of Real Estate
“Legislative Law and How it Effects (sic) You”
Request: 3 Hours Law and Leg Classroom

State recommends approval pending title correction to “Affects.” Commissioner Green moved to approve per staff recommendation. Seconded by Commissioner Mack. Motion carried.

49. Americana School of Real Estate
“Ethics for Today: A Guide in Case Studies”
Request: 3 Hours Ethics Classroom

Staff recommends denial. Commissioner Gurr moved to deny per staff recommendation. Seconded by Commissioner Green. Motion carried.

5* Commission/Division Business

(5-16) Discussion and possible action regarding questions on Real Estate Division applications.

Ms. Guerci and Ms. Anderson discussed this issue. Ms. Guerci distributed information from other State boards and agencies detailing the questions asked on their applications. Ms. Guerci stated that the Division is closely in line with other State boards and agencies.

Commissioner Mack stated that he doesn't like the question on being arrested and doesn't think license denial appeals should come to the Commission unless the act was very egregious. President Rossum stated that she concurs. Commissioner Gurr read from the statute regarding applications, which state “conviction” and asked why the application asks about arrests. Commissioner Green stated that if someone has 12-15 arrests and no conviction that it may be a red flag and suggested that a question read “are you currently under investigation for...?” Ms. Anderson responded, stating that NRS 645.350 requires that the questions be asked. Lengthy discussion ensued. Ms. Anderson stated that the Division will bring possible new language for the application to the next meeting in September.

(5-9) Discussion and possible action regarding report from the Task Force on Minimum Services.

Deanne Rymarowicz, Task Force Chairperson, presented the report. Ms. Rymarowicz stated that due to the time constraints, the Task Force was unable to reach a definition of “agency.” Lengthy discussion ensued regarding the findings of the Task Force.

The Commission agreed that the Task Force should meet again to complete their work.

Commissioner Green moved that the Task Force continue for the time necessary to finish their job. Seconded by Commissioner Mack. Commissioner Gurr proposed a friendly amendment stating that the Task Force should meet for not less than 1 day and no more than 2 days, and that they bring a report to the September meeting. Motion carried.

(6*) Public Comment

Deanne Rymarowicz – Legal Counsel for Greater Las Vegas Association of Realtors.

Ms. Rymarowicz spoke to the discussion of the application questions. Ms. Rymarowicz requested a copy of the packet that was distributed today. Ms. Rymarowicz strongly discouraged the Commission from preventing an applicant from exercising rights pursuant to NRS 179.285.

Nick Colona – real estate broker

Mr. Colona stated that he is bothered by not having a definition of agency, and requested that the Commission get a definition.

President Rossum recessed the meeting 4:55 p.m.

WEDNESDAY, JULY 19, 2006

8:30 a.m.

President Rossum called the meeting to order at 8:30 a.m.

Introduction of Commissioners present

Lee Gurr, Ben Green, Beth Rossum, Curry Jameson, Charlie Mack.

Introduction of Division staff in attendance.

Bruce Alit, Linda Pierson, Joanne Gierer, Kip Steele, Gail Anderson, Aikaterine Vervilos, Christine Guerci, Gina Session, Nancy Smith.

(5*) Commission Division Business

(5-5) Disciplinary report.

Ms. Pierson presented this report.

(5-11) Discussion and possible action regarding LCB File No. R019-06.

Ms. Anderson discussed this item, stating that a workshop was held in Carson City on July 17, 2006, and another will be held in Las Vegas at a future date.

Commissioner Green reviewed for the public in attendance the basic discussion from the workshop held on Monday, July 17, 2006. Commissioner Jameson commented on the issue, stating that he was pleased with the testimony presented during the workshop.

(5-13) Discussion and possible action regarding Education and Research Funding projects for FY 2007.

Ms. Smith presented this report. Discussion ensued. Commissioner Jameson moved to accept the memo of understanding of expenditure for the ERRF funds. Seconded by Commissioners Mack and Gurr. Motion passed.

(5-14) Discussion and possible action regarding report on course audit program.

Ms. Smith presented this report.

(5-15) Discussion and possible action regarding continuing education audit process.

Commissioner Gurr stated that she had requested this item be added to the agenda. Commissioner Gurr stated that she thinks that all course audits should be unannounced. Commissioner Mack stated that he concurs. Commissioner Green stated that if an instructor doesn't know the course is being audited the instructor would do a better job in the class. Commissioner Jameson stated that he agrees, and that the report on the audit program tells a story, the issue being quality not quantity. Commissioner Gurr stated she would like to hear the problems the division sees.

Ms. Smith stated the Division has been using ARC members for audits, and that more people are needed. President Rossum asked Ms. Anderson about the methods for getting more people. Ms. Anderson stated that there is an application for interested parties to fill out, which are then brought before the Commission. Ms. Anderson stated further that the Division will advertise for more ARC members to perform audits.

(5-17) Discussion and possible action concerning potential brokers being noticed to attend License Denial Appeal hearings.

Commissioner Jameson stated his concerns and questions regarding this issue. Commissioner Mack stated that he agrees, but that the logistics could be difficult. Lengthy discussion ensued.

(5-18) Discussion and possible action concerning unintended deactivation of license application due to reasons beyond applicant's control.

Commissioner Gurr spoke to this issue.

(4*) Education

Continuing Education Discussion Agenda

New Real Estate Continuing Education Courses

50. ERA Brokers Consolidated
"Do I Understand Agency?"
Request: 3 Hours Agency Classroom

Staff recommended 3 hours of General. Commissioner Gurr stated that many of the course submissions under consideration have been short of the required time by 5-15 minutes, and suggested the courses be sent back to the providers. President Rossum suggested that the providers be advised that the Division is looking at the number of minutes. Commissioner Gurr moved to deny approval of this course. Seconded by Commissioner Jameson. Motion carried.

51. ERA Brokers Consolidated
“Psychology and the Real Estate Licensee”
Request: 3 Hours Personal Development Classroom

Staff recommended approval for 3 hours Personal Development with the provider to add 15 minutes to the class. Commissioner Gurr moved to deny approval for this course. Seconded by Commissioner Jameson.

52. Reno/Sparks Association of REALTORS®
“Ethics: Why, What and How?”
Request: 4 Hours Ethics Classroom

Staff recommended denial of this course. Commissioner Green moved to deny approval per staff recommendation. Seconded by Commissioner Gurr. Motion carried.

53. Dickson Realty
“The Path to Ethics”
Request: 3 Hours Ethics Classroom

Staff recommended denial of this course. Commissioner Gurr moved to deny approval of this course. Seconded by Commissioner Mack. Motion carried.

54. Dickson Realty
“Negotiating”
Request: 3 Hours General Classroom

Staff recommended 3 hours for Personal Development. Commissioner Mack moved to approve this course. Seconded by Commissioner Gurr. Motion carried.

55. Lorman Business Center, Inc.
“Advanced Zoning and Land Use”
Request: 7 Hours General

Staff recommended approval of this course. Sponsor is requesting retro approval for this one time class for a Nevada student. Commissioner Gurr moved to deny approval of this course. Seconded by Commissioner Jameson. Motion carried.

56. Lorman Business Center, Inc.
“Establishing and Operating Homeowner’s Associations: Understanding the Legal Issues”
Request: 7 Hours General Classroom

Staff recommended denial of this course. Commissioner Jameson moved to deny approval for this course per staff recommendation. Seconded by Commissioner Green. Motion carried.

57. National Business Institute
“Land Use Law: Current Issues in Subdivision, Annexation and Zoning”
Request: 7 Hours General

Staff recommended approval of this one time seminar, adding 2006 to the class title. Commissioner Green moved to approve this course per staff recommendation. Seconded by Commissioner Gurr. Motion carried.

58. Southern Nevada Home Builders Association
“Understanding Housing Markets and Consumers (IRM I)”
Request: 16 Hours General Classroom

Staff recommended approval of this course. Commissioner Gurr moved to approve courses 58-61 contingent upon provider showing proof of a final exam. Seconded by Commissioner Green. Motion carried.

59. Southern Nevada Home Builders Association
“Marketing Strategies, Plans, and Budgets (IRM II)”
Request: 13.5 Hours General Classroom

60. Southern Nevada Home Builders Association
“Lifestyle Merchandising, Advertising, and Promotion Strategies (IRM III)”
Request: 14.5 Hours General Classroom

61. Southern Nevada Home Builders Association
“The Challenge of New Homes Sales Management (IRM IV)”
Request: 16 Hours General Classroom

Commissioner Gurr stated that a motion to rescind was needed as Commissioner Green pointed out that there was a problem with the class hours for numbers 59 and 61 relative to final exams. Commissioner Green moved to rescind the motion. Seconded by Commissioner Jameson. Motion carried. Commissioner Gurr moved to approve courses 58, 60, and 61 contingent upon proof to the Division of a final examination. Seconded by Commissioner Jameson. Motion carried.

Commissioner Gurr moved to approve item 59 per staff recommendation. Seconded by Commissioner Green. Motion carried.

62. Building Owners & Managers Institute (BOMI)
“Environmental Impact – An Introduction to Mold Remediation and Mitigation”
Request: 5.5 Hours General Classroom

Staff recommended denial of this course. Commissioner Green moved to deny approval of this course. Seconded by Commissioner Gurr. Motion carried.

63. Building Owners & Managers Institute (BOMI)
“Introduction to Managing Small Construction Projects”
Request: 6 Hours General Classroom

Staff recommended denial of this course. Commissioner Mack moved to deny. Seconded by Commissioner Jameson. Motion carried.

64. KendallTodd, Inc.
“Borrow Smart”
Request: 4 Hours General Classroom

Staff recommended denial of this course. Commissioner Gurr moved to deny approval of this course. Seconded by Commissioner Jameson. Motion carried.

65. EcoBroker
“EcoBroker Environmental Advantage”
Request: 6 Hours General Internet

Staff recommended approval for 3 hours of General. Commissioner Green moved to approve this course per staff recommendation. Seconded by Commissioner Gurr. Motion carried.

66. EcoBroker
“EcoBroker Green Market Advantage”
Request: 6 Hours General Internet

Staff recommended approval of this course for 3 hours of General. Commissioner Gurr moved to deny approval of this course. Seconded by Commissioner Jameson.

67. EcoBroker
“EcoBroker Energy Advantage”
Request: 6 Hours General
Internet

Staff recommended denial of this course. Ms. Smith distributed a rebuttal from the provider. Commissioner Gurr moved to approve this course for 3 hours. Seconded by Commissioner Mack for discussion purposes. Motion carried with Commissioners Green and Jameson voting against.

68. KB Home
“New Home Construction Basics for the Real Estate Professional”
Request: 3 Hours General Classroom

Staff recommended denial of this course. Commissioner Jameson moved to deny approval for this course. Seconded by Commissioner Mack. Motion passed with Commissioner Gurr voting against.

69. Footprints Realty, Inc.
“Fundamentals of Financing”
Request: 4 Hours General Classroom

Staff recommended denial of this course. Ms. Smith distributed a rebuttal from the sponsor. Commissioner Mack moved to approve this course for 3 hours General. Seconded by Commissioner Jameson. Motion carried.

(3*) Disciplinary Action

(3-2) NRED v. Hartman, Linda (10:50 a.m.- 11:15 a.m.)

Case No. N04-04-17-115

Case No. N04-05-17-134

License No. BS.0017739

Respondent was present and was represented by Katherine Parks Esq.

Gina Session, Sr. Deputy Attorney General, was present for the Division.

Preliminary matters:

Ms. Session stated that a settlement had been reached in the matter and read the Stipulation for Settlement into the record.

Discipline recommended: \$10,000 fine to be paid within one year after the effective date of the Commission's order approving this settlement agreement; attend a not less than six hour course "What Every Licensee Should Know," and a not less than six hour course on Contracts, and a not less than twelve hour course on Ethics, to be completed within 1 year after the effective date of the Commission's order approving this settlement agreement. The courses will not be eligible for continuing education credit, and must be taken through live education.

Ms. Hartman stated that she had read, understood, and signed the settlement agreement.

Commissioner Mack stated that the discipline was too light. Commissioners Gurr and Green concurred.

Commissioner Green stated that the Commission should identify the classes they want her to take.

Commissioner Jameson stated that his concern is to be consistent with all cases.

Commissioner Gurr moved to set the fine at \$15,000. Seconded by Commissioner Mack for discussion. Commissioner Mack stated that the fine should be \$17,500 or \$20,000. Motion failed with Commissioners Mack, Jameson, Green, and Rossum voting against.

Commissioner Gurr moved to reject the settlement. Seconded by Commissioner Green. Motion passed.

Ms. Session stated that the matter will be set for hearing in November.

(3-3) NRED v. Miner, Carter

Case No. N05-06-12-150

Case No. N05-06-14-152

License No. B.0004802.CORP

Respondent was present and was represented by Katherine Parks, Esq.

Gina Session, Sr. Deputy Attorney General, was present for the Division.

Preliminary matters:

Ms. Session stated that a settlement had been reached.

Ms. Parks spoke on behalf of her client, requesting that Ms. session read the settlement into the record, then if the commission has modifications, she be allowed to consult with her client. President Rossum stated that the Commission would accommodate her.

Ms. Session read the settlement agreement into the record.

Proposed discipline: Fines in the amount of \$7,500; attend a six hour course on Broker Management, a six hour course on Contracts, and a six hour course on Ethics, fine to be paid and education to be completed within one year of the effective date of the settlement. The education will not count toward continuing education credits and must be taken by live education.

Mr. Miner stated that he had read, understood, and signed the agreement.

Commissioner Gurr stated that in the Third Claim for Relief “buyer” should be “sellers” and the reference to NRS 645.333(h) should be 645.333(1)(h). Ms. Session agreed.

Commissioner Gurr stated that she is in favor of the stipulation with the change in language regarding classes, which should state “not less than six hours.”

Commissioner Gurr moved to accept the Stipulation for Settlement with the changes discussed. Seconded by Commissioner Jameson. Motion passed. Respondent’s counsel stated that they agree to the settlement.

(4*) Education

APPEALED REAL ESTATE CONTINUING EDUCATION COURSES

- 72. Lied Institute for Real Estate Studies, UNLV
“Time, Place and Manner: Standards for Sign Regulation and Federal Compensation Requirements”
Request: 4 Hours General

- 73. Lied Institute for Real Estate Studies, UNLV
“Protections and Compensation for the Value of Signage under Federal Law”
Request: 4 Hours General

- 74. Lied Institute for Real Estate Studies, UNLV
“Designing Effective Signage and Protecting the Right to Use It”
Request: 4 Hours General

- 75. Lied Institute for Real Estate Studies, UNLV
“The Sign Valuation Process and Damage Calculations”
Request: 4 Hours General

Commissioner Mack requested to take courses 72-75 together. President Rossum stated they could.

Debra March from the Lied Institute for Real Estate Studies, UNLV, presented the appeal, referencing a document that had been previously provided to the Commissioners. Discussion ensued. Dr. James Klaus spoke in defense of the appeal.

Commissioner Gurr stated that she would be in favor of approval for a one time presentation conditioned on an audit, using different auditors for all four classes. Ms Anderson stated that the Division would be unlikely to find auditors willing or able to spend the time since all classes are given simultaneously.

Commissioner Green stated he saw no benefit in the classes, and moved to deny appeal for courses 72-75. Seconded by Commissioner Mack. Motion passed with Commissioner Gurr voting against.

76. TRI Seminars, Inc.

“Wealth Building Tax Secrets for Real Estate”

Request: 7.5 Hours General

There was no representative from the sponsor present; however a letter was provided with the education summaries. Commissioner Gurr moved to deny this course. Seconded by Commissioner Green. Motion passed with Commissioner Jameson voting against.

Recess for lunch at 12:00 p.m.

President Rossum called the meeting to order at 1:25 p.m.

NEW REAL ESTATE POSTLICENSING EDUCATION COURSES

70. Liberty Realty
“Blast Off 30 Hour Post-Licensing”
Request: 36 Hours

Staff recommended approval for 30 hours. Commissioner Gurr moved to approve this course for 30 hours. Seconded by Commissioner Green. Motion carried.

71. Century 21 Aadvantage Gold
“Building a Strong Foundation”
Request: 3 Hours

Staff recommended approval for 3 hours. Commissioner Green moved to approve this course. Seconded by Commissioner Jameson. Motion carried.

(5*) Commission/Division Business

(5-12) Discussion and possible action regarding report on the status of Nevada Law and Reference Guide.

Melody Luetkehans, representing the Lied Institute for Real Estate Studies, distributed a 2-page color sample of the Guide to the commission. Ms. Anderson asked if the Commission would like the completed chapters to be posted on the website as they become available. Commissioner Mack stated that if they are designed to be stand alone they should be posted. Commissioner Gurr encouraged the

Division to seek a copyright. Discussion ensued. Ms. Anderson stated that she will consult legal counsel regarding a copyright and will report to the Commission. Commissioner Mack moved to have the Division put the guide on the internet as soon as the Administrator verifies that all copyright issues are resolved. Seconded by Commissioners Jameson and Green. Motion carried.

(5-19) Commissioner Comments.

Commissioner Mack asked if the continued cases could be pulled from packets, and stipulations added. Joanne stated that much of the activity is last minute. Commissioner Mack asked if an e-mail can be sent regarding continuances. Joanne stated that we can if we know in time. Commissioner Mack stated that he would like to see any license history and prior disciplines on respondents whom have been offered stipulations.

Commissioner Jameson asked how often the Advisory Review Committee meets and would like updates on it in the future.

Commissioner Green stated that the staff has done exceptional job in getting them what they need.

Commissioner Gurr stated that she concurs with Commissioner Green, with the possible exception of license denial appeal applicants stating that the licensing department is not responsive.

Commissioner Mack thanked Joanne Gierer and Linda Pierson for making his job easier.

(5-20) DISCUSSION AND POSSIBLE ACTION ON DATE, TIME, PLACE & AGENDA ITEMS FOR UPCOMING MEETINGS.

Ms. Anderson stated that the next meeting will be in Southern Nevada. Linda Pierson stated that reservations have been made in an LCB room and back-up locations are being investigated.

Ms. Anderson stated that the last meeting of the year will be in November in the North. Linda Pierson supplied information about rooms reservations made for that meeting. Discussion ensued.

Ms. Anderson asked the Commissioners about their preference for hearing license denial appeals. Consensus was that they prefer hearing the appeals all on one day.

(5-21) Discussion and possible action on election of officers.

Commissioner Mack suggested that a Commission president should serve for two years instead of one. Based on that suggestion, Commissioner Mack moved to elect Commissioner Rossum as President, Commissioner Jameson as Vice-President, and Commissioner Mack as Secretary. Commissioner Jameson seconded for discussion. Commissioner Green spoke against the motion.

The motion failed with Commissioners Gurr, Green, and Jameson voting against.

Commissioner Green moved to elect Commissioner Jameson as President, Commissioner Mack as Vice-President, and Commissioner Rossum as Secretary. Seconded by Commissioner Gurr. Commissioner Gurr spoke in support of the motion. Motion passed.

(6*) Public Comments

Newly elected President Jameson opened the meeting for public comment.

Mike Giusti – education provider

Stated that he had several items before the commission and was precluded from speaking and feels that he was denied his due process.

Juddie McWilliams –

Regarding renewal and background checks, Ms. McWilliams stated her concerns that business will be stopped with background checks.

(7*) Adjournment

President Jameson adjourned the meeting at 2:12 p.m.