

**Real Estate Commission
June 26, 2006
Department of Education
Las Vegas, NV**

MINUTES

President Rossum called the meeting to order at 9:00 a.m.

(1 *) Commission/Division Business

INTRODUCTION OF COMMISSIONERS IN ATTENDANCE

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

INTRODUCTION OF DIVISION STAFF IN ATTENDANCE

Gail Anderson, Joanne Gierer, Sandra Richards, Linda Pierson, Bruce Alitt, Susan Clark, Nancy Smith, Christine Guerci, Sr. Deputy Attorney General, Aikaterine Vervilos, Deputy Attorney General,.

The court reporter was sworn in.

(2*) LICENSE DENIAL APPEALS

DAVID R. FRYE, File No. S-LDA-06-060 (9:10 a.m. – 9:35 a.m.)

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

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

Appeal denied.

LOUIS FRANCO, File No. S-LDA-06-042 (9:38 a.m. – 9:53 a.m.)

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

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

Appeal denied.

HERBERT GIRALDO, File No. S-LDA-06-048 (9:55 a.m. – 10:10 a.m.)

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

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

Commissioner Jameson moved to close hearing. Seconded by Commissioner Mack. Motion carried.

Appeal granted.

HATTIE MAYFIELD, File No. S-LDA-06-052 (10:25 a.m. – 10:38 a.m.)

Ms. Mayfield was not present and was not represented by an attorney. Ms. Guerci stated that Ms. Mayfield had not signed in and requested a default judgment to deny the appeal based on failure to appear.

Commissioner Mack asked if she had been in contact with the Division as to why she wouldn't be here.

Lengthy discussion ensued regarding proper service of notice. Commissioner Mack stated that he did not want to take final action on the issue at this time since there was no proof that the applicant had received the notice. Ms. Anderson stated that the applicant could be re-noticed in July and still be within the 90-days.

Commissioner Gurr pointed out that the state had moved for default judgment and the Commission must act on it. President Rossum agreed. Discussion ensued. Commissioner Gurr moved to continue the hearing to provide time for additional notice for Ms. Mayfield. Seconded by Commissioner Green. Motion passed.

THOMAS J. D'ANNA, File No S-LDA-06-039 (10:38 a.m. – 10:55)

The Applicant was present and was not represented by an attorney. The Applicant was accompanied by Thomas Blanchard, Broker-Owner, First Realty Group.

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

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

Appeal granted.

DONALD L. MCCLINE-BEY, File No S-LDA-06-046 (10:55 a.m. – 11:00 a.m.)

Commissioner Green moved to close session. Seconded by Commissioner Gurr. Motion carried.

Discussion in closed session.

Ms. Guerci requested a five minute recess to talk with the Applicant. Ms. Guerci stated that after discussion with Mr. McCline-Bey the Division had ascertained that he was released from probation in 2005 and would not be eligible for a license until 2008 and had encouraged him to reapply at that time. President Rossum asked if Mr. McCline-Bey would like to address the issue. Mr. McCline-Bey stated that based on the discussion with Ms. Guerci and Ms. Clark, he will resubmit in 2008.

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

RUBEN R. VERA, JR., File No. S-LDA-06-050 (11:00 a.m. – 11:20 a.m.)

Mr. Vera was present and was not represented by counsel.

Commissioner Jameson moved to move into closed session. Seconded by Commissioner Mack. Motion carried.

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

Appeal granted.

KEEBO ROBINSON, File No. S-LDA-06-061 (11:20 a.m. – 11:40 a.m.)

Commissioner Gurr moved to close session. Seconded by Commissioner Mack seconded. Motion carried.

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

Appeal granted.

JANICE SUMMERS, File No. S-LDA-06-049 (11:40 a.m. – 11:45 a.m.)

Ms. Summers was not present and was not represented by counsel.

Ms. Pierson verified the mailing date and address of the notice packet and that neither the packet nor the green certified card had been returned.

Ms. Guerci stated that the state would move for continuance based on lack of proof of service.

Commissioner Mack moved to continue the hearing at Ms. Guerci's request. Seconded by Commissioner Jameson.

DORRET WILLIAMS, File No. S-LDA -06-043 (11:45 a.m. – 12:10 a.m.)

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

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

Ms. Williams was present and was accompanied by Andrew Maline Jr., Branch Manager for One Capp Realty.

Discussion in closed session.

Ms. Clark explained the reason for the denial.

Ms. Williams presented her case.

Ms. Williams was questioned by Commissioners Gurr, Jameson and Mack.

Ms. Guerci explained some of the language on the background investigation report relative to charges on Ms. Williams' record.

Commissioner Green moved to return to open session. Seconded by Commissioner Gurr seconded. Motion carried.

Commissioner Gurr moved to uphold the appeal. Seconded by Commissioner Jameson second. Motion carried.

HATTIE MAYFIELD, File No. S-LDA-06-052 (12:10 p.m. – 12:20 p.m.)

Ms. Anderson stated that applicant Hattie Mayfield has appeared and requests to be heard today as there were extenuating circumstances regarding service of the notice. Commissioner Jameson moved to reconsider the appeal of Ms. Mayfield at this hearing. Seconded by Commissioner Mack. Motion carried.

Commissioner Gurr moved to close the session. Seconded by Commissioner Jameson.

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

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

Appeal granted.

President Rossum recessed the meeting for lunch at 12:26 p.m.

President Rossum called the meeting to order at 1:45 p.m.

JASMINE VICTA, File No. S-LDA-06-038

Ms. Guerci stated that she had Ms. Victa to go home and bring back some documents relating to her case, and asked that the hearing be continued until Ms. Victa's return .

JOHN SEVERNS, File No. S-LDA-06-040 (1:50 p.m. – 2:10 p.m.)

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

Discussion in closed session.

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

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

Appeal granted.

ANNETTE D. ALTER, File No. S-LDA-06-029 (2:15 p.m. – 2:45 p.m.)

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

Discussion in closed session.

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

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

Appeal denied.

3* EDUCATION

APPEALED COURSES

REAL ESTATE CONTINUING EDUCATION COURSES

1. Lied Institute for Real Estate Studies, UNLV
“Time, Place and Manner: Standards for Sign Regulation and Federal Compensation Requirements”
Request: 4 Hours General
2. Lied Institute for Real Estate Studies, UNLV
“Protections and Compensation for the Value of Signage Under Federal Law”
Request: 4 Hours General
3. Lied Institute for Real Estate Studies, UNLV
“Designing Effective Signage and Protecting the Right to Use It”
Request: 4 Hours General
4. Lied Institute for Real Estate Studies, UNLV
“The Sign Valuation Process and Damage Calculations”
Request: 4 Hours General

Ms Anderson requested that the commission continue this appeal be continued until July as the respondent was not noticed. Gurr moved to continue, Seconded by Commissioner Jameson. Motion carried with President Rossum voting nay.

JASMINE VICTA, File No. S-LDA-06-038 (2:55 p.m. - 3:30 p.m.)

Jameson moved to close session. Seconded by Commissioner Green. Motion carried.

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

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

Appeal denied.

(3*) **EDUCATION**

CHANGE OF COURSE HOURS CORRECTION

5. Coldwell Banker Commercial ETN
"Negotiations for Real Estate Professionals"
Request: 3 Hours Personal Development

Commissioner Mack moved for approval. Seconded by Commissioner Green. Motion carried.

GENERAL

6. Financial Solutions, Inc.
"Investing in Real Estate with IRA Funds"
Request: 3 Hours General Classroom / CE.3400000-RE

Provider was present to discuss the class. Joe Luby, instructor and owner of Financial Solutions Inc. Discussion ensued. Commissioner Gurr moved to deny the appeal. Seconded by Commissioner Green. Motion carried.

REAL ESTATE POST LICENSING EDUCATION COURSES

7. Tigor Title of Nevada, Inc.
"Module A"
Request: 3 Hours
8. Tigor Title of Nevada, Inc.
"Module B"
Request: 4 Hours
9. Tigor Title of Nevada, Inc.
"Module C & F"
Request: 3 Hours
10. Tigor Title of Nevada, Inc.
"Module D"
Request: 3 Hours
11. Tigor Title of Nevada, Inc.
"Module E"
Request: 3 Hours
12. Tigor Title of Nevada, Inc.
"Module H"
Request: 3 Hours
13. Tigor Title of Nevada, Inc.
"Module J"
Request: 4 Hours

- 14. Ticolor Title of Nevada, Inc.
"Module K & N"
Request: 3 Hours
- 15. Ticolor Title of Nevada, Inc.
"Module M & O"
Request: 3 Hours

Commissioner Jameson moved to approve 7 - 15 courses. Seconded by Commissioner Green. Motion carried.

REAL ESTATE CONTINUING EDUCATION COURSES

LAW AND LEGISLATION

- 16. Ticolor Title of Nevada, Inc.
"Legislative & Law Impact"
Request: 3 Hours Law and Legislation

Commissioner Jameson moved to approve the above course with the change of instructor to Anthony Persini. Seconded by Commissioner Green.

PERSONAL DEVELOPMENT

- 17. Ticolor Title of Nevada, Inc.
"Practicing Safe Real Estate"
Request: 3 Hours Personal Development

Commissioner Green moved to approve the above course. Seconded by Commissioner Jameson. Motion carried.

4* Commission/Division Business

(4-1) DISCUSSION AND POSSIBLE ACTION ON DATE, TIME, PLACE & AGENDA ITEMS FOR UPCOMING MEETINGS.

Ms. Anderson stated she will have 2007 calendar dates at the September meeting.

(4-2) Discussion and possible action concerning commissioner attending Association of Real Estate License law Officials conference September 24-27, 2006 in San Antonio, Texas.

Ms. Anderson addressed this issue. Commissioner Rossum stated that she would like to attend this meeting.

(4-3) Report on regulations LCB file No. R 123-06 and R 019-06.

Ms. Anderson addressed this issue. Discussion ensued. Ms. Cavin confirmed that notice of workshop must be filed 15 days prior to the workshop date.

President Rossum polled the commissioners on having an amendment stating that renewal background checks would be done one time only. Commissioner Green, yes; Commissioner Jameson no; Commissioner Mack; yes; President Rossum, yes.

(4-4) Commissioner Comments

Commissioner Mack stated that mailings for license denial appeals should be sent sooner than two weeks prior to hearings.

(4-5) Public Comments

None

6* Adjournment

President Rossum adjourned the meeting at 4:08 p.m.