

REAL ESTATE COMMISSION MEETING

Heber M. Wells Building

Room 2B

9:00 a.m.

May 21, 2008

TELECONFERENCE MEETING

MINUTES

STAFF MEMBERS PRESENT:

Mark B. Steinagel, Division Director
Dee Johnson, Enforcement Director
Mark Fagergren, Education/Licensing Director
Traci Gundersen, Assistant Attorney General
Renda Christensen, Board Secretary
Tiffeni Wall, Real Estate Education Coordinator
Maraly Frandsen, Division Staff

COMMISSION MEMBERS PRESENT:

H. Blaine Walker, Chair
Doyle "Sam" Sampson, Jr., Vice Chair
Bonnie Peretti, Commissioner
Gary Hancock, Commissioner
Kay Ashton, Commissioner

GUESTS

Jack Marinello	Paul Naylor
Michael Welker	Arnold Stringham
Kevin Swenson	Brady Long

The May 21, 2008 meeting of the Utah Real Estate Commission began at 9:10 a.m. with Chair Walker conducting.

Chair Walker said last month he, Commissioner Sampson, and Dave Mecham attended the ARELLO conference in Pasadena, California. The meeting was well attended and Chair Walker met the new Director of Real Estate for Nevada. They discussed the possibility of reciprocity between the two states.

Approval of Minutes

The minutes for April 16, 2008 were found to have a wording change on page one in Director Steinagel's report. The corrected wording should read "...the rule requiring pre-licensing schools to provide written disclosure about criminal background checks;..." The Minutes were approved with this change.

DIVISION REPORTS

DIRECTOR'S REPORT – Mark B. Steinagel

Director Steinagel gave a brief update on pending rules. The earliest date the rule on advertising pre-licensing education without approval could be effective would be June 23, 2008, and the rule on having licensees complete their continuing education before the 15th day of the renewal month could be made effective as of July 22, 2008.

The Division Caravan covered eight locations this year. Director Steinagel asked those attending how they felt about having background checks on renewals and the idea was well received. The additional fee would be a \$35 fee that is passed on through to the state and federal groups processing the fingerprints. The majority felt that having the background reports run every other renewal period would be better advantageous.

There were approximately 70 individuals last month between real estate and mortgage that needed to be reviewed. Currently the system is self-reporting when someone has a conviction during the renewal period. Director Steinagel said there are not many other states currently doing finger print background checks at the time of renewal. He will check into the statistics and have more information at the next meeting.

Commissioner Ashton asked for an update on the upcoming public meeting for the proposed REPC. Director Steinagel said those in attendance will be representatives from the UAR, Attorney General's office, industry members and Division staff, as well as the public. The meeting is scheduled for July 16, 2008 and will be approximately three hours long. There will be hearings held in the morning and afternoon which are closed to the public, and most of the afternoon will be open to the public for the REPC discussion.

Chair Walker suggested holding the September 17th Real Estate Commission meeting in Midway, Utah. The date is the same time as the UAR convention being held in Midway, and he believes that it would be a positive move to hold a regular commission meeting so those attending UAR could also attend the commission meeting.

INVESTIGATIONS REPORT – Dee Johnson

Mr. Johnson reported in the month of April the Division received 73 complaints, screened 16 complaints, closed 21 cases, opened 7 cases, leaving a balance of 139 total cases. He said the trend shows a rise in complaints with one complaint received leading to several other cases being opened.

Mr. Johnson said the Mortgage Fraud Task Force is still active and is still concentrating on fraud. Since the inception of the Task Force the screenings received by the Division have dropped.

There are two stipulations being presented to the Commission today. Both respondents have been given the chance to appear today to answer any questions the Commission might have, and both have declined to attend.

Review of Stipulations:

Rebecca R. Miller

Ruben Garcia

EDUCATION/LICENSING REPORT – Mark Fagergren

Mr. Fagergren said the Division's Caravan went out to eight places and all the meetings were well attended. The smaller areas such as Moab and Logan were interested in changes taking place and were appreciative about the advancements the Commission has allowed in respect to on-line education and RELMS. The Division spoke about teams, team points and how they are allocated, and the advertising of teams. Commissioner Peretti asked how many were in total attendance for the entire Caravan, and Director Steinagel said there were approximately 800 to 900 people attending.

Chair Walker asked the status of the work group on discussing the team approach and any recommendations they might have. Mr. Fagergren said the next meeting will be on June 2nd, and they will be discussing broker curriculum and the amount of time that will be allotted on each subject.

CLOSED TO PUBLIC

A motion was made to go into an Executive Session from 10:10 a.m. to 10:20 a.m.

OPEN TO PUBLIC

A motion was made and accepted to have Director Steinagel sign the Closed Meeting Act document and also the Stipulations on behalf of the Commission for the telephonic meeting today.

Results of Executive Session

Stipulations:

Rebecca R. Miller - Approved

Ruben Garcia - Approved

A motion was made and accepted to adjourn the meeting at 10:22 a.m.