

**REAL ESTATE COMMISSION**  
HEBER M. WELLS BUILDING  
ROOM 210  
November 14, 2012  
9:00 a.m.

**MINUTES**

**STAFF MEMBERS PRESENT**

Jonathan Stewart, Division Director  
Jeffery Nielsen, Chief Investigator  
Michael Palumbo, Hearing Officer  
Xanna DeGooyer, Assistant Attorney General  
Renda Christensen, Board Secretary  
Tiffeni Wall, Real Estate Education Coordinator  
Michael Perrson, Investigator  
Van Kagie, Investigator  
Carlos Alamilla, Investigator  
Dave Mecham, Investigator  
Manuela Corleto, Investigator  
Amber Nielsen, Division Staff  
Jill Childs, Division Staff  
Kathy Archuleta, Division Staff

**BOARD MEMBERS PRESENT**

H. Thayne Houston, Chair  
Kay R. Ashton, Vice Chair  
Gary R. Hancock, Commissioner  
Lerron E. Little, Commissioner

**PUBLIC**

Kevin Swenson  
Paul Naylor  
Mike Ballif  
Mike Ostermiller  
Paul Smith

The November 14, 2012 meeting of the Real Estate Commission began at 9:00 a.m. with Chair Houston conducting. Commissioner Booth was excused from the meeting today. Chair Houston welcomed Ms. Christensen back from medical leave.

**PLANNING AND ADMINISTRATIVE MATTERS**

Approval of Minutes – A motion was made to approve the minutes as written: Vote: Chair Houston, yes; Vice Chair Ashton, yes; Commissioner Hancock, yes; Commissioner Little, yes. The motion carries.

## **DIVISION REPORTS**

### **Director's Report – Jonathan Stewart**

Director Stewart gave an update on legislation. He and Mr. Palumbo met with Representative Froerer last week. Representative Froerer will be sponsoring the Division bill again next year.

There are no major changes that have been made in the proposed legislation since the meeting last month. The final draft should be numbered in the upcoming month.

Director Stewart said during his IDW presentation, he discussed disclosure questions on the Division's license applications. Applicants have claimed to not have understood the questions. The Division will be revising the wording of the questions to make sure they are easy to understand. The Commission will see a draft of these questions next month.

### **Enforcement Report – Jeffery Nielsen**

Mr. Nielsen reported in October the Division received 36 complaints; opened 31 cases; closed 27 cases; cases referred to the Attorney General's office, 10. The total number of real estate cases is 235.

### **Stipulations for Review**

Eddy Tew  
Javier Poveda  
Shane Stark  
Pamela J. Beech  
Jill F. Clark  
Spencer Clark

Each of the respondents was offered the opportunity to appear today, but each has declined.

### **Education/Licensing Report – Tiffeni Wall**

Mr. Fagergren is off this week and Ms. Wall will be giving his report.

Ms. Wall said the Division had a great response on the IDW, and thanked Chair Houston for participating on the panel. Len Elder was the presenter at the IDW, and there was very positive feedback from his presentation.

### **Stipulations for Review**

Kevin Murray

Mr. Murray was offered the opportunity to appear today, but he has declined.

**Updates on Rules – Michael Palumbo**

Mr. Palumbo said the property management rules had been previously discussed in recent Commission meetings. There was a request by the public to have copies made of those rules for review. A brief break was taken from 9:38 a.m. to 9:48 a.m. while copies were made.

There was a discussion of the proposed changes. The Commission asked Mr. Palumbo to make the changes as discussed, and have a final draft ready for review at the next meeting.

**CLOSED TO PUBLIC**

A motion was made to briefly recess and close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Houston, yes; Vice Chair Ashton, yes; Commissioner Hancock, yes; Commissioner Little, yes. The motion carries. An Executive Session was held from 10:45 a.m. to 11:11 a.m.

**OPEN TO PUBLIC**

**Results of Stipulations**

- Eddy Tew - Approved
- Javier Poveda - Approved
- Shane Stark - Approved
- Pamela J. Beech - Approved
- Jill F. Clark - Approved
- Spencer Clark - Approved
- Kevin Murray - Approved

A motion was made to adjourn the meeting. Vote: Chair Houston, yes; Vice Chair Ashton, yes; Commissioner Hancock, yes; Commissioner Little, yes. The motion carries. The meeting was adjourned at 11:11 a.m.