

REAL ESTATE COMMISSION MEETING

Heber M. Wells Building

Room 210

9:00 a.m.

August 21, 2013

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Jeffery Nielsen, Chief Investigator
Jennie Jonsson, Administrative Law Judge
Xanna Hardman, Assistant Attorney General
Renda Christensen, Board Secretary
Mykah Travis, Real Estate Education Coordinator
Amber Nielsen, Division Staff
Jill Childs, Division Staff
Kathy Archuleta, Division Staff

COMMISSION MEMBERS PRESENT:

Kay R. Ashton, Chair
Russell K. Booth, Vice Chair
Gary R. Hancock, Commissioner
Lerron E. Little, Commissioner
Lori Chapman, Commissioner

GUESTS:

Tammy Lund	Dan Naylor
Peter Christenson	Kevin Swenson
Sara Saylor	Cressie Larson
Michael Craeger	

The August 21, 2013 meeting of the Utah Real Estate Commission began at 9:00 a.m. with Chair Ashton conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes

A motion was made to approve the minutes from the July 17, 2013 meeting. Vote: Chair Ashton, yes; Vice Chair Booth, yes; Commissioner Hancock, yes; Commissioner Little, yes. The motion carries.

DIVISION REPORTS

DIRECTOR'S REPORT –Jonathan Stewart

Director Stewart introduced Justin Barney who is the new Hearing Officer for the

Division. Mr. Barney will be moving his family from Atlanta, Georgia to Salt Lake City next week. He is an attorney with a background in real estate and management.

Director Stewart said he had received a question regarding an article in the last Division newsletter on short sale listings. He opened the topic to the Commission and public for discussion.

ENFORCEMENT REPORT – Jeffery Nielsen

Mr. Nielsen reported in July the Division received 34 complaints; opened 79 cases; referred 30 cases to the Attorney General's office; closed 11 cases; leaving the total number of cases at 266.

There were no Enforcement stipulations to review this month.

LICENSING/EDUCATION REPORT - Mark Fagergren

Mr. Fagergren reported there was a net gain of 158 new applications received, and the number of inactive licenses was up by 129 from last month.

Review of Stipulations

Andrew Grubaugh

Julia C. Schaffrath

Mr. Fagergren wanted to remind the Commission and those in attendance of the Instructor Development Workshop that will be held on October 28 and 29, 2013. All Commissioners are invited as guests of the Division.

COMMISSION AND INDUSTRY ISSUES

Discussion of Proposed Rules – Jennie Jonsson

Ms. Jonsson said there were no rule updates at this time. Mr. Barney presented three Stipulations for the Commission to review.

Review of Stipulations

Michael Creger

Lonnie Gustin

Amanda Glover

Ms. DeGooyer said that she will be using new software during the hearings today that will allow the documents and exhibits to be viewed on the overhead screen.

CLOSED TO PUBLIC

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ashton, yes; Vice Chair Booth, yes; Commissioner Hancock, yes; Commissioner Little, yes. The motion has passed. The Executive Session was held from 9:48 a.m. to 10:04 a.m.

OPEN TO PUBLIC

INFORMAL HEARINGS:

10:05 Robert Hobbs - Application for License

11:00 Steven L. Bradshaw - Application for License

Mr. Bradshaw got ill during his hearing and the paramedics were called. They stabilized Mr. Bradshaw and transported him to the hospital.

CLOSED TO PUBLIC

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ashton, yes; Vice Chair Booth, yes; Commissioner Hancock, yes; Commissioner Little, yes; Commissioner Chapman, yes. The motion carries. Executive Session was held from 11:42 a.m. to 12:45 p.m.

OPEN TO THE PUBLIC

RESULTS OF STIPULATIONS

Andrew Grubaugh - Approved

Michael Creger - Approved

Lonnie Gustin - Approved

Amanda Glover - Approved

Julia C. Schaffrath - Approved

INFORMAL HEARING (Cont.)

1:00 Mike Watson - Application for License
Rebecca Skordas, Witness for Mr. Watson

Commissioner Little said that he knows Mr. Watson and was willing to recuse himself, if Mr. Watson felt it would be a conflict. Mr. Watson said he was fine with Commissioner Little remaining for the Hearing.

Division Witness: Ken Barton, Division of Securities

CLOSED TO PUBLIC

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Chair Ashton, yes; Vice Chair Booth, yes; Commissioner Hancock, yes; Commissioner Little, yes; Commissioner Chapman, yes. The motion carries. An Executive Session was held from 4:50 p.m. to 5:20 p.m.

OPEN TO PUBLIC

A motion was made to adjourn the meeting. Vote: Chair Ashton, yes; Vice Chair Booth, yes; Commissioner Hancock, yes; Commissioner Little, yes; Commissioner Chapman, yes. The meeting was adjourned at 5:20 p.m.