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**REAL ESTATE EXAMINING BOARD**  
**Room 121A, 1400 East Washington Avenue, Madison**  
**Contact: Brittany Lewin (608) 266-2112**  
**October 20, 2016**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**10:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A) Adoption of Agenda (1-3)**
- B) Approval of the Minutes of August 18, 2016 (4-8)**
- C) Administrative Matters**
  - 1. Staff Updates
  - 2. Board Member Introductions
  - 3. Election of Officers
  - 4. Liaison Appointments
  - 5. Recusal Information
- D) Legislative and Administrative Rule Matters**
  - 1. Update on Legislation and Pending or Possible Rulemaking Projects
- E) Real Estate Contractual Forms Advisory Council Update**
- F) Real Estate Curriculum and Examinations Council Update**
- G) Discussion and Consideration of Items Received After Preparation of the Agenda:**
  - 1. Introductions, Announcements and Recognition
  - 2. Election of Board Officers
  - 3. Appointment of Board Liaison(s)
  - 4. Administrative Updates
  - 5. Education and Examination Matters
  - 6. Credentialing Matters
  - 7. Practice Matters
  - 8. Legislation/Administrative Rule Matters
  - 9. Liaison Report(s)
  - 10. Informational Items
  - 11. Disciplinary Matters
  - 12. Requests for Disciplinary Proceeding Presentations
  - 13. Motions
  - 14. Petitions
  - 15. Appearances from Requests Received or Renewed
  - 16. Speaking Engagement(s), Travel, or Public Relation Request(s)

H) Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

I) **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

1. **Proposed Stipulation(s), Final Decision(s), and Order(s)**

- a. 15 REB 001 – Tracy L. Turner **(9-14)**
- b. 15 REB 004 – Dennis J. Jochman and Bechard Investments Inc. **(15-21)**
- c. 15 REB 045 – Noelle C. Stevens and MadisonFlatFeeHomes.com, LLC **(22-28)**
- d. 15 REB 055 – Michael Roberson **(29-33)**
- e. 15 REB 090 - Uri Fried **(34-38)**

2. **Case Closing(s)**

- a. 15 REB 061 (L.A.H. and H.R.I.) **(39-44)**
- b. 15 REB 064 (J.S.) **(45-48)**
- c. 15 REB 113 (A.C., M.S., and J.R.E., L.L.C.) **(49-53)**

3. **Monitoring (54-89)**

- a. Nick Lasier – Requesting Full Licensure **(56-66)**
- b. Scott Salan - Requesting Full Licensure **(67-89)**

J) **Deliberation on Credentialing Matters**

1. Application Review
  - a) Araceli Aguilar – Real Estate Salesperson Application **(90-112)**

K) **Deliberation Order(s) Fixing Costs**

1. Mike Mendez, Respondent (ORDER0004882)(DHA Case No. SPS-16-0038)(DLSC Case No. 14 REB 021) **(113-119)**
2. Timothy D. Russell, Respondent (ORDER0004883)(DHA Case No. SPS-16-0041)(DLSC Case No. 14 REB 063) **(120-126)**

L) Presentation and Deliberation on Credentialing Matters

M) Deliberation of Items Received After Preparation of the Agenda

1. Education and Examination Matters
2. Credentialing Matters
3. Disciplinary Matters
4. Professional Assistance Procedure (PAP)
5. Monitoring Matters
6. Petitions for Summary Suspension(s)
7. Proposed Stipulation(s), Final Decision(s) and Order(s)
8. Administrative Warning(s)
9. Review of Administrative Warning(s)
10. Proposed Final Decisions and Orders
11. Orders Fixing Costs/Matters Related to Costs
12. Case Closings

N) Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

**ADJOURNMENT**

The Next Scheduled Meeting is December 1, 2016.

**REAL ESTATE EXAMINING BOARD  
MEETING MINUTES  
AUGUST 18, 2016**

**PRESENT:** Marie Hetzer, Kitty Jedwabny (via phone), Brian McGrath, Michael Mulleady, Randal Savaglio, Dennis Pierce

**EXCUSED:** Richard Marino

**STAFF:** Brittany Lewin, Executive Director; Kimberly Wood, Bureau Assistant; Sharon Henes, Administrative Rules Coordinator; and Other Department Staff

**CALL TO ORDER**

Michael Mulleady, Vice Chairperson, called the meeting to order at 10:00 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- After Item G. on the Agenda (Open Session) – **ADD:**
  - Education and Examination Matters
    - 1) Council on Real Estate Curriculum and Examinations Update

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF THE MINUTES OF JUNE 9, 2016**

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to approve the minutes of June 9, 2016 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Board Member Recognition and Introductions**

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to thank Stephen Beers for his many years of dedicated service to the Real Estate Examining Board. Motion carried unanimously.

**ELECTION OF OFFICERS AND BOARD APPOINTMENTS**

**Board Chair**

**NOMINATION:** Randal Savaglio nominated Michael Mulleady for the Office of Board Chair.

Brittany Lewin called for nominations three (3) times.

Michael Mulleady was elected as Chair by unanimous consent.

**Vice Chair**

**NOMINATION:** Denis Pierce nominated Randal Savaglio for the Office of Vice Chair.

Brittany called for nominations three (3) times.

Randal Savaglio was elected as Vice Chair by unanimous consent.

**Secretary**

**NOMINATION:** Randal Savaglio nominated Dennis Pierce for the Office of Secretary.

Brittany Lewin called for nominations three (3) times.

Dennis Pierce was elected as Secretary by unanimous consent.

<b>2016 ELECTION RESULTS</b>	
<b>Board Chair</b>	Michael Mulleady
<b>Vice Chair</b>	Randal Savaglio
<b>Secretary</b>	Dennis Pierce

<b>2016 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison</b>	Randal Savaglio
<b>Monitoring Liaison</b>	Brian McGrath
<b>Professional Assistance Procedure (PAP) Liaison</b>	Kitty Jedwabny
<b>Office of Education and Examinations Liaison</b>	Michael Mulleady
<b>Screening Panel Team 1</b>	Dennis Pierce, Kitty Jedwabny
<b>Screening Panel Team 2</b>	Richard Marino, Michael Mulleady
<b>Screening Panel Team 3</b>	Randal Savaglio, Brian McGrath

<b>2016 COMMITTEE MEMBER APPOINTMENTS</b>	
<b>Real Estate Rules Committee</b>	Michael Mulleady, Randal Savaglio
<b>Real Estate Contractual Forms Advisory Council</b>	Richard Marino, Kitty Jedwabny (Chair)
<b>Council on Real Estate Curriculum and Examination Chair</b>	Marie Hetzer

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to affirm the appointments of Liaison and Committee members. Motion carried unanimously.

**MOTION:** Brian McGrath moved, seconded by Randal Savaglio, to affirm the appointment of both Richard Marino and Kitty Jedwabny to the Real Estate Contractual Forms Advisory Council. Motion carried unanimously.

**PUBLIC HEARING ON EMR1620 AND CLEARINGHOUSE RULE 16-042,  
RELATING TO REAL ESTATE PRACTICE**

**Review and Respond to Clearinghouse Report and Public Hearing Comments**

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to reject Clearinghouse comment numbers 5e, 5g, 5o, and 5t, and to accept all remaining Clearinghouse comments for Clearinghouse Rule 16-042, relating to Real Estate Practice. Motion carried unanimously.

**MOTION:** Randal Savaglio moved, seconded by Marie Hetzer, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 16-042, relating to Real Estate Practice, for submission to the Governor’s Office and Legislature. Motion carried unanimously.

**EDUCATION AND EXAMINATION MATTERS**

**Council on Real Estate Curriculum and Examinations Update**

**MOTION:** Randal Savaglio moved, seconded by Brian McGrath, to authorize Marie Hetzer to review and approve the recommendation of the Council on Real Estate Curriculum and Examinations for the 2017-2018 biennium. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Michael Mulleady, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Marie Hetzer-yes; Kitty Jedwabny-yes; Brian McGrath-yes; Michael Mulleady-yes; Dennis Pierce-yes; Randal Savaglio-yes. Motion carried unanimously.

The meeting convened into closed session at 10:45 a.m.

## RECONVENE TO OPEN SESSION

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into open session at 11:01 a.m.

## VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

**MOTION:** Brian McGrath moved, seconded by Marie Hetzer, to affirm all votes made in Closed Session. Motion carried unanimously.

## PRESENTATION AND DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

### Administrative Warnings

#### 14 REB 107 – JDO

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to issue an Administrative Warning in the matter of DLSC case number 14 REB 107 (JDO). Motion carried unanimously.

### Proposed Stipulations, Final Decisions and Orders

#### 14 REB 084 – John N. Springob

**MOTION:** Brian McGrath moved, seconded by Randal Savaglio, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against John N. Springob, DLSC case number 14 REB 084. Motion carried unanimously.

## Case Closings

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to close the following cases for the reasons outlined below:

1. 15 REB 038 (JL, CEP, DCW, RORLLC, TREGI) – No Violation (NV)
2. 15 REB 092 (BV, ROTRELLC, CT) – No Violation (NV)
3. 15 REB 127 (MS) – Insufficient Evidence (IE)

Motion carried unanimously.

## **DELIBERATION ON PROPOSED FINAL DECISIONS AND ORDERS**

### **Mike Mendez (DHA Case #SPS-16-0038)(DLSC Case #14 REB 021)**

**MOTION:** Randal Savaglio moved, seconded by Brian McGrath, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Mike Mendez, Respondent – DHA case number SPS-16-0038/DLSC case number 14 REB 021. Motion carried. Recused: Michael Mulleady

*(Michael Mulleady recused himself and left the room for deliberation, and voting in the matter concerning Mike Mendez, Respondent (DHA Case #SPS-16-0038)(DLSC Case #143 REB 021). Randal Savaglio, Vice Chair, ran the meeting during the deliberation of this matter.)*

### **Timothy D. Russell (DHA Case #SPS-16-0041)(DLSC Case #14 REB 063)**

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Timothy D. Russell (DHA Case #SPS-16-0041)(DLSC Case #14 REB 063). Motion carried. Recused: Marie Hetzer

*(Marie Hetzer recused herself and left the room for deliberation, and voting in the matter concerning Timothy D. Russell (DHA Case #SPS-16-0041)(DLSC Case #14 REB 063).)*

## **DELIBERATION ORDERS FIXING COSTS/MATTERS RELATED TO COSTS**

### **Casey J. Ehler (ORDER0004756)**

**MOTION:** Randal Savaglio moved, seconded by Brian McGrath, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Casey J. Ehler, Respondent (ORDER0004756). Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** Randal Savaglio moved, seconded by Dennis Pierce, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:03 a.m.