

**REAL ESTATE BOARD  
MINUTES  
DECEMBER 9, 2010**

**PRESENT:** Stephen Beers, Robert Dueholm, Michael Mulleady, Lisabeth Weirich, Ryan Schroeder and Kenneth Lee

**EXCUSED:** Dennis Pierce

**STAFF PRESENT:** Angela Arrington, Bureau Director; Colleen Baird, Acting Legal Counsel; Michelle Solem, Bureau Assistant; and other DRL staff

**GUESTS:** Cori Lamont, Wisconsin Realtors Association and Anne Blood, Madison College

**CALL TO ORDER**

Stephen Beers, Chair, called the meeting to order at 10:03 a.m. A quorum of four (4) members was present.

**ADOPTION OF AGENDA**

**Amendments to the Agenda:**

- Change approval of minutes to October 28, 2010
- Correct spelling on page 2 – 07 REB 260 – Name should be Ashley M. Fragnito
- Add Case Closing 09 REB 015
- Add Case Closing 07 REB 004
- Add Stipulation for 08 REB 145 Marina V. Solo and Marina Solo Real Estate Group
- Add Stipulation for 08 REB 145 Charity L. Bayer

**MOTION:** Kenneth Lee moved, seconded by Robert Dueholm, to adopt the Agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 28, 2010**

**Corrections:**

- Change date of next meeting to December 9

**MOTION:** Michael Mulleady moved, seconded by Robert Dueholm, to adopt the Minutes of October 28, 2010 as amended. Motion carried unanimously.

**ADMINISTRATIVE REPORT  
ANGELA ARRINGTON, BUREAU DIRECTOR**

**Department Updates & Reminders**

Angela Arrington introduced Colleen Baird as substitute Legal Counsel. She asked the Board to update their contact information on the Board roster sheet that is being passed around. She noted that the regulatory digests are on hold pending the transition. She told the Board that they should

continue to submit articles for the new administration to consider. She reviewed the 2011 meeting dates with the Board.

Ms. Arrington told the Board that this will be her last meeting with the Board and thanked them for the work that they were able to do together. She noted that she will be returning to the Division of Enforcement as a prosecuting attorney.

### **PRESENTATION OF PROPOSED STIPULATIONS BY THE DIVISION OF ENFORCEMENT OR ANY SUBMITTED AFTER PRINTING OF THE AGENDA**

Division of Enforcement staff presented the Proposed Stipulation, Final Decision and Order in the matters of 06 REB 230, Craig L. Otto; 07 REB 092, Barbara C. Doll and Ralph A. Doll; 07 REB 211, Debra L. Hitchcock-Gale; 07 REB 260, Ashley M. Fragnito; 08 REB 009, Todd J. Vitale; 09 REB 029 Glen E. Berhow; and 08 REB 145, Marina V. Solo, Marina Solo Real Estate Group, Inc. and Charity L. Bayer. Deliberation will be in closed session.

### **EXAMINATION, EDUCATION AND EXPERIENCE ISSUES**

There is no update availability as it relates to the renewal process.

### **DIVISION OF ENFORCEMENT**

Candi Bloedow introduced Joe Vosen to the division of enforcement as an auditor.

### **LEGISLATIVE/ADMINISTRATIVE RULES**

Angela Arrington announced that Ed Potter from the Real Estate Appraisers (REA) Board would be joining the meeting as the liaison to the Real Estate Board. He will be discussing 2009 AB 472 as it affects both Boards jointly. He provided the Board with the thoughts of the REA and noted that they had submitted a letter of opposition to this bill. He asked for a liaison that would work with him as the “go-between” of the two Boards to provide updates. The Board noted that since the bill is not moving forward, it was suggested that the REA contact the associations to make changes suggested by the associations.

Ms. Arrington noted that there is a public hearing scheduled during the February meeting for RL 24 and RL 25. She also told the Board that RL 16 & RL 18 continue to be a work in process.

### **PRACTICE ISSUES**

#### **Real Estate Forms Update**

Stephen Beers updated the Board noting that the Committee has completed the WB-11, WB-13 and WB-14 pending Department approval. It was suggested by the Committee that the optional use date would be March 1, 2011 with the mandatory date of July 1, 2011.

#### **Curriculum Council Update**

Angela Arrington noted that the meeting from today was cancelled and the goal of the committee has been accomplished. It was suggested that the Board review the process by which the courses are taken and the tests are administered.

**Timeshare Discussion**

Ms. Arrington noted that the timeshare item is a standing item and there is no update related to this item at this time.

*Ryan Schroeder left the meeting at 11:55 am.*

**CONVENE TO CLOSED SESSION**

**MOTION:** Michael Mulleady moved, seconded by Lisabeth Weirich, to convene to Closed Session to deliberate on cases following hearings (s. 19.85 (1) (a), Stats.); to consider disciplinary investigation with administrative warning (s. 19.85(1) (b), Stats. 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.). Roll Call Vote: Robert Dueholm-yes; Kenneth Lee-yes and Michael Mulleady – yes. Motion carried unanimously.

Open session recessed at 12:10 p.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Lisabeth Weirich moved, seconded by Michael Mulleady, to reconvene into Open Session at 1:29 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**ADMINISTRATIVE WARNINGS INCLUDING ANY RECEIVED AFTER MAILING OF AGENDA**

**MOTION:** Lisabeth Weirich moved, seconded by Michael Mulleady, to issue the administrative warnings in the following cases as recommended by the Division of Enforcement. Motion carried unanimously.

1. 09 REB 003 A.L.H.
2. 09 REB 003 P.R.G.
3. 09 REB 003 K.H.

**CASE CLOSINGS, CITATIONS, AND CASE STATUS REPORT OR ANY RECEIVED AFTER MAILING OF AGENDA**

**MOTION:** Lisabeth Weirich moved, seconded by Michael Mulleady, to close the following cases as recommended by the Division of Enforcement. Motion carried unanimously.

1. 06 REB 230 Prosecutorial Discretion (P5) as to T.G.

2. 07 REB 092 Prosecutorial Discretion (P3) as to B.W.M and firm
3. 07 REB 211 Insufficient Evidence as to all respondents
4. 07 REB 236 Prosecutorial Discretion (P3) as to J.R.I.
5. 09 REB 003 Insufficient evidence for B.A.M.
6. 09 REB 003 Prosecutorial Discretion (P1) for all respondents other than B.A.M.
7. 09 REB 036 Prosecutorial Discretion (P2) as to all respondents
8. 09 REB 136 Insufficient Evidence as to all respondents
9. 09 REB 015 Insufficient Evidence as to all respondents
10. 09 REB 004 Prosecutorial Discretion (P4) as to all respondents

**DELIBERATION ON PROPOSED STIPULATIONS OR  
ANY RECEIVED AFTER MAILING OF AGENDA**

**MOTION:** Robert Dueholm moved, seconded by Michael Mulleady, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matters of 06 REB 230, Craig L. Otto; 07 REB 092, Barbara C. Doll and Ralph A. Doll; 07 REB 260, Ashley M. Fragnito; 08 REB 009, Todd J. Vitale; 09 REB 029, Glen E. Berhow; 08 REB 145; Marina V. Solo and Marina Solo Real Estate Group, Inc.; 08 REB 145, Charity L. Bayer. Motion carried unanimously.

**MOTION:** Kenneth Lee moved, seconded by Michael Mulleady, to reject the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of 07 REB 211, Debra L. Hitchcock-Gale with concerns about length of suspension, the license type involved in the suspension and the nature of the discipline. Motion carried. Lisabeth Weirich abstained.

**CONSULTING WITH LEGAL COUNSEL**

The Board consulted with legal counsel throughout the meeting as the need was identified.

Stephen Beers appointed Kenneth Lee and Ryan Schroeder as the co-education liaisons for case 09 REB 029.

**DOE – Signatures for Proposed Stipulations, Orders, and Administrative Warnings**

Signatures were collected for all required documents.

Next Meeting: February 17, 2011 – 10:00 AM

**ADJOURNMENT**

**MOTION:** Robert Dueholm moved, seconded by Kenneth Lee, to adjourn the meeting at 1:34 p.m. Motion carried unanimously.