

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
November 15, 2012**

Present: Stephen Beers, Marie Hetzer, Michael Mulleady, Dennis Pierce, Randy Savaglio and Tammy Wagner.

Staff: Mojgan Hall, Executive Director; David Carlson, Communications Specialist; and other Department staff

Stephen Beers, Board Chair, called the meeting to order at 10:05 a.m. A quorum of 6 members was confirmed.

ADOPTION OF AGENDA

Amendments

- Pull pages 11-12 (2013 meeting dates)
- Add Item J 14, Discussion and Action Related to Delegating Class 1 Hearing
- Delete Item N1

MOTION: Dennis Pierce moved, seconded by Marie Hetzer to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Michael Mulleady moved, seconded by Randy Savaglio, to approve the minutes of August 16, 2012 and October 23, 2012. Motion carried unanimously.

FORM WB-24

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to approve form WB-24 as presented in the agenda packet. Motion carried unanimously.

DELEGATING AUTHORITY TO CONDUCT CLASS 1 HEARINGS

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to delegate authority to the Division of Hearing and Appeals to conduct Class 1 Hearings on behalf of the Real Estate Examining Board.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to approve the scope statement for REEB 16.

MOTION: Michael Mulleady moved, seconded by Tammy Wagner, to approve the scope statement for REEB 18.

MOTION: Randy Savaglio moved, seconded by Michael Mulleady, to designate Steve Beers as Liaison to work with DSPS staff to draft a scope statement for REEB 12 and 25.

EDUCATION MATTERS

MOTION: Tammy Wagner moved, seconded by Michael Mulleady, to require that all pre-license and continuing education providers shall submit to the Department, a completed course application at least 30 days prior to the first date a course is offered.

MOTION: Michael Mulleady moved seconded by Randy Savaglio, to adopt the curriculum committee's recommendation for proposed curriculum for Real Estate Salesperson pre-license education as included in the agenda packet for today's meeting.

CLOSED SESSION

MOTION: Marie Hetzer moved, seconded by Michael Mulleady, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing 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: Stephen Beers - yes; Marie Hetzer - yes; Michael Mulleady - yes; Dennis Pierce-yes; Randy Savaglio - yes; and Tammy Wagner - yes. Motion carried unanimously. Open session recessed at 12:17 p.m.

RECONVENE TO OPEN SESSION

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to reconvene in open session at 1:24 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

APPLICATION REVIEWS

MOTION: Tammy Wagner moved, seconded by Michael Mulleady, to deny the requests of the applicants identified in Item O, 1-5. Motion carried unanimously.

Note: M.M. and R.G. appeared in closed session to address the Board regarding their request for application review.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Tammy Wagner moved, seconded by Michael Mulleady, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the following matters:

- 1) 11 REB 053 – David R. Masterjohn and Masterjohn Realty, Inc.
- 2) 11 REB 079 – Niels S. Thogersen, Jr.
- 3) 11 REB 115 – Michael A. Masterjohn
- 4) 11 REB 115 – Michael A. Masterjohn and Masterjohn Realty, Inc.
- 5) 12 REB 022 – Judith J. Ditton
- 6) 12 REB 033 – Miriam R. Bourget
- 7) 12 REB 059 – Heinrich A. Gobel

Motion carried unanimously.

MOTION: Michael Mulleady moved, seconded by Randy Savaglio, to reject the proposed Stipulation in case 12 REB 006 -Timothy A Slack. Motion carried unanimously.

CASE CLOSINGS

MOTION: Michael Mulleady moved, seconded by Dennis Pierce, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 11 REB 079 (NV)
2. 12 REB 010 (IE)
3. 12 REB 013 (IE)

4. 12 REB 033 (IE)
Motion carried unanimously.

ADJOURNMENT

MOTION: Marie Hetzer moved, seconded by Randy Savaglio, to adjourn the meeting at 1:27 p.m. Motion carried unanimously.

DRAFT