

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
AUGUST 22, 2013**

Present: Stephen Beers; Marie Hetzer; Dennis Pierce; Randal Savaglio; Charles Szafir;
Tammy Wagner

Excused: Michael Mulleady

Staff: Dan Williams, Executive Director; Joshua Archiquette, Bureau Assistant; and
other Department Staff

Stephen Beers, Board Chair, called the meeting to order at 10:00. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

➤ **Add Item 12 REB 091(D.C.W & R.O.R.,LLC) to L.2 Case Closings in closed session**

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

APPROVAL OF MINUTES

MOTION: Tammy Wagner moved, seconded by Dennis Pierce, to approve the minutes of June 27, 2013 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to have DSPTS Staff provide the Board with pass/fail numbers from the Sales and Brokers Exams in a biannual report on the first meeting of the year and the meeting nearest the middle of the year. The report should consist of yearly and six month figures. Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to have DSPTS Staff provide the Board total number of current licensees compared to the previous 12 month period for Sales and Brokers license holders in a biannual report on the first meeting of the year and the meeting nearest the middle of the year. The report should consist of yearly and six month figures. Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to have DSPTS Staff provide the Board with a report providing a disciplinary summary provided at the first meeting of the year for the preceding year which will include a breakdown of complaints received by category and results of discipline by category. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to retain Item D. AD HOC Committee on Education Recommendations Related to Salespersons and Broker Licensure and add the Real Estate Board's recommendation to the Secretary regarding Education Recommendations Related to Salespersons and Broker Licensure for the next Board meeting. Motion carried unanimously.

MOTION: Tammy Wagner moved, seconded by Randy Savaglio, to have the record reflect that Legal Counsel will work with the Executive Director to provide the Board with all relevant documents related to the AD HOC committee's recommendation and to provide an opinion as to whether rule writing will be required to implement any of the recommendations, or whether changes will be required as a result of the passage of AB240 and SB208. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

MOTION: Tammy Wagner moved, seconded by Charles Szafir, to have the Executive Director add discussion of changes to REEB 12 and 25 to the Real Estate Curriculum Council's next meeting agenda. Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to approve the text with suggested changes to the hearing draft for REEB 16 regarding Forms and Legal Advice, publish notice of a public hearing and designate the Board Chair as the Board's representative to authorize submission to Clearinghouse. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Tammy Wagner, to approve the text with suggested changes to the hearing draft for REEB 18 regarding Trust Accounts, publish notice of a public hearing and designate the Board Chair as the Board's representative to authorize submission to Clearinghouse. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Charles Szafir, to designate Tammy Wagner as the Board's liaison to work with the Board's Rules Administrator to revise language in REEB 12.025 (1) to allow for exam review where permitted by the exam vendor. Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Charles Szafir, to designate Tammy Wagner as the Board's liaison to work with the Office of Education and Exam to explore obtaining reports from the exam vendor. Motion carried unanimously.

PRACTICE MATTERS

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to request the WRA to submit to the Executive Director recommendations to Business Entities Form 815 before the next Board meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to convene to closed session to deliberate on cases following hearing § 19.85 (1) (a), Stats.; consider closing disciplinary investigations with administrative warning § 19.85 (1)(b), Stats., and 440.205, Stats., to consider individual histories or disciplinary data § 19.85(1) (f), Stats.,; and, to confer with legal counsel § 19.85 (1) (g), Stats.). Randy Savaglio read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Randal Savaglio – yes; Stephan Beers – yes; Marie Hetzer – yes; Dennis Pierce – yes; Charles Szafir – yes; and Tammy Wagner – yes. Motion carried unanimously.

The Board convened into Closed Session at 1:24 p.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 1:58 p.m.

MOTION: Randy Savaglio moved, seconded by Charles Szafir, to table Items P. and Q. in today's agenda until the next meeting and that the training be held at 9:00 a.m. Motion carried unanimously.

MONITORING

MOTION: Tammy Wagner moved, seconded by Randy Savaglio, to grant the request of Bobby Anthony for removal of limitations and request for full licensure. Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Dennis Pierce, to grant the request of Lori R. Love for removal of limitations and request for full licensure. Motion carried unanimously.

DELIBERATION ON PROPOSED STIPULATION, FINAL DECISIONS AND ORDERS

MOTION: Marie Hetzer moved, seconded by Dennis Pierce, to adopt the Finding of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Leo C. Fronk, Respondent - DLSC Case # 12 REB 031 and Bluegreen Vacations Unlimited, Inc., Respondent – DLSC case # 12 REB 056. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Dennis Pierce, to adopt the Finding of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Tara L. McDonald, Respondent – DLSC case # 12 REB 056. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Dennis Pierce, to adopt the Finding of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Dean J. Dvorak, Respondent – DLSC case # 12 REB 125. Motion carried unanimously.

CASE CLOSINGS

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 026 (J.L.H.) for Prosecutorial Discretion with a flag (P5). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 031 (M.G.M.) for Prosecutorial Discretion (P1). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 072 (L.E.A.N. & A.R.C.) for Prosecutorial Discretion with a flag (P5). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 111 (E.R.) for No Violation (NV). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 111 (R.S.P) for Administrative Closure (AC). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 111 (H.B.) for Prosecutorial Discretion with a flag (P5). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 127 (T.L.H.) for Prosecutorial Discretion (P1). Motion carried unanimously.

MOTION: Randy Savaglio moved, seconded by Marie Hetzer, to close case # 12 REB 091(D.C.W. & R.O.R., LLC) for Prosecutorial Discretion (P1). Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 2:04 p.m.