

**REAL ESTATE EXAMINING BOARD
MEETING MINUTES
OCTOBER 16, 2014**

PRESENT: Stephen Beers, Marie Hetzer, Brian McGrath, Michael Mulleady, Dennis Pierce, Randal Savaglio

STAFF: Brittany Lewin, Executive Director; Gretchen Mrozinski, Legal Counsel; Karen Rude-Evans, Bureau Assistant; Sharon Henes, Rules Coordinator

CALL TO ORDER

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

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES – AUGUST 21, 2014

MOTION: Michael Mulleady moved, seconded by Marie Hetzer to approve the minutes of August 21, 2014 as published. Motion carried unanimously.

LEGISLATION AND ADMINISTRATIVE RULES MATTERS

REEB 16.06(1)(b) Relating to Approved Forms

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to approve the Adoption Order for emergency rule amending REEB 16.06(1)(b). Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to approve the revision of REEB 16.06(1)(b) relating to use of forms for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

CREDENTIALING MATTERS

Forms Committee Update - WB-6, WB-16 and WB-17

MOTION: Michael Mulleady moved, seconded by Marie Hetzer, to adopt the recommended changes to form WB-6 and delegate final approval to Stephen Beers. Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to adopt the recommended changes to form WB-16 and delegate final approval to Stephen Beers. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Randal Savaglio, to adopt the recommended changes to form WB-17 and delegate final approval to Stephen Beers. Motion carried unanimously.

INFORMATIONAL ITEMS

Timeshare Industry

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to not pursue revising the Timeshare Forms until further update. Motion carried unanimously.

CONVENE TO CLOSED SESSION

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, 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 read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Stephen Beers - yes; Marie Hetzer - yes; Brian McGrath – yes; Michael Mulleady – yes; Dennis Pierce – yes; Randal Savaglio – yes. Motion carried unanimously.

The Board convened into closed session at 12:11 p.m.

PROPOSED FINAL DECISIONS AND ORDERS

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **Michael A. McKenzie and Mirror Lake Realty, Inc., DLSC case numbers 11 REB 107, 12 REB 008, 12 REB 029, 12 REB 077 and 12 REB 109.** Motion carried unanimously.

MOTION: Michael Mulleady moved, seconded by Marie Hetzer, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **Ann M. Downing, DLSC case number 12 REB 029.** Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **Gathen C. Anderson, DLSC case number 12 REB 054.** Motion carried unanimously.

MOTION: Brian McGrath moved, seconded by Marie Hetzer, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **Phil K. Lovelace, DLSC case number 12 REB 109.** Motion carried unanimously.

MOTION: Michael Mulleady moved, seconded by Randal Savaglio, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **JoAnn C. Sarow, DLSC case number 13 REB 004.** Motion carried unanimously.

MOTION: Stephen Beers moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the matter of disciplinary proceedings against **James E. Tessmer, DLSC case number 11 REB 107, 12 REB 077 and 12 REB 109.** Motion carried unanimously.

PROPOSED ADMINISTRATIVE WARNINGS

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to issue an Administrative Warning in the matter of **DLSC case number 13 REB 086 (M.T.R.)**. Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to issue an Administrative Warning in the matter of **DLSC case number 13 REB 089 (SAR.)**. Motion carried unanimously.

CASE CLOSINGS

MOTION: Randal Savaglio moved, seconded by Marie Hetzer, to close the following cases as recommended by the Division of Legal Service and Compliance:

12 REB 008:

- Against **E.B.L., for no violation (NV)**

12 REB 029:

- Against **J.J.B. for no violation (NV)**

13 REB 029:

- Against **J.R.I, K.M.M., F.W.G., Inc., F.A.R., Inc. and B.D.A for no violation (NV)**

13 REB 069:

- Against **D.A.P. and M.H.Z. for no violation (NV)**

13 REB 086:

- Against **D.R.H. and H. & H., Inc. for prosecutorial discretion (P1)**

13 REB 089:

- Against **F.C., Inc. and B.W.S. for prosecutorial discretion (P1)**

13 REB 104:

- Against **D.A.B., C.R., LLC, P.A.B.S. and P.A.S. for no violation (NV)**

13 REB 134:

- Against **J.T.A. for no violation (NV)**

13 REB 137:

- Against **G.C.A. for prosecutorial discretion (P7)**

14 REB 048:

- Against **G.C.A. for prosecutorial discretion (P7)**

11 REB 107:

- Against **E.M.J. and J.R.W. for no violation (NV)**

12 REB 109:

- Against **E.R.S. and M.D.S. for no violation (NV)**

12 REB 077:

- Against **N.S. for no violation (NV)**

Motion carried unanimously.

(Stephen Beers recused himself and left the room for deliberation, and voting in the case closure regarding D.E.C., C.J.D., M.F.P., K.R.E., Inc. and M.K.K, Respondents – DLSC case number 13 REB 068.)

MOTION: Randal Savaglio moved, seconded by Brian McGrath, to close case **13 REB 068** against **D.E.C., C.J.D., M.F.P., K.R.E., Inc. and M.K.K. for no violation (NV)**. Motion carried.

MONITORING

MOTION: Randal Savaglio moved, seconded by Brian McGrath, to grant the request of **Brittany S. Church** for full, unlimited licensure. Motion carried unanimously.

MOTION: Marie Hetzer moved, seconded by Michael Mulleady, to grant the request of **Latanya Ghee** for a full, unlimited salesperson licensure. Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Dennis Pierce, to grant the request of **Harvey Goldstein** for full, unlimited licensure. Motion carried unanimously.

MOTION: Randal Savaglio moved, seconded by Marie Hetzer, to grant the request of **Naomi Lightfoot** for full, unlimited licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Randal Savaglio moved, seconded by Marie Hetzer, to reconvene into open session. Motion carried unanimously.

The meeting reconvened into open session at 12:34 p.m.

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

MOTION: Randal Savaglio moved, seconded by Michael Mulleady, to affirm all votes made in closed session. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 12:35 p.m.