

**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.

2016 ELECTION RESULTS	
Board Chair	Michael Mulleady
Vice Chair	Randal Savaglio
Secretary	Dennis Pierce

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

2016 COMMITTEE MEMBER APPOINTMENTS	
Real Estate Rules Committee	Michael Mulleady, Randal Savaglio
Real Estate Contractual Forms Advisory Council	Richard Marino, Kitty Jedwabny (Chair)
Council on Real Estate Curriculum and Examination Chair	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 #14 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.