



**HYBRID (IN-PERSON/VIRTUAL)
REAL ESTATE EXAMINING BOARD
Room N208, 4822 Madison Yards Way, 2nd Floor, Madison
Adam Barr (608) 266-2112
October 20, 2022**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board. Be advised that board members may attend meetings designated as “Hybrid” in-person or virtually.

AGENDA

10:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of August 18, 2022 (5-8)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Berry, Jeffery K. – 7/1/2026
 - b. Kaleka, Gurmit S. – 7/1/2025
 - c. Lacy, Cathy J – 7/1/2025
 - d. Lauer, Elizabeth A. – 7/1/2022
 - e. Mays, Sonya G. – 7/1/2024
 - f. Pierce, Dennis M. – 7/1/2013
 - g. Richie, Thomas J. – 7/1/2026
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rules Matters – Discussion and Consideration (9)**
 - 1) Pending or Possible Rulemaking Projects (10)
- H. Broker Supervision of Real Estate Salespersons – Discussion and Consideration**
- I. Newsletter Matters – Discussion and Consideration**
- J. Report and Possible Action from the Real Estate Contractual Forms Advisory Council – Discussion and Consideration

K. COVID-19 – Discussion and Consideration

L. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

M. **Public Comments**

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.).

N. **Deliberation on Department of Legal Services and Compliance (DLSC) Matters**

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 19 REB 043, 21 REB 124 – Jeremy C. Arrington, WIHBN Realty LLC (**11-18**)
 - b. 20 REB 001 – Maipanhia Moua (**19-26**)
 - c. 21 REB 001 – Nicole W. Overland (Strobel) (**27-34**)
 - d. 21 REB 052 – Lisa K. Morris-Schilling (**35-40**)
 - e. 21 REB 082 – Matthew E. Whiteside (**41-48**)
 - f. 21 REB 100 – Carl W. Korndoerfer, Korndoerfer Homes, Inc (**49-54**)
- 2) **Administrative Warnings**
 - a. 20 REB 127 – D.H.C. (**55-57**)
- 3) **Case Closings**

- a. 20 REB 083 – N.W., W.K., G.G., J.G.R. **(58-64)**
- b. 21 REB 102 – K.D., B.P., C.W.R.E.H. **(65-70)**
- c. 21 REB 124 – K.R. **(71-78)**
- 4) Monitoring Matters (79-80)**
 - a. Jordan Luther, Real Estate Salesperson – Requesting Termination of Work Reports and/or Termination of Treatment and Treatment Reports **(81-95)**
 - b. Karen Reed, Real Estate Salesperson – Requesting Full Licensure **(96-174)**

O. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

P. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Q. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

R. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: DECEMBER 8, 2022

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board’s agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner

for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
REAL ESTATE EXAMINING BOARD
MEETING MINUTES
AUGUST 18, 2022**

PRESENT: Jeffery Berry, Gurmit Kaleka, Cathy Lacy, Elizabeth Lauer, Sonya Mays, Dennis Pierce, Thomas Richie

STAFF: Brad Wojciechowski, Acting Executive Director; Jameson Whitney, Legal Counsel; Dana Denny, Administrative Rule Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.; and Other Department Staff

CALL TO ORDER

Thomas Richie, Chairperson, called the meeting to order at 10:02 a.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Dennis Pierce moved, seconded by Cathy Lacy, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 16, 2022

MOTION: Elizabeth Lauer moved, seconded by Thomas Richie, to approve the Minutes of June 16, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE RULES MATTERS

Pending and Possible Rulemaking Projects

Rules Project Request Regarding License Renewal and Continuing Education

MOTION: Cathy Lacy moved, seconded by Dennis Pierce, to approve the Scope Statement revising REEB 12 and 25, relating to license renewal and continuing education, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

**REPORT AND POSSIBLE ACTION FROM THE
COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS**

2023-2024 Real Estate Continuing Education (CE) Curriculum

MOTION: Thomas Richie moved, seconded by Cathy Lacy, to approve the recommendation of the Council on Real Estate Curriculum and Examinations for the 2023-2024 biennium. Motion carried unanimously.

CLOSED SESSION

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, 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.). Thomas Richie, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Jeffery Berry-yes; Gurmit Kaleka-yes; Cathy Lacy-yes; Elizabeth Lauer-yes; Sonya Mays-yes; Dennis Pierce-yes; and Thomas Richie-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:08 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Stipulations, Final Decisions and Orders

MOTION: Thomas Richie moved, seconded by Dennis Pierce, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 19 REB 091 & 19 REB 133 – Ronald T. Welnetz and Absolute Realtors, Inc.
2. 20 REB 009 – David J. Klevgard
3. 20 REB 009 – Paul E. Handle and Handle Real Estate
4. 21 REB 042 – Ronald T. Welnetz
5. 21 REB 089 – Dawn M. Miller
6. 21 REB 109 – Brent C. Rossman

Motion carried unanimously.

20 REB 001 – Maipanhia Moua

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Maipanhia Moua, DLSC Case Number 20 REB 001 and refer back to DLSC. Motion carried unanimously.

21 REB 100 – Carl W. Korndoerfer and Korndoerfer Homes, Inc.

MOTION: Thomas Richie moved, seconded by Cathy Lacy, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Carl W. Korndoerfer and Korndoerfer Homes, Inc., DLSC Case Number 21 REB 100 and refer back to DLSC. Motion carried unanimously.

Administrative Warnings

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to issue an Administrative Warning the following DLSC Cases:

1. 20 REB 001 – R.F.F.
2. 20 REB 051 – J.G.

Motion carried unanimously.

Case Closings

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to close the following DLSC Cases for the reasons outlined below:

1. 20 REB 001 – W.S.P. – Prosecutorial Discretion (P2)
2. 20 REB 051 – C. – No Violation

Motion carried unanimously.

Monitoring Matters

Anne Yust, Real Estate Salesperson – Requesting Full Licensure

MOTION: Thomas Richie moved, seconded by Elizabeth Lauer, to grant the request of Anne Yust, Real Estate Salesperson, for full licensure. Motion carried unanimously.

Jonalle Ferraro, Real Estate Broker – Requesting Full Licensure

MOTION: Thomas Richie moved, seconded by Elizabeth Lauer, to grant the request of Jonalle Ferraro, Real Estate Broker, for full licensure. Motion carried unanimously.

DELIBERATION ON MATTERS RELATING TO COSTS/ORDERS FIXING COSTS

Raymond H. Chou and Target Solutions, LLC, Respondents – DHA Case Number SPS-21-0045/DLSC Case Numbers 17 REB 095, 17 REB 109, 18 REB 046

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Raymond H. Chou and Target Solutions, LLC, Respondent – DHA Case Number SPS-21-0045/DLSC Case Numbers 17 REB 095, 17 REB 109, 18 REB 046. Motion carried unanimously.

(Thomas Richie recused himself and left the room for deliberation and voting in the matter concerning Raymond H. Chou and Target Solutions, LLC, Respondent – DHA Case Number SPS-21-0045/DLSC Case Numbers 17 REB 095, 17 REB 109, 18 REB 046.)

RECONVENE TO OPEN SESSION

MOTION: Cathy Lacy moved, seconded by Jeffery Berry, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 12:17 p.m.

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

MOTION: Cathy Lacy moved, seconded by Elizabeth Lauer, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Cathy Lacy moved, seconded by Jeffery Berry, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:19 p.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Dana Denny Administrative Rules Coordinator		2) Date when request submitted: 10/10/22 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Real Estate Examining Board			
4) Meeting Date: 10/20/22	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Pending or Possible Rulemaking Projects	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Possible and pending Rulemaking Projects Attachments: <ul style="list-style-type: none"> • Rule Project Chart Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx			
11) Authorization			
Dana Denny		10/10/22	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**Real Estate Examining Board
Calendar Year Rule Projects**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Next Steps
	078-22	03/19/2025	REEB 12 and 25	License Renewal and Continuing Education	Rule Drafting
21-018	097-20	01/27/2023	REEB 12	Predetermination and Broker Requirements	Germane Modification – Peer Review