

RICK SNYDER GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS SHELLY EDGERTON LANSING

DIRECTOR

# MICHIGAN BOARD OF REAL ESTATE BROKERS AND SALESPERSONS

# **NOVEMBER 13, 2017 MEETING**

# **APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Real Estate Brokers and Salespersons met on November 13, 2017, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

# CALL TO ORDER

Matthew Davis, Chairperson, called the meeting to order at 10:00 a.m.

# **ROLL CALL**

Members Present: Ma	latthew Davis, Chairperson, Real Estate Associate Broker
Ro	obert Craig, Vice Chair, Public Member
Al	llan Daniels, Real Estate Associate Broker
Pa	atrick Dean, Public Member
Ka	aren Greenwood, Real Estate Salesperson
Sa	ara Storch-Lipnitz, Real Estate Associate Broker (Arrived at 10:20 a.m.)
Ro	onald Zupko, Real Estate Associate Broker

- Members Absent: James Lance, Public Member Samuel Sterk, Real Estate Salesperson
- Staff: Virginia Abdo, Manager, Compliance Section Laury Brown, Analyst, Compliance Section Kimmy Catlin, Board Support, Boards and Committees Section Andria Ditschman, Analyst, Boards and Committees Section

# APPROVAL OF AGENDA

MOTION by Daniels, seconded by Dean, to approve the agenda with the removal of item 5.A.2, Connie Louise Hertzberg.

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A voice vote was held.

MOTION PREVAILED

## APPROVAL OF MINUTES

MOTION by Zupko, seconded by Daniels, to approve the minutes from August 14, 2017 as presented.

A voice vote was taken.

MOTION PREVAILED

#### **REGULATORY CONSIDERATIONS**

#### Hearing Reports

MOTION by Craig, seconded by Daniels, to receive the hearing reports.

A voice vote followed.

MOTION PREVAILED

#### **Rosemary Heinonen**

MOTION by Zupko, seconded by Greenwood, to suspend the Respondent's license. Respondent is fined \$1,000.00 and ordered to pay restitution in the amount of \$6,000.00. Suspension of Respondent's license will continue until both the fine and restitution are paid in full.

Discussion was held.

A roll call vote followed: Yeas: Daniels, Dean, Greenwood, Zupko, Craig, Davis Nays: None

MOTION PREVAILED

#### Damian L. Jackson

MOTION by Daniels, seconded by Greenwood, to fine Respondent \$5,000.00 which is to be paid within 60 days. Respondent's license is suspended for a minimum of three years or until the fine and restitution are paid in full, whichever is later.

Discussion was held.

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A roll call vote followed: Yeas: Daniels, Dean, Greenwood, Zupko, Craig, Davis Nays: None

MOTION PREVAILED

#### Joseph Michael Micallef, Jr.

MOTION by Craig, seconded by Daniels, to revoke Respondent's license and fine Respondent \$5,000.00, which is to be paid within 60 days.

Discussion was held.

A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Craig, Davis Nays: None
	Recuse: Zupko

MOTION PREVAILED

#### Aisha Moon

MOTION by Greenwood, seconded by Craig, to dissolve the Order of Summary Suspension and revoke the Respondent's license. Respondent is fined \$5,000.00. The fine is to be paid within 60 days.

Discussion was held.

A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz,
	Craig, Davis
	Nays: None
	Recuse: Zupko

#### MOTION PREVAILED

#### Michelle M. Rubino

MOTION by Craig, seconded by Daniels, to revoke the Respondent's license. Respondent is fined \$5,000.00 which is to be paid within 60 days. Respondent must fully pay the court-ordered restitution.

Discussion was held.

A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz,
	Zupko, Craig, Davis
	Nays: None

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## MOTION PREVAILED

# **Brian Noel Walsh**

MOTION by Daniels, seconded by Greenwood, to fine Respondent \$1500.00, to be paid within 60 days.

Discussion was held.

A roll call vote followed: Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz, Zupko, Craig, Davis Nays: None

#### MOTION PREVAILED

# **Consent Order and Stipulations**

## Caldwell Realty Group, LLC and Brian Caldwell

MOTION by Daniels, seconded by Dean, to accept the Consent Order and Stipulation as presented.

A roll call vote followed: Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz, Zupko, Craig Nays: None Recuse: Davis

#### MOTION PREVAILED

#### Country Ridge Realty, Inc. and Barbara Ruth Walkowicz

MOTION by Dean, seconded by Zupko, to accept the Consent Order and Stipulation as presented.

A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz,
	Zupko, Craig
	Nays: None
	Recuse: Davis

#### MOTION PREVAILED

#### Shore to Shore, LLC and John O. Lagalski

MOTION by Greenwood, seconded by Daniels, to accept the Consent Order and Stipulation as presented.

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A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz, Zupko, Craig
	Nays: None
	Recuse: Davis

# MOTION PREVAILED

## **Terryl D. Lewis**

MOTION by Daniels, seconded by Dean, to accept the Consent Order and Stipulation as presented.

A roll call vote followed:

Yeas: Daniels, Dean, Storch-Lipnitz, Zupko Craig, Davis Nays: None Recuse: Greenwood

## MOTION PREVAILED

## Jeffrey D. Glover

MOTION by Dean, seconded by Daniels, to accept the Consent Order and Stipulation as presented.

A roll call vote followed: Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz, Craig, Davis Nays: None Recuse: Zupko

#### MOTION PREVAILED

# OLD BUSINESS

# Lee Paris Scott – Reinstatement – Tabled at the August 14, 2017 meeting

MOTION by Daniels, seconded by Dean, to leave the matter tabled until the next regularly scheduled meeting.

A roll call vote followed:	Yeas: Daniels, Dean, Greenwood, Storch-Lipnitz,
	Davis
	Nays: Zupko, Craig

MOTION PREVAILED

**NEW BUSINESS** 

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## 2018 Public Notice

Discussion was held.

#### **Rules Discussion**

Ditschman informed the Board of the proposed language changes to the rules as recommended by the Rules Committee.

MOTION by Daniels, seconded by Craig, to accept the Rules Committee's recommendation of proposed changes to the rules as presented, with the addition of the word "real" before estate in R.339.22624(1).

Discussion was held.

A voice vote was held.

MOTION PREVAILED

#### Chair Report

None

#### **Board Member Comments/Requests**

Davis welcomed Storch-Lipnitz to the board and introduced her to other members and staff.

#### Department Update

Ditschman announced Kim Gaedeke has been named Acting Deputy Director for the Department of Licensing and Regulatory Affairs and Cheryl Pezon has been named Acting Director of the Bureau of Professional Licensing.

#### PUBLIC COMMENT

None

#### ANNOUNCEMENTS

The next regularly scheduled meeting will be held February 12, 2018 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

#### ADJOURNMENT

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MOTION by Zupko, seconded by Craig, to adjourn the meeting at 11:02 a.m.

A voice vote followed.

## MOTION PREVAILED

Minutes approved by the Board on February 12, 2018.

Prepared by: Kimmy Catlin, Board Support Bureau of Professional Licensing Date: November 15, 2017