

RICK SNYDER GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS SHELLY EDGERTON LANSING

DIRECTOR

MICHIGAN BOARD OF REAL ESTATE BROKERS AND SALESPERSONS

FEBRUARY 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 February 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 10:01 a.m.

ROLL CALL

Members Present: Matthew Davis, Chairperson, Real Estate Associate Broker

Robert Craig, Vice Chairperson, Public Member

Samuel Sterk, Real Estate Salesperson Allan Daniels, Real Estate Associate Broker

Patrick Dean, Public Member

Karen Greenwood , Real Estate Salesperson Ronald Zupko, Real Estate Associate Broker

James Lance, Public Member

Members Absent: Lola Audu, Real Estate Associate Broker

Staff: Brian Hoot, Board Support, Boards and Committees Section

Kerry Przybylo, Analyst, Boards and Committees Section

Wendy Helmic, Analyst, Compliance Section

Michele Wagner-Gutkowski, Assistant Attorney General

APPROVAL OF AGENDA

MOTION by Dean, seconded by Daniels, to approve the Agenda with corrections. Agenda items 5(B)(2), Sameer Beydoun, and 5(B)(7), Sunbeam Property Management and Consulting Firm, LLC, will be removed. Under "New Business", item F will be added for "Rules Discussion".

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A voice vote was held.

MOTION PREVAILED

APPROVAL OF MINUTES

MOTION by Craig, seconded by Zupko, to approve the minutes from December 5, 2016 as presented.

A voice vote was taken.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Petitions

Mary McCubbin – Petition for Licensure

MOTION by Daniels, seconded by Craig, to uphold the departments Notice of Intent to Deny licensure.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Davis, Greenwood,

Lance, Sterk, Zupko

Nays: None

MOTION PREVAILED

Consent Order and Stipulations

MOTION by Daniels, seconded by Dean, to have Craig preside over agenda items 5(B)(3), 5(B)(4), and 5(B)(6), and have Davis recused for those same items.

A voice vote followed.

MOTION PREVAILED

Tina Rynette McNeal-O'Brien and McNeal-O'Brien Team, LLC

MOTION by Daniels, seconded by Sterk, to accept the Consent Order and Stipulation.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Greenwood,

Lance, Sterk, Zupko

Nays: None Recused: Davis Michigan Board of Real Estate Brokers and Salespersons Meeting Minutes February 13, 2017 Page 3 of 6

MOTION PREVAILED

Metro Property Management, LLC and National Property Solutions, LLC

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

Discussion was held.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Greenwood,

Lance, Sterk, Zupko

Nays: None Recused: Davis

MOTION PREVAILED

Geraldine Schinzel

MOTION by Dean, seconded by Sterk, to accept the Consent Order and Stipulation.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Greenwood,

Lance, Sterk, Zupko

Nays: None Recused: Davis

MOTION PREVAILED

Scott Adlhoch

MOTION by Sterk, seconded by Zupko, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Davis, Lance

Sterk, Zupko

Nays: None

Recused: Greenwood

MOTION PREVAILED

Tiara Reese

MOTION by Craig, seconded by Daniels, to accept the Consent Order and Stipulation.

Discussion was held.

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A roll call vote followed. Yeas: Craig, Daniels, Dean, Davis, Lance

Sterk, Zupko

Nays: None

Recused: Greenwood

MOTION PREVAILED

Mary McCubbin

MOTION by Craig, seconded by Daniels, to reconsider the petition for Mary McCubbin.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Davis, Lance

Greenwood, Sterk, Zupko

Nays: None

MOTION PREVAILED

MOTION by Daniels, seconded by Sterk, that after careful consideration of the oral presentation by the Petitioner, the Board upheld the Notice of Intent to Deny Licensure.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Lance, Sterk,

Greenwood, Zupko

Nays: Davis

MOTION PREVAILED

Hearing Reports

George Gary Dombrosis

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

A voice vote followed.

MOTION PREVAILED

MOTION by Dean, seconded by Craig, to dissolve the summary suspension, revoke Respondent's license, and fine Respondent \$2,500.00 payable within 60 days.

Discussion was held.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Davis, Lance

Greenwood, Sterk, Zupko

Nays: None

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MOTION PREVAILED

OLD BUSINESS

None

NEW BUSINESS

Elections

Przybylo ran the election for Chairperson.

MOTION by Craig, seconded by Daniels, to re-elect Davis as Chairperson.

A roll call vote followed. Yeas: Craig, Daniels, Dean, Lance, Zupko

Greenwood, Sterk

Nays: None Abstain: Davis

MOTION PREVAILED

Davis ran the election for Vice Chairperson.

MOTION by Dean, seconded by Daniels, to re-elect Craig as Vice Chairperson.

A roll call vote followed. Yeas: Daniels, Dean, Davis, Lance, Greenwood,

Sterk, Zupko

Nays: None Abstain: Craig

MOTION PREVAILED

Committee Assignments

Davis reappointed Greenwood, Daniels, Audu, and himself to the Rules Committee.

Chair Report

None

Board Member Comments/Requests

Craig inquired how an inappropriate email was sent to Board members and how the sender was able to obtain Board members email addresses. He was advised that the Department did not release the contact information for the Board members.

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Department Update

Przybylo updated the Board on some staff changes within the department. Cheryl Pezon has been promoted from the Manager of the Boards and Committees Section to Deputy Director of Bureau of Professional Licensing. Joe Campbell has been appointed Director of Legal Affairs/Enforcement Division, replacing Ann Ward-Fuchs who retired. Andrew Brisbo, Director of Licensing Division, is lending his talents to MMMP.

Rules Discussion

Przybylo stated Senate Bill (SB) 26 passed and has become 2016 Public Act 502. The rules need to be opened to address the changes required by statute.

MOTION by Lance, seconded by Sterk, to open the rules.

A voice vote followed.

MOTION PREVAILED

PUBLIC COMMENT

Mark Papazian, attorney, attempted to make statements regarding an active case before the Board. He was informed by Wagner-Gutkowski that it was not the appropriate forum to make comment on a pending matter.

Kathie Feldpausch, Senior Vice President and Chief Financial Officer of Michigan Realtors, requested an update from licensing on the audit that is taking place for licensees. Feldpausch also stated that CE Marketplace is not setup for addressing continuing education (CE) deficiencies.

ANNOUNCEMENTS

The next regularly scheduled meeting will be held May 8, 2017 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

Date: February 13, 2017

ADJOURNMENT

MOTION by Craig, seconded by Sterk, to adjourn the meeting at 10:42 a.m.

A voice vote followed.

MOTION PREVAILED

Minutes approved by the Board on May 8, 2017.

Prepared by: Brian Hoot, Board Support

Bureau of Professional Licensing