



North Dakota Real Estate Commission Meeting Minutes – FINAL
8:30 a.m., Wednesday, May 9, 2018
Lewis & Clark Room, State Capitol, Bismarck
For more information, call 701.328.9749
ndrealestatecom@midconetwork.com www.realestatend.org

Present: Diane Louser, chair; Roger Cymbaluk, vice chair; members: Scott Breidenbach, Sandra Meyer, Jerry Schlosser; Constance Hofland, special assistant attorney general; staff: Jeanne Prom, executive director; Kristi Hass, administrative assistant. Members of the public also present.

- I. Call meeting to order. Chair Ms. Diane Louser called the meeting to order at 8:35 a.m.
- II. Roll call and determination of quorum. Executive Director Ms. Jeanne Prom called the roll, with a quorum of all members present. Chair Louser welcomed the public.
- III. New business

By consensus the commission adjusted the order of new business agenda items, due to technical difficulties in connecting with license applicants on the phone.

C. Update on complaints. Special Assistant Attorney General Ms. Constance Hofland reviewed the first two of four memos and her recommendations for current complaints.

1. Case 2018-01 NDREC v. Lingenfelter. Mr. Jerry Schlosser moved to accept the recommendation by Ms. Hofland and to set Case 2018-01 NDREC v. Lingenfelter for hearing. Ms. Sandra Meyer seconded. Motion carried.
2. Case 2018-02 NDREC v. Husky. Mr. Roger Cymbaluk moved to accept the recommendation by Ms. Hofland and to set Case 2018-02 NDREC v. Husky for hearing. Mr. Schlosser seconded. Motion carried.

Chair Louser adjusted the new business items to back to the original agenda order.
The commission connected to one applicant by phone.

A. Appeal of denied application – Tiara Shareef. See attachment.

The commission continued with III.C. Updates on complaints.

C. Update on complaints, continued.

Special Assistant Attorney General Ms. Hofland reviewed the final two of four memos and her recommendations for current complaints.

1. Case 2018-05 Jordahl v. Erickson & Anhorn. Mr. Schlosser moved to accept the recommendation by Ms. Hofland and to dismiss Case 2018-05 Jordahl v. Erickson & Anhorn. Mr. Cymbaluk seconded. Motion carried.
2. Case 2018-10 NDREC v. Bowers. Mr. Cymbaluk moved to accept the recommendation by Ms. Hofland and to dismiss Case 2018-10 NDREC v. Bowers. Mr. Scott Breidenbach seconded. Motion carried.

Capitol staff connected the room's phone system and Chair Louser adjusted the order of the new business items back to the original agenda order.

B. Review of license application. See attachment for actions on each applicant. Mr. Breidenbach suggested the commission discuss at a future meeting how some license application questions could be reworded so applicants respond more accurately. Mr. Breidenbach suggested that on future application reviews, staff provide additional information, if available, that might further explain some items not thoroughly explained in the standard background check report.

D. Update from management.

1. 2017 continuing education audit showed all audited licensees in compliance, an improvement over past years.
 2. Trust fund waivers since the March 20, 2018 meeting were reviewed.
 3. Ms. Prom reported that the agency can accept credit card payments for any fees from a credit card payment vendor, using the Bank of North Dakota. The commission reviewed credit card charges from 2017 renewals and discussed this efficiency for applicants and staff. The commission directed Ms. Prom to provide a list of current fees, authority for fees, and the percentage of total licensees using a credit card to renew in 2017.
 4. The commission discussed the ARELLO mid-year meeting reports from Mr. Breidenbach, Mr. Cymbaluk and Ms. Prom. Mr. Cymbaluk nominated former Commissioner Mr. Jerry Youngberg and former Executive Director Ms. Pat Jergenson for emeritus status, pending approval at the 2018 annual meeting.
 5. The commission reviewed the 2018 priorities and clarified that the priorities on the timely processing of complaints and filing appeals indicate the desire to continue the current timely handling of both complaints and appeals.
- A. Review of minutes from March 20, 2018 meeting. Mr. Schlosser moved to approve minutes from the March 20, 2018 meeting as presented. Mr. Breidenbach seconded. Motion carried.
- B. Financial reports – February and March 2018. Mr. Cymbaluk moved to approve financial reports from February and March 2018 as presented. Mr. Scott Breidenbach seconded. Motion carried.
- C. Other business.
1. Mr. Cymbaluk moved to approve using Information Technology Department for full-service computer network support, including moving current email accounts to the state exchange, replacing and supporting computers and software, and onboarding full desktop support services. Ms. Meyer seconded. Motion carried.
 2. After a discussion on technology and efficiency, Chair Louser directed Ms. Meyer and Ms. Breidenbach to work with staff on these issues.
- IV. Old business. None discussed.
- V. Next meeting. The commission set the next meeting for 8:30 a.m., Wednesday, June 20 in Bismarck. The commission will review the fiscal year 2019 budget. The commission, spouses and guests will meet for dinner the prior evening to celebrate the retirements of Mr. Schlosser and Ms. Jergenson from the commission and staff, respectively.
- VI. Adjourn. Mr. Cymbaluk moved to adjourn. Ms. Meyer seconded. Chair Louser adjourned the meeting at 11:18 a.m.

attachments



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NAME	APPLYING FOR:	ACTION BY COMMISSION:
Tiara Shareef – present by phone	Appeal of denied application for reciprocal broker license -- GA	Mr. Cymbaluk moved that the motion from the December 12, 2017 meeting stand, denying the application for a reciprocal broker license for Ms. Tiara Shareef. Ms. Meyer seconded. Motion carried.
Alina Chanthamontry – present by phone	salesperson license	Mr. Cymbaluk moved to allow Ms. Alina Chanthamontry take the salesperson exam after Ms. Chanthamontry provides documentation to staff that she is current on one account. Mr. Schlosser seconded. Motion carried.
Frank Charboneau -- present in person	salesperson license	Mr. Schlosser moved to approve Mr. Frank Charboneau's application to take the salesperson exam. Ms. Meyer seconded. Motion carried.
Justin Hewitt – present by phone	Reciprocal salesperson license - MN	Mr. Breidenbach moved to table a decision on Mr. Justin Hewitt's application for a reciprocal salesperson license until successful completion of probation in September 2018. Mr. Breidenbach amended his motion to move to allow Mr. Justin Hewitt to be issued a reciprocal salesperson license upon successful completion of his probation in September 2018 with documentation that items on his credit report were discharged with the bankruptcy. Ms. Meyer seconded the amended motion. Motion carried.
Denise Luttio – not present	salesperson license	Mr. Cymbaluk moved to table Ms. Denise Luttio's application for a salesperson license until Ms. Luttio can provide documentation that she is not on probation. Ms. Meyer seconded. Motion carried.
Antione McGraw – present by phone	salesperson license	Mr. Cymbaluk moved to allow Mr. Antione McGraw to take the salesperson exam after Mr. McGraw provides documentation to staff that he is current on past-due balance on credit report. Mr. Schlosser seconded. Motion carried.
Jared Misialek – present by phone	salesperson license	Mr. Cymbaluk moved to allow Mr. Jared Misialek to take the salesperson exam after Mr. Misialek provides documentation to staff that the item on his credit report is paid in full. Mr. Schlosser seconded. Motion carried.
Luke Mostue – present by phone	reciprocal salesperson license -- MN	Mr. Breidenbach moved to table Mr. Luke Mostue's application for a reciprocal salesperson license until Mr. Mostue provides documentation to staff that he is current on all payments within one year. Mr. Schlosser seconded. Motion carried.

NAME	APPLYING FOR:	ACTION BY COMMISSION:
Josh Still – not present	salesperson license	Mr. Cymbaluk moved to table Mr. Josh Still's application for a salesperson license until Mr. Still can be present at a meeting to explain background and credit issues. Mr. Breidenbach seconded. Motion carried.
Stephanie Still – not present	salesperson license	Mr. Cymbaluk moved to table Ms. Stephanie Still's application for a salesperson license until Ms. Still can be present at a meeting to explain credit issues. Mr. Breidenbach seconded. Motion carried.
Ryan Turnage – present in person	salesperson license	Mr. Cymbaluk moved to allow Mr. Ryan Turnage to take the salesperson exam. Ms. Meyer seconded. Motion carried.