



North Dakota Real Estate Commission Meeting Minutes -- FINAL
8:30 a.m., Thursday, October 30, 2025 – virtual only
1120 College Dr Ste 204, Bismarck, ND www.realestatend.org

Present: Sandra Meyer, chair; Steven Bitz, vice chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach; staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor; and Cieana Schneider, licensing specialist; David Phillips, legal counsel. Members of the public also present.

1. Call to order, roll call and determination of quorum. Chair Ms. Sandra Meyer called the meeting to order at 8:30 a.m. Ms. Jeanne Prom, executive director, called the roll, with a quorum of all members present.

2. Review and approval of agenda. Mr. Steven Link moved to approve the agenda as presented. Mr. Steven Bitz seconded. Motion carried by unanimous voice vote.

After a recess due to technical issues, Chair Meyer reconvened the meeting at 9:26 a.m.

3. Review of resident applicants

A. Calum Kinstler – appeal of denial

After discussion with Mr. Calum Kinstler on his appeal of the denial of his resident salesperson application, Mr. Tate Cymbaluk moved the Commission deny the appeal. Mr. Scott Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously. Mr. David Phillips said there would be no further appeal to the Commission, but Mr. Cymbaluk suggested Mr. Kinstler reapply, possibly when he fulfills his probation.

B. Sara Reese

After discussion with the applicant, Mr. Cymbaluk moved to deny the request to waive the 2-year salesperson experience requirement based on substantially equivalent experience for Ms. Sara Reese. Mr. Breidenbach seconded. Discussion: The Commission can reconsider this matter in the future if Ms. Reese's current brokerage is in need of a new designated broker. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

4. Update on complaints

A. 2025-03 -- Sharyl Carter v. David Pellenwessel

The Commission discussed the review of the investigation of the complaint by Mr. David Phillips, legal counsel. Mr. Bitz moved the Commission dismiss 2025-03 – Sharyl Carter v. David Pellenwessel. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

B. 2025-05 – Patricia Schlosser v. Jeffrey Hagel

The Commission discussed the review of the investigation of the complaint by Mr. David Phillips, legal counsel. Mr. Cymbaluk moved the Commission dismiss 2025-05 – Patricia Schlosser v. Jeffrey Hagel. Mr. Link seconded. Roll call vote: ayes – Mr. Cymbaluk, Mr. Link, Mr. Bitz; nays – Mr. Breidenbach, Ms. Meyer. Motion carried 3-2.

5. Update from management

A. Administrative rules – Mr. Phillips explained draft changes to administrative rules. The Commission discussed the draft changes but took no formal action.

Mr. Bitz left the meeting at 9:40 a.m.

The Commission agreed by consensus to move the January 29, 2026 meeting to January 21, 2026, because of schedule conflicts.

B. Disciplinary actions.

The Commission discussed possibly expunging disciplinary records after a certain number of years. On approval of Chair Meyer, attorney Mr. Garrett Ludwig addressed the Commission and explained the request he made for the Commission to consider expungement on behalf of his client, Mr. Chad Wachter. The Commission discussed and agreed to act on a policy but not on the request from Mr. Ludwig at this meeting.

Mr. Link moved that the Commission adopt this policy: The Commission may expunge disciplinary actions from the licensee's file and record if: 1) the licensee petitions the Commission to request the disciplinary action/s and record be expunged; 2) the disciplinary action/s was/were taken at least 6 years ago, and North Dakota state retention policy allows the records to be purged; and 3) the Commission determines that removing the disciplinary action/s and expunging the licensee's records does not endanger the public; and 4) the Commission has not taken any disciplinary action against the licensee in the past 6 years. Mr. Breidenbach seconded. Discussion: The Commission discussed their desire to have a process based on petitions from licensees. The Commission discussed the current policy on letters of reprimand.

Mr. Link moved to amend the motion to include that this policy rescinds and replaces the 2019 policy relating only to letters of reprimand. Mr. Breidenbach seconded.

Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Ms. Meyer; nays – none; absent and not voting – Mr. Bitz. Motion carried 4-0-1.

The Commission discussed dismissed complaints, which should not be listed on a certificate of licensure issued by the Commission. Dismissed complaints may be showing up in licensee searches of other databases not operated by the Commission.

The Commission agreed by consensus that Ms. Prom should establish a process for a licensee to petition the Commission to expunge a disciplinary action from the licensee's record, and that Mr. Ludwig's client can submit a petition request to be considered at a future meeting.

- c. Audit or fiscal review option – Ms. Prom reported that the advertising has closed for the accountant/auditor position. Ms. Prom will inform the Chair when staff are ready to make an offer. After discussion of options for auditing Commission financial records, Mr. Cymbaluk moved to proceed with the current agreement to have Brady Martz complete comprehensive audits of the Commission for the years ended June 30, 2025 and June 30, 2026. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Ms. Meyer; nays – none; absent and not voting – Mr. Bitz. Motion carried 4-0-1.
- D. Trust account waivers – The Commission reviewed recent waivers granted.
- E. Trust account audits – Mr. Rob Yost, CPA/Auditor, presented a report of trust account audits, which did not require any Commission action.
- F. License numbers – The Commission reviewed license numbers but took no action.
- G. 2026 meetings – Commission decided earlier in this meeting to change the next meeting from January 29, 2026 to 8:30 a.m., Wednesday January 21, 2026.

6. Financial reports – August through September 2025. Mr. Breidenbach moved to approve the August-September 2025 financial reports as presented. Mr. Cymbaluk seconded. Motion carried by unanimous voice vote.
7. Minutes – August 21 and September 17, 2025.
Mr. Breidenbach moved to approve minutes from August 21, 2025 and September 17, 2025 meetings as presented. Mr. Link seconded. Motion carried by unanimous voice vote.
8. Other – The Commission discussed the recent Association of Real Estate License Law Officials (ARELLO) and upcoming National Association of Realtors (NAR) meetings.
Adjourn. Chair Meyer adjourned the meeting at 10:25 a.m.