



**North Dakota Real Estate Commission Meeting Minutes -- FINAL**  
**8:30 a.m., Thursday, February 12, 2026**  
**1120 College Dr Ste 204, Bismarck, ND**

[www.realestatend.org](http://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. Tate Cymbaluk moved to approve the agenda as presented. Mr. Steven Link seconded. Motion carried by unanimous voice vote.
3. Review of resident applicants
  - A. Sara Reese – appeal of denial of waiver of 2-year experience requirement

After discussion with Ms. Sara Reese and her broker, Mr. Dean Vorland, on Ms. Reese's appeal of the denial of her request for a waiver of the requirement for 2 years as a salesperson, Mr. Cymbaluk moved the Commission deny the appeal. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
  - B. Adam Lowe

After discussion with the applicant on a recent bankruptcy, Mr. Cymbaluk moved to approve Mr. Adam Lowe's nonresident broker application. The motion died for lack of a second. Ms. Meyer moved to deny Mr. Adam Lowe's application. Mr. Scott Breidenbach seconded. Discussion: North Dakota does not require a real estate license to manage property, so Mr. Lowe could operate as a property manager. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
  - C. Tanner Burg

After discussion with the applicant, Mr. Steven Bitz moved to approve Mr. Tanner Burg's resident salesperson application. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
  - D. Brianne Miller

After discussion with the applicant, Mr. Cymbaluk moved to approve Ms. Brianne Miller's resident broker application. Mr. Scott Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
4. Update on complaints
  - A. 2025-01 – Edwin Aybar Lopez v. Nicholas Nymark

After an update from Special Assistant Attorney General Mr. David Phillips, Mr. Cymbaluk moved to approve the transfer of attorney-client privileged information from 2025-01 to an attorney for Mr. Edwin Aybar Lopez, complainant, for an active civil action against Mr. Nicholas Nymark, respondent. Discussion: Mr. Phillips and others have not been able to reach Mr. Nymark and the Commission previously stayed 2025-01 until Mr. Nymark could be reached. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach,

Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

B. 2025-04 – Todd Kadrmas v. Sarah Claeys

Commissioner Scott Breidenbach recused himself from the meeting for this agenda item, citing a conflict of interest, as Mr. Breidenbach is the broker of Mr. Todd Kadrmas, complainant.

The 4 remaining Commissioners heard and discussed the review of the complaint investigation by Mr. Phillips. Mr. Cymbaluk moved to dismiss 2025-04 – Todd Kadrmas v. Jeffrey Hagel. Mr. Link seconded. Roll call vote: ayes – Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none; recused – Mr. Breidenbach. Motion carried 4-0 with 1 member recused.

C. 2025-07 – Kathleen Hanson v. DelRae Zimmerman

Mr. Breidenbach returned to the meeting. The Commissioners heard and discussed the review of the complaint investigation by Mr. Phillips. Mr. Cymbaluk moved to dismiss 2025-07 – Kathleen Hanson v. DelRae Zimmerman. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

D. Broker lien – Mr. Phillips reported and the Commission discussed broker liens. North Dakota law allows for a judgement lien but does not have a specific reference to a “broker lien” in law. North Dakota Association of Realtors Government Affairs Committee will be discussing this at their next meeting.

5. Update from management

A. Administrative rules

Mr. Phillips and Ms. Prom reviewed, and the Commission discussed the proposed changes to administrative rules. Mr. Cymbaluk moved to approve all the proposed rules changes as discussed in this and previous meetings, as documented in the memo dated February 11, 2026. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

B. Policies/procedures – request to expunge disciplinary action

Ms. Prom reviewed the Commission’s policy and her procedure on expunging disciplinary actions and presented a qualifying formal petition from licensee Mr. Chad Wachter to expunge disciplinary action 2012-32 from Mr. Wachter’s record. Mr. Bitz moved to expunge the record for Mr. Chad Wachter in 2013-32 – NDREC v. Chad Wachter. Mr. Link seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

C. CPA/Auditor – Mr. Cymbaluk moved to provide Mr. Rob Yost, CPA/Auditor, with a retirement gift not to exceed \$1,000 with Ms. Prom’s discretion. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously. Mr. Bitz moved to hire Mr. Rob Yost as an hourly contractor at a rate of \$85/hour. Mr. Cymbaluk seconded. Discussion: This amount reflects the value of Mr. Yost’s current salary and benefits. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

Education Fund expenditures – Ms. Prom reported that education-related expenditures thus far this fiscal through January 31, 2026 were \$10,053. Mr. Yost transferred \$10,000 from the Education Fund to operating funds, as previously approved by the Commission. After discussion. Mr. Bitz moved to approve the transfer of an additional \$7,500 from the Education Fund to the operating fund for

education-related expenditures. Mr. Cymbaluk seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.

The Commission discussed uses of the Education, Research and Recovery Fund and also discussion home inspectors. In North Dakota, home inspectors are not licensed under an occupational licensing board like the real estate commission.

- D. CE audit – Ms. Candie Robinson, licensing specialist, conducted the continuing education audit of 15% of active resident licensees and all were compliant.
  - E. Trust account waivers – The Commission reviewed recent waivers granted.
  - F. Trust account audits -- Mr. Rob Yost, CPA/Auditor, presented a report of trust account audits, which did not require any Commission action.
  - G. License numbers – The Commission reviewed license numbers.
  - H. Next meeting – The next meeting is set for March 26, 2026.
- 6. Financial reports – October through December 2025. Mr. Bitz moved to approve the October-December 2025 financial reports as presented. Mr. Cymbaluk seconded. Motion carried by unanimous voice vote.
  - 7. Minutes – October 30, 2025 and December 12, 2025  
Mr. Bitz moved to approve minutes from October 30, 2025 and December 12, 2025 meetings as presented. Mr. Cymbaluk seconded. Motion carried by unanimous voice vote.
  - 8. Other – The Commission discussed the recent Association of Real Estate License Law Officials (ARELLO) meeting.
- Adjourn. Chair Meyer adjourned the meeting at 11:03 a.m.