

February 29, 2012  
8:00am CT  
North Dakota Real Estate Commission  
200 E Main Ave  
Main Floor Conference Room  
Bismarck ND

Present: Jerry Schlosser/Chair, Diane Louser/Vice Chair, Kris Sheridan/Member, Roger Cymbaluk/Member, Jerry Youngberg/Member, Patricia M. Jergenson/Executive Director, Constance Hofland/ Special Assistant Attorney General

1. CALL MEEETING TO ORDER. Chair Schlosser called the meeting to order. Roll call was taken and all members were present.
2. LEGAL UPDATE: SPECIAL ASSISTANT ATTORNEY GENERAL CONSTANCE HOFLAND.
  - a. Renewal of Earl Allen's broker license. Commissioner Diane Louser recused herself from discussion and action on this issue. Special Assistant Attorney General Hofland summarized the situation to date: Mr. Allen has submitted all of the documentation required to renew his broker license for 2012 however the district court in Minot has issued an Order of Temporary Conservatorship appointing Tim Knutson as Mr. Allen's conservator. Ms. Hofland noted that the Commission has legal grounds to not renew Mr. Allen's license. Commissioner Sheridan moved, seconded by Commissioner Cymbaluk to not renew Mr. Allen's broker license for 2012. M/C Commissioner Louser abstained from voting. Ms Hofland will notify Mr. Allen's attorney and his salesperson, Bob Timm.
3. REVIEW LICENSE APPLICATIONS:
  - a. Commissioners reviewed the application of Tina M. Berge for a salesperson license. Commissioner Louser moved, seconded by Commissioner Youngberg to approve Ms Berge to sit for the salesperson real estate license examination. M/C
  - b. Commissioners reviewed the application of Maria E. Clark for a salesperson license. Ms. Clark joined the meeting via conference call to explain her situation. Executive Director Jergenson noted that the background check had not been received from BCI in time for this meeting. Commissioner Sheridan moved, seconded by Commissioner Youngberg to table Ms Clark's application until the background check is reviewed by the Commission. M/C
  - c. Commissioners reviewed the application of Allan G. Dvorak for a salesperson license. Commissioner Sheridan moved, seconded by Commissioner Youngberg to approve Mr. Dvorak to sit for the salesperson real estate license examination. M/C
  - d. Commissioners reviewed the application of Mary E. Eberhard for a salesperson license. Commissioner Youngberg moved, seconded by Commissioner Louser to approve Ms Eberhard to sit for the salesperson real estate license examination. M/C

- e. Commissioners reviewed the application of Alicia L. Fettig for a salesperson license. Commissioner Sheridan moved, seconded by Commissioner Youngberg to table Ms Fettig's application until she provides certificates of licensure from any jurisdiction where she currently holds a real estate license or has held a real estate license and an explanation regarding the items in collection on her credit report. M/C
- f. Commissioners reviewed the application of Crystal L. Neumann for a salesperson license. Commissioner Sheridan moved, seconded by Commissioner Louser to approve Ms. Neumann to sit for the salesperson real estate license examination. M/C
- g. Commissioners reviewed the application of Troy J. Radloff for a salesperson license. Commissioner Cymbaluk moved, seconded by Commissioner Louser to table Mr. Radloff's application until he provides an explanation regarding his "producer" license listed on his application, an explanation regarding issues on his credit report and a letter of recommendation from his current bank. M/C
- h. Commissioners reviewed the application of Elsa G. Thomas for a salesperson license. Commissioner Sheridan moved, seconded by Commissioner Youngberg to table Ms Thomas's application until she provides an explanation regarding the items in collection on her credit report. M/C

4. OTHER BUSINESS.

- Executive Director Jergenson noted that in her report to the North Dakota Association of REALTORS® Board of Directors meeting she had reminded those present to be sure that when they pay a commission to an out of state agent that they are actually licensed because to pay a commission to an unlicensed person is a violation of license law and how that statement had created an influx of questions to the Commission office. The following situations were discussed: out of state agents selling ND property and requiring a commission, out of state agent is saying it is okay as I am the "co-broker", and out of state agents conducting negotiations on transactions - all of which are still breaking the law. It was the consensus of the Commission to remind our licensees through a letter to the broker and an article in the newsletter of the law (what it is and what it means). Staff was asked to find out through ARELLO® if there is any education on this topic and how other jurisdictions handle it.
- Maria Clark rejoined the conference call to make a statement regarding where her life is now compared to her past.

There being no further business Chair Schlosser adjourned the meeting.

Respectfully submitted,

Patricia M. Jergenson  
Executive Director