

May 10, 2006
1:00 PM
ND Real Estate Commission Office
1st Floor Conference Room
200 E Main St
Bismarck, ND

Present: Jerry Youngberg/Chair, Jerry Schlosser/Vice Chair, Diane Louser/Member, Roger Cymbaluk/Member, Kris Sheridan/Member, David Reich/Legal Counsel, Patricia M. Jergenson/Secretary Treasurer

1. CALL MEETING TO ORDER. Chair Jerry Youngberg called the meeting to order and welcomed those present.
2. APPROVE MINUTES OF APRIL 13, 2006. Commissioner Schlosser moved, seconded by Commissioner Sheridan to accept the minutes of April 13, 2006 as written. M/C
3. CONDUCT INTERVIEWS FOR LEGAL COUNSEL. The Commission conducted personal interviews for the position of Special Assistant Attorney General for the Real Estate Commission. Three candidates were interviewed: Clark Bormann, Constance Hofland, and Tiffany Johnson. Commissioner Cymbaluk moved, seconded by Commissioner Schlosser to offer the position to Constance Hofland, and if she did not accept the offer then Clark Bormann is to be contacted. M/C the vote to hire Ms. Hofland was unanimous.
4. REVIEW APPLICATION FOR RECIPROCAL LICENSE OF DEWAYNE E. HOFER. Commissioners reviewed the application for a reciprocal broker's license from DeWayne E. Hofer. Commissioner Louser moved, seconded by Commissioner Sheridan to deny Mr. Hofer's application due to the existing federal tax liens filed against him. M/C
5. REVIEW APPLICATION FOR BROKER'S LICENSE OF BILLYE J. COENEN. Commissioners reviewed the application of Ms Coenen for a broker's license and her request to be granted a waiver of the requirement to be a full time salesperson. Commissioner Cymbaluk moved, seconded by Commissioner Louser to deny Ms Coenen's request to be exempt from the full time requirement and denied her application for a broker's license. M/C
6. REVIEW FORMAL COMPLAINTS PENDING BEFORE THE ND REAL ESTATE COMMISSION.
 - a. Case# 2006-01 Glen Valley v. Richard Olson and Paul Everson. Commissioners reviewed the formal complaint filed by Mr. Valley

- alleging that Paul Everson, as the buyer's agent, failed to properly establish proper credit for the buyer, failed to notify Mr. Valley or his agent about an NSF earnest money check, and came to the closing with no earnest money which resulted in a failed sale and financial losses to Mr. Valley. Mr. Valley included Richard Olson, the broker for Alliance Real Estate in the complaint. Mr. Reich recommended that the complaint be dismissed as it appears that there is insufficient evidence of potential violation of applicable statutes and regulations. Commissioner Sheridan moved, seconded by Commissioner Cymbaluk to dismiss the complaint. M/C
- b. Status of complaint filed against Dean Ahmann. Mr. Reich has drafted the complaint against Mr. Ahmann and recommended to the Commissioners to have our new legal counsel review it and set the hearing date once that has occurred.
 7. REVIEW LIST OF LICENSE RENEWALS WITH FINANCIAL ISSUES. Commissioners reviewed a list of 2006 licensees who reported financial issues, misdemeanors or felonies on their 2006 renewal form in the format requested at their last meeting.
 8. REQUEST FOR HEARING ON DENIED APPLICATIONS. Charlotte Erickson appeared before the Commission regarding the denial of her salesperson application. Commissioner Cymbaluk moved, seconded by Commissioner Sheridan to deny Ms Erickson the opportunity to sit for the real estate examination at the present time. M/C
 9. OTHER BUSINESS
 - a. Secretary Treasurer Jergenson recommended to the Commission that a savings account be established for the general funds at the Bank of North Dakota. Commissioner Cymbaluk moved, seconded by Commissioner Sheridan to sign a resolution to establish a savings account at the Bank of North Dakota and to move \$150,000.00 to that account. M/C
 - b. The next Commission meeting was scheduled for Wednesday, June 14, 2006 beginning at 8:30 am.
 - c. Commissioners thanked David Reich for his service to the Commission as our Special Assistant Attorney General and congratulated him on his appointment as a South Central District judge.

There being no further business Chair Youngberg adjourned the meeting.

Respectfully submitted,

Patricia M. Jergenson
Secretary Treasurer