

**NEVADA REAL ESTATE COMMISSION
DEPARTMENT OF EMPLOYMENT TRAINING REHABILITATION
2800 E. ST. LOUIS AVE.
LAS VEGAS, NV 89104**

JANUARY 29-31, 2008

MINUTES

The meeting was called to order at 1:03 p.m.

1. COMMISSION/DIVISION BUSINESS

A) Introduction of Commissioners in Attendance.

Bert Gurr, Beth Rossum, Marc Sykes, Janice Copple, Soozie Jones Walker, Christine Guerci, Chief Deputy Attorney General, serving as Commission counsel.

B) Introduction of Division Staff in Attendance.

Ann McDermott, Joanne Gierer, Susan Clark, Linda Hunt, Safia Anwari, Linda Pierson, Bruce Alitt, Christopher Eccles, Deputy Attorney General, Nancy Savage, Sr. Deputy Attorney General, Teresa Rice, Mike Wymer, Deputy Attorney General.

**2. *ADOPTION HEARING TUESDAY, JANUARY 29, 2008 @ 1:00 P.M.
Hearing to adopt proposed regulation known as LCB File No. R165-07**

The following general topics may be addressed in the proposed regulations, including, but not limited to:

- ▶ A regulation relating to real estate; defining certain types of agreements;
- ▶ Interpreting the terms "present all offers" and "exclusive agency representation" for certain purposes;
- ▶ Allowing a broker who has the exclusive authority to represent a client to authorize another licensee to negotiate directly with the client under certain circumstances;
- ▶ Prohibiting a licensee from engaging in certain advertising or other misleading conduct; and
- ▶ Provides other matters properly relating thereto.

The adoption hearing was called to order at 1:05 p.m.

Section 2

No comments.

Section 3

No comments.

Section 4

No comments.

Section 5

No comments.

Section 6

No comments

Section 7

No comments.

Section 8

No comments.

Section 9
No comments.

No general comments.

Commissioner Gurr moved to adopt the regulation. Seconded by Commissioner Copple. Motion carried.

Adoption hearing adjourned 1:15 p.m.

C) Discussion and possible action to approve minutes of July 16-19, 2007 meeting.

Commissioner Copple moved to approve the minutes as presented. Seconded by Commissioner Gurr. Motion carried.

D) Discussion and possible action to approve minutes of November 26-28, 2007 meeting.

Commissioner Copple moved to approve as presented. Seconded by Commissioner Sykes. Motion carried.

E) Discussion and possible action to approve minutes of the January 4, 2008 Education meeting.

Commissioner Copple made an addition to the minutes, stating that she participated in the meeting by teleconference. Commissioner Walker moved to approve the minutes as amended. Seconded by Commissioner Gurr.

3. *LICENSE DENIAL APPEALS

(2) (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)

A. Motion to close session to review the license denial appeal of **MIZRACHI, DIANE, FILE No. S-LDA-08-002**, and why applicant should or should not be granted a license.

Commissioner Gurr moved to close. Seconded by Commissioner Walker. Motion carried.

The Applicant was present and represented by counsel, Ron von Feldon, Esq.

Susan Clark, Licensing Manager, Christopher Eccles, Deputy Attorney General, and Michael Wymer, Deputy Attorney General, were present for the Division.

B. Discussion in closed session.

C. Discussion and possible action in open session.

Commissioner Copple moved to grant a license. Seconded by Commissioner Gurr. Motion carried with Commissioner Walker voting against.

(3) (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)

A. Motion to close session to review the license denial appeal of **SANTAMARIA, MARIO, FILE NO. S-LDA-08-004**, and why applicant should or should not be granted a license.

Applicant was present and not represented by counsel.

Susan Clark, Licensing Manager, Christopher Eccles, Deputy Attorney General, and Michael Wymer, Deputy Attorney General, were present for the Division.

Commissioner Copple moved to close seconded by Commissioner Walker. Motion carried.

B. Discussion in closed session.

C. Discussion and possible action in open session.

Commissioner Gurr moved to approve license. Seconded by Commission Walker. Motion carried.

4. *DISCIPLINARY ACTION

1. NRED v. Albert Arroyo
Case No. S06-07-47-47
License No. B.0039466.LLC

President Rossum swore in the court reporter.

Respondent was present and was not represented by counsel.

Nancy Savage, Sr. Deputy Attorney General, and Bruce Alitt, Chief Investigator, were present for the Division.

The Respondent was sworn in.

Preliminary matters:

Ms. Savage stated that the State and the Respondent had stipulated to Exhibits 1-9. Those exhibits were admitted and distributed to the Commission.

President Rossum swore in the witnesses.

Ms. Savage presented her opening statement.

Ms. Savage called Bruce Alitt, Chief Investigator, as a witness for the State.

Mr. Arroyo cross-examined the witness.

Mr. Alitt was questioned by Commissioners Gurr and Sykes.

The State closed its case.

Mr. Arroyo called Andrea Dressner as a witness and proceeded to question her.

Ms. Savage questioned Ms. Dressner on cross-examination.

Ms. Dressner was questioned by Commissioners Copple and Sykes.

Mr. Arroyo presented a statement on his own behalf.

Mr. Arroyo was questioned by Ms. Savage.

Mr. Arroyo was questioned by Commissioners Walker, Copple, and Gurr.

Ms. Savage presented her closing argument.

Mr. Arroyo presented his closing argument.

Ms. Guerci stated that in his answer, Respondent has admitted to allegations 4, 5, 8, 9, 15, 16, 19, 21, and 23.

Discussion of factual allegations:

Factual Allegation #1 - Commissioner Copple moved the State has proven. Seconded by Commissioner Gurr. Motion carried.

Factual Allegation #2 - Commissioner Copple moved the State has proven. Seconded by Commissioner Walker. Motion carried.

Factual Allegation #3 - Commissioner Gurr moved the State has proven. Seconded by Commissioner Copple. Motion carried.

Factual Allegation #6 - Commissioner Copple moved the State has proven. Seconded by Commissioner Walker. Motion carried.

Factual Allegation #7 - Commissioner Copple moved the State has proven. Seconded by Commissioner Gurr. Motion carried.

Factual Allegation #10 - Commissioner Copple moved proven. Seconded by Commissioner Gurr. Discussion ensued. Commissioner Copple withdrew the motion, and Commissioner Gurr concurred as Second. Commissioner Walker moved that the State has not proven Factual Allegation #10. Seconded by Commissioner Sykes. Motion carried.

Factual Allegation #11 - Commissioner Copple moved not proven. Commissioner Gurr seconded. Motion carried.

Factual Allegations #12, #13, #14 – Commissioner Sykes moved not proven. Seconded by President Rossum. Discussion ensued. Commissioner Sykes withdrew the motion. Commissioner Gurr moved proven. Seconded by Commissioner Copple. Motion carried.

Factual Allegation #17 – Commissioner Gurr moved not proven. Seconded by Commissioner Walker. Motion carried.

Factual Allegation #18 – Commissioner Copple moved proven. Seconded by Commissioner Gurr. Motion carried.

Factual Allegation #20 – Commissioner Copple moved proven. Seconded by Commissioner Walker. Motion carried with Commissioners Gurr and Rossum voting against.

Factual Allegation #22 – Commissioner Copple moved proven. Seconded by Commissioner Walker. Motion carried.

Factual Allegation #24 – Commissioner Gurr moved not proven. Seconded by Commissioner Sykes. Motion carried.

Factual Allegation #25 – Commissioner Copple moved not proven. Seconded by Commissioner Sykes. Motion carried.

Factual Allegation #26 – Commissioner Copple moved proven. Seconded by Commissioner Walker. Motion carried.

Claims for Relief

Claim for Relief #1 – Commissioner Copple moved proven. Seconded by Commissioner Gurr. Discussion ensued. Motion failed 2-3 with Commissioners Walker, Sykes, and Rossum voting against. Commissioner Walker moved not proven. Commissioner Sykes seconded. Motion carried 3-2 with Commissioners Gurr and Copple voting against.

Claim for Relief #2 – Commissioner Copple moved not proven. Commissioner Gurr seconded. Motion carried.

Claim for Relief #3 – Commissioner Copple moved proven. Commissioner Gurr seconded. Motion failed 2-3, with Commissioners Sykes, Rossum, and Walker voting against. Commissioner Walker moved not proven. Seconded by Commissioner Sykes. Motion carried 3-2 with Commissioners Copple and Gurr voting against.

Claim for Relief #4 – Commissioner Copple moved proven, with the second sentence removed. Commissioner Gurr second. Motion carried.

The Division recommended discipline as follows: \$2,500 fine; 12 hours of continuing education, not to count toward license renewal and must be taken via classroom; if fines not paid within six months collection action may be instituted; and continuing education must be completed within six months.

President Rossum asked if Respondent had any prior discipline. Mr. Alitt explained that there was an Administrative Sanction for Misrepresentation in 1998.

Commissioner Walker stated that the education should be in Broker Management.

Ms. Pierson stated that the hearing costs are \$2,411.15.

Commissioner Copple suggested six hours in Broker Management and six hours in Contracts.

Commissioner Gurr moved to fine Respondent costs of hearing of \$2,411.15, and \$1,588.85 in administrative fines for total of \$4,000, to be paid in six months, if fine not paid then collection proceedings may be instituted, continuing education of six hours in Broker Management and six hours in Contracts, to be completed within one year, not to count toward continuing education for license renewal, and must be taken via classroom education. If fines not paid or education not completed Respondent's license may be suspended. Seconded by Commissioner Walker. Motion carried.

Meeting recessed at 4:40 p.m.

Wednesday January 30, 2008

President Rossum called the meeting to order at 9 a.m.

Introduction of Commissioners in Attendance

Soozi Jones Walker, Bert Gurr, Beth Rossum, Marc Sykes, Janice Copple, Christine Guerri, Chief Deputy Attorney General.

Introduction of Division Staff in Attendance

Bruce Alitt, Safia Anwari, Linda Hunt, Jan Holle, Carolyn Washington, Teresa Rice, Linda Pierson, Joanne Gierer, Nancy Savage, Sr. Deputy Attorney General, Mike Wymer, Deputy Attorney General, Christopher Eccles, Deputy Attorney General.

5. NRED v. Elvis Nargi
Case No. S07-02-48-303
License No. B.0043453.CORP

The Respondent was not present or represented by counsel.

Linda Pierson was sworn in by President Rossum. Ms. Savage questioned Ms. Pierson regarding the notice of service to the Respondent. State's Exhibits 1 and 2, were offered and admitted during the questioning of this witness.

Ms. Savage requested that, based upon the proof of appropriate service of notice, the Commission find Mr. Nargi guilty by default. Ms. Guerci explained the statutes for a default hearing.

Commissioner Sykes moved that the Factual Allegations have been proven. Seconded by Commissioner Walker. Motion carried.

Ms. Savage proceeded to read the factual allegations into the record.

Commissioner Copple moved that the state has proven Claims for Relief 1-3. Seconded by Commissioner Sykes. Motion carried.

Mr. Alitt discussed previous discipline against Mr. Nargi, which includes an Administrative Sanction from the Division in 2002, and several cases before the Commission. State's Exhibits 3, 4, and 5 were offered and admitted at this time.

Mr. Alitt stated that the recommended discipline is as follows:

- Maximum fine of \$10,000 per violation for a total of \$30,000 to be paid in six months;
- License suspended for not less than 5 years;
- Must appear before the Commission before license reactivation;
- Complete continuing education of 30 hours, including:
 - Six hours of What Every Licensee Should Know;
 - 18 hours Nevada law;
 - 6 hrs contracts;
 - Plus any continuing education in effect to renew license at the end of the suspension period.

President Rossum asked for the hearing costs. Ms. Pierson stated that the costs are \$1,035.81.

Ms. Guerci pointed out that the maximum fine that can be assessed is \$5,000 per violation, which is the amount in effect during the time frame of the incident. Mr. Alitt stated that the State is asking for the maximum fine.

Discussion ensued. Ms. Guerci stated that the Commission could revoke Respondent's license, and he could reapply in one year.

Commissioner Sykes moved to accept the State's recommendation plus cost of hearing. Seconded by Commissioner Walker. Discussion ensued. Commissioner Copple stated that five years suspension is not long enough, and asked for a friendly amendment for a 15 year suspension. Commissioner Sykes accepted the friendly amendment. Commissioner Walker stated that she accepts the friendly amendment as the Second. Commissioner Walker asked if he could come back at the corporate level after the suspension. Ms. Guerci stated yes.

Vote on motion: Failed with all Commissioners voting against.

Commissioner Copple moved to accept the State's recommendation for 30 hours of education to be taken as 18 hours Law, six hours Contracts, six hours What Every Licensee Should Know, \$5,000 fine per violation for a total of \$15,000, cost of hearing in the amount of \$1,035.81, license downgrade to Salesperson with a suspension of 15 years, fine and education to be paid in six months, education to be taken via live classroom, if fine is not paid in time specified collection action may be instituted. Seconded by Commissioner Gurr. Motion carried.

6. NRED v. Victor Esquivel
Case No. S07-11-13-189
License No. B.0012441.CORP

The Respondent was present and was represented by counsel, Jennifer DiMarzio, Esq.

Christopher Eccles, Deputy Attorney General, was present for the Division.

Mr. Eccles stated that the parties had reached an oral stipulation in this matter.

President Rossum swore in Mr. Esquivel.

Mr. Eccles stated that the parties had stipulated to exhibit documents, which were distributed and admitted as States Exhibit 1.

Mr. Eccles stated that the parties are stipulating to the Factual Allegations as follows:

- One violation of NAC 645.580(1) occurred as alleged in paragraph seven of the Complaint.
- One violation of NAC 645.680(3) occurred as alleged in paragraph nine of the Complaint.

Mr. Eccles stated further that the parties have stipulated to a recommended discipline, and submit to the Commission for approval a recommendation of a \$3,000 fine, and 15 hours of continuing education, with a six month period to pay the fine and one year to complete the education, if the fine is not paid or the education not completed in the time specified, Respondent's license would be suspended and collection proceedings could be instituted for unpaid fines.

Mr. Eccles stated that the other issue is paragraph 11 of the Complaint, which alleges gross negligence based on NAC 645.605 (11)(a)(b).

Mr. Esquivel stated that he had agreed to the stipulation. Mr. Eccles stated that he will draft the order.

Ms. Guerci suggested that the Commissioners take each stipulation in order.

Commissioner Sykes moved to accept staff recommendation regarding discipline for Factual Allegations seven and nine. Seconded by Commissioner Walker.

Mr. Eccles stated the recommended fine was inclusive of hearing costs. Commissioner Cople asked to hear what the hearing costs would be. Ms. Pierson stated that the costs are \$976.00

Motion carried.

Discussion ensued regarding Factual Allegation 11, referencing gross negligence. Ms. DiMarzio spoke of the Respondent's behalf.

The Respondent was questioned by President Rossum.

Commissioner Cople moved that Factual Allegation 11 has not been proven. Seconded by Commissioner Gurr. Motion carried.

Mr. Esquivel made a closing comment.

7. NRED v. Rodrigo Herrera
Case No. S07-03-38-341
License No. S.0058788

Respondent was present and not represented by counsel.

Christopher Eccles, Deputy Attorney General, was present for the Division.

Preliminary matters:

Mr. Eccles stated that the parties had stipulated to documents. The documents were distributed to the Commission and entered into evidence as State's Exhibit 1.

President Rossum swore in the Respondent.

Mr. Eccles stated that the parties had stipulated that the Factual Allegations are true and accurate. Mr. Eccles stated further that the issue is the affect of the deferred adjudication, and that he will have some comments on the issue, as will Mr. Herrera. Mr. Eccles also stated that the State is asking the Commission to take action against Mr. Herrera's license based on his guilty plea to a felony.

Commissioner Gurr moved to accept the Stipulation to the Factual Allegations. Seconded by Commissioner Sykes. Motion carried.

Mr. Eccles presented his closing arguments.

The Respondent was questioned by Commissioner Walker.

Mr. Herrera addressed the issue of non-response to the investigator.

Commissioner Copple moved that the State has proven Violations of Law 11 and 12. Seconded by Commissioner Sykes. Motion carried.

Mr. Eccles addressed the remaining violations which relate to the issue of deferred adjudication for a felony, stating that the Respondent is still in a probationary period.

Respondent was questioned by Commissioner Gurr.

State's Exhibit 2 was admitted at this time.

Mr. Herrera presented his closing arguments.

Mr. Eccles addressed the issue of action against Mr. Herrera's license, stating that the facts warrant a revocation.

Commissioner Sykes moved that Violations of Law 13 & 14 have been proven. Seconded by Commissioner Walker. Discussion ensued. Ms. Guerci pointed out that number 13 did not contain a violation. Commissioner Sykes amended motion to address only item 14. Commissioner Walker seconded amended motion. Motion carried.

Mr. Alitt presented the Division's recommendation for discipline: revocation of license, a fine of \$3,000, hearing costs, to be paid in six months, with debt collection for any unpaid fines.

Ms. Pierson stated that the hearing costs are \$1,189.21.

Mr. Alitt stated that there is no previous discipline for the Respondent.

Commissioner Gurr spoke to the recommendation.

Commissioner Walker stated that it would be more appropriate to suspend the license until probation is complete and respondent brings proof of the charges being downgraded to a misdemeanor. Commissioners Gurr and Sykes concurred.

Commissioner Walker moved that Mr. Herrera's license be suspended until probation is completed and proof of downgrade to a misdemeanor is provided to the Division, costs of hearing, fine of \$3,000, fine and costs to be paid in 12 months, 12 hours continuing education to be completed in six months, education should be "What Every Licensee Should Know," debt collection for any unpaid fines, and if fines are not paid or continuing education is not completed in the specified time, the license stays in suspension until such time as fines are paid and education is complete. Seconded by Commissioner Sykes.

Commissioner Gurr asked how long until the probation ends. Mr. Herrera stated that he is on a list to be released in two months. Commissioner Gurr stated that he is uncomfortable giving Respondent back his license before all fines and education completed. Commissioner Walker stated that she would accept a friendly amendment to that effect. Commissioner Sykes agreed as second. Commissioner Gurr clarified that the time frame for the fine and continuing education must be no longer than 12 months. Motion carried.

F) Discussion regarding Disciplinary Report.

Ms. Pierson presented this report.

H) Discussion regarding Administrative Sanction report.

Mr. Alitt presented this report, stating that all fines and continuing education are up to date.

G) Discussion regarding Attorney General Case Status Report.

Ms. Guerci presented this report addressing the number of cases sent to the Attorney General's office. Ms. Guerci stated that the Attorney General's office is staffed to handle 55-60 cases per fiscal year, but to date this fiscal year, they have received almost 120 cases. Ms. Guerci stated that the Commission needs to look at ways to get cases adjudicated through the Advisory Review Committee process, bigger use of administrative sanctions and letters of instruction, or go to the Interim Finance Committee for additional attorneys and money.

Commissioner Gurr stated that it's important to get cases heard to ensure protection of the public, and suggested that the industry, the Commission, and the Division get together to find ways to improve the situation.

Mr. Alitt stated that he and the Division would support a committee or task force to address the issues. Commissioner Gurr asked the Realtor associations to have the issue put on their agendas. Ms. McKee, legal counsel for Nevada Association of Realtors, stated yes. Commissioner Gurr asked that it also be on the next Commission agenda. President Rossum asked for a response at the next Commission meeting from the meeting between the Attorney General's office and the Compliance Department. Ms. Guerci stated that she would report.

I) Discussion regarding the Compliance Section's current caseload report.

Mr. Alitt presented this report, stating that the numbers reflect activity through December. Commissioner Walker asked how many investigators the Division has. Mr. Alitt stated that in addition to himself, there are four southern investigators and one northern investigator, and that there are no open positions.

J) Discussion and possible action on Advisory Review Committee member applications for:

Commissioner Gurr asked for an explanation of the duties of the ARC. Ms. Gierer explained that at present the duties are just auditing classes. President Rossum asked that if the current applicants are approved and the ARC duties change in the future, will the Commission then have to go back and review the members. Ms. Guerci stated yes. Commissioner Gurr asked if people are approved and the duties are changed in the future, do the members need to be reviewed for suitability.

1. Theresa Annas

Ms. Annas was not present. Commissioner Walker moved to deny the application based on the fact that Ms. Annas is a Salesperson and not a Broker and therefore does not meet the minimum requirements. Seconded by Commissioner Gurr. Motion carried.

2. Leo Dupre

Mr. Dupre was present and addressed the Commission. Commissioner Gurr moved to accept Mr. Dupre's application. Commissioner Sykes second. Motion carried.

3. Ken Cash

Mr. Cash was not present. Commissioner Gurr moved to accept the application. Seconded by Commissioner Walker. Commissioner Sykes recused himself as he has a business relationship with Mr. Cash. Motion carried.

4. Charles T. Clay

Mr. Clay was not present. Commissioner Copple recused herself as she has a business relationship with Mr. Clay. There was a question regarding whether Mr. Clay has a Broker's license. Ms. Gierer said she would check on the license at lunch and report back.

After lunch, Ms. Gierer reported that Mr. Clay does have a Broker's license, but does not appear to have had it the required amount of time. Commissioner Walker moved to deny based on qualifications. Seconded by Commissioner Sykes. Motion carried.

5. Patrick Martinez

Mr. Martinez was not present. Commissioner Walker moved to deny, stating that he does not have a Broker's license or Broker/Salesperson license. Seconded by Commissioner Gurr. Motion carried.

6. Todd P. Miller

Mr. Miller was not present. Commissioner Gurr moved to approve. Seconded by Commissioner Walker. Motion carried.

7. Paul Bruk

Mr. Bruk was not present. Discussion ensued regarding the Applicant's expectations regarding the committee. Commissioner Gurr moved to approve. Second Commissioner Copple. Motion carried.

K) Discussion regarding Administrator's Report on:

1. Personnel

Ms. McDermott stated that the Division has received authorization to hire a new person in Licensing in the Carson City office and interviews are scheduled for next week. Ms. McDermott stated that the Division was ordered to cut the budget by 4.5 %, which eliminated two positions from Licensing in the Las Vegas office, which resulted in being unable to fill two of the three vacancies in the Las Vegas office.

2. Licensing statistics

Hand outs were distributed to the Commission.

Brokers 2,686 active

Broker/Salespersons - 2,970 active

Salespersons – 19,429 active

Discussion ensued regarding the statistics on the handouts.

3. Licensing filing system for the Las Vegas office

Ms. McDermott stated that at this time she does not have a final answer on approval as it is on hold with the Interim Finance Committee and that it may go on the calendar at the end of March or beginning of April.

4. The Nevada Law and Reference Guide

Ms. McDermott led this discussion, and Debra March from UNLV was also present to address the issue.

President Rossum stated that she has a problem with chapter six regarding advertising in that it is not clear, and NAC is not clear either. Discussion ensued regarding using nicknames. Mr. Alitt addressed the issue. This will be added to the April agenda for further discussion for regulation changes. President Rossum asked Ms. Gierer to make sure that everyone on the committee working on the Guide has the information to review and either attends the April meeting or sends their comments in writing.

M) Discussion and possible action regarding regulatory changes to NAC chapter 645, including but not limited to, allowing instructors to receive credit for classes they teach once during a license renewal period, and changing the licensing renewal period from two years to four years.

Ms. McDermott reported on her research regarding four year licensing renewal period, stating the following:

- California is the only state with a four year renewal, with almost 540,000 licensees.
- Out of 41 states surveyed
 - 25 have two year renewal period
 - 11 have one year renewal period
 - 4 have three year renewal period
- Would need statute and regulation changes, forms would need to be changed, and the computer database may be impacted.

President Rossum stated that the impact on continuing education requirements and licensing staff would need to be considered. Ms. McDermott stated that one concern would be how to ensure that licensees are staying current with statutory changes, as there would be a legislative cycle during the four year period.

Commissioner Copple stated that the legislative update is a major concern of hers.

Commissioner Copple asked about online services. Ms. McDermott stated that the online lookup feature is active.

L) Discussion and possible action regarding proposed legislative changes for 2009 Session.

Commissioner Gurr asked if any changes are proposed yet. Ms. McDermott stated not yet.

M) Discussion and possible action regarding regulatory changes to NAC chapter 645, including but not limited to, allowing instructors to receive credit for classes they teach once during a license renewal period, and changing the licensing renewal period from two years to four years. (Return)

Commissioner Walker stated that instructors should get credit since instructors spend so much time and research on classes. Commissioner Gurr asked about the background regarding the change of credit for instructors. President Rossum stated her memory of the changes was to ensure that instructors go to other classes to see different teaching methods, etc. Commissioner Gurr stated that his concern would be a professional instructor writing enough courses to get their renewal credits without ever sitting in another's class. Commissioner Sykes stated that instructors could get 12 hours of credit per license renewal period for courses they teach themselves while still requiring them to take classes from other instructors.

N) Discussion regarding report from Education/Information Officer on:

1. Pass/fail rate for pre-licensing schools including but not limited to discussion of specific schools.

A printed report was distributed. Ms. Anwari addressed the report. Commissioners asked for further updates at the April meeting.

3. Outline for the upcoming Instructor Development Workshop.

Ms. Anwari presented this report.

2. Response to Commissioner Copple's query regarding advertised dual designation of courses CE.3279000 and CE.3280000.

Ms. Hunt presented this report, stating that both courses do have dual designation, approved 5/12/2005 by the Commission. Discussion ensued regarding having dual designations for courses. Consensus was that dual designations are allowed.

O) Discussion and possible action regarding changing scheduled dates and scheduling future dates for the Commission meeting to consider the Education and Courses agenda.

Ms. Hunt addressed this issue. The following dates were discussed:

February 21, 2008 - would like to change this meeting to February 27, 2008. The Commissioners not available; date remains unchanged.

April 2, 2008 - would like to move to the end of the April 14-16, 2008 regular Commission meeting. President Rossum stated to make it a time certain at 1 p.m. on April 14.

June education meeting – Scheduled for June 4, 2008 at 1 p.m.

Future meetings will be scheduled at the April meeting.

P) Discussion and possible action on date, time, place & agenda items for upcoming meetings.

No discussion.

Q) Commissioner Comments.

Commissioner Gurr stated that former Commissioner Ruthe brought him a contract regarding auctions that contain no date, time, location, no house, stating only a request for \$9,000, with no disclosures. Ms. Guerci recommended that the issue be referred to Compliance.

Commissioner Copple asked is there an information sharing policy between agencies if they have something they want investigated, i.e. mortgage lending. Ms. Guerci stated that issues could be referred directly to the respective agencies.

5. PUBLIC COMMENTS

Teresa McKee, Legal Counsel, NVAR

Ms. McKee thanked the Commission for their consideration of the industry in general and in working with them on various issues. Regarding the case load increase, Ms. McKee stated that the NVAR is in the process of putting that issue on the agenda for their Legislative Committee meeting and extended an informal invitation to Commissioner Gurr to attend the meeting. Regarding the issue of two or four year licensing, Ms. McKee stated that she will take the issue to their leadership and see if anything can be done.

Sally McKinley

Ms. McKinley commented about the hours of the meeting, stating that getting continuing education has been a problem because attendees didn't get three hours for the afternoon session.

6 ADJOURNMENT

President Rossum adjourned the meeting at 2:25 p.m.

Respectfully submitted,

Linda Pierson
Commission Coordinator