

**NEVADA REAL ESTATE COMMISSION
DECEMBER 8, 2008**

LAS VEGAS
555 E. WASHINGTON
SAWYER BUILDING
ROOM 4500
LAS VEGAS, NV 89101

CARSON CITY
100 S CARSON ST.
ATTORNEY GENERAL'S OFFICE
MOCK COURTROOM
CARSON CITY, NV 89701

MINUTES

1. COMMISSION/DIVISION BUSINESS

A) Introduction of Commissioners in attendance.

In Carson City: Janice Copple, Marc Sykes, Deonne Contine Deputy Attorney General serving as Commission Counsel.

In Las Vegas: David Boyer, Soozie Jones Walker.

In Elko via telephone: Bert Gurr

B) Introduction of Division Staff in attendance.

Linda Pierson, Commission Coordinator; Linda Hunt, Education Program Officer; Safia Anwari, Education Information Officer; Michael Wymer, Deputy Attorney General representing the Division.

2. DIVISION BUSINESS

A) Discussion regarding report on class audits from Education Program Officer.

Ms. Hunt provided this report.

Ms. Hunt also noted that on the course summary, Item 14, the recommendation is being changed to "deny" and briefly discussed the reason for the change in recommendation.

B) Discussion regarding report from Education/Information Officer regarding amendments to the Exam Statistics Summary report effective October 2008 and report and recommendation regarding schools that consistently perform below 50% pass rate.

Ms. Anwari presented this report, stating that this is a follow-up to the report presented at the November meeting. Discussion ensued regarding the information provided in the report.

C) Discussion regarding report from Administrator on:

a. Licensing statistics.

Ms. Pierson presented this report on behalf of Ann McDermott, Administrator who was unable to attend.

3. COMMISSION BUSINESS

A) Discussion and possible action to approve the minutes of the August 6, 2008 Education meeting.

Commissioner Sykes moved to approve these minutes. Seconded by Commissioner Jones Walker.

Commissioner Boyer recused himself from voting on both agenda items related to the minutes as he was not on the Commission for these meetings. Motion carried.

B) Discussion and possible action to approve the minutes of the October 1, 2008 Education meeting.

Commissioner Sykes moved to approve these minutes. Seconded by Commissioner Jones Walker. Motion carried.

4. EDUCATION

A) APPEAL OF DENIAL OF INSTRUCTOR PURSUANT TO NAC 645.426

1. (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)
 - A.* Motion to close session to consider the character and professional competence of **Elizabeth Jagajeski** to teach the course entitled "Asset Protection and Estate Planning for Real Estate."

Applicant was not present or represented by counsel.

Commissioner Sykes moved to close the session. Seconded by Commissioner Boyer. Motion carried.

B. Discussion in closed session.

C. Discussion and possible action in open session.

Commissioner Gurr moved to uphold the denial. Seconded by Commissioner Jones Walker.

2. (Note: Portions of this discussion may be closed in accordance with NRS 241.030.)
 - A.* Motion to close session to consider the character and professional competence of **Robert Moore** to teach the courses entitled "Dearborn Risk Management," "Dearborn Reverse Mortgages for Senior Homeowners," and "Dearborn Electronic Transactions in Real Estate."

Mr. Moore was present and not represented by counsel.

Michael Wymer, Deputy Attorney General, Safia Anwari, Education/Information Officer, and Linda Hunt, Education Program Officer, were present on behalf of the Division.

Commissioner Sykes moved to close the session. Seconded by Commissioner Jones Walker. Motion carried.

B. Discussion in closed session.

C. Discussion and possible action in open session.

The session was opened.

Commissioner Boyer moved to close session again so that Mr. Moore could present his information. Seconded by Commissioner Jones Walker. Motion carried.

After consultation with counsel, President Cople gave Mr. Moore the option of continuing the hearing to the January meeting to allow Commissioners in Carson City and Elko to receive the information that he brought. Mr. Moore agreed to that suggestion. Commissioner Jones Walker also asked to receive the historical documents that led to the initial appeal.

B) EDUCATION COURSES

Commissioner Jones Walker pulled courses 3, 4, 5, 14, 28, 35, 38, 43, 45.

President Cople pulled courses 27-33.

Commissioner Sykes pulled courses 6, 42, 46, 15, 20, 21, 43.

Commissioner Boyer pulled none.

Commissioner Gurr pulled none.

Commissioner Sykes moved to approve remaining courses per staff recommendation. Seconded by Commissioner Boyer. Motion carried.

Commissioner Sykes stated that staff has recommended denial of items 6, 14, 42, and 46, and moved to deny those courses based on staff recommendation. Seconded by Commissioner Boyer for discussion purposes. Commissioner Boyer stated that he would like to get some insight into why they were denied. President Cople stated that Staff recommended denial of course #6 because the

application was missing several items, and the timed outline did not add up to the requested 10 hours. Commissioner Boyer asked for clarification on items that were missing from the application. Ms. Anwari addressed the issue.

DISCUSSION AGENDA EDUCATION COURSES

NEW REAL ESTATE PRE- LICENSING EDUCATION COURSES

- 1. Truckee Meadows College
 "Property Management: 30 Years in 24 Hours"
Request: 24 Hours Classroom

REQUEST TO OFFER APPROVED COURSE VIA VIDEO CONFERENCING

- 2. Nevada Association of REALTORS®
 Video-Conferencing Approved Live Classes
Request: See courses listed below

CE.3257000-RE	Business Planning & Development	3 Hrs	General
CE.3191000-RE	Brokerage Operations & Responsibilities	11 Hrs	Broker Mgmt.
CE.3192000-RE	The Contract Class	15 Hrs	Contracts
CE.3193000-RE	Environmental Issues & Housing Construction	11 Hrs	General
CE.3194000-RE	Essential Legal Issues	8 Hrs	Ethics
CE.3195000-RE	Property Management & Common Interest Management Communities	8 Hrs	Property
CE.3196000-RE	Real Estate Finance & RESPA Compliance	14 Hrs	General
CE.3583000-RE	Technology Strategies for Today Development	3 Hrs	Personal

NEW REAL ESTATE CONTINUING EDUCATION COURSES

- 3. Greater Las Vegas Association of REALTORS®
 "Better Client Service & The Highest Ethical Conduct: Improving Our Reputation and Public Image"
Request: 3 Hours General Classroom
- 4. Greater Las Vegas Association of REALTORS®
 "Has the Jury Reached a Verdict?"
Request: 3 Hours Ethics Classroom
- 5. Greater Las Vegas Association of REALTORS®
 "Real Estate Agents and the Financial Markets"
Request: 3 Hours General Classroom

Commissioner Jones Walker stated that she pulled courses 3, 4, and 5 because she is an instructor for the course sponsor, Greater Las Vegas Association of Realtors, and may teach these courses in the future.

Commissioner Sykes moved to approved courses 3, 4, and 5 as presented. Seconded by Commissioner Boyer. Motion carried.

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|-----|--|--------------------------|----------------------|----------------|
| 6. | RE/MAX Satellite Network
"Buffini and Company 100 Days to Greatness" | Request: 10 Hours | Personal Development | Other |
| 7. | Signature One Mortgage, Inc.
"Today's FHA Loan" | Request: 3 Hours | General | Classroom |
| 8. | Realty One Group
"Time to Make a Move! Seller Representation" | Request: 3 Hours | Contracts | Classroom |
| 9. | Lorman Business Center, Inc.
"The Fundamentals of Construction Contracts: Understanding the Issues Part 2" | Request: 7 Hours | General | Classroom |
| 10. | Randall van Reken Seminars
"Rise and Fall of the Real Estate Tax Empire" | Request: 3 Hours | General | Correspondence |
| 11. | Randall van Reken Seminars
"What's New That Really Impact You!" | Request: 3 Hours | General | Correspondence |
| 12. | Randall van Reken Seminars
"Laws That Really Impact You!" | Request: 3 Hours | Law & Legislation | Classroom |
| 13. | Randall van Reken Seminars
"Laws That Really Impact You!" | Request: 3 Hours | Law & Legislation | Correspondence |
| 14. | LandAmerica Commercial Services
"Title Insurance-Documents, Terms, Reports, commitments and the 2006 ALTA Policy" | Request: 3 Hours | General | Classroom |

Commissioner Jones Walker asked to have discussion on item 14. Discussion ensued, with Ms. Anwari and Ms. Hunt providing background on this issue.

Commissioner Sykes amended his motion to remove item 14 from those courses being denied per staff recommendation, if the second would accept that as a friendly amendment. Commissioner Boyer agreed.

Vote on amended motion: Motion carried.

Commissioner Sykes moved to approve #14. Seconded by Commissioner Jones Walker. Motion carried.

15. Society of Industrial & Office Realtors (SIOR)
 "2008 SIOR Fall World Conference"
Request: 10 Hours General Classroom

Commissioner Sykes asked staff why the recommendation is for 8 hours instead of the requested 10. Ms. Hunt stated that the course is a seminar with classes running simultaneously and an attendee cannot get more than eight hours. Commissioner Sykes moved to approve this course for eight hours of General based on the timeline. Seconded by Commissioner Jones Walker. Motion carried.

16. JSD Seminars
 "Nevada Real Estate Financing Principles"
Request: 4 Hours General Internet

17. JSD Seminars
 "Life of a Conventional Loan (and How to Prevent Transaction Turbulence)"
Request: 3 Hours General Internet

18. JSD Seminars
 "RESPA, HUD and A Thing of Value"
Request: 3 Hours General Internet

19. JSD Seminars
 "Expect Ethics"
Request: 3 Hours Ethics Internet

20. JSD Seminars
 "Law & Legislation Review"
Request: 3 Hours Law and Legislation Classroom

Staff recommended three hours of General. Commissioner Sykes asked why the change in designation when the course had previously been approved for Law and Legislation. Ms. Hunt stated that the bulk of the material does not address the most recent legislative changes. Commissioner Sykes moved to approve for three hours of General per staff recommendation. Seconded by Commissioner Boyer. Jeremy Daugherty, course provider, was present and addressed the Commission's concerns. After discussion, Mr. Daugherty asked if he could resubmit to Ms. Hunt the two additional bills that were approved by the Legislature, and thus have the course approved as Law. Ms. Hunt stated that she would agree to course approval for Law and Legislation subject to the updates being provided by Mr. Daugherty. Commissioner Sykes amended his motion to approve for Law and Legislation subject to the applicant providing the updated material. Commissioner Sykes offered another amendment to include item 21. Commissioner Boyer concurred. Motion carried.

21. JSD Seminars
 "Law & Legislation Review"
Request: 3 Hours Law & Legislation Internet

22. JSD Seminars
 "Short Sales & Foreclosures Simplified"
Request: 3 Hours Contracts Internet

23.	JSD Seminars "Managing Within Your Brokerage" Request:	3 Hours	Broker Management	Internet
24.	JSD Seminars "REO Offers Simplified" Request:	3 Hours	General	Internet
25.	JSD Seminars "Agency Simplified" Request:	3 Hours	Agency	Classroom
26.	JSD Seminars "Agency Simplified" Request:	3 Hours	Agency	Internet
27.	Reno/Sparks Association of REALTORS® "Anatomy of a Commercial Purchase and Sale Agreement" Request:	4 Hours	Contracts	Classroom
28.	Reno/Sparks Association of REALTORS® "Avoiding Commercial Litigation" Request:	4 Hours	General	Classroom
29.	Reno/Sparks Association of REALTORS® "Broker Lien Rights/What a Lawyer Wants" Request:	4 Hours	Broker Management	Classroom
30.	Reno/Sparks Association of REALTORS® "Dearborn Introduction to Commercial Real Estate" Request:	4 Hours	General	Classroom
31.	Reno/Sparks Association of REALTORS® "Dearborn Environmental Issues in Your Real Estate Practice" Request:	4 Hours	General	Classroom
32.	Reno/Sparks Association of REALTORS® "Financing Creative Options" Request:	4 Hours	General	Classroom
33.	Reno/Sparks Association of REALTORS® "Advanced Contracts: The How-To of Complex Transactions" Request:	4 Hours	Contracts	Classroom

President Cople recused herself from voting on courses 27-33 as she is an instructor for the Reno/Sparks Association of Realtors, the course sponsor.

Commissioner Sykes moved to approve 27-33 per staff recommendation. Seconded by Commissioner Boyer. Motion carried.

34. Western Title Company, LLC.
 “Practical Ethics for Title and Real Estate Professionals”
Request: 3 Hours General Classroom
35. Western Title Company, LLC.
 “How to Play Bankruptcy for Real Estate Practitioners”
Request: 3 Hours General Classroom

Commissioner Jones Walker asked if the recommendation for Personal Development was a typo, as the course content seems beyond a Personal Development course. Ms. Anwari stated that in the past Commissioners have been reluctant to approve courses that provide more material than a licensee needs to have. Commissioner Jones Walker stated that she sees it as something more important than Personal Development with the current economic trends. President Cople stated that she agrees. Commissioner Sykes stated he would second Commissioner Jones Walker’s motion to approve for General. Motion carried.

36. Western Title Company, LLC.
 “A Primer of Easements for Lawyers and Non-Lawyers”
Request: 3 Hours General Classroom
37. Western Title Company, LLC.
 “Real Estate Fraud and Title Claims and Problems”
Request: 3 Hours General Classroom
38. Western Title Company, LLC.
 “How to Increase Customer Satisfaction & How to Grow & Leverage Your Credibility”
Request: 3 Hours General Classroom

Commissioner Jones Walker stated that staff recommended this course for Personal Development and she would like to know the reasoning. After discussion, Commissioner Jones Walker moved to conditionally approve for three hours of Personal Development. Seconded by Commissioner Sykes. Motion carried.

39. JC Melvin Seminars
 “Commercial Agency in Nevada”
Request: 4 Hours Agency Classroom
40. JC Melvin Seminars
 “Agency Law & the Brokerage Contract”
Request: 4 Hours Agency Classroom
41. Prather, Stephanie
 “Reverse Mortgage: Purchase and Refinance Options for Seniors”
Request: 3 Hours General Classroom
42. Sullivan, Chris
 “Interactive Marketing Solutions”
Request: 3 Hours Personal Development Classroom

43. R.K. Johnson & Associates
 “Commercial Contract: Use and Understanding”
Request: 3 Hours Agency/Contracts/Ethics Classroom
 Commissioner Jones Walker stated that she pulled this course to hear staff’s reasoning for the recommended designation of Contracts. Ms. Hunt addressed the issue, stating that the computer system cannot recognize which designation a licensee wants, and that the content is largely Contracts. Commissioner Jones Walker moved to approve for three hours of Contracts. Seconded by Commissioner Boyer. President Copple spoke to the issue, stating that she disagrees with staff. Motion carried with President Copple voting against.

44. Whitney, Renee
 “Everything You Need to Know About Mortgage Lending”
Request: 3 Hours General Classroom

45. Great Basin Realty Company
 “Real Estate Consulting”
Request: 3 Hours Agency/Contracts/General Classroom

Commissioner Jones Walker asked why staff recommended Personal Development. Ms. Hunt stated that the course appears designed to teach licensees how to be a Real Estate Consultant and therefore falls into Personal Development. Commissioner Jones Walker moved to approve for three hours of Personal Development. Seconded by Commissioner Boyer. Motion carried.

46. 360 Training.com
 “Contracts, Purchase and Sales Agreements”
Request: 4 Hours Contracts Internet

47. Nevada Business Brokers Association
 “Managing the Due Diligence Process”
Request: 4 Hours Business Broker Classroom

48. Kaplan Professional School Nevada
 “The Essentials of Real Estate Finance”
Request: 30 Hours General Classroom

3) COMMISSION BUSINESS

C) Commissioner Comments

None.

5. PUBLIC COMMENTS

In Las Vegas:

Frank Benzinger, Property Inspector –

Mr. Benzinger read a prepared statement regarding REO properties and utilities which is summarized below:

- Per NAC 645D.470(6), if utilities are turned off the Inspector cannot turn them on to do the inspection; however, a thorough inspection requires that utilities be on.
- When informed of this regulation, many agents will postpone the inspection and call upon another inspector and ask him to perform this prohibited act.
- It is essential to uphold the IOS standards of practice.

- All agents must be informed of this prohibited act, and it should be incumbent upon the Realtor to report an inspector who activates a system or component and report him to the Real Estate Division or be faced with disciplinary action himself.

Vincent Libonati, Property Inspector –

Mr. Libonati also addressed the issue of inspections of REO properties, stating that their purpose is to protect the public, and it is difficult to do this when they cannot perform a thorough inspection with having all utilities on. Regarding education, Mr. Libonati stated that there are a lot of real estate agents who are unaware of what the Inspectors do, and asked the Commission to help real estate professionals understand what the inspectors do, thereby helping to protect the public to a greater degree.

Meeting adjourned at 11:26 a.m.

Respectfully submitted,

Linda Pierson
Commission Coordinator