

**NEVADA REAL ESTATE COMMISSION
MINUTES**

IN PERSON AND VIRTUAL VIA WEBEX

May 2, 2023

Nevada State Business Center
3300 W. Sahara Avenue
4th Floor – Nevada Room
Las Vegas, Nevada 89102

The meeting was called to order at 9:08 AM

1-A) Introduction of Commissioners in Attendance

David Tina, Clark County; Lee Gurr, Elko County; Darrell Plummer, Washoe County; Russell Roth, Clark County; and Donna A. Ruthe, Clark County.

Commission Counsel: Chief Deputy Attorney General Rosalie Bordelove

1-B) Swearing in of Newly Appointed Commissioner

Commissioner Donna A. Ruthe was sworn in.

1-C) Introduction of Division Staff in Attendance

Sharath Chandra, Administrator; Charvez Foger, Deputy Administrator; Shareece Bates, Administration Section Manager; Kelly Valadez, Commissioner Coordinator; Maria Gallo, Commission Coordinator; Jan Holle, Chief Compliance Audit Investigator and staff; Annalyn Carrillo, Education and Information Officer; Deputy Attorney Generals Phil Su, Christal Keegan, Matthew Feeley, and Louis Csoka representing the Division.

2) Public Comment

No public comment.

3-A) Discussion Regarding the Administrator’s Report.

Sharath Chandra present this report. Mr. Chandra stated that the Legislature is currently in session and the budget for the Real Estate Division was discussed with one addition of increasing the Northern investigator position from part time to full time being approved, but the request to add a Northern licensing position was not approved. Mr. Chandra stated that the Division is following the draft bills AB52, AB62, AB309, AB340, AB392, SB335, SB368, SB378, SB381, and SB417 that are relevant to the Division and Commission.

Mr. Chandra stated that after eight months of working with the company implementing the Division’s new technology, there has been minimal progress because of multiple personnel changes within the technology company’s team working on the Division’s project. Mr. Chandra stated that with the licensing requirements and multiple layers of other sections within the Real Estate Division being added into the technology, the technology company underestimated the

complexity of what was needed despite many discussions with the Division. Mr. Chandra stated that options are being considered to help meet the Division's timeline and deadlines.

3-B) Discussion Regarding the Disciplinary Report.

Shareece Bates presented this report. Ms. Bates provided the Commission with a written report.

3-C) Discussion Regarding the Compliance Section's Current Caseload Report, Including a Summary of Recent Topics of Complaints Filed.

Jan Holle presented this report. Mr. Holle provided the Commission with a written report and summarized.

3-D) Discussion Regarding the Administrative Sanction Report.

Jan Holle presented this report. Mr. Holle provided the Commission with a written report and summarized.

3-E) Discussion Regarding Continuing Education Supervisor's Reports.

Annalyn Carrillo presented this report. Ms. Carrillo provided the Commission with a written report and summarized.

3-F) For Possible Action: Discussion and Decision to Approve Minutes of the February 21-23, 2023 meeting.

Commissioner Gurr moved to approve the minutes of the February 21-23, 2023, meeting. Seconded by Commissioner Roth. Motion carried 4-1 with Commissioner Ruthe abstaining because she was not part of the Commission during the February 21-23, 2023 meeting.

3-G) For Possible Action: Discussion and Decision on Date, Time, Place, and Agenda Items for Upcoming Meetings.

- August 22-24, 2023
- The Commission will be in Carson City

4-A) For Possible Action: Discussion and Decision Regarding the Instructor Denial Appeal Pursuant to NAC 645.426.

Parties Present

Hung Yeh was present.

Annalyn Carrillo, Education and Information Officer, was present for the Division.

Ms. Carrillo stated that Mr. Yeh is here because NAC 645.426 states that any instructor applicant that has had prior discipline or administrative fines must appear before the Commission for approval. Ms. Carrillo stated that Mr. Yeh received an administrative fine of \$1,000.00 for failing to submit trust account reconciliations in case number 2019-474. Ms. Carrillo reported that the fine has been paid and the case is closed. Ms. Carrillo stated that Mr. Yeh also had case number 2019-472 where the Commission ordered him to pay the total amount of \$5,162.19 and complete 9 hours of continuing education. Ms. Carrillo reported that the fine has been paid, the continuing education has been completed, and the case is closed.

Mr. Yeh stated that he had temporarily helped someone manage a property and he was at fault for not opening a trust account, but he paid the fine and has learned from his mistake. Mr. Yeh stated that his application to be an instructor should not be denied because education is good for the public, he is doing the public and his fellow real estate agents a favor by sharing his knowledge, and the classes do not pertain to money. Mr. Yeh stated that real estate is his passion, and he has a lot of experience and knowledge to share.

The Commission questioned Mr. Yeh.

The Commission questioned Ms. Carrillo.

Commissioner Plummer moved to grant the appeal and approve Mr. Yeh as an instructor. Seconded by Commissioner Ruthe. Motion carried.

5-A) For Possible Action: Discussion and Decision Regarding Respondent's Petition for Reconsideration of Disciplinary Terms.
NRED v Jamel Ramzi
Case No. 2021-277

Parties Present

Jamel Ramzi was present.

Matthew Feeley, Deputy Attorney General, was present representing the Division.

Mr. Ramzi stated that two or three years ago there were allegations brought against him where he accepted an Alford plea. Mr. Ramzi stated that during his previous appearance before the Commission, it was determined that he would be fined and that his real estate license would be suspended during the probation period of his civil case. Mr. Ramzi stated that he has completed his probation and would like to have his license reinstated. Mr. Ramzi stated that he has not been able to work for the past two years and did not have the ability to pay the fine that was assessed by the Commission. Mr. Ramzi stated that he was an award-winning salesperson with no complaints, and he is asking for reconsideration to have his real estate license reinstated and receive a payment plan so he can get back to work and begin paying the fine.

Mr. Feeley stated that the Division objects to Mr. Ramzi's petition for reconsideration. Mr. Feeley stated that the Commission's order filed on October 6, 2021, ordered Mr. Ramzi to pay \$3,842.26 within 6 months and that Mr. Ramzi would have to appear before the Commission to have his license reinstated after his probation period ended relating to his civil case. Mr. Feeley stated that Mr. Ramzi's probation period ended on February 17, 2023, but Mr. Ramzi has not paid any money toward the fine that was ordered, and therefore the Division cannot support Mr. Ramzi's request.

The Commission questioned Mr. Ramzi.

Commissioner Gurr moved in the matter of NRED v Jamel Ramzi case# 2021-277 that the respondent receive a payment plan of not less than \$400.00 a month toward the total amount of fines and costs of \$3,842.26 that were ordered in this case, and that the first payment is due

within 30 days of the effective date of the order. Seconded by Commissioner Plummer. Motion carried.

Commissioner Plummer moved for case# 2021-277 that the respondent's request to have his license reactivated be denied until the fine and costs are paid in full. Seconded by Commissioner Ruthe.

Commissioner Plummer stated that he would like to amend his motion to include that once confirmation of payment in full has been made, Division staff can activate the license without the respondent appearing before the Commission provided that all other licensing requirements are met. Seconded by Commissioner Ruthe. Motion carried.

6-A) For Possible Action: Discussion and Decision Regarding Respondent's Petition for Rehearing of Disciplinary Action.
NRED v Thelma Franco-Young
Case No. 2018-377

Parties Present

Thelma Franco-Young was present.

Louis Csoka, Senior Deputy Attorney General was present representing the Division.

Ms. Franco-Young stated that she is requesting a rehearing because she did not receive notice of the complaint and that is why she was not present during the hearing.

Mr. Csoka stated that a default judgement was entered during the February 21-23, 2023, Commission meeting because the respondent failed to appear. Mr. Csoka stated that for the default order to be removed, the respondent would need to demonstrate excusable neglect.

Commissioner Gurr stated that this case dealt with property management and trust account violations, and she is disinclined to grant this rehearing unless the respondent is willing to surrender her license and property management permit until the case is heard.

Commissioner Plummer stated that for the Commission to have moved forward with a default, it would have been proven that proper service was provided.

Ms. Franco-Young stated that she was in the hospital around that time and did not receive the notice of the hearing. Ms. Franco-Young stated that the first notice that she received was the notice of default.

State's Witness

Kelly Valadez, Commission Coordinator, testified regarding service of complaint.

Commissioner Plummer moved for case# 2018-377 to approve the respondent's request for a rehearing. Seconded by Commissioner Roth. Motion carried 4-1 with Commissioner Ruthe opposed.

7-F) NRED v Marshall Carrasco, for possible action
Case # 2022-120

Commissioner Tina stated that this case has been continued.

7-G) NRED v Marshall Carrasco, for possible action
Case # 2021-1122

Commissioner Tina stated that this case has been continued.

7-J) NRED v Tod Wever, for possible action
Case # 2021-715

Commissioner Tina stated that this case has been continued.

7-M) NRED v Frank Gary Villani, for possible action
Case # 2022-677

Commissioner Tina stated that this case has been continued.

7-B) NRED v Chi-Hsu Yu, for possible action
Case # 2021-966

Parties Present

Chi-Hsu Yu was not present.

Bob Peterson, Esq. was present representing Mr. Yu.

Christal Keegan Deputy Attorney General, was present representing the Division.

Preliminary Matters

Ms. Keegan stated that a settlement had been reached. Ms. Keegan read the factual allegations, alleged violations, and settlement into the record.

Settlement

- RESPONDENT agrees to pay the Division a total amount of \$23,682.00 (“Amount Due”), consisting of a \$20,000.00 fine imposed by the Division, the Division’s pre-hearing costs and fees in the amount of \$1,400.00, and the Attorney’s pre-hearing costs and fees in the amount of \$2,282.00 within 48-months.
- The Amount Due shall be payable to the Division as follows:
RESPONDENT shall pay the Division’s and Attorney’s pre-hearing costs and fees within thirty (30) days after approval of this Stipulation by the Commission (\$3,682.00), with monthly payments to start sixty (60) days after approval of this Stipulation by the Commission, as follows:
1st Year: 12 payments at \$300/month
2nd Year: 12 payments at \$400/month
3rd Year: 12 payments at \$500/month
4th Year: 11 payments at \$500/month

With \$100 on the 12th and final payment in the 4th year for a total payment of \$23,682.00, as being the total Amount Due hereunder. At any time, RESPONDENT may elect to make pre-payments on the Amount Due with no penalties so long as the monthly amount due in the annual period is satisfied in full as specified above.

- RESPONDENT further agrees to voluntarily surrender his property management permit, and shall not reapply for 10 years, with such reapplication subject to appearance before the Real Estate Commission for approval of any licensure prior to obtaining licensure.

Commissioner Gurr moved in the matter of the NRED v Chi-Hsu Yu Case# 2021-966 that the stipulation and order for settlement of disciplinary action be accepted. Seconded by Commissioner Roth.

Commissioner Ruthe stated that she is opposed to the respondent still having a real estate license.

Commissioner Plummer stated that he is concerned with the respondent still being active with his license.

Motion failed 2-3 with Commissioners Ruthe, Plummer, and Tina opposed.

Commissioner Plummer moved in the matter of NRED v Chi-Hsu Yu case# 2021-966 that the stipulation for settlement be rejected. Seconded by Commissioner Ruthe.

Commissioner Gurr stated that cases with stipulations for settlement have had thorough investigations and been through discussions and negotiations that the Commission does not delve into because it is not a hearing, and she will be voting in opposition to this motion.

Motion failed 2-3 with Commissioners Gurr, Roth, and Tina opposed.

Commissioner Gurr moved in the matter of NRED v Chi-Hsu Yu case# 2021-966 to accept the stipulation as presented. Seconded by Commissioner Roth.

Commissioner Roth stated that a lot of work went into working out the settlement and it does not show faith in our legal staff if the Commission is going to overrule them with limited information.

Commissioner Ruthe stated that this is a serious matter, and the respondent should have been present today even though he has legal counsel. Commissioner Ruthe stated that having been in the real estate field for 42 years, it is important to protect the public and she is not saying that the Division's legal counsel did not reach the best settlement possible, but she disagrees with having someone still out there doing business with a license after hearing the allegations that were read into the record.

President Plummer stated that there is a lot of time that goes into reaching a settlement, but just because a settlement has been reached it does not mean that the Commission will simply move to approve because the parties agree. Commissioner Plummer stated that he would like to know if taking the license was considered in settlement negotiations.

Ms. Bordelove stated that settlement information can only be shared if both parties agree because if the settlement is rejected, the case would go to hearing where settlement discussions are not admissible.

Mr. Peterson stated that he wanted to share with the Commission that all clients were made whole despite any of the discrepancies alleged. Mr. Peterson stated that his client has a Chinese name that is difficult to pronounce, and it has been discussed with his client that he cannot go by Charles on a contract.

Commissioner Gurr stated that she has friends and clients that are from Asia and sometimes licenses are issued in a different name than a birth certificate might indicate because immigration records support that.

Commissioner Ruthe stated that she understands the name confusion, but the license should be suspended for a certain period because there were more issues than just the name.

Motion failed 2-3 with Commissioners Ruthe, Plummer, and Tina opposed.

Commissioner Plummer moved in the matter of NRED v Chi-Hsu Yu case# 2021-966 to accept the stipulation as presented. Seconded by Commission Gurr. Motion carried 3-2 with Commissioners Ruthe and Tina opposed.

7-C) NRED v Sean Marshall, for possible action

Case # 2021-818

Parties Present

Sean Marshall was not present.

Donna DiMaggio, Esq. was present representing Mr. Marshall.

Christal Keegan, Deputy Attorney General, was present representing the Division.

Preliminary Matters

Ms. Keegan stated that a settlement had been reached. Ms. Keegan read the factual allegation, alleged violations, and settlement into the record.

Settlement

- RESPONDENT agrees to pay the Division a total amount of \$4,130.00 (“Amount Due”), consisting of a \$2,000 fine imposed by the Division, the Division’s pre-hearing costs and fees in the amount of \$500, and the Attorney’s pre-hearing costs and fees in the amount of \$1,630.
- The Amount Due shall be payable to the Division in full within thirty (30) days after approval of this Stipulation by the Commission.

Ms. DiMaggio stated that Mr. Marshall agreed to the settlement.

Commissioner Plummer moved in the matter of the NRED v Sean Marshall case# 2021-818 that the stipulation for settlement of disciplinary action be approved. Seconded by Commissioner Ruthe. Motion carried.

7-D) NRED v Fred Glick, for possible action

Case # 2021-819

Fred Glick was not present.

Donna DiMaggio, Esq. was present representing Mr. Glick.

Christal Keegan, Deputy Attorney General, was present representing the Division.

Preliminary Matters

Ms. Keegan stated that a settlement had been reached. Ms. Keegan read the factual allegation, alleged violations, and settlement into the record.

Settlement

- RESPONDENT agrees to pay the Division a total amount of \$4,570.00 (“Amount Due”), consisting of a \$2,500 fine imposed by the Division, the Division’s pre-hearing costs and fees in the amount of \$440, and the Attorney’s pre-hearing costs and fees in the amount of \$1,630.
- The Amount Due shall be payable to the Division in full within thirty (30) days after approval of this Stipulation by the Commission.

Ms. DiMaggio stated that Mr. Glick agrees to the settlement.

Commissioner Ruthe moved in the matter of the NRED v Fred Glick case# 2021-819 that the stipulation for settlement of disciplinary action be accepted. Seconded by Commissioner Gurr. Motion carried.

7-E) NRED v Tyler Scott Richardson, for possible action

Case # 2022-119

Parties Present

Tyler Scott Richardson was present.

Christal Keegan, Deputy Attorney General, was present representing the Division.

Preliminary Matters

Ms. Keegan stated that a settlement had been reached. Ms. Keegan read the factual allegation, alleged violations, and settlement into the record.

Settlement

- RESPONDENT agrees to pay the Division a total amount of \$9,707.00 (“Amount Due”), consisting of a \$7,000.00 fine imposed by the Division, the Division’s pre-hearing costs and fees in the amount of \$425.00, and the Attorney’s pre-hearing costs and fees in the amount of \$2,282.00 within 48-months.
- The amount Due shall be payable to the Division as follows:
RESPONDENT shall pay \$200 a month, with monthly payments to start sixty (60) days after approval of this Stipulation by the Commission, as follows:
 - 1st Year: 12 payments at \$200/month
 - 2nd Year: 12 payments at \$200/month
 - 3rd Year: 12 payments at \$200/month
 - 4th Year: 11 payments at \$200/month

With \$307 to be paid on the 12th and final payment in the 4th year for a total payment of \$9,707.00, as being the total Amount Due hereunder. At any time, RESPONDENT may elect to make pre-payments on the Amount Due with no penalties so long as the monthly amount due in the annual period is satisfied in full as specified above.

- RESPONDENT further agrees to complete a total of 30 hours of live continuing education in the relevant areas of six (6) hours of agency, six (6) hours of law and legislation, six (6) hours of contracts, six (6) hours of ethics, and six (6) hours risk reduction, which shall not be counted towards his license renewal requirements. RESPONDENT shall complete the education set forth herein within 120 days from the date of the Order approving this Stipulation.

Commissioner Gurr moved in the matter of NRED v Tyler Scott Richardson case# 2022-119 to accept the stipulation for settlement as presented. Seconded by Commissioner Roth. Motion carried.

7-K) NRED v George L. Anderson, III, for possible action
Case # 2021-32

7-L) NRED v George L. Anderson, III, for possible action
Case # 2021-1228

Parties Present

George L. Anderson III was not present.

Lisa Rasmussen, Esq. was present representing Mr. Anderson.

Phil Su, Senior Deputy Attorney General, was present representing the Division.

Preliminary Matters

Mr. Su stated that a global settlement for both cases had been reached. Mr. Su read the factual allegation, alleged violations, and settlement into the record for both cases.

Global Settlement

- RESPONDENT agrees to pay the Division a total amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) (“Amount Due”), consisting of an \$11,000.00 administrative fine imposed by the Division and the Division’s pre-hearing costs and attorney’s fees in the total amount of \$14,000.00.
- The Amount Due shall be payable to the Division within one year of the Effective Date of the order approving this settlement, according to the following payment schedule: an initial payment of THREE THOUSAND DOLLARS (\$3,000.00) is payable within thirty days from the effective date of this order, followed by eleven (11) monthly payments of TWO THOUSAND DOLLARS (\$2,000.00). Lump sums can be made in pre-payment with no penalty so long as the monthly amount payments timely satisfied in full as specified above.
- RESPONDENT shall voluntarily surrender the broker license issued to him by the Division (B.1001398.LLC and B.1001399.INDV) and, for a period of five years from the Effective Date of the order approving this settlement, agrees not to reapply for a broker license in this State.
- If RESPONDENT elects to apply for a real estate salesperson license in this State during the reapplication restriction period, RESPONDENT agrees to appear before the Commission for consideration and final approval of such application.

Ms. Rasmussen stated that Mr. Anderson agreed to the stipulation.

Commissioner Plummer moved in the matter of the NRED v George L. Anderson, III case# 2021-32 and case# 2021-1228 that the global stipulation for settlement of disciplinary action be accepted as presented. Seconded by Commissioner Roth. Motion carried.

7-I) NRED v Ronald M. Powell, for possible action

Case # 2020-401

Parties Present

Ronald Powell was not present.

Louis Csoka, Senior Deputy Attorney General, was present representing the Division.

Preliminary Matters

Mr. Csoka stated that continued settlement negotiations are ongoing with the respondent because there is a predicate step being resolved relative to the titling of a mobile home that is sitting on the parcel which is taking a significant amount of time. Mr. Csoka stated that this case is close to being resolved but another continuance is being requested.

Commissioner Gurr asked if Mr. Powell had an active license.

Mr. Csoka stated that Mr. Powell is not licensed.

Commissioner Tina stated that this case will be continued.

7-A) NRED v Emigdio Martinez-Pineda, for possible action

Case # 2020-544

Parties Present

Emigdio Martinez-Pineda was not present.

Louis Csoka, Senior Deputy Attorney General, was present representing the Division.

State's Witness

Kelly Valadez, Commission Coordinator, testified regarding service of meeting notice.

Preliminary Matters

Mr. Csoka stated that Mr. Martinez-Pineda appeared virtually for the February 21-23, 2023 meetings when the hearing began and when the meetings adjourned, the State had rested their case. Mr. Csoka stated that Mr. Martinez-Pineda was aware that his case would be continued to the May 2-4, 2023 meetings and based on Mr. Martinez-Pineda not being in attendance to present his case, the State is requesting that a default be entered.

Commissioner Plummer moved pursuant to NAC 645.860 that the State has proven sufficient service of notice to the respondent for case# 2020-544. Seconded by Commissioner Gurr. Motion carried.

Mr. Csoka read the factual allegations and violations of law into the record.

Commissioner Plummer moved in case# 2020-544 that the factual allegations and violations of law were proven. Seconded by Commissioner Gurr. Motion carried.

Division's Recommendation for Discipline

Jan Holle presented this:

- \$70,000 fine plus the costs of the hearing and investigation in the amount of \$12,296.70 to be paid within 90 days of the effective date of the order.
- Revocation of all licenses and permits.

Commissioner Plummer moved in case# 2020-544 that the respondent pay a fine in the amount of \$70,000.00 plus the costs of the hearing and investigation fees in the amount of \$12,296.70 to be paid within 90 days of the effective date of the order, and that all licenses and permits are revoked. Seconded by Commissioner Gurr. Motion carried.

7-H) NRED v Wayne Tang, for possible action

Case # 2022-100

Parties Present

Wayne Tang was present.

Christal Keegan, Deputy Attorney General, was present representing the Division.

Opening Statements

Ms. Keegan gave her opening statement.

Mr. Tang gave his opening statement.

State's Witness

Maria Martin testified.

Ms. Keegan asked that the State's exhibits BS 000001-000128 be admitted.

Commissioner Tina stated that the documents would be admitted.

Mr. Tang had no questions for Ms. Martin.

The Commission had no questions for Ms. Martin.

The witness was dismissed.

Mr. Tang asked for his exhibits 1-6 to be admitted.

Ms. Keegan stated that she objects to Ta-Chung Poe's affidavit in the respondent's exhibits because there are authentication issues with the signature not matching, an irregularity contained on the notary's certificate, and that Mr. Poe is not in attendance to testify, and he has had competency issues with dementia long before the execution of this affidavit. Ms. Keegan stated that Mr. Poe's affidavit lacks foundation and objects to it being admitted.

Mr. Tang stated that the affidavit was signed at the American Institute which is Consular from the United States to Taipei with a special notary and seal of the United States Embassy. Mr. Tang stated that the United States Embassy would not allow someone to sign in front of them if it was not that person.

Commissioner Tina stated that the objection is overruled but asks the Commission take into consideration how and where it is presented because Mr. Poe is not here to testify in person.

Commissioner Tina stated that the respondent's exhibits 1-6 are admitted.

Mr. Tang stated his case.

Ms. Keegan cross-examined Mr. Tang.

Respondent's Witness

Cynthia Lujan testified.

Ms. Keegan cross-examined Ms. Lujan.

The Commission questioned Ms. Lujan.

The witness was dismissed.

Mr. Tang asked for exhibit of LLC holdings to be admitted.

Commissioner Tina stated that the exhibit would be admitted.

Respondent's Witness

Jean Poe testified.

Ms. Keegan cross-examined Ms. Poe.

The Commission had no questions for Ms. Poe.

The witness was dismissed.

Closing Statements

Ms. Keegan gave her closing statement.

Mr. Tang gave his closing statement.

Factual Allegations

Commissioner Gurr moved that factual allegation 1 has been proven. Seconded by Commissioner Plummer. Motion carried.

Commissioner Gurr moved those factual allegations 2-3 have been proven. Seconded by Commissioner Plummer. Motion carried.

Commissioner Gurr moved that factual allegation 4 has been proven. Seconded by Commissioner Plummer. Motion carried.

Commissioner Plummer moved those factual allegations 5-8 have been proven. Seconded by Commissioner Ruthe. Motion carried.

Commissioner Plummer moved those factual allegations 9-11 have been proven. Seconded by Commissioner Ruthe. Motion carried.

Commissioner Gurr stated that she did not realize that factual allegation 8 was included in the previous motion and she would like to change her vote to nay.

Commissioner Tina stated that allegation 8 is still proven 4-1 with Commissioner Gurr opposed.

Commissioner Roth moved that factual allegation 12 has been proven. Seconded by Commissioner Gurr. Motion carried.

Commissioner Gurr moved those factual allegations 13-16 have been proven. Seconded by Commissioner Ruthe. Motion carried.

Commissioner Gurr moved that factual allegation 17 has not been proven. Seconded by Commissioner Roth. Motion carried 4-1 with Commissioner Ruthe opposed.

Violations of Law

Commissioner Plummer moved that violation of law 1 has been proven. Seconded by Commissioner Gurr. Motion carried.

Commissioner Gurr moved those violations of law 2-3 have been proven. Seconded by Commissioner Plummer. Motion carried.

Commissioner Plummer moved those violations of law 4-5 have been proven. Seconded by Commissioner Roth. Motion carried.

Division's Recommendation for Discipline

Jan Holle presented this:

- \$25,000 fine plus the costs of the hearing and investigation in the amount of \$3,496.34 to be paid within 6 months of the effective date of the order.
- 18 hours of live continuing education to be completed within 90 days of the effective date of the order in the following areas:
 - 6 hours in agency
 - 6 hours in ethics
 - 3 hours in law and legislative
 - 3 hours in contracts

Commissioner Plummer moved for case# 2022-100 that the respondent pay a fine of \$25,000.00 plus the costs of the hearing and investigation in the amount of \$3,496.34 within 6 months of the effective date of the order, and that the respondent take 18 hours of live continuing education

with 6 hours in agency, 6 hours in ethics, 3 hours in law and legislative, and 3 hours in contracts to be completed within 90 days of the effective date of the order. Seconded by Commissioner Ruthe. Motion carried.

8) Public Comment

No public comment.

9) For Possible Action: Adjournment

Meeting recessed at 3:33 p.m. on May 2, 2023.

Prepared by: Kelly Valadez