

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4

5 REAL ESTATE COMMISSION
6 TELECONFERENCE
7 MEETING MINUTES
8

9 July 24, 2019
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11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS
12 44.62, Article 6, a scheduled teleconference meeting of the Real Estate
13 Commission was held July 24, 2019, at the State of Alaska Atwood Building, 550
14 W. 7th Avenue, Suite 1550, Anchorage, Alaska.
15

16 Wednesday, July 24, 2019

17 Agenda Item 1 - Call to Order

18 Chairperson PeggyAnn called the meeting to order at 10:00 a.m.
19

20 Ms. Walsh took roll call and at which time a quorum was established.
21

22 Roll Call – 1(a)

23 Members present:

24 Margaret Nelson, Broker at Large

25 Jerry Royse, Broker, 3rd Judicial District
26

27 Members present via ZOOM

28 Peggy Ann McConnochie, Broker, 1st Judicial District, Chair

29 Jaime Matthews, Public Member

30 David Pruhs, Broker, 4th Judicial District

31 Cheryl Markwood, Broker, Broker at Large

32 Jesse Sumner, Public Member
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34 Staff Present:

35 Sharon Walsh, Deputy Director, CBPL

36 Amber Whaley, Senior Investigator

37 Shyla Consalo, Investigator
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39 Guests Present:

40 Cassandra Taggart, Broker, RPM, Anchorage

41 Larry Pederson, Judge, Office of Administrative Hearings, Anchorage

42 Lonnie Logan, Associate Broker, Herrington and Company, Anchorage

43 Joe Logan, Salesperson, Herrington and Company, Anchorage
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45 Ms. McConnochie stated that Mr. Pruhs would have to leave the meeting at 10:50
46 a.m. today.
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Approval of Agenda- 1(b)

Commission members reviewed the meeting agenda.

On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,

RESOLVED to approve the July 24, 2019 meeting agenda.

All in favor; Motion passed.

Ms. McConnochie stated that the Commission would go into executive session to discuss agenda items # 2 – 4.

Ms. Nelson asked that the public in attendance to introduce themselves for the record. Public attendees were: Cassandra Taggart, Broker for Real Property Management Last Frontier, Lonnie Logan, Associate Broker with Herrington and Company, Joe Logan, salesperson with Herrington and Company, Shayla Consalo, Investigator for the REC, and Amber Whaley, Senior Investigator with CBPL.

On a motion duly made by Ms. Nelson, seconded by Mr. Royse, it was,

RESOLVED to go into executive session in accordance with AS 44.62.310(c) for the purpose of discussing subjects that tend to prejudice the reputation and character of any person.

All in favor; Motion passed.

The Commission went into Executive session at 10:05 a.m.
The Commission came out of Executive session at 10:46 a.m.

On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,

RESOLVED to come out of executive session.

The Commission came out of Executive session at 10:46 a.m.

93 **Agenda Item 2 – A Raja, 2019-000034**

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95 **On a motion duly made by Ms. Nelson, seconded by Mr. Pruhs, it was,**

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97 **RESOLVED to adopt the decision rendered by Judge Pederson**
98 **in case regarding Adal Raja, under the authority of AS**
99 **44.64.060(e)(1), case # 2019-000034.**

100
101 **Roll call vote was taken:**

102 **Ms. Markwood- yes, Mr. Pruhs- yes, Mr. Royse- yes, Ms. Matthews- yes, Mr.**
103 **Sumner- yes, Ms. Nelson – yes, and Ms. McConnochie-yes.**

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105 Ms. McConnochie stated for the record the reason the Commission's decision is in
106 reference to AS 08.88.171(c) a natural person qualifies for a real estate
107 salesperson license if the person passes the real estate salesperson examination,
108 applies for the license within six months after passing the examination, submits
109 satisfactory proof of successful completion of the education requirements of AS
110 08.88.091, is at least 19 years of age, furnishes satisfactory proof that errors and
111 omissions insurance required under AS 08.88.172 has been obtained, is not under
112 indictment for a felony or other crime that, in the judgment of the commission,
113 affects the individual's ability to practice as a real estate salesperson competently
114 and safely or under indictment for forgery, theft, extortion, conspiracy to defraud
115 creditors, or fraud, or, if convicted of such an offense, seven years have elapsed
116 since the person completed the sentence imposed upon conviction. Unless the
117 salesperson fails to satisfy the educational requirements of AS 08.88.095 or renew
118 the license, or the real estate salesperson's license is suspended or revoked, a
119 real estate salesperson's license continues in effect.

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121 **All in favor; Motion passed.**

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124 Mr. Pruhs left the teleconference at 10:50 a.m. due to another commitment.

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127 **Agenda Item 3 - Consent Agreements**

128 **Consent Agreement - 2019-000208**

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131 **On a motion duly made by Ms. Nelson, seconded by Mr. Royse, it was,**

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133 **RESOLVED to accept the consent agreement in case #2019-**
134 **000208, regarding licensee Stacy Hague, with regard to statute**
135 **12 AAC 64.128, Home Offices.**

136
137 **Roll call vote was taken:**

138 **Ms. Nelson - yes, Ms. Markwood- yes, Mr. Royse- yes, Ms. Matthews- yes, Mr.**
139 **Sumner- yes, and Ms. McConnochie-yes.**

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141 **All in favor; Motion passed.**

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143 Ms. McConnochie stated that the two regulations that were violated were 12 AAC
144 64.128(c)(3) and 12 AAC 64.128(c)(2) in each case. Advertising a home office and
145 posting a sign at the home office that was not registered as a principal office or
146 branch office with the Commission.

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148 Consent Agreement – 2019-000207

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151 **On a motion duly made by Ms. Markwood, seconded by Ms., it was,**

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153 **RESOLVED to approve the consent agreement for case #2019-**
154 **00207, regarding Frank Zellers, in regards to the violation AS**
155 **08.88.071(s)(3)(e), AS 08.88.029(1)(a), 12 AAC 64.125(a)(1) and 12**
156 **AAC 64.125(b)(2) as presented to the Commission.**

157
158 **Roll call vote was taken:**

159 **Ms. Nelson – yes, Ms. Markwood- yes, Mr. Royse- yes, Ms. Matthews- yes,**
160 **Mr. Sumner- yes, and Ms. McConnochie-yes.**

161
162 **Ms. McConnochie stated that**

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164 **All in favor; Motion passed.**

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166 Ms. McConnochie stated that the respondent failed to provide adequate
167 supervision by allowing two licensees under his supervision to advertise home
168 offices as well as have signs at the home office.

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171 **Agenda Item 4 – Licensing Issue**

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174 **On a motion duly made by Ms. Royse, seconded by Mr. Sumner, it**
175 **was, RESOLVED to approve application #148277 for Ralphy Morel,**
176 **stating AS 08. 08.171(c), a natural person qualifies for a real estate**
177 **salesperson license if the person passes the real estate salesperson**
178 **examination, applies for the license within six months after passing**
179 **the examination, submits satisfactory proof of successful completion**
180 **of the education requirements of AS 08.88.091, is at least 19 years of**
181 **age, furnishes satisfactory proof that errors and omissions insurance**
182 **required under AS 08.88.172 has been obtained, is not under**

183 indictment for a felony or other crime that, in the judgment of the
184 commission, affects the individual's ability to practice as a real estate
185 salesperson competently and safely or under indictment for forgery,
186 theft, extortion, conspiracy to defraud creditors, or fraud, or, if
187 convicted of such an offense, seven years have elapsed since the
188 person completed the sentence imposed upon conviction. Unless the
189 salesperson fails to satisfy the educational requirements of AS
190 08.88.095 or renew the license, or the real estate salesperson's license
191 is suspended or revoked, a real estate salesperson's license continues
192 in effect.
193

194 Roll call vote was taken:

195 Ms. Nelson- yes, Ms. Markwood- yes, Mr. Royse- yes, Ms. Matthews- yes, Mr.
196 Sumner- yes, and Ms. McConnochie-no.
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199 All in favor; Motion passed.
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202 **Agenda Item 5 – Right Touch Regulation information**

203 Chair, Ms. McConnochie stated that the Right Touch Regulation information was
204 given to the Commission members to review and this will be discussed at the
205 September meeting.
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207 Ms. Nelson stated that she will be looking conduct a special meeting before
208 September and she will be asking for approval since the number of things she
209 wanted to discuss at this meeting was denied. The items that she would like to
210 have on that agenda are to have the investigator Shyla Consalo available to
211 answer questions regarding the investigative process, and the AREC Consumer
212 Disclosure. Ms. Nelson also asked that Commission members to allow time to be
213 at a meeting. She believed that the reason the Commission could not go through
214 the agenda and allow as much time is because Mr. Pruhs was leaving. She said
215 she does not appreciate that and wishes Commission members to be at the
216 meetings for as much time as allotted. The licensees pay for the Commission to do
217 their business and there is no reason they could not take a couple of minutes more
218 to answer more questions.
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222 On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it
223 was,
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225 **RESOLVED** that the teleconference be adjourned.
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All in favor.

Meeting adjourned at 11:00 a.m.

Prepared and submitted by:
Real Estate Commission Staff

Approved:



PeggyAnn, Chairperson
Alaska Real Estate Commission

Date: 07/15/2019

