

**MINUTES OF MEETING**  
**OF**  
**LOUISIANA REAL ESTATE COMMISSION**  
**AUGUST 21, 2008**

The Louisiana Real Estate Commission held its regular business meeting on Thursday, August 21, 2008, at 9:00 a.m., at 9071 Interline Avenue, Baton Rouge, Louisiana, according to regular call, of which all members of the Commission were duly notified, at which meeting the following members were present:

**COMMISSION**

Gretchen Ezernack, Chairman  
Cynthia Stafford, Secretary  
Mike Bono  
Pat Caffery  
Tim Flavin  
Jennifer Lanasa  
Judy Songy  
Frank Trapani

**STAFF**

J. C. Willie, Executive Director  
Stephanie Boudreaux  
Debbie DeFrates  
Mark Gremillion  
Ann Major  
R. C. McCormick  
Al Rowe  
Terry Shirley  
Marsha Stafford

**GUESTS**

Bob Brooks  
Chris Donaldson  
Brent Lancaster  
Norman Morris

Commissioner Stafford said the prayer; Commission Songy led the Pledge of Allegiance.

Chairman Ezernack introduced and welcomed Jennifer Lanasa. Ms. Lanasa was appointed to the Commission by Governor Jindal to represent the 7<sup>th</sup> Supreme Court District, replacing Sandra Corrigan.

Commissioner Caffery made motion, seconded by Commissioner Songy, to approve the Minutes of Meeting of June 19, 2008, as written and circulated. Motion passed without objection.

**INVESTIGATIVE MATTERS:**

1. Stipulations and Consent Orders: Commissioner Stafford made motion, seconded by Commissioner Songy, that the Commission approve the Consent Orders proposed

as a result of informal adjudicatory proceedings in Cases #2008-10 (LREC v. Kyle Christian Petersen) and (LREC v. Wynona H. Squires); #2008-42 (LREC v. Brenda Jackson Wilson) and #2008-80 (LREC v. Elizabeth M. Kobeszko), and that the Executive Director be authorized to execute the Consent Orders in the name of the Louisiana Real Estate Commission. Motion passed without objection.

2. Stipulations and Consent Orders - Practice after expiration of license. Commissioner Stafford made motion, seconded by Commissioner Caffery, that the Commission approve the Consent Orders proposed as a result of informal adjudicatory proceedings conducted in the cases specified in a Memorandum dated August 11, 2008, from the Executive Director to the Commission (See Attachment A), and that the Executive Director be authorized to execute the Consent Orders in the name of the Louisiana Real Estate Commission. Motion passed without objection.

#### **COMMITTEE REPORTS:**

1. Budget - Al Rowe presented financial reports for period ending July 31, 2008, as printed. He advised that auditors had completed their review and audit report will be available at the September meeting.
2. Education/Research/Publication - Commissioner Trapani reported the committee met in June to review the 45 hour post licensing curriculum and outline. Commissioner Ezernack requested the curriculum include unlicensed assistants and what they can and cannot do. Staff member, Mark Gremillion, advised this issue is covered under Section 1, Part B #5 - Ministerial Acts.

Through e-mail, Commissioner Avant requested commercial issues be addressed throughout the outline, where applicable. Commissioner Ezernack recommended adding "license renewal" under Section IV - Broker Responsibility.

Commissioner Stafford made motion to approve the outline as amended with recommended changes. Motion was seconded by commissioner Caffery and passed without objection. (See Attachment B.)

Commissioner Trapani made motion that the mandatory continuing education topic for 2009 be the Residential Agreement to Buy and Sell. Motion was seconded by Commissioner Caffery and passed without objection.

Commissioner Trapani made motion to conduct a Train the Trainer seminar for the mandatory topic in October/November 2008. Motion seconded by Commissioner Stafford and passed by unanimous vote.

3. E & O Task Force - Commissioner Bono reported the LREC received confirmation from Cindy Rice Grissom that Rice Insurance Services will continue coverage for errors and omissions insurance through January 1, 2010, at the same premium.
4. Fair Housing/Cultural Diversity - no report.
5. Legislative/Legal/Timeshare - Commissioner Flavin reported the committee met August 20<sup>th</sup> to discuss the following items:
  - a. cooperating agreements;
  - b. licensing of auctioneers (will be addressed after ARELLO conference);
  - c. unlicensed assistants - motion was approved by committee to enforce rules already in effect; and
  - d. third party deposits.
6. Standardized Forms - Commissioner Caffery reported the committee met at length

on August 20<sup>th</sup>, and reviewed numerous changes submitted by Louisiana REALTORS to the Residential Buy/Sell Agreement. Caffery made motion to accept form with recommended changes and amendments at this time. Motion was seconded by Commissioner Bono and passed by unanimous vote. (See Attachment C.)

Chairman Ezernack formally went on record thanking Louisiana REALTORS and its task force for the time and effort devoted to developing the original contract as well as the amendments.

7. Strategic Planning - no report.

**DIRECTORS REPORT:**

Mr. Willie gave a building report stating there are quite a few items on the punch list that will be addressed in the near future. Specifications for a sound system for the conference room is being reviewed and plans are to have a system in place prior to the next meeting.

Willie advised with the execution of the agreement with Rice Insurance Services for errors and omissions insurance, renewals will be mailed timely. In order to promote on-line renewals, the LREC will absorb fee charged by credit card companies, and is also considering assessing a processing fee, not to exceed \$25.00, for all paper renewals.

**OLD BUSINESS:**

Chairman Ezernack went on record thanking Sandra Corrigan for her years of service on the Commission.

**NEW BUSINESS:**

Commissioner Trapani proposed a committee be formed to review advertising section of the rules and regulations. Matter referred to Legislative/Legal Committee.

Election of Officers: (To replace Sandra Corrigan who served as Vice Chairman). Commissioner Flavin made motion, seconded by Commissioner Caffery, to nominate Cynthia Stafford as Vice Chairman and Commissioner Songy as Secretary. There being no further nominations, the motion was approved.

2009 Election of Officers: Commissioner Flavin made motion to nominate Commissioner Bono for Secretary. Motion seconded by Commissioner Caffery.

Commissioner Flavin made motion to nominate Commissioner Songy as Vice Chairman. Motion seconded by Commissioner Trapani.

Commissioner Flavin made motion to nominate Commissioner Stafford as Chairman. Motion seconded by Commissioner Trapani.

There being no other nominations, the motions were approved.

Commissioner Bono updated the Commission on the existence and implementation of McNeese State University Foundation, LREC Endowed Professorship. (See Attachment D.) Bono requested information relative to endowed professorships be included on Commission's website.

There being no further business, the meeting adjourned.

