

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION
OCTOBER 21, 2010

The Louisiana Real Estate Commission held its regular meeting on Thursday, October 21, 2010, at 10:00 a.m., at 9071 Interline Ave, 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

Judy Songy, Chairman
Frank Trapani, Vice Chairman
Mike Bono, Secretary
Paul Burns
Pat Caffery
Archie Carraway
Gretchen Ezernack
Tim Flavin
Cynthia Stafford

STAFF

J.C. Willie, Executive Director
Arlene C. Edwards, Legal Counsel
Stephanie Boudreaux
Anne Brassett
Debbie Debrates
Mark Gremillion
Ann Major
Robert Maynor
Summer Mire
Al Rowe
Marsha Stafford
Ivy Stringer
Malissa Wright

GUESTS

Jean Carraway
Bill Bacque
Norman Morris
Cindy Olano
Rick Roberts

Commission members not present for the meeting were James Gosslee and Jennifer LaNasa.

Commissioner Flavin led the Invocation ; Commissioner Stafford led the Pledge of Allegiance.

Commissioner Trapani made motion, seconded by Commissioner Flavin, to approve the Minutes of Meetings of September 23, 2010 and September 30, 2010, as written and circulated. Motion passed without opposition.

PERSONAL APPEARANCES:

1. Lillian Haydel – Ms. Haydel appeared before the Louisiana Real Estate Commission in connection with her request to sit for the real estate sales exam.

On April 15, 2009, Mrs. Haydel pled guilty to conspiracy to interfere with interstate commerce by extortion. For this offense, she was sentenced to five (5) years probation and ordered to pay \$20,000 in restitution. Ms. Haydel's probationary period is set to expire on April 14, 2014.

Ms. Haydel stated that after receiving her MBA from Tulane, she began to work in the insurance business. She became involved in the political arena and was introduced to members of the School Board in New Orleans (Orleans Parish). Ms. Haydel made a proposal for business with a team of brokers for the School Board and was able to procure the business. Soon after, she was contacted by the Finance Director of the School Board and asked to pay a fee for doing business with the School Board. Ms. Haydel felt it was an odd request but assumed that was a part of doing business. She did give a portion of the money that was requested. The Finance Director was later arrested and gave names involved in the extortion. Ms. Haydel admitted to the extortion and was indicted in 2001. The court date was extended for eight years which extended the time frame of her probation.

After hearing Ms. Haydel's responses to questions from the Commissioners, Commissioner Trapani made motion, seconded by Commissioner Caffery, to deny Ms. Haydel's request to sit for the real estate sales exam. Motion passed by majority vote with Commissioner Carraway abstaining from the vote.

COMMITTEE REPORTS:

1. Budget – Commissioner Stafford discussed the budget report prepared by Al Rowe. Commissioner Burns made motion, seconded by Commissioner Trapani, to file the budget report for audit. Motion carried without opposition. **See Attachment A**
2. Education/Research/Publication – Commissioner Trapani reported that the Education committee is working on the mandatory topic, Broker and Agent Responsibilities, and will meet with J.C. Willie to discuss the information needed to complete the RFP. Commissioner Caffery made motion, seconded by Commissioner Burns, to approve the RFP process for the mandatory topic. Motion carried without opposition.

Commissioner Flavin discussed a course that he would like to see approved for continuing education credit. The course applies to language acts, speaking, issues of trust, and problem solving. Commissioner Flavin stated that the course would be beneficial to licensees and the public. The course could be condensed to an eight hour course. Commissioner Burns made motion, seconded by Commissioner Trapani, to approve the course for continuing education credit. (Course name is "Coaching for Success" per the Education Unit).

3. Legislative/Legal/Timeshare – No report.
4. Standardized Forms – Commissioner Ezernack reported that the Standardized Forms Committee met before the business meeting, which all members of the Commission were present, except for James Gosslee and Jennifer LaNasa.

Commissioner Ezernack made motion, seconded by Commissioner Burns, to approve the changes made to the Standardized Purchase Agreement effective January 1, 2011. Motion carried without opposition.

Commissioner Ezernack made motion, seconded by Commissioner Burns, to approve changes made to the Property Disclosure Form effective January 1, 2011. Motion carried without opposition.

Commissioner Caffery made motion, seconded by Commissioner Burns, to approve changes to the Customer Information Form and Agency Pamphlet effective January 1, 2011. Motion carried without opposition.

Commissioner Trapani made motion, seconded by Commissioner Flavin, to not revisit changing the Purchase Agreement or Property Disclosure Form for two years unless there are law changes. Motion carried without opposition.

Commissioner Trapani questioned what the penalty would be for not using the mandatory purchase agreement. Arlene Edwards, legal counsel, stated that a law change would need to be made to make a specific penalty.

Commissioner Flavin stated that a discussion on altering contracts will be addressed in upcoming Legal/Legislative committee meetings.

5. Strategic Planning – No report.

Commissioner Songy reported that the Commissioners met and interviewed with applicants for the Executive Director position on October 20, 2010. Commissioner Trapani made motion, seconded by Commissioner Stafford, to offer the position of Executive Director to Bruce Unangst, subject to nationwide background check and acceptable salary. Motion passed without opposition.

Commissioner Burns made motion, seconded by Commissioner Trapani, to approve a double encumbrance for the Executive Director position. Motion passed without opposition.

DIRECTORS REPORT:

Mr. Willie reported that the base price for laptops for the Commissioners would be \$1049.19.

The license renewals for 2011 have been delayed due to computer issues with the Treasury Department.

Mr. Willie announced that Ann Major will be retiring on October 29, 2010.

Robert Maynor has been hired to the Compliance Investigator 4-B position as supervisor to the Investigative Division. Ivy Stringer has been detailed to the Investigator 4-A position. Compliance Investigator 1 vacant positions are in the process of being filled.

Mr. Willie reported that R.C. McCormick is doing well and is optimistic on his outcome. Yvette Brooks, education unit, suffered a heart attack. Gary Ladner is currently out due to neck and back problems. Commissioner Flavin expressed his prayer and concern for Mr. McCormick, Ms. Brooks, and Mr. Ladner.

UNFINISHED BUSINESS:

Commissioner Flavin inquired on the status of rule changes. Stephanie Boudreaux stated that they should be effective in March 2011.

NEW BUSINESS:

Election of 2011 Officers:

Commissioner Caffery made motion, seconded by Commissioner Stafford, to nominate Commissioner Trapani as 2011 Chairman of the Louisiana Real Estate Commission. Motion carried without opposition.

Commissioner Ezernack made motion, seconded by Commissioner Caffery, to nominate Commissioner Flavin as 2011 Vice-Chairman of the Louisiana Real Estate Commission. Motion carried without opposition.

Commissioner Stafford made motion, seconded by Commissioner Flavin, to nominate Commissioner Caffery as 2011 Secretary of the Louisiana Real Estate Commission. Motion carried without opposition.

There being no further business, Commissioner Trapani motioned to adjourn meeting, seconded by Commissioner Burns. Motion passed without opposition.

JUDY SONGY, CHAIRMAN

MIKE BONO, SECRETARY