

NEBRASKA REAL ESTATE COMMISSION

March 18, 2010

Staybridge Suites

Staybridge Room

Lincoln, NE

Opening

Chairperson Gale convened a meeting of the Nebraska Real Estate Commission at 9:02 a.m. on March 18, 2010, in the Staybridge Room of the Staybridge Suites, located at 2701 Fletcher Avenue in Lincoln, Nebraska. All of the members of the Real Estate Commission were present, with the exception of Commissioner Ptak, who was absent and excused. Also present were Director Greg Lemon, Deputy Director for Education and Licensing Teresa Hoffman, Deputy Director for Enforcement Terry Mayrose, and Administrative Assistant Monica Rut. Greg Barton and Kelly Eckler, Special Assistant Attorneys General and Counsel to the Commission, was present for the Jennifer Lynn Hellman and Brady Keith Bock Hearing and the Bennie C. Taylor Hearing.

Notice of Meeting (Adopt Agenda)

Director Lemon presented a public notice and proofs of publication thereof relating to this meeting, all of which are attached to and made a part of these minutes. Chairperson Gale reported that all Commissioners had been notified of the meeting simultaneously, in writing, and that a proposed tentative agenda accompanied the notification.

Chairperson Gale pointed out to those in attendance that a public copy of the materials being used during the meeting were available to the public on the counsel table in the meeting room; that a copy of the Open Meetings Act was posted on the easel located in the northwest corner of the meeting room by the west entrance; and that the procedures followed were in accordance with the Open Meetings Act. Chairperson Gale asked that guests sign the guest list.

After review of the final agenda, a motion was made by Grady and seconded by Griess to adopt the final agenda as presented. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Minutes of February 18-19, 2010

The minutes of the Commission meeting held on February 18-19, 2010, were considered.

After review, a motion was made by Griess and seconded by Grady to approve the minutes as presented. Motion carried with Dover, Grady, Griess, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused and with Leisey not voting having not been in attendance at the February Meeting.

Public Comment

Chairperson Gale asked the members of the audience if anyone wished to come forward to provide public comment on any of the agenda items. No audience member indicated a desire to come forward.

Receipts and Expenditures Report for February

Director Lemon presented the Receipts and Expenditures Report for February. A copy of said report is attached to and made a part of these minutes. Director Lemon noted that an explanation page was included on the report.

The cash fund balance as of February 28, 2010, was \$815,515.30, which compared to a cash fund balance of \$800,255.68 on February 28, 2009.

After discussion, a motion was made by Grady and seconded by Leisey to file the February Receipts and Expenditures Report for audit. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Specialized Registrations

There were no specialized registrations to be presented at the meeting.

Nonresident Licenses and Resident Licenses Issued to Persons Holding Licenses in Other Jurisdictions Report

Deputy Director Hoffman presented for ratification the Nonresident Licenses and Resident Licenses Issued to Persons Holding Licenses in Other Jurisdictions Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Grady and seconded by Griess to ratify issuance of the licenses as set forth in the report. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Examination Report - February

Deputy Director Hoffman presented for ratification the February Examination Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Griess and seconded by Grady to ratify the February Examination Report for the purpose of issuing licenses. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Real Estate Education Matters

Pre-License Education Instructor Approval

Deputy Director Hoffman presented for ratification the Pre-License Education Instructor Approval Report, a copy of which is attached to and made a part of these minutes.

Continuing Education Activity Approval

Deputy Director Hoffman presented for ratification the Continuing Education Activity Approval Report, a copy of which is attached to and made a part of these minutes.

Continuing Education Instructor Approval

Deputy Director Hoffman presented for ratification the Continuing Education Instructor Approval Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Leisey and seconded by Griess to ratify the three reports. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Continuing Education Annual Report

Deputy Director Hoffman presented the Continuing Education Annual Report, a copy of which is attached to and made a part of these minutes. There was discussion regarding language to be added to this report in the future.

Continuing Education Renewal Report

Deputy Director Hoffman presented the Continuing Education Renewal Report, a copy of which is attached to and made a part of these minutes.

Deputy Director Hoffman explained the contents in these reports and the process followed to obtain the annual and renewal reports.

After review, a motion was made by Leisey and seconded by Grady to ratify the two reports.

Chairperson Gale offered a friendly amendment to change the motion to remove the courses on the Continuing Education Annual Report from approved status and to ratify the courses listed on the Continuing Education Renewal Report. It was accepted by the mover and the second.

Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

No action was necessary on this report.

Pending Sworn Complaints and Investigative Matters

Deputy Director Mayrose presented a summary report of the pending complaints, which included a list of licensees presently under disciplinary action or on appeal. A copy of said report is attached to and made a part of these minutes.

No action was necessary on this report.

The following sworn complaints and investigative matters were presented to the Commission:

Item A Complaint 2009-033

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Grady and seconded by Dover that this complaint be held in abeyance and a new complaint be filed against the Respondent per the Staff recommendation. Motion carried

with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

Item B Complaint 2009-052

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Griess that this complaint be set for hearing. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

Item C Complaint 2008-021 – Amy Reiman vs. Bennie C. Taylor

Deputy Director Mayrose requested Complaint 2008-021 be dismissed. Deputy Director Mayrose explained that Complaint 2008-021 was presented to the Commission as an investigative matter. The Commission had voted to file a new complaint on its own motion and to hold Complaint 2008-021 in abeyance until the new complaint had been adjudicated. Complaint 2009-019 was the new complaint.

A motion was made by Grady and seconded by Dover to dismiss Complaint 2008-021, since the Commission held the Hearing for Complaint 2009-019 at this meeting. Motion carried with Dover, Grady, Griess, Leisey, , Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

Presentation of Stipulation and Consent Orders

**Complaint 2009-032,
Timothy P. Conover and Linda K. Conover vs. James Leslie Nelms**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2009-032, Timothy P. Conover and Linda K. Conover vs. James Leslie Nelms. A copy of said Order is attached to and made a part of these minutes.

The Commission took up this matter in combination with Complaint 2010-014 below.

**Complaint 2010-014,
Commission vs. Regis A. Swanson**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2010-014, Commission vs. Regis A. Swanson. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Grady and seconded by Leisey to enter into Orders 2009-032 and 2010-014 as presented. Motion carried with Dover, Grady, Leisey, Rouch and Gale voting aye, with Griess voting nay, and Ptak not participating or voting, being absent and excused.

After further discussion a motion was made by Griess and seconded by Grady that a letter of admonishment be sent to Teri Miller. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

Hearings

March 18, 9:30 a.m. - Show-Cause Hearing on SC2010-001, Commission vs. Jennifer Lynn Hellman and Brady Kieth Bock

A Hearing was held on March 18 at 9:30 a.m., in the matter of SC2010-001. Greg Barton and Kelly Eckler, Special Assistant Attorneys General and Counsel to the Commission, appeared for the Complainant. Respondents Jennifer Lynn Hellman and Brady Kieth Bock were present without Counsel.

Commissioner Leisey recused himself from participating in this matter, thereby nullifying any potential conflict of interest.

After Opening Statements, Counsel Barton offered eleven Exhibits. Mr. Bock offered one exhibit. All of which were received by Chairperson Gale. Counsel Barton called Greg Lemon, Terry Mayrose, and Melanie Patrick-Heather as witnesses. Counsel Eckler called Jennifer Lynn Hellman and Brady Keith Bock as witnesses. Jennifer Lynn Hellman called herself as a witness. Brady Kieth Bock called himself as a witness.

At 10:53 a.m., Chairperson Gale declared a brief recess, and reconvened the Hearing at 11:05 a.m.

After closing arguments had been presented, Chairperson Gale declared the Hearing concluded and gathered the original exhibits.

Prior to any motion the following occurred:

Commissioner Grady felt the Respondents did not take the Orders of the Commission seriously and felt that the licensees should not be allowed to conduct real estate activities. Chairperson Gale felt the evidence was conclusive that Ms. Hellman and Mr. Bock had violated the Orders of the Commission.

A motion was made by Grady and seconded by Dover in Complaint SC 2010-001, Jennifer Lynn Hellman and Brady Kieth Bock be found guilty of the alleged violations. Motion carried with Dover, Grady, Griess, Rouch and Gale voting aye, with Leisey not participating or voting, having recused himself, thereby nullifying any potential conflict of interest, and with Ptak not participating or voting, being absent and excused.

Chairperson Gale opened the past disciplinary action envelope for Jennifer Lynn Hellman. It showed the Commission accepted a Stipulation and Consent Order relating to Complaint #2009-026, dated July 9, 2009, censuring Ms. Hellman's license, plus an additional six hours of continuing education, and on February 27, 2010, the Commission accepted a Stipulation and Consent Order relating to Complaint #2009-029, suspending Ms. Hellman's license for twelve months with the first forty-five days served on suspension and the remainder stayed and served on probation, plus an additional 3 hours of continuing education, and requiring Hellman to write a letter of apology to Complainant and to undergo an alcohol dependency evaluation and complete any recommended treatments recommended by such evaluation.

Chairperson Gale opened the past disciplinary action envelope for Brady Kieth Bock. It showed the Commission accepted a Stipulation and Consent Order relating to Complaint #2009-026, dated July 9, 2009, censuring Mr. Bock's license, plus an additional six hours of continuing education.

The Commissioners then discussed the penalty to be assessed.

They first discussed the penalty which would be imposed upon Jennifer Lynn Hellman.

Chairperson Gale was concerned that when licensees are ordered to take additional continuing education in specific course material to repair a defect in their skills, the licensees do not take it seriously. He indicated that licensees should take the education as early as possible to avoid another error and felt that the Commission should not allow postponement of course completion in the future. He also indicated that procrastination was a bad habit.

Commissioner Griess indicated that everyone could identify with procrastination. She felt that the additional continuing education was viewed by Respondents as a deadline rather than a means of learning.

Commissioner Rouch felt that Ms. Hellman and Mr. Bock had good intentions of completing their additional continuing education requirement but made a poor decision to procrastinate. She felt that going through a hearing was a good experience for them and they would take the education requirements more seriously in the future.

Commissioner Grady felt that since Ms. Hellman had previous license law violations she should receive a maximum penalty fine for violating the Stipulation and Consent Order.

A motion was made by Grady to fine Ms. Hellman \$2,500.00 for violating the Stipulation and Consent Order. The motion died for a lack of a second.

Commissioner Dover noted that both Ms. Hellman and Mr. Bock signed and understood the conditions in the Stipulation and Consent Order. He felt that the violation of the Order was very serious and felt that they should receive a license suspension rather than a fine.

Chairperson Gale indicated that Ms. Hellman currently had two Stipulation and Consent Orders entered against her which were approved by the Commission and had a potential resolution of a third issue before the Commission today. He felt that Ms. Hellman's disobedience may reflect a pattern of noncompliance. He did not feel additional continuing education would be a beneficial discipline, and would rather impose a fine or an additional period of suspension. He also noted that both Ms. Hellman and Mr. Bock attempted to comply with the deadline of the Order and did not completely ignore the Order.

Commissioner Dover indicated that both Ms. Hellman and Mr. Bock failed to read the documentation supplied by the Commission staff to meet the requirements of the Order.

A motion was made by Dover and seconded by Grady to suspend Ms. Hellman's license for six months with thirty days served and the remainder stayed and served on probation, and to compensate the Commission for a portion of the Hearing cost.

Chairperson Gale noted that Ms. Hellman was currently serving suspension as agreed upon in an approved Stipulation and Consent Order and asked for clarification of the motion made.

Commissioner Dover offered a friendly amendment to clarify that the pending motion requiring suspension would be served consecutively or in addition to the suspension period she is currently serving. The friendly amendment was accepted by the second.

There was discussion regarding the ability to use the Commission's fining authority in the penalty phase.

Director Lemon restated the pending motion.

Motion failed with Dover, Grady, and Griess voting aye, with Rouch and Gale voting nay, with Leisey not participating or voting, having recused himself, thereby nullifying any potential conflict of interest, and with Ptak not participating or voting, being absent and excused.

There was discussion regarding the purpose of extending an existing probationary period.

A motion was made by Griess and seconded by Dover to suspend Ms. Hellman's license an additional thirty days to commence on April 16, 2010. Motion carried with Dover, Grady, Griess, Leisey and Gale voting aye, with Rouch voting nay, and with Ptak not participating or voting, being absent and excused.

The Commission then discussed the penalty which would be imposed upon Brady K. Bock.

A motion was made by Grady and seconded by Griess to suspend Mr. Bock's license for six months, with thirty days served and the remainder stayed and served on probation. Motion carried with Dover, Grady, Griess and Gale voting aye, with Rouch voting nay, with Leisey not participating or voting, having recused himself, thereby nullifying any potential conflict of interest, and with Ptak not participating or voting, being absent and excused.

With the consent of the Respondents, Chairperson Gale directed Counsel Barton to prepare the Order.

Chairperson Gale notified the Respondents that the costs incurred for the court reporter and any witness fees would be billed to the Respondents, as provided for in 305 NAC Chapter 4, and that the Respondents would have thirty days from the date of the Order to reimburse the Commission for said costs.

Chairperson Gale announced that all exhibits related to this hearing would be retained in the Commission office.

The Hearing was adjourned at 11:59 a.m.

Complaint 2009-019 Commission vs. Bennie C. Taylor

A Hearing was held on March 18 at 1:40 p.m., in the matter of 2009-019. Greg Barton and Kelly Eckler, Special Assistant Attorneys General and Counsel to the Commission, appeared for the Complainant. Respondent Bennie C. Taylor was present and represented by Counsel Thomas E. Brogan of Norfolk.

After Opening Statements, Counsel Barton offered twenty-six Exhibits, all of which were received by Chairperson Gale. Counsel Barton called Bennie C. Taylor as a witness. Counsel Brogan offered thirty-three Exhibits, all of which were received by Chairperson Gale.

At 2:58 p.m., Chairperson Gale declared a brief recess, and reconvened the Hearing at 3:17 p.m.

After closing arguments had been presented, Chairperson Gale declared the Hearing concluded and gathered the original exhibits.

Prior to any motion the following occurred:

Chairperson Gale felt that problems with the transaction compounded and while Mr. Taylor was not acting out of greed for the commission payment he should have delayed closing.

Commissioner Leisey felt that Mr. Taylor was guilty and should not have closed the transaction. He did not feel that Mr. Taylor's intent was greed, but mistakes were made and he clearly used bad judgement.

Commissioner Rouch concurred with Commissioner Leisey. She felt that intent of wrong doing was one thing but the errors Mr. Taylor made did damage. She noted that while the dollar amount was minimal, the mistake was significant.

There was discussion regarding the duties of licensees to the buyers and sellers. They also discussed what a licensees responsibilities are at closing and when those responsibilities were surrendered.

A motion was made by Leisey and seconded by Gale that Mr. Taylor violated Neb. Rev. Stat. §76-2422(2); 81-885.24 (29) and 76-2417(1). Motion carried with Dover, Grady, Griess, Leisey Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

Chairperson Gale opened the past disciplinary action envelope. It showed that a Hearing was held by the Commission on June 8, 1993, relating to Complaint #92-078, which suspended Mr. Taylor's license for twenty four months with the last eighteen months stayed and served on probation, plus an additional twelve hours of continuing education.

The Commissioners then discussed the penalty to be assessed.

Commissioner Leisey felt the punishment should not be harsh since Mr. Taylor did not have a harmful intent. Commissioner Dover felt Mr. Taylor's actions were serious. Chairperson Gale noted that failings occurred whether they were intended or not and there were a series of violations by Mr. Taylor.

A motion was made by Grady and seconded by Leisey to suspend Mr. Taylor's license for six months, with thirty days served and the remainder stayed and served on probation.

A motion was made by Chairperson Gale and seconded by Grady to include a \$1,000.00 fine be imposed as part of the pending motion. The amendment carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

The amended motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, and with Ptak not participating or voting, being absent and excused.

With the consent of the Respondent, Chairperson Gale directed Counsel Barton to prepare the Order.

Chairperson Gale notified the Respondents that the costs incurred for the court reporter and any witness fees would be billed to the Respondents, as provided for in 305 NAC Chapter 4, and that the Respondents would have thirty days from the date of the Order to reimburse the Commission for said costs.

There was discussion regarding the date suspension would commence.

Chairperson Gale announced that all exhibits related to this hearing would be retained in the Commission office.

The Hearing was adjourned at 4:15 p.m.

Informal Special Appearances

Kurtis Gene Rice, Salesperson Applicant

Director Lemon presented exhibits which included: correspondence regarding Mr. Rice's special appearance; character reference letters for Mr. Rice; Mr. Rice's criminal history report; and his salesperson application form. A copy of said exhibit is attached to and made a part of these minutes. Mr. Rice was present.

Prior to discussion of this matter, Commissioner Griess recused herself, thereby nullifying any potential conflict of interest.

Chairperson Gale reviewed the procedure for informal special appearances.

Mr. Rice explained the situations regarding his past criminal history.

After discussion, a motion was made by Dover and seconded by Leisey to allow Mr. Rice to sit for the salesperson examination after making proper application and to have a license issued upon passing. Motion carried with Dover, Grady, Leisey, Rouch and Gale voting aye, with Griess not participating or voting, having recused herself, thereby nullifying any potential conflict of interest, and with Ptak not participating or voting, being absent and excused.

Justin Richard Hogan, Salesperson Applicant - Reappearance

Director Lemon presented exhibits which included: correspondence regarding Mr. Hogan's special appearance; character reference letters for Mr. Hogan; Mr. Hogan's criminal history report; email correspondence from the Commission to Mr. Hogan, his salesperson application form; information regarding Mr. Hogan's previous special appearances in September 2009 and February 2009. Mr. Hogan was present.

Chairperson Gale reviewed the procedure for informal special appearances.

Mr. Hogan distributed a Satisfaction of Judgement and Sentence Early Discharge from the Douglas County District Court. A copy of said exhibit is attached to and made a part of these minutes, denoted as exhibit 13b1.

Mr. Hogan explained the situations regarding his past criminal history and his accomplishments since his previous special appearance.

After discussion, a motion was made by Gale and seconded by Leisey to allow Mr. Hogan to sit for the salesperson examination after making proper application and to have a license issued upon passing with the conditions that Mr. Hogan notify Commission staff, within thirty days, of any felony or misdemeanor charges during his first two years of licensure; Mr. Hogan must notify his employing broker of his criminal convictions and the circumstances of the convictions; and the employing broker must confirm said notification, in writing, to the Commission prior to issuance of

the license. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Jason James McCoy, Salesperson Applicant

Director Lemon presented exhibits which included: correspondence regarding Mr. McCoy's special appearance; character reference letters for Mr. McCoy; a summary of trial court cases from the State of Nebraska and the State of Iowa on Mr. McCoy's cases; notes taken from Commission Staff regarding past criminal history; Mr. McCoy's criminal history report; and his salesperson application form. A copy of said exhibit is attached to and made a part of these minutes. Mr. McCoy was present.

Chairperson Gale reviewed the procedure for informal special appearances.

Mr. McCoy explained the situations regarding his past criminal history.

After discussion, a motion was made by Gale and seconded by Leisey to allow Mr. McCoy to sit for the salesperson examination after making proper application and to have a license issued upon passing with the conditions that Mr. McCoy notify Commission staff, within thirty days, of any felony or misdemeanor charges during his first two years of licensure; Mr. McCoy must notify his employing broker of his criminal convictions and the circumstances of the convictions; and the employing broker must confirm said notification, in writing, to the Commission prior to issuance of the license. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Discussion Regarding Various Industry Related Technical Subjects

Deputy Director Hoffman presented an exhibit regarding various industry related technical subjects. A copy of said exhibit is attached to and made a part of these minutes.

Deputy Director Hoffman explained the Exhibit addressed the Commissioners' previously expressed concern with having current information available for their reference as well as available for guidance to licensees on the subjects of keeping licensed activity on the internet compliant with the License Act and how to comply with the License Act when operating a virtual office website (VOW). The exhibit contained an article on each topic and it was suggested that these articles appear in the Summer issue of the *Commission Comment*. She explained that both articles were updated from articles that had previously appeared in the newsletter. Those original articles had been helpful and these were current and even more specific to application.

Commissioner Dover indicated that he thought there was good information in the Internet Best Practices Recommended Guidelines but was concerned that the guidelines might be confused with the law. Deputy Director Hoffman indicated that an editor's note would be added that would explain that these were Guidelines that were recommended and not law, but they could be implemented and would not be contradictory to the License Act.

Commissioner Leisey was concerned with the recommendations to include telephone numbers and addresses and the impact on personal safety. Commissioner Griess indicated that she believed there was federal regulation that required such information and that she would get that to Deputy Director Hoffman to reference in the article if necessary.

It was the consensus of the Commission to have the "Internet Best Practices" article, with any clarifications thought necessary, published in the Commission Comment newsletter.

Deputy Director Hoffman indicated that the original article on "Virtual Office Websites (VOW's)" had been written by the Commission's legal counsel at the time. The current article had been updated to include changes the National Association of Realtors (NAR) had made to the VOW program and to specifically give guidance on complying with the License Act when using VOWs. She noted that while this article gives a good description of how a VOW should be constructed, VOW's are also subject to rules adopted by NAR and the various Boards of NAR and that this article necessarily could speak only to compliance with the License Act.

It was the consensus of the Commission to have the "Virtual Office Websites" article published in the Commission Comment newsletter.

Approval of Errors and Omissions Insurance Plan – Request for Proposals

Director Lemon presented a Request for Proposals (RFP) for Errors and Omissions Insurance. A copy of said exhibit is attached to and made a part of these minutes. (Note: It was discovered at the meeting that the Exhibit for this Agenda Item was incorrect. The Exhibit had been copied incorrectly for the Commissioner's review. The correct Exhibit was attachment to these minutes.)

Director Lemon noted the Request for Proposals (RFP) form and the process are prescribed by the State of Nebraska's Department of Administrative Services Purchasing Division. It was explained that the exhibit had been reviewed by the Purchasing Division and its legal counsel and was found to be in compliance. While the Commissioners could suggest changes, these too would have to be approved by the Purchasing Division and its legal counsel before proceeding with the process. Director Lemon reviewed the chronology of the Request for Proposals process and discussed the date of the RFP and the necessity of restricting contact with potential vendors beyond this date. The development of an evaluation tool which will be used to evaluate each proposal was also discussed.

A motion was made by Grady and seconded by Leisey to approve and publish the Request for Proposals as presented. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

Legislative Matters

LB 691 - Director Lemon reported that the bill had been approved by the Governor on March 3. He also reviewed the Attorney General's Opinion received in reference to this bill. He noted that this bill would be effective three months after the Legislature adjourns.

LB 736 - Director Lemon reported that the bill had been approved by the Governor on March 3. He noted that this bill would be effective three months after the Legislature adjourns.

LB 818 – Director Lemon indicated that this bill would most likely not advance.

LB 931 –Director Lemon explained that an Amendment to this bill had been introduced and was currently on general file. He reported that this bill would continue to be monitored.

No action was necessary with regard to these matters.

Information Matters

ARELLO Mid-Year Meeting – April 8-10, 2010 – Colorado Springs, Colorado

Director Lemon reminded the Commissioners that the ARELLO Mid-Year Meeting would be held April 8-10. He noted that the Commissioner College would be offered at this meeting on the 10th and would need to be preregistered by March 24.

Director Lemon indicated that those planning to attend the Annual Conference were Commissioners Dover, Grady and Rouch and Deputy Director Hoffman and he planned on attending. Director Lemon noted that he planned on attending the Commissioner College training as suggested.

No action was necessary on this report.

Future Meeting Dates

April 22-23, 2010 – Hampton Inn & Suites, Lincoln

May 20-21, 2010 - Staybridge Suites, Lincoln

June 24-25, 2010 - Staybridge Suites, Lincoln

August 19-20, 2010 - Staybridge Suites, Lincoln

Recesses and Adjournment

At 9:20 a.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 9:30 a.m.

At 10:53 a.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 11:05 a.m.

At 11:59 a.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 12:00 p.m.

At 12:20 p.m., Chairperson Gale declared a recess for lunch, and reconvened the meeting at 1:07 p.m.

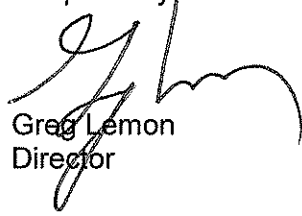
At 1:25 p.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 1:40 p.m.

At 2:58 p.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 3:17 p.m.

At 5:30 p.m., there being no further business to come before the Commission, a motion was made by Griess and seconded by Leisey that the meeting adjourn. Motion carried with Dover, Grady, Griess, Leisey, Rouch and Gale voting aye, with Ptak not participating or voting, being absent and excused.

I, Greg Lemon, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the March 18, 2010, meeting of the Nebraska Real Estate Commission were available for inspection on March 25, 2010, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,



Greg Lemon
Director

Guests Signing the Guest List

Kristen Anderson, Nebraska REALTORS® Association, Lincoln
Susan Geschwender, Randall School of Real Estate, Omaha
Jennifer Hellman, Omaha
Brady Bock, Omaha
Jane Moreland, Moreland Realty, Imperial
Kurtis Rice, Lincoln
Justin Hogan, Omaha
Jason McCoy, Omaha
Janette Adair, Nebraska Department of Insurance, Lincoln
Barbara Ems, Nebraska Department of Insurance, Lincoln