

## NEBRASKA REAL ESTATE COMMISSION

January 19, 2012

Staybridge Suites

Staybridge Room

Lincoln, NE

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### **Opening**

Chairperson Gale convened a meeting of the Nebraska Real Estate Commission at 9:04 a.m. on January 19, 2012, 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. 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.

### **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, by mail and e-mail, 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.

Director Lemon noted that no agenda items had been added since the tentative agenda was mailed to the Commissioners.

After review of the final agenda, a motion was made by Dover and seconded by Ptak to adopt the final agenda as presented. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

### **Minutes of December 6, 2011**

The minutes of the Commission meeting held on December 6, 2011, were considered.

After review, a motion was made by Stange and seconded by Rouch to approve the minutes as presented. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye, and with Leisey not voting having not been in attendance at the December Meeting.

### **Public Comment**

Chairperson Gale asked the members of the audience if anyone wished to come forward to provide public comment on Commission related business. No audience member indicated a desire to come forward.

## **Receipts and Expenditures Reports for November and December**

Director Lemon presented the Receipts and Expenditures Reports for November and December. A copy of said reports are attached to and made a part of these minutes. Director Lemon noted that an explanation page was included in each report.

The cash fund balance as of November 30, 2011, was \$796,909.01 which compared to a cash fund balance of \$657,191.27 on November 30, 2010.

The cash fund balance as of December 31, 2011, was \$1,109,460.31, which compared to a cash fund balance of \$756,647.94 on December 31, 2010.

After discussion, a motion was made by Leisey and seconded by Ptak to file the November and December Receipts and Expenditures Reports for audit. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Renewal Report**

Director Lemon presented the Renewal Report. A copy of said report is attached to and made a part of these minutes.

No action was necessary on this report.

## **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 Dover and seconded by Rouch to ratify issuance of the licenses as set forth in the report. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Examination Report – November and December**

Deputy Director Hoffman presented for ratification the November and December Examination Reports, copies of which are attached to and made a part of these minutes.

Deputy Director Hoffman indicated that the reports also reflected the Commission's request to track individual statistics. In addition, an explanation page would be included with the report each month to assist in reading the examination score reports.

After review, a motion was made by Leisey and seconded by Ptak to ratify the November and December Examination Reports for the purpose of issuing licenses. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Real Estate Education Matters**

### **Pre-License Education Provider/Course Approval**

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

### **Temporary Pre-License Education Instructor Approval**

Deputy Director Hoffman presented for ratification the Temporary 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.

### **Broker-Approved Training Recognition**

Deputy Director Hoffman presented a Broker-Approved Training Recognition Report, a copy of which is attached to and made a part of these minutes. An updated Report was distributed at the meeting and is attached to and made a part of these minutes.

Commissioner Dover suggested a survey be sent to the brokers for feedback on the performance of the training within a year of implementation. Chairperson Gale indicated that a survey sent via email would be a preferred method due to postage expense.

After review, a motion was made by Ptak and seconded by Avery to ratify the four reports. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

### **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.

Deputy Director Mayrose updated the Commissioners on pending cases of interest.

No action was necessary on this report.

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

#### **Item A Complaint 2011-010 – Carol Jensen/City of Omaha vs. Michael Salkin**

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 Avery and seconded by Leisey that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Item B Investigative Matter**

Deputy Director Mayrose presented an investigative report to the Commission.

After being advised of the results of the investigation and discussion, a motion was made by Leisey and seconded by Ptak that the Commission file a complaint on its own motion and set it for hearing per the Staff recommendation. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Item C Investigative Matter**

Deputy Director Mayrose presented an investigative report to the Commission.

After being advised of the results of the investigation and discussion, a motion was made by Avery and seconded by Leisey that the Commission file a complaint on its own motion and set it for hearing per the Staff recommendation. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Item D Investigative Matter**

Deputy Director Mayrose presented an investigative report to the Commission.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the Commission file a complaint on its own motion and set it for hearing per the Staff recommendation. Motion carried with Avery, Dover, Ptak, Rouch, Stange and Gale voting aye, and with Leisey voting nay.

**Item E Complaint 2010-051 – Russ Rains & Susan Knabe vs. Robby Gene Predmore**

Deputy Director Mayrose requested Complaint 2010-051 be dismissed. Deputy Director Mayrose explained that Complaint 2010-051 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 2010-051 in abeyance until the new complaint had been adjudicated. Complaint 2011-035 was the new complaint.

A motion was made by Dover and seconded by Ptak to dismiss Complaint 2010-051, since the Commission had accepted a Stipulation and Consent Order for Complaint 2011-035 at this meeting. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Presentation of Stipulation and Consent Orders**

**Complaint 2011-022,  
Jason K. Hesser vs. Charles Robert Winkler**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2011-022, Jason K. Hesser vs. Charles Robert Winkler. A copy of said Order is attached to and made a part of these minutes.

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

After discussion, a motion was made by Ptak and seconded by Dover to enter into the Order as presented. Motion carried with Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye, and with Avery not participating or voting, having recused himself, thereby nullifying any potential conflict of interest.

**Complaint 2011-035,  
Commission vs. Robby Gene Predmore**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2011-035, Commission vs. Robby Gene Predmore. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Dover and seconded by Ptak to enter into the Order as presented. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Complaint 2011-039,  
Commission vs. John Anthony Clark**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2011-039, Commission vs. John Anthony Clark. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Dover and seconded by Leisey to enter into the Order as presented. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

**Rule Hearings**

**Rule Hearing on Title 302, Chapter 1 – Amendments to revise and update the Seller Property Condition Disclosure Statement to conform to statutory changes and clarify and expand upon information requested in the Statement**

At 9:30 a.m. on January 19, Chairperson Gale called to order the public hearing on the proposed amendments to Title 302, Chapter 1, of the Commission's Rules and Regulations.

Director Lemon presented three exhibits, which included: 1) a copy of the meeting notice, which was published in two newspapers and filed with the Secretary of State, the Executive Board of the Legislative Council, and the Governor's Policy Research Office; 2) a copy of the Lincoln Journal-Star and Omaha Daily Record proofs of publication of the meeting notice; and 3) a copy of the proposed amendments to Title 301, Chapter 1, in legislative style. Exhibits are attached to and made a part of these minutes.

Director Lemon reviewed the proposed amendments set out in Title 302, Chapter 1.

Director Lemon noted that the amendments had been discussed for public input at multiple Commission meetings and the proposed changes have been reviewed by staff, licensees, associations, legal counsels, and the proposed changes had been discussed in the Commission Comment newsletter. He explained that over the course of time, the form had inconsistencies which needed to be "cleaned up" as well as additional information which needed to be added.

Chairperson Gale asked if any member of the public wished to speak regarding the proposed amendments.

Kristen Anderson representing the Nebraska Realtors Association, indicated they were in support of this rule change as proposed.

Fred Hoppe representing HomeServices of Nebraska, indicated that while the proposed form showed vast improvement, there was one item listed that he felt was too objective. He discussed his concerns regarding Part II, Section D, Item 17, and requested the removal of this item. There was discussion regarding possible wording changes to this item rather than removal.

Mike Poskochil, salesperson licensee, and former Commissioner, indicated that since he uses this form every day, he wanted to address a few areas of concern. He noted that the box located on top of the first page of the form, had language which was inconsistent and would like the last line to address the time period rather than number of years the seller occupied the property. He also explained that Part I, Section C which asked the seller to indicate the age of the mechanical systems could lead to potential discrepancies. He felt that a home inspection would be the correct way to address the question of ages of the mechanical components. He indicated that a seller would likely have better knowledge of the installation date of items like air-conditioning units, and asking for the installation date might be more appropriate and get more accurate answers than asking for the age of such items. He also noted that he did not feel the form was compatible for multiple systems either in a house or an apartment complex for example.

There was discussion regarding the potential discrepancies if a seller was required to fill out the age of mechanical components and suggested changes to the proposed form. The Commission also discussed the importance of the form reflecting the current condition of the component rather than the age. They also reviewed the language which provided instruction for multiple components.

Carla Waldbaum with Home Real Estate, indicated that she is also on the Nebraska REALTORS Association's Forms Committee and would like the Commission to seriously consider the proposed changes as suggested today.

At 10:10 a.m., Chairperson Gale declared a recess of the Hearing in order for the Informal Special Appearances and an Agenda item to take place. The Hearing reconvened at 11:20 p.m.

Director Lemon explained that the procedures for the Hearing and while the Commission was under no time constraints, he noted that any substantive changes to the form would require another Hearing.

The Commission deliberated on the proposed rule change.

A motion was made by Leisey and seconded by Avery that the Seller Property Condition Disclosure Statement Commission reflect the following changes: in the box located on the top portion of the first page, the words "If yes, from when (year) \_\_\_\_\_ to when (year) \_\_\_\_\_"; remove question 17 under Part II Section D; and remove the year(s) of age under Part I, Sections C and D.

An amendment was offered by Dover and seconded by Leisey to change the wording to "year installed (if known)" under Part I, Sections C & D. After further discussion, motion carried with Dover, Ptak, Rouch, Stange and Gale voting aye, and with Avery and Leisey voting nay.

An amendment was offered by Ptak and seconded by Leisey that the second line in the box located on the first page be revised to say "Does the seller occupy the property? Yes/No If yes, how long has the seller occupied the property? \_\_\_\_\_ year(s)". Motion carried with Avery, Dover,

Leisey, Ptak, Rouch, Stange and Gale voting aye

After discussion and review of the pending motion, twice amended, motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye

A motion was made by Ptak and seconded by Dover that the Commission revise the form and set a Rule Hearing on the substantive changes. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye

Chairperson Gale declared the rule hearing concluded at 12:05 p.m.

**Rule Hearing on Title 299, Chapters 1 and 7 – Amendments relating to approval of distance education courses for prelicense and continuing education**

At 10:15 a.m. on January 19, Chairperson Gale called to order the public hearing on the proposed amendments to Title 299, Chapters 1 and 7, of the Commission's Rules and Regulations.

Director Lemon presented three exhibits, which included: 1) a copy of the meeting notice, which was published in two newspapers and filed with the Secretary of State, the Executive Board of the Legislative Council, and the Governor's Policy Research Office; 2) a copy of the Lincoln Journal-Star and Omaha Daily Record proofs of publication of the meeting notice; and 3) a copy of the proposed amendments to Title 299, Chapters 1 and 7, in legislative style. Exhibits are attached to and made a part of these minutes.

Director Lemon noted that he had not received any written comments or testimony which had been solicited.

Deputy Director Hoffman reviewed the proposed amendments set out in Title 299, Chapters 1 and 7.

There was discussion on the reasons behind ARELLO no longer certifying the correspondence courses.

At 10:24 a.m., Chairperson Gale declared a recess of the Hearing in order for the Informal Special Appearances and an Agenda item to take place. The Hearing reconvened at 12:05 p.m.

Chairperson Gale asked if any member of the public wished to speak regarding the proposed amendments. Fred Hoppe with the Nebraska Realtors Association indicated they were in support of this rule change.

A motion was made by Ptak and seconded by Leisey that the Commission adopt Title 299, Chapters 1 and 7, and to direct staff to complete the filing process for the proposed rule changes. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

Chairperson Gale declared the rule hearing concluded at 12:05 p.m.

**Disciplinary Hearing**

**1:30 p.m. – Complaint P2011-002 – Petition for Review – Jeff Rothlisberger**

The Hearing scheduled to be held on January 19 at 1:30 p.m., in the matter of P2011-002 was continued.

## **Informal Special Appearances**

### **Sam Tabor, Potential Applicant**

Director Lemon presented exhibits which included: correspondence regarding Mr. Tabor's special appearance; a summary of Mr. Tabor's criminal history; a letter of probation discharge from the County of San Diego, California; an explanation of criminal offenses from Mr. Tabor; and character reference letters for Mr. Tabor. A copy of said exhibit is attached to and made a part of these minutes. Mr. Tabor was present.

Chairperson Gale reviewed the procedure for informal special appearances.

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

Trudy Meyer, representing CBSHOME Real Estate in Omaha, indicated that she intended on employing Mr. Tabor at the Davenport office should he be allowed to get licensed.

After discussion, a motion was made by Dover and seconded by Leisey to allow Mr. Sam Tabor to sit for the salesperson examination after making proper application and to have a license issued upon passing. Mr. Tabor must notify any anticipated employing broker of the criminal convictions and the circumstances of the convictions and said broker shall confirm said notification in writing to the Commission prior to the license being placed with said broker. Mr. Tabor must also notify the Commission staff of any new criminal charges, except those charges where there is no possible sentence of jail time for a period of five years. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

### **L Scott Momsen – Broker Licensee**

Director Lemon presented exhibits which included: correspondence regarding Mr. Momsen's special appearance; and a Notice of Intent to Suspend License issued by the Iowa Real Estate Commission. A copy of said exhibit is attached to and made a part of these minutes. Mr. M. Momsen was present.

Chairperson Gale reviewed the procedure for informal special appearances.

Mr. Momsen indicated that that he had provided the Commission with all of the documentation he had received from the Iowa Real Estate Commission regarding the suspension of his real estate Salesperson license. He explained that while he maintained an Iowa license he did very little activity in Iowa and did not solicit business in the State of Iowa. He noted that the Iowa Department of Revenue had concluded that he had not paid taxes owed, therefore, his real estate license had been suspended.

Mr. Momsen explained the situation regarding the suspension of his Iowa Real Estate License. He stated that he had not been successful in getting an explanation from the Iowa Department of Revenue regarding the income tax issue.

A motion was made by Ptak and seconded by Stange to continue the discussion until the February meeting in order for Mr. Momsen to get the situation clarified. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.



### **Authorize Post Dated Listing Agreements (Survey Results)**

Director Lemon presented results of an informal survey conducted of the ARELLO agency directors. A copy of said exhibit is attached to and made a part of these minutes.

Director Lemon explained that the proposed revisions to the License Act regarding post dated listing agreements had been discussed and since there had been strong opinions expressed by parties both for and against the proposed change, he was directed by the Commission to conduct additional research on this matter and present the information at this meeting. He indicated that an informal survey was sent out to the ARELLO members to help determine how other states laws address post dated listing agreements.

There was also discussion regarding the licensee's practice of post dated listing agreements in the State of Nebraska.

Director Lemon noted that since there were numerous concerns expressed about the proposed legislation in addition to statements of support, and it was too late to introduce any new proposed bills this year, therefore, the Commission had time for further discussion and studies regarding proposed changes or practices of post dated listing agreements.

No action was necessary with regard to this matter.

### **2011-2012 Objectives – Quarterly Report**

Director Lemon presented an exhibit regarding the progress made to the 2011-2012 objectives of the Commission. A copy of said exhibit is attached to and made a part of these minutes.

Director Lemon explained the progress made to the Commission's objectives since the last quarter. He noted that the updated information had been underlined in the exhibit.

There was discussion regarding the receipt cards sent to licensees upon renewing their real estate license. Director Lemon indicated that future receipts would be reviewed for possible automation.

No action was necessary with regard to this matter.

### **Review and Approval of Travel to 2012 Regularly Attended Meetings**

Deputy Director Hoffman presented an exhibit regarding the estimated costs of Commissioners and staff participating in regularly-attended meetings in 2012. 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. Page three of the exhibit gave an estimated mileage amount from Kearney when, in fact, the mileage was calculated from Grand Island. The Exhibit was corrected for attachment to these minutes.)

After discussion, a motion was made by Leisey and seconded by Dover to approve the reimbursement of expenditures for Commissioners and staff who attend the meetings set forth in the exhibit. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Annual Review and Approval of Trust Account Examination Schedule**

Deputy Director Mayrose presented a reference copy of the Commission's Approved Procedures and Cycle for Trust Account Examinations. A copy of said exhibit is attached to and made a part of these minutes.

Deputy Director Mayrose indicated that there were no recommended changes to the document.

There was discussion regarding a change in the current policy allowing for less frequent trust account examinations for those brokers displaying good conduct. After discussion, it was decided that Commissioners Dover and Stange would be on a new subcommittee called Performance Based Auditing subcommittee which will study performance based auditing.

After discussion, a motion was made by Leisey and seconded by Avery to approve the exhibit as presented. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Consider Approval of Special Assistant Attorneys General New Fee Schedule**

Director Lemon presented an exhibit of the proposed hourly rate schedule for the special assistant attorneys general to become effective January 1, 2012. A copy of said exhibit is attached to and made a part of these Minutes. Mr. Chris Heinrich from the Harding and Schultz law firm was present to present the proposed fee schedule and answer any questions the Commissioners might have.

Mr. Heinrich distributed an additional exhibit which reflected the percentage of increase of hourly rates between the years 2010-2011 in order to provide a two year average. A copy of said exhibit is attached to and made a part of these minutes, denoted as exhibit 19a.

Mr. Heinrich reviewed the amounts and discussed the reasoning for the rate increases.

Chairperson Gale indicated that legal services consume a lot of the Commission's budget and while he appreciates the reasons for the rate increases, the Commission may need to cut back on the services being provided by Harding & Shultz in order to operate within their budget. Mr. Heinrich indicated that the firm's goal is to provide the Commission with effective and efficient representation and not to maximize the fees. Chairperson Gale noted that the Commission appreciated the firm's representation and that Director Lemon would need to discuss these matters with Counsel Greg Barton.

After discussion, a motion was made by Leisey and seconded by Dover to approve the hourly rate schedule as presented effective January 1, 2012. Motion carried with Avery, Dover, Leisey, Ptak, Rouch, Stange and Gale voting aye.

## **Legislative Matters**

**LB 818** – Exempt Certain Deeds From the Documentary Stamp Tax – Senator Harr – Revenue Committee – Hearing January 19, 2012

Chairperson Gale indicated that another bill of interest to be listed under the matters of interest is one which would allow notaries commissioned in other states to perform their work in Nebraska.

No action was necessary with regard to these matters.

## **Information Matters**

### **ARELLO Leadership Symposium and Board of Directors Meeting – January 3-5, 2012 - Fort Myers, Florida – Report of Attendee**

Deputy Director Hoffman reported that this meeting had primarily addressed internal matters concerning the organization. In addition to a Board of Director's Meeting, the goals and objectives contained in the current Strategic Plan were reviewed with ARELLO's new CEO. She noted that positive changes are expected to occur this year.

No action was necessary on this report.

### **ARELLO Mid-Year Meeting – April 11-14, 2012 - Austin, Texas**

Director Lemon presented an exhibit regarding the ARELLO Mid-Year Meeting, which would be held April 11-14, 2012 in Austin, Texas. A copy of said exhibit is attached to and made a part of these minutes.

No action was necessary on this report.

## **AFFILIATED LICENSEES DOING BUSINESS AS CORPORATIONS AND LLC'S**

Director Lemon explained that the Real Estate Commission and the Secretary of State's office had mailed information to designated brokers regarding the policy of payment made to professional corporations and professional limited liability companies. He reported that approximately 95 entities had sent in applications for professional certificates to date.

Chairperson Gale indicated that the Secretary of State's office would clarify the language in the Act through legislation so that the requirements are clear and not problematic in the future. He also noted that information had been send to the Board of Public Accountancy who would also be making the information available to those licensed.

## **Future Meeting Dates**

February 16-17, 2012 - Staybridge Suites, Lincoln  
March 15-16, 2012 - Staybridge Suites, Lincoln  
April 19-20, 2012 - Staybridge Suites, Lincoln  
May 17-18, 2012 - Staybridge Suites, Lincoln  
June 21-22, 2012 - Staybridge Suites, Lincoln

## **Recesses and Adjournment**

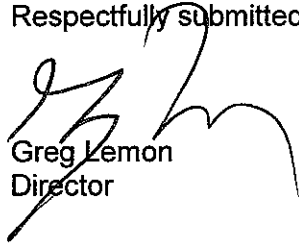
At 10:26 a.m., Chairperson Gale declared a brief recess, and reconvened the meeting at 10:42 a.m.

At 12:07 p.m., Chairperson Gale declared a recess for lunch, and reconvened the meeting at 1:05 p.m.

At 2:55 p.m., there being no further business to come before the Commission, a motion was made by Ptak and seconded by Rouch that the meeting adjourn. Motion carried with Avery, Dover, Stange, Leisey, Ptak, Rouch and Gale voting aye.

I, Greg Lemon, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the January 19, 2012, meeting of the Nebraska Real Estate Commission were available for inspection on January 26, 2012, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,



Greg Lemon  
Director

**Guests Signing the Guest List**

Susan Geschwender, Randall School, Omaha  
Mardy McCullough, Lincoln  
Trudy Meyer, CBSHOME Real Estate, Omaha  
Kristen Anderson, Nebraska REALTORS® Association, Lincoln  
Michael Poskochil, Lincoln  
W. Fred Hoppe, HomeServices of Nebraska, Lincoln & Omaha  
Carla Waldbaum, Nebraska REALTORS® Association & REALTORS® Association of Lincoln,  
Lincoln  
Chris Heinrich, Lincoln  
Thank Jensen, Woods Bros Realty, Lincoln  
Arla Meyer, Woods Bros Realty, Lincoln