

NEBRASKA REAL ESTATE COMMISSION

September 19, 2024

Telegraph Lofts East Center

4th Floor Conference Room

Lincoln, NE

Opening

Chairperson Evnen convened a meeting of the Nebraska Real Estate Commission at 9:02 a.m. on September 19, 2024, in the 4th Floor Conference Room of the Telegraph Lofts East Center, located at 200 South 21st St in Lincoln, Nebraska. All of the members of the Real Estate Commission were present. Also present were Director Greg Lemon, Deputy Director for Education Melissa Belcastro, Deputy Director for Enforcement Samantha Lowery, and Deputy Director for Licensing Monica Rut.

Swearing-In Ceremony- Commissioner Ben Muraskin

Chairperson Evnen conducted a swearing-in ceremony for recently appointed Commissioner Ben Muraskin, presented him with his Commission pin, and welcomed him to the Commission.

Notice of Meeting (Adopt Agenda)

Director Lemon presented a public notice thereof relating to this meeting, which is attached to and made a part of these minutes. Chairperson Evnen 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 Evnen pointed out to those in attendance that a public copy of the materials being used during the meeting were available on the counsel table in the meeting room; that a copy of the Open Meetings Act was posted on the easel located in the southeast corner of the meeting room by the south entrance; and that the procedures followed were in accordance with the Open Meetings Act. Chairperson Evnen asked that guests sign the guest list.

Director Lemon noted that agenda items 11c and 11d had been added since the tentative agenda was mailed to the Commissioners.

After review of the final agenda, a motion was made by Dohse and seconded by Ritter to adopt the final agenda as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Minutes of August 15-16, 2024

The minutes of the Commission meeting held on August 15-16, 2024, were considered.

After review, a motion was made by Burleigh and seconded by Ritter to approve the minutes as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Public Comment

Chairperson Evnen 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 Report for August

Director Lemon presented the Receipts and Expenditures Report for August. 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 August 31, 2024, was \$1,346,029.82, which compared to a cash fund balance of \$1,485,836.46 on August 31, 2023.

After discussion, a motion was made by Dohse and seconded by Peter to file the August Receipts and Expenditures Report for audit. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Specialized Registrations

Time-Share Registration - Amendment for Orange Lake Land Trust Plan

Director Lemon presented a specialized registrations report which included the registration of amendment to the time-share registration for Orange Lake Land Trust Plan. A copy of said report is attached to and made a part of these minutes.

A motion was made by Dohse and seconded by Burleigh to approve the amendments to the registration as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

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

Deputy Director Rut 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 Peter and seconded by Dohse to ratify issuance of the licenses as set forth in the report. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

License Statistic Report for September

Deputy Director Rut presented the License Statistic Report for the month of September, a copy of which is attached to and made a part of these minutes.

No action was necessary on this report.

Examination Report - August

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

Director Lemon indicated that staff has worked with the examination company to update the state portion of the examination. There was discussion regarding online providers and the process to update online courses with current content.

After review, a motion was made by Dohse and seconded by Burleigh to ratify the August Examination Report for the purpose of issuing licenses. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Examination Passing Roster

Deputy Director Belcastro presented the Examination Passing Roster, a copy of which is attached to and made a part of these minutes.

No action was necessary on this report.

Real Estate Education Matters

Continuing Education Provider/Activity Approval

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

Continuing Education Instructor/Activity Approval

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

Commission-Approved Training Provider/Activity Recognition

Deputy Director Belcastro presented a Commission-Approved Training Recognition Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Burleigh and seconded by Dohse to ratify the three reports. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Continuing Education Provider/Activity Rejection

Deputy Director Belcastro presented a Continuing Education Provider/Activity Rejection Report, a copy of which is attached to and made a part of these minutes.

Commission-Approved Training Provider/Activity Rejection

Deputy Director Belcastro presented a Commission-Approved Training Provider/Activity Rejection Report, a copy of which is attached to and made a part of these minutes.

No action was necessary on this report.

Pending Sworn Complaints and Investigative Matters

Deputy Director Lowery 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 2023-023

Deputy Director Lowery 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 Dohse and seconded by Ritter to file an amended complaint in order to ensure the facts and issues involved as identified in the investigation are adequately set forth and set the matter for hearing against the buyer's agent and designated broker. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

After further discussion, a motion was made by Ritter and seconded by Dohse to file an amended complaint in order to ensure the facts and issues involved as identified in the investigation are adequately set forth and set the matter for hearing against the seller's agent. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Item B Complaint 2023-022

Deputy Director Lowery 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 Ritter and seconded by Burleigh to file an amended complaint in order to ensure the facts and issues involved as identified in the investigation are adequately set forth and set the matter for hearing. Motion carried with Burleigh, Dohse, Muraskin, Peter, Ritter, and Evnen voting aye, and with Geiser voting nay.

Item C Complaint 2023-041 - Kelly Kirby v. Robert Brendan Murray

Deputy Director Lowery 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 Ritter and seconded by Dohse that the complaint be dismissed without prejudice. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Item D Investigative Report

Deputy Director Lowery presented an investigative report to the Commission.

After being advised of the results of the investigation and discussion, a motion was made by Dohse and seconded by Peter that this matter be tabled. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Item E Complaint 2024-035 - Esther Coffman v. Daniel R Rohrer

Deputy Director Lowery 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 Ritter and seconded by Burleigh that the complaint be dismissed without prejudice. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Item F Complaint 2024-033

Deputy Director Lowery 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 Ritter and seconded by Dohse that to file an amended complaint in order to ensure the facts and issues involved as identified in the investigation are adequately set forth and set the matter for hearing. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Presentation of Stipulation and Consent Orders

**Complaint 2022-040,
Delores A. & Matthew Focken vs. Mauricio Martinez Eusse**

Deputy Director Lowery presented a Stipulation and Consent Order in the matter of Complaint 2022-040, Delores A. & Matthew Focken vs. Mauricio Martinez Eusse. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made Ritter and seconded by Burleigh to enter into the Order as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

**Complaint SC2024-002,
Commission v. Kati Olex & Scott Berens**

Deputy Director Lowery presented a Stipulation and Consent Order in the matter of Complaint SC2024-002, Commission v. Kati Olex & Scott Beren. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Ritter and seconded by Peter to enter into the Order as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen

voting aye.

**Complaint 2023-037,
James L. Stephenson & Alonza R. Hohl vs. Kevin T Archer, Norma Nuno-Karnes, and
Brittni Staben**

Deputy Director Lowery presented a Stipulation and Consent Order in the matter of Complaint 2023-037, James L. Stephenson & Alonza R. Hohl vs. Kevin T Archer, Norma Nuno-Karnes, and Brittni Staben. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Ritter and seconded by Dohse to enter into the Order as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

**Complaint SC2024-001,
Commission vs. Aaron Twersky**

Deputy Director Lowery presented a Stipulation and Consent Order in the matter of Complaint SC2024-001, Commission v. Aaron Twersky. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Ritter and seconded by Burleigh to enter into the Order as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Disciplinary Hearings

There were no disciplinary hearings scheduled to be held at the meeting.

Informal Special Appearances

Nicholas Brenden Selph, Cease and Desist Order

Director Lemon presented exhibits which included: correspondence regarding Mr. Selph's special appearance; a letter of explanation from Mr. Selph's; Mr. Selph's criminal history report; and correspondence regarding the informal special appearance. A copy of said exhibit is attached to and made a part of these minutes. Mr. Selph was present.

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr Selph distributed additional letters of reference and a record of negative alcohol tests taken since April 2007 from the Nebraska Probation Administration, NPMIS website. A copy of said exhibit is attached to and made a part of these minutes, denoted as exhibit 13a1.

Mr. Selph explained the situations regarding the cease and desist order.

After discussion, a motion was made by Ritter and seconded by Burleigh to allow Mr. Selph to sit for the salesperson examination after making proper application and to have a license issued upon passing. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Lakenya Angel Haskin, Salesperson Applicant

Director Lemon presented exhibits which included: correspondence regarding Ms. Haskin's special appearance; a letter of explanation from Ms. Haskin; character reference letters for Ms. Haskin; Ms. Haskin's salesperson application form; Ms. Haskin's criminal history report; and trial court cases from the State of Nebraska on Ms. Haskin's cases. A copy of said exhibit is attached to and made a part of these minutes. Ms. Haskin was present.

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Haskin explained the situations regarding her criminal history.

A motion was made by Ritter and seconded by Dohse that Ms. Haskin not be allowed to sit for the salesperson examination at this time. Motion carried with Burleigh, Dohse, Muraskin, Peter, Ritter, and Evnen voting aye, and with Geiser voting nay.

Jennefer Najaarro Guerra, Salesperson Applicant

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

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Najaarro Guerra explained the situations regarding her criminal history.

A motion was made by Dohse and seconded by Peter that Ms. Najaarro Guerra not be allowed to sit for the salesperson examination at this time. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Anthony Laron Lester, Salesperson Applicant

Director Lemon presented exhibits which included: correspondence regarding Mr. Lester's special appearance; a letter of explanation from Mr. Lester's; character reference letters Mr. Lester; Mr. Lester's salesperson application form; Mr. Lester's criminal history report; and trial court cases from the State of Nebraska on Mr. Lester's cases. A copy of said exhibit is attached to and made a part of these minutes. Mr. Lester was present.

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr. Lester's explained the situations regarding his criminal history.

A motion was made by Dohse and seconded by Peter that Mr. Lester not be allowed to sit for the salesperson examination at this time. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Valerie Nichole Dodds, Salesperson Applicant by License Recognition

Director Lemon presented exhibits which included: correspondence regarding Ms. Dodd's special appearance; a letter of explanation from Ms. Dodd; character reference letters for Ms. Dodd's; Ms. Dodd's salesperson application form; trial court cases from the State of Nebraska on Ms. Dodd's cases; and Ms. Dodd's criminal history report. A copy of said exhibit is attached to and made a part of these minutes Ms. Dodd's was present.

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Dodd explained the situations regarding her criminal history.

After discussion, a motion was made by Dohse and seconded by Ritter to allow Ms. Dodd to obtain a salesperson license after making proper application. Motion carried with Burleigh, Dohse, Geiser, Muraskin, and Ritter voting aye and with Peter and Evnen voting nay.

Drue Allen Meyer, Salesperson Applicant by License Recognition

Director Lemon presented exhibits which included: correspondence regarding Mr. Meyer's special appearance; a letter of explanation from Mr. Meyer; character reference letters Mr. Meyer's; Mr. Meyer's salesperson application form; Mr. Meyer's criminal history report; and trial court cases from the State of Nebraska on Mr. Meyer's cases. A copy of said exhibit is attached to and made a part of these minutes. Mr. Meyer was present via phone.

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr. Meyer explained the situations regarding his criminal history.

A motion was made by Dohse and seconded by Peter that Mr. Meyer not be allowed to obtain a salesperson license at this time. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Christopher Lance Sonnenmschein, Salesperson Applicant by License Recognition

Director Lemon presented exhibits which included: correspondence regarding Mr. Sonnenschein's special appearance; a letter of explanation from Mr. Sonnenschein's; character reference letters for Mr. Sonnenschein's; trial court cases from the State of Nebraska on Mr. Sonnenschein's cases; Mr. Sonnenschein's criminal history report; and Mr. Sonnenschein's salesperson application form. A copy of said exhibit is attached to and made a part of these minutes. Mr. Sonnenschein's was present via phone.

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr. Sonnenschein explained the situations regarding his criminal history.

After discussion, a motion was made by Ritter and seconded by Burleigh to allow Mr. Sonnenschein to obtain a salesperson license after making proper application. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Information Matters

**ARELLO 2024 Annual Conference - September 23-26, 2024 -
Chicago, IL**

Director Lemon indicated the Commissioner Burleigh and Commission Staff were planning on attending the conference.

No action was necessary on this report.

Future Meeting Dates

October 17-18, 2024, Telegraph Lofts East Center, Lincoln
November 21, 2024, Telegraph Lofts East Center, Lincoln
January 16-17 2025, Telegraph Lofts East Center, Lincoln
February 20-21 2025, Telegraph Lofts East Center, Lincoln
March 20-21 2025, Telegraph Lofts East Center, Lincoln
April 24-25, 2025, Telegraph Lofts East Center, Lincoln
May 15-16, 2025, Telegraph Lofts East Center, Lincoln
June 26-27, 2025, Telegraph Lofts East Center, Lincoln

Recesses and Adjournment

At 10:01 a.m., Chairperson Evnen declared a brief recess, and reconvened the meeting at 10:12 a.m.

At 11:17 a.m., Chairperson Evnen declared a brief recess, and reconvened the meeting at 11:22 a.m.

At 11:28 a.m., there being no further business to come before the Commission, a motion was made by Dohse and seconded by Peter that the meeting adjourn. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

I, Greg Lemon, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the September 19, 2024, meeting of the Nebraska Real Estate Commission were available for inspection on **October 3, 2024**, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,


Greg Lemon
Director

Guests Signing the Guest List

Aaron Moulton DR Horton, Omaha, NE
Leighun Brabec, Home Real Estate, Lincoln
Kim Braaten, Nebraska REALTORS® Association, Lincoln
Darlene Starman, Commissioner Emeritus, Lincoln

