

NEBRASKA REAL ESTATE COMMISSION

June 26, 2025

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 June 26, 2025, 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 Joseph D. Gehrki, Deputy Director Monica Rut, Deputy Director for Education Melissa Belcastro, and Deputy Director for Enforcement William Boucher. J.L. Spray, Special Assistant Attorney General and Counsel to the Commission, was present for the Consideration of Brief on Remand and Final Order.

Notice of Meeting (Adopt Agenda)

Director Gehrki 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 Gehrki 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 Dohse and seconded by Peter to adopt the final agenda as presented. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Minutes of May 15, 2025

The minutes of the Commission meeting held on May 15, 2025, were considered.

After review, a motion was made by Dohse and seconded by Peter 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.

Financial Matters

Receipts and Expenditures Report for May

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

The cash fund balance as of May 31, 2025, was \$1,215,542.36, which compared to a cash fund balance of \$1,576,896.20 on May 31, 2024.

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

2025 License Fee Recommendation

Director Gehrki presented an exhibit in which the Budget and Finance Subcommittee recommended an increase in the 2025 application fees, transfer fees and broker and salesperson renewal fees and original license fees for 2026. A copy of said exhibit is attached to and made a part of these minutes.

Director Gehrki noted that the Budget and Finance Subcommittee recommended a fifty-dollar fee increase in application fees; a twenty-five dollar increase in transfer fees, forty-dollar increase in renewal fees and a twenty dollar increase in the license fees for 2026. Director Gehrki reviewed the documentation as set out in the exhibit noting the revenue projections and the lowest anticipated level the fund balance may reach as shown on the exhibit. He also noted the prior fees, which reflected higher fees than the recommendation.

After discussion, a motion was made by Peter and seconded by Burleigh to adopt the fees as proposed. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

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 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 Dohse and seconded by Ritter 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 May

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

No action was necessary on this report.

Examination Report - May

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

After review, a motion was made by Dohse and seconded by Ritter to ratify the May 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

Pre-License Education Course Approval

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

Pre-License Education Instructor Approval

Deputy Director Belcastro 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 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.

Continuing Education Activity Approval

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

Commission-Approved Training 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 Dohse and seconded by Ritter to ratify the six reports. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Minutes from Quarterly Education Advisory Group Meeting - June 2, 2025

Deputy Director Belcastro presented the Minutes from the Quarterly Education Advisory Group Meeting held on June 2, 2025, a copy of which is attached to and made a part of these minutes.

Deputy Director Belcastro noted there were many attendees at this meeting, and Pearson VUE was invited to discuss the science behind the examination with the attendees.

No action was necessary on this report.

Instructor Development Workshop

Deputy Director Belcastro presented an exhibit regarding the scheduled Instructor Development Workshop, a copy of which is attached to and made a part of these minutes.

Deputy Director Belcastro indicated that this was presented as a reminder that the event will be offered to all in-state instructors and providers.

There was further discussion regarding the importance of the test development sessions. It was the consensus of the commission that the examination provider worked well with the Commission staff and the content experts who reviewed each question on the State portion of the examination for validity and reliability.

No action was necessary on this report.

Pending Sworn Complaints and Investigative Matters

Deputy Director Boucher 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 2024-016

Deputy Director Boucher 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 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.

Item B Complaint 2024-018

Deputy Director Boucher 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 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, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

It was the consensus of the Commission to further investigate the buyers agent and report those findings at a future meeting.

Item C Complaint 2025-009 - Mikel Gueltzan v. Brian Craft

Deputy Director Boucher 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 Complaint 2024-058

Deputy Director Boucher 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.

Item E Complaint 2024-049 - Steven Schmidt & Newlyn Zimmerman v Lea Ann Stephenson

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

Item F Complaint 2023-048 - Shirley Racek Trust by Sandra Gaube, Trustee vs. Susan Marie Hancock

Deputy Director Boucher 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 G Complaint 2025-002

Deputy Director Boucher 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. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Presentation of Stipulation and Consent Orders

**Complaint 2023-019,
Mary Pane vs. Shawn Matthew Kliewer**

Deputy Director Boucher presented a Stipulation and Consent Order in the matter of Complaint 2023-019, Mary Pane vs. Shawn Matthew Kliewer. 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.

**Complaint 2024-038,
Commission vs. Vincent Muniz, Sr.**

Deputy Director Boucher presented a Stipulation and Consent Order in the matter of Complaint 2024-038, Commission vs. Vincent Muniz, Sr. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Dohse and seconded by Peter 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

Matthew John Taylor, Preliminary Informal Special Appearance

The special appearance scheduled for Matthew John Taylor was postponed to a future meeting.

Isela Sanders, Salesperson Applicant

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

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Sanders explained the situations regarding her criminal history.

A motion was made by Dohse and seconded by Peter that Ms. Sanders 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.

Joseph Harrison Estee, Salesperson Applicant

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

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr. Estee explained the situations regarding his criminal history.

A motion was made by Dohse and seconded by Peter that Mr. Estee 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.

Adam Hunt, Salesperson Applicant

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

Chairperson Evnen reviewed the procedure for informal special appearances.

Mr. Hunt explained the situations regarding his criminal history.

Prior to the completion of the motion, Mr. Hunt left the meeting room.

A motion was made by Dohse and seconded by Peter that Mr. Hunt 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.

Jamie Rose Carda, Salesperson Applicant by License Recognition

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

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Carda explained the situations regarding her criminal history.

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

Sabrina Deanna Watson, Broker Applicant by License Recognition

Director Gehrki presented exhibits which included: correspondence regarding Ms. Watson's special appearance; a letter of explanation from Ms. Watson's; character reference letters for Ms. Watson; Ms. Watson's broker application form; State of Arizona Department of Real Estate Accelerated Settlement Agreement and Order taken against Ms. Watson's Arizona Real Estate License; Ms. Watson's Certified license History from the State of Arizona Department of Real Estate; trial court cases from the State of Nebraska on Ms. Watson's cases; and Ms. Watson's criminal history report. A copy of said exhibit is attached to and made a part of these minutes. Ms. Watson was present via telephone conference call.

Chairperson Evnen reviewed the procedure for informal special appearances.

Ms. Watson explained the situations regarding her criminal history.

A motion was made by Dohse and seconded by Muraskin that Ms. Watson not be allowed to receive a real estate broker license at this time. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

Review and Approval of Travel to ARELLO Regulatory Investigator Seminar

Deputy Director Rut presented an exhibit regarding the estimated costs of staff to attend the ARELLO Regulatory Investigator Seminar. A copy of said exhibit is attached to and made a part of these minutes.

After discussion, a motion was made by Ritter and seconded by Dohse to approve the reimbursement of expenditures for staff who attend the meeting set forth in the exhibit. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

BRIEF ON REMAND AND FINAL ORDER

Director Gehrki presented an exhibit of the proposed for the Brief on Remand and Final Order. A copy of said exhibit is attached to and made a part of these Minutes. J.L. Spray, Special Assistant Attorney General and Counsel to the Commission, was present for discussion of this matter.

Counsel Spray discussed the general process followed for the appeal to the district court which was conducted by the Nebraska Attorney Generals office and counsel other than the counsel who represented the respondent at the Commission meeting. He explained that the district court affirmed one count which was sent back to the Commission to determine if an alternative discipline is necessary.

There was discussion regarding the due process of this matter and the precedence for handling this type of determination from the District Court.

It was the consensus of the Commission that Counsel Spray prepare the appealed complaint for a hearing rather than making a determination without the Respondent or counsel present.

Consider Renewal of the Examination Contract with Pearson VUE

Director Gehrki noted that he was contacted by Pearson VUE after the previous meeting and requested an increase in the contracted rate from \$70 to \$73 per examination due to an increase of examination fee which is paid to ARELLO. The new rate would be for the two-year term ending June 30, 2027.

A motion was made by Dohse and seconded by Ritter to increase the contracted rate as described. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

2024-2025 Objectives – Final Report

Director Gehrki presented an exhibit regarding the final report of the 2024-2025 objectives of the Commission. A copy of said exhibit is attached to and made a part of these minutes.

Director Gehrki explained accomplishments made on each of the objectives.

No action was necessary on this report.

Consider 2025-2026 Objectives

Director Gehrki presented an exhibit regarding the proposed 2025-2026 objectives of the Commission. A copy of said exhibit is attached to and made a part of these minutes.

Director Gehrki explained each of the proposed objectives.

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

Legislative Matters – Final Report

LB 17 - Director Gehrki reported that the bill did not come out of committee.

LB 29 - Director Gehrki reported that this bill was merged with LB 660 and was approved by the Governor on May 20, 2025.

LB 137 – Director Gehrki reported that the bill did not come out of committee.

LB 185 – Director Gehrki reported that this bill was approved by the Governor on April 7, 2025.

LB 187 – Director Gehrki reported that the bill was approved by the Governor on March 11, 2025.

LB 299 – Director Gehrki reported that the bill did not come out of committee.

LB 458 – Director Gehrki reported that this bill merged into LB 660 and was approved by the Governor on May 6, 2025.

LB 469 – Director Gehrki reported that the bill did not come out of committee.

LB 506 – Director Gehrki reported that the bill did not come out of committee.

LB 565 – Director Gehrki reported that the bill did not come out of committee.

LB 587 – Director Gehrki reported that the bill did not come out of committee.

No action was necessary with regard to these matters.

Information Matters

ARELLO Annual Conference - September 9-11, 2025 - Miami, FL

Director Gehrki explained that the deadline for registration is August 18, 2025, and asked which Commissioners were planning on attending the conference.

No action was necessary on this report.

Future Meeting Dates

August 14-15, 2025, Telegraph Lofts East Center, Lincoln
September 18-19, 2025, Telegraph Lofts East Center, Lincoln
October 16-17, 2025, Telegraph Lofts East Center, Lincoln
November 20, 2025, Telegraph Lofts East Center, Lincoln

Recesses and Adjournment

At 10:36 a.m., Chairperson Evnen declared a brief recess, and reconvened the meeting at 10:45 a.m.

At 11:53 a.m., there being no further business to come before the Commission, a motion was made by Dohse and seconded by Ritter that the meeting adjourn. Motion carried with Burleigh, Dohse, Geiser, Muraskin, Peter, Ritter, and Evnen voting aye.

I, Joseph D. Gehrki, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the June 26, 2025, meeting of the Nebraska Real Estate Commission were available for inspection on July 1, 2025, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,



Joseph D. Gehrki
Director

Guests Signing the Guest List

Russ Dlouhy, Lincoln
Ashley Hendrickson, Nebraska REALTORS® Association, Lincoln
Eric Ebeler, NP Dodge, Lincoln
Kim Zwiener, Lincoln
Crystal Mize, Papillion
Leighun Brabec, Home Real Estate, Lincoln
Ralph Harvey, North Carolina

