

SECTION 81-885.24(28) - CONVICTED OF A FELONY/ENTERING GUILTY OR NOLO CONTENDERE PLEA

| VIOLATION  | COMPLAINT                                    | DATE OF ORDER     | PENALTY  |
|--|--|-------------------|--|
| Section 81-885.24(28)(29) by pleading guilty to a Class III Felony for Theft in excess of \$1,500.00.  | 93-054 - Commission vs. Kurt Alan Hohenstein | October 26, 1993  | Stipulation and Consent Order. License revoked.  |
| Section 81-885.12(3)(4) by making a false statement of material fact as an applicant for a real estate Broker=s license; 81-885.24(22) by making any substantial misrepresentation when applying for Respondent=s real estate Broker=s license; and 81-885.24(28) by being convicted of a felony.  | 95-013 - Commission vs. Harold D. Goings     | July 3, 1995      | Stipulation and Consent Order. License censured with stipulation to place license on inactive status as of July 3, 1995 until rights are restored through pardon, at which time the license will be reinstated so long as pardon is granted within three years. License to be revoked July 3, 1998 if such evidence is not provided. |
| Violated Neb. Rev. Stat. § 81-885.12(2) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any other similar offense or offenses or has been convicted of a felony or a crime involving moral turpitude in any court of competent jurisdiction of this or any other state, district, or territory of the United States or of a foreign country, such untrustworthiness of the applicant and the conviction may in itself be sufficient ground for refusal of a license.; Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; For entering a plea of guilty to a federal felony charge for making a false statement to an agency of the United States.; Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson, whether of the same or of a different character as otherwise specified in this section; For entering a plea of guilty to a federal felony charge for making a false statement to an agency of the United States, and for breaching his fiduciary duty to Pelstar Development by taking funds from Pelstar Development without authorization and using such funds for his own personal use. | 2013-020 – Commission vs. Robert Lee Pelshaw | November 21, 2013 | Hearing held November 21, 2013. License revoked.   |

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| <p>Violated Neb. Rev. Stat. § 81-885.11 Any person desiring to act as a real estate broker or real estate salesperson shall file an application for a license with the commission. The application shall be in such form and detail as the commission prescribes, setting forth the following: 3) Such other information as the commission requires; for knowingly and willfully submitting a false Renewal Application for 2013-14 by reporting that she did not have any criminal charges pending against her at that time. Neb. Rev. Stat. § 81-885.12(2) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any other similar offense or offenses or has been convicted of a felony or a crime involving moral turpitude in any court of competent jurisdiction of this or any other state, district, or territory of the United States or of a foreign country, such untrustworthiness of the applicant and the conviction may in itself be sufficient ground for refusal of a license; for entering a plea of guilty to a state felony charge of Theft-Deception. Neb. Rev. Stat. § 81-885.12(4)When an applicant has made a false statement of material fact on an application, such false statement may in itself be sufficient ground for refusal of a license; by submitting a false Renewal Application for 2013-14 reporting that she did not have any criminal charges pending against her at that time. Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; for entering a plea of guilty to a state felony charge of Theft-Deception. Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson; for violating Neb. Rev. Stat. § 81-885.11, 81-885.12(2)(4) and 81-885.24(28).</p> | <p>2013-026 – Commission vs. Nancy E. Miller</p>       | <p>January 22, 2014</p> | <p>Stipulation and Consent Order entered January 22, 2014. License revoked.</p> |
| <p>Violated Neb. Rev. Stat. § 81-885.12(2) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any other similar offense or offenses or has been convicted of a felony or a crime involving moral</p>   | <p>2013-031 – Commission vs. Troy Michael Ortmeier</p> | <p>January 22, 2014</p> | <p>Stipulation and Consent Order entered January 22, 2014. License revoked.</p> |

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| <p>turpitude in any court of competent jurisdiction of this or any other state, district, or territory of the United States or of a foreign country, such untrustworthiness of the applicant and the conviction may in itself be sufficient ground for refusal of a license. Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; for entering a plea of guilty to a federal felony charge for fraud by wire, television, or radio. Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson; for violating Neb. Rev. Stat. § 81-885.12(2) and 81-885.24(28).</p>  | <p>2013-031 – Commission vs. Troy Michael Ortmeier</p>     |                          |  |
| <p>Violated Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; Mr. Perry entered a plea of guilty to the federal felony charge and was convicted on that felony charge, on February 21, 2013; violated Neb. Rev. Stat. § 81-885.12(2) When an applicant has been convicted of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or any other similar offense or offenses or has been convicted of a felony or a crime involving moral turpitude in any court of competent jurisdiction of this or any other state, district, or territory of the United States or of a foreign country, such untrustworthiness of the applicant and the conviction may in itself be sufficient ground for refusal of a license; violated Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson, whether of the same or of a different character as otherwise specified in this section; by pleading guilty to a federal felony charge and being convicted of that federal felony charge.</p> | <p>2014-014 – Greg Lemon, Director vs. Conway T. Perry</p> | <p>September 5, 2014</p> | <p>Hearing held August 21, 2014. Order entered September 5, 2014. License is suspended until the following conditions have been met: Completion of the supervised release under the United States Probation office; receipt of an application letter to terminate suspension; present certified documentation that all terms and conditions of the supervised release have been completed, at which time a Special Appearance before the Commission shall be scheduled to determine whether the license suspension should be terminated, at such special appearance Perry shall provide any additional information the Commission may require, including but not limited to a current criminal background report and evidence of the current status of restitution payments in the bank fraud matter; plus hearing costs in the amount of \$160.00, to be paid by October 5, 2014.</p> |
| <p>Violated Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; by pleading guilty</p>  | <p>2015-001 – Commission vs. Todd S. Bartusek</p>          | <p>March 19, 2015</p>    | <p>Hearing held March 19, 2015. License suspended for three (3) years with the first eighteen (18) months served on</p>  |

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| <p>to a federal felony charge and being convicted of a felony; Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson, whether of the same or of a different character as otherwise specified in this section; by pleading guilty to a federal felony charge and being convicted of a felony.</p>   | <p>2015-001 – Commission vs. Todd S. Bartusek</p> |                       | <p>suspension and the balance of the three (3) year suspension period stayed and served on probation. Suspension commenced on April 29, 2015 and continues through October 29, 2016. The probation period commences on October 30, 2016 and continues through April 29, 2018; plus if charged with another criminal offense at any time during the three (3) year suspension period and probationary suspension period, he will need to report such charge to the Commission and to his employing broker, within seven (7) days following the date of the incident resulting in the charge. If convicted of another criminal offense during the three (3) year suspension period and probationary suspension period, he will need to report such a conviction to the Commission and to his employing broker, within seven (7) days following the date of the criminal conviction; plus a civil fine of \$1,500.00 to be paid by April 29, 2015; plus complete an additional six (6) hours of continuing education with three (3) hours each in the area of Ethics by September 30, 2015.</p> |
| <p>Violated Neb. Rev. Stat. § 81-885.24(28) Conviction of a felony or entering a plea of guilty or nolo contendere to a felony charge by a broker or salesperson; by pleading guilty to a federal felony charge and being convicted of a felony; Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson, whether of the same or of a different character as otherwise specified in this section; by pleading guilty to a federal felony charge and being convicted of a felony.</p> | <p>2014-041 – Commission vs. Lisa K. Stork</p>    | <p>March 19, 2015</p> | <p>Hearing held March 19, 2015. License suspended for three (3) years with the first nine (9) months served on suspension and the balance of the three (3) year suspension period stayed and served on probation. Suspension commenced on May 4, 2015 and continues through February 4, 2016. The probation period commences on February 5, 2016 and continues through May 4, 2018; plus if charged with another criminal offense at</p>   |

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|           | 2014-041 – Commission vs. Lisa K. Stork |               | any time during the three (3) year suspension period and probationary suspension period, she will need to report such charge to the Commission and to her employing broker, within seven (7) days following the date of the incident resulting in the charge. If convicted of another criminal offense during the three (3) year suspension period and probationary suspension period, she will need to report such a conviction to the Commission and to her employing broker, within seven (7) days following the date of the criminal conviction; plus a civil fine of \$1,000.00 to be paid by April 29, 2015; plus complete an additional six (6) hours of continuing education, two (2) three (3) hour courses in the area of Ethics by September 30, 2015. |