

SOUTH DAKOTA REAL ESTATE COMMISSION
KNEIP BUILDING
JANUARY 13, 2016
700 GOVERNORS DR
PIERRE, SOUTH DAKOTA

The South Dakota Real Estate Commission convened at 8:00 a.m. on January 13, 2016. Present for the meeting were Chairman David Bonde and Commission members Matt Krogman, Mark Wahlstrom and Ryan Wordeman. Commission member Ken Cotton was absent for the meeting. Also present were executive director Melissa Miller and licensing program administrator Norma Schilling.

Motion by Wahlstrom, seconded by Wordeman, to approve the agenda as presented with an additional consent agreement added. Motion carried.

There being no change to the minutes of the November 19, 2015 meeting, the minutes stand approved.

Motion by Krogman, seconded by Wahlstrom, to approve the financial reports for November & December 2015. Motion carried.

Motion by Wahlstrom, seconded by Wordeman, to approve the consent agreement for Stanley Houk as follows:

- A. Mr. Houk will pay an administrative fine in the amount of \$100 to the South Dakota Real Estate Commission within 15 days of receipt of a signed copy of Consent Agreement.

Motion carried.

Motion by Wordeman, seconded by Wahlstrom, to approve the consent agreement for Ronald Keil as follows:

- A. Mr. Keil will pay an administrative fine in the amount of \$100 to the South Dakota Real Estate Commission within 15 days of receipt of a signed copy of Consent Agreement.

Motion carried.

Motion by Krogman, seconded by Wahlstrom, to approve the consent agreement for Dennis Kriech as follows:

- A. Mr. Kriech will pay an administrative fine in the amount of \$100 to the South Dakota Real Estate Commission within 15 days of receipt of a signed copy of Consent Agreement.

Motion carried.

Motion by Wordeman, seconded by Krogman, to approve the consent agreement for John Keene as follows:

- A. Mr. Keene will pay an administrative fine in the amount of \$100 to the South Dakota Real Estate Commission within 15 days of receipt of a signed copy of Consent Agreement.

Motion carried.

Motion by Wahlstrom, seconded by Wordeman, to deny the property manager application of Applicant #1. Motion carried.

Motion by Krogman, seconded by Wahlstrom, to approve the broker associate application of Applicant #2. Motion carried.

Motion by Wahlstrom, seconded by Krogman, to deny the residential rental agent application of Applicant #3. Motion carried.

Motion by Wordeman, seconded by Wahlstrom, to approve the registered home inspector application of Applicant #4. Motion carried.

Motion by Wahlstrom, seconded by Krogman, to table action until the next meeting on the residential rental agent application of Applicant #5. Motion carried.

Discussion was held on an application that had been denied and the individual now wants to reapply for a license but her education has expired. The executive director was instructed to notify the individual that she is required to retake the education and exam before reapplying for a broker associate license.

Motion by Krogman, seconded by Wordeman, to approve the Assurance of Voluntary Compliance for Darlene Burgard, contingent on her signing the Assurance of Voluntary Compliance, to the following:

- A. Ms. Burgard shall pay an administrative fine in the amount of \$2,000 to the Commission by February 29, 2016; and
- B. Mr. Burgard shall pay for, attend, and successfully complete the following Commission approved education courses in an in-classroom setting:
 - 1. Contracts – 6 hours; and
 - 2. Agency – 6 hours.

Ms. Burgard shall submit written proof of completing the required education by May 30, 2016. For purposes of this Agreement, “in-classroom setting” means a class offered in the traditional classroom setting with the instructor and a body of students present in the same room. The courses may not be distance education offerings. The required course work will not count toward Ms. Burgard’s continuing education requirement for maintaining her license.

Motion carried.

Motion by Krogman, seconded by Wahlstrom, to proceed to a formal hearing in Complaint 2016-002. Motion carried.

Motion by Wordeman, seconded by Krogman, to file a complaint against the responsible broker in Complaint 2016-002. Motion carried.

Discussion was held on license renewals with disciplinary action in another state. The staff was instructed to hold renewal of a licensee from another state until the Commission meets to determine if the license should be renewed.

Motion by Wahlstrom, seconded by Wordeman, to approve the attendance of Commission or staff to attend the Midyear ARELLO meeting in Atlanta, GA on April 13-16, 2016. Motion carried.

Motion by Wordeman, seconded by Wahlstrom, to approve the attendance of staff at the ARELLO Investigator Workshop in Atlanta, GA on April 12-14, 2016. Motion carried.

Commission member Ryan Wordeman briefed the Commission on the meeting he attended with AMP.

The next regular meeting of the Commission will be held March 15-16, 2016.

There being no further business, motion by Wordeman, seconded by Krogman, to adjourn at 10:08 a.m. Motion carried

Minutes submitted by Norma Schilling

David Bonde, Chairman

Melissa Miller, Executive Director