

SOUTH DAKOTA REAL ESTATE COMMISSION
DDN MEETING
MARCH 27, 2013
700 GOVERNORS DR
PIERRE, SOUTH DAKOTA

The South Dakota Real Estate Commission convened via DDN at 9:30 a.m. on March 27, 2013. Present for the meeting were Chairman Doug Nelson and commission members Matt Krogman, Paula Lewis and Mark Wahlstrom. Also present were executive director Melissa Miller, licensing program administrator Norma Schilling, Department of Labor and Regulation legal counsel Aaron Arnold and compliance officers Michelle Metzinger and Brian Jackson.

Motion by Wahlstrom, second by Krogman, to approve the agenda as presented. Motion carried.

Motion by Krogman, second by Lewis, to approve the minutes of the February 26, 2013 telephonic meeting. Motion carried by roll call vote.

Motion by Wahlstrom, second by Lewis, to accept the financial reports for January & February 2013. Motion carried by roll call vote.

Motion by Wahlstrom, second by Krogman, to enter into executive session at 9:40 a.m. pursuant to SDCL 1-25-2(3). Motion carried by roll call vote.

The commission reconvened to regular session at 10:05 a.m.

Motion by Lewis, second by Krogman, to approve the home inspector application of Jeff Salter. Motion carried by roll call vote.

Motion by Wahlstrom, second by Krogman, to approve the broker associate application of Jeffrey Brewers, Jr. Motion carried by roll call vote.

Motion by Krogman, second by Lewis, to deny the residential rental agent application of Taija Crawford until the judgment is satisfied or some proof that the judgment is being satisfied. Motion carried by roll call vote.

Motion by Wahlstrom, second Lewis, to approve the broker associate application of Jessica Egan. Motion carried by roll call vote.

Motion by Lewis, second by Wahlstrom, to deny the conditional application of Jason Lieske pursuant to SDCL 36-21A-33(2). Motion carried by roll call vote.

Motion by Krogman, second by Lewis, to approve the consent agreement for Raymond Duling to the following:

- A. Mr. Duling's license shall be suspended for a period of six months beginning April 1, 2013. The suspension of Mr. Duling's license shall be lifted as of October 1, 2013 so long as the following conditions have been met:
 - (1) Mr. Duling shall pay an administrative fine in the amount of \$2,500.00 to the Commission by April 30, 2013;
 - (2) Mr. Duling shall pay for, attend, and successfully complete six hours of Commission approved contracts courses in an in-person classroom setting and provide written evidence of such compliance to the South Dakota Real Estate Commission by September 30, 2013. The required course work will not count toward Mr. Duling's continuing education requirement for maintain his license and cannot be completed at the South Dakota School of Real Estate;
 - (3) Mr. Duling shall pay for, attend, and successfully complete six hours of Commission approved agency courses in an in-person classroom setting and provide written evidence of such compliance to the South Dakota Real Estate Commission by September 30, 2013. The required course work will not count toward Mr. Duling's continuing education requirement for maintaining his license and cannot be completed at the South Dakota School of Real Estate;
 - (4) Mr. Duling shall pay for, attend, and successfully complete the Commission approved 15 hour responsible broker course in an in-person classroom setting and provide written evidence of such compliance to the South Dakota Real Estate Commission by September 30, 2013. The required course work will not count toward Mr. Duling's continuing education requirement for maintaining his license and cannot be completed at the South Dakota School of Real Estate, and
- B. If the above listed requirements are not met by end of business on September 30, 2013, Mr. Duling's license will remain suspended until the conditions are fully complied with.

Motion carried by roll call vote.

Motion by Wahlstrom, second by Lewis, to dismiss complaint 2012-005 against Lynne Duling.

Motion carried by roll call vote.

Motion by Wahlstrom, second by Lewis, to enter into executive session at 10:20 a.m. pursuant to SDCL 1-25-2(3). Motion carried by roll call vote.

Compliance officer Brian Jackson left the meeting at 10:20 a.m.

Compliance officer Brian Jackson rejoined the meeting at 10:37 a.m.

The commission reconvened to regular session at 10:45 a.m.

The executive director gave an update on complaint 2013-001.

Compliance officer Michelle Metzinger gave an update on complaint 2013-006. The commission requested the compliant file be emailed to them prior to the next meeting for their review.

Motion by Krogman, second by Lewis, to dismiss complaint 2013-014. Motion carried by roll call vote.

Education director Karen Callahan and Michelle Kleven, executive vice president of the SD Association of REALTORS, joined the meeting at 10:50 a.m.

The executive director gave an update on the ND/SD REALTOR Convention to be held September 11-13, 2013 in Rapid City. The executive director will send information on the convention to the commission members.

Discussion was held on residential brokerage forms. The commission requested that a task force be formed to work on the residential brokerage forms.

The next regular meeting of the commission will be May 22 & 23, 2013 in Pierre.

There being no further business, motion by Krogman, second by Lewis, to adjourn at 11:30 a.m. Motion carried by roll call vote.

Minutes submitted by Norma Schilling

Douglas Nelson, Chairman

Melissa Miller, Executive Director