

REVOCATIONS/PERMANENT SURRENDER

MARTHA E. BAKER, salesperson, Canton, Ohio, as the result of investigations of formal complaints, agreed to surrender her license and never attempt for reinstatement of the license in the state of Ohio, for violating Revised Code 4735.18(A)(5) and Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.55(A)(2) and Revised Code 4735.62(B). Ms. Baker failed to remit or account for collected rent monies in a timely manner, executed property management agreements that did not contain the correct fair housing language, failed to remit the outstanding balance or provide an accounting of the outstanding balance, failed to remit two months rental income proceeds to the property owners, failed to provide monthly statements as indicated in the property management agreement, and failed to remit or account for the security deposits.

CANDICE L. CASEY, salesperson, Apison, Tennessee, as the result of an investigation of a formal complaint, had her license revoked for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.67(A), when she failed to disclose to buyers that the water source for a property was a pond. In addition, she was fined \$200.00 and was required to complete and to submit to the Division proof of completion of 3 hours of education related to agency for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.58(A), when she failed to present the agency disclosure statement signed by the buyer, to her client, the seller.

VICKI J. KNIGHT, salesperson, Cuyahoga Falls, Ohio, had her license revoked for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.13(C) and Revised Code 4735.18(A)(8), when she failed to notify the Superintendent of a conviction of a crime of moral turpitude within fifteen days and she failed to disclose on a salesperson transfer/reactivation application that she had plead guilty to unlawful conduct in the Summit County Court of Common Pleas.

MERYL TYRONE ROWLEY, broker, Maumee, Canton, Ohio, was required to permanently surrender his license and never apply for reinstatement of the license in the state of Ohio, for violating four counts of Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code Rule 1301:5-06-1(C). Mr. Rowley failed to supervise, including but not limited to, the general oversight of the activities conducted by other real estate licensees affiliated with his brokerage.

JEFF SNYDER, salesperson, Canfield, Ohio, had is license revoked for violating 4 counts of Revised Code 4735.18(A), when he voluntarily entered a plea agreement, in the Mahoning County Court of Common Pleas, for felony offenses, specifically, four counts of Unlawful Sexual Conduct with a Minor.

SUSPENSIONS, FINES, EDUCATION

JAUNEECE S. ADAMS, salesperson, Pepper Pike, Ohio, as the result of an investigation of a formal complaint, had her license suspended for a period of 30 days, which commenced April 7, 2008, was fined \$250.00 and was given a public reprimand for violating Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code Rule 1301:5-1-13, when she failed to obey a subpoena issued to her by the Superintendent of the Division of Real Estate and Professional Licensing pursuant to an investigation.

STEVEN BARLOW, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), when he executed a listing agreement that did not contain the correct fair housing language.

ANGELA C. BARTLEY, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in ethics for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when she provided the purchaser with the lockbox code and allowed the purchaser to enter a property unattended. In addition, she was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in agency for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.56(D), when she failed to provide a Consumer Guide to Agency Relationships and/or failed to obtain the purchaser's signature or make a notation on the policy if the purchaser refuses to provide a signature. Finally, she was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(6), as that section incorporates Section 1, Article 4 of the Canons of Ethics for the Real Estate Industry or in the alternative Revised Code 4735.18(A)(6) as that section incorporates Section 1, Article 3 of the Canons of Ethics for the Real Estate Industry, when she failed to keep herself informed of changes in Ohio statutes affecting the duties and responsibilities of a licensee and she failed to be knowledgeable of the laws of Ohio pertinent to real estate.

NICOLE E. BAUER, salesperson, Mason, Ohio, was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A)(21), as that section incorporates Revised Code 4735.16(B) and Ohio Administrative Code Rule 1301:5-1-02, when she displayed a sign advertising her real estate services regulated by Ohio Revised Code Chapter 4735, and failed to identify her broker or brokerage name. In addition, she was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A), when, on or about March 13, 2007 she was convicted of a felony.

BCD HOLDING CO., corporation, Celina, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), as that section incorporates Ohio Administrative Code 1301:5-1-06(B), when the company failed to return the license of a real estate salesperson to the Division within three days of a written request.

C. GREGORY BETTENDORF, salesperson, Beavercreek, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.58(A), when he failed to present and/or have signed an agency disclosure statement prior to presenting the seller with either a written offer to purchase or lease, or a written request for a proposal to lease. In addition, he was assessed a \$500.00 civil penalty for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.71(A), when he failed to obtain written consent of all parties to participate in a dual agency relationship and/or failed to disclose to all parties all relevant information necessary to enable each party to make an informed decision as to whether to consent to the dual agency relationship.

ELIAS E. BOULOS, broker, Youngstown, Ohio, as the result of an investigation of a formal complaint, was fined \$500.00 for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.72(A)(2), when he failed to refrain from advocating or negotiating on behalf of either the seller or the buyer. In addition, he was fined \$500.00 and required to complete and to submit to the Division, proof of completion of the 10 hour broker's post-licensure course, for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.72(A)(1), when he failed to objectively supervise an affiliated salesperson, in fulfillment of the their duties to the client. Finally, he was fined \$350.00 and was required to complete and to submit to the Division proof of completion of 3 hours of education on agency for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(A), when he failed to exercise reasonable skill and care in representing the clients and carrying out the responsibilities of the agency relationship.

JUDITH CASMO, salesperson, Columbus, Ohio, was assessed a \$250.00 fine for violating Revised Code 4735.18(A)(34), when she authorized or permitted a person to act as an agent in the capacity of a real estate broker or salesperson who was not then a licensed broker or salesperson, when she gave a gift card to the individual for referring prospects.

ROSS DAVID CASMO, salesperson, Columbus, Ohio, was assessed a \$250.00 fine for violating Revised Code 4735.18(A)(34), when he authorized or permitted a person to act as an agent in the capacity of a real estate broker or salesperson who was not then a licensed broker or salesperson, when he gave a gift card to the individual for referring prospects.

CENTRAL GROUP, LLC, corporation, Toledo, Ohio, was assessed a \$800.00 civil penalty for violating Revised Code 4735.18(A)(21), as that section incorporates Revised Code Rule 4735.16(B)(1), when, with respect to four print ads in "Real Estate For Sale," failed to identify the broker or brokerage name.

WILLIAM A. CHAPMAN, salesperson, Toledo, Ohio, as the result of an investigation of a formal complaint, was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division, proof of completion of 3 hours of education related to agency for violating Revised Code 4735.18(A)(6). The Commission found that Mr. Chapman failed to adequately inform the lessee/purchaser of the termination of an agency relationship.

STEVEN N. CHUPP, salesperson, New Philadelphia, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(3), when he provided an agency agreement that did not contain a statement defining the practice known as "blockbusting" and stating that it is illegal.

MANUEL LORENZO CURRY, broker, Woodmere Village, Ohio, as the result of an investigation of a formal complaint, was fined \$200.00 and was required to complete and to submit to the Division proof of completion of 3 hours of education in agency for violating Revised Code 4735.18(A)(6) as that section incorporates R.C. 4735.56(D), when he failed to provide a Consumer Guide to Agency Relationships to a purchaser. He was fined \$200.00 and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.56(C), when he failed to provide a Consumer Guide to Agency Relationships to a seller.

He was fined \$200.00 for violating Revised Code 4735.18(A)(9), as that section incorporates Revised Code 4735.55(A)(2), when he provided an agency disclosure statement that did not contain fair housing language. Finally, he was fined \$200.00 for violating Revised Code 4735.18(A)(9), as that section incorporates Revised Code 4735.55(A)(3), when he provided an agency disclosure statement that did not contain a statement defining the practice known as “blockbusting” and stating that it is illegal.

ANDREW R. DENKOWSKI, broker, Columbus, Ohio, as the result of an investigation of a formal complaint, was fined \$200.00 and was required to complete and to submit to the Division, proof of completion of 4 hours of education related to property management, for violating Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code Rule 1301:5-6-01. Mr. Denkowski failed to adequately supervise the property management activities of his company. He had improperly delegated the activities to an agent. He did not establish during an interview, that he understood the brokerage operations, accounts and records of his brokerage that were managed by the agent.

VELVA DUNN, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was assessed a \$750.00 civil penalty and was required to complete and to submit to the Division, proof of completion of 3 hours of education related to core law for violating Revised Code 4735.18(A)(35), when she inserted or participated in inserting a materially inaccurate term in a purchase contract.

GINNI ELZEY, salesperson, Cincinnati, Ohio, as the result of an investigation of a formal complaint, was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(5), when she failed, within a reasonable time, to account for or remit money coming into her possession which belonged to others, she did not provide an earnest money check to her broker for deposit timely. In addition, she was assessed a \$250.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in ethics for violating Revised Code 4735.18(A)(9), as that section incorporates Revised Code 4735.62(A), when she failed to inform the seller that she had not received the earnest money upon acceptance of the purchase offer. Finally, she was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in agency for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when she failed to properly fill out the agency disclosure form when she filled out both sections I and III.

FRI MASON, LLC, corporation, Mason, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Ohio Administrative Code 1301:5-1-06(B), when the company failed to return the license of a real estate salesperson to the Division within three days of a written request.

HANNA REFERRAL ASSOC., corporation, Poland, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), as that section incorporates Ohio Administrative Code 1301:5-1-06(B), when the company failed to return the license of a real estate salesperson to the Division within three days of a written request.

HAVEN REALTY, INC., corporation, Garfield Heights, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), as that section incorporates Revised Code 4735.13(B), when the company failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

PAMELA HINES, salesperson, Athens, Ohio, had her licensed suspended, to commence 30 days from the date of the Order, until she substantially complied with a subpoena to the satisfaction of the Superintendent and was assessed a \$1,000.00 civil penalty for violating Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code Rule 1301:5-1-13, for failing to obey a subpoena issued to her by the Superintendent. In addition, her licensed suspended, to commence 30 days from the date of the Order, until she substantially complied with a subpoena to the satisfaction of the Superintendent and was assessed a \$1,000.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 3 of the Canons of Ethics for the Real Estate Industry, when she failed to cooperate with an investigation, by not providing requested documents.

LEIGH ANN M. LEE, salesperson, Dublin, Ohio, was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law and 3 hours of education in ethics for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.13(C) when she failed to notify the Superintendent of a conviction of a crime of moral turpitude within fifteen days.

DEBORAH L. LOUGHBOROUGH, broker, Akron, Ohio, as the result of an investigation of a formal complaint, was assessed a total \$400.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education related to agency, for violating 2 counts of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(B). Ms. Loughborough failed to follow the terms of an agency agreement with a client, in relation to the placement of tenants' security deposits and in relation to the responsibility for payment of utilities.

BARBARA S. NERING, salesperson, Middleburg Heights, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education related to agency, for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(D). The Commission found that Ms. Nering failed to perform duties as the listing salesperson in a manner that was loyal to the interest of her client, the seller. In addition, she was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education related to core law for violating Revised Code 4735.18(A)(6). The Commission found that Ms. Nering engaged in misconduct when she had potential buyers sign a waiver that provided that they "are aware that the house has significant termite damage to the main support beam and may cause harm to anyone entering" without possessing a professional termite inspection or inspection report indicating such damage.

OHIO EQUITIES, LLC, corporation, Columbus, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(B), when the company failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

DONNA L. PERKINS, salesperson, Dayton, Ohio, was assessed a \$500.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when she failed to disclose to the Division of Real Estate that she was the subject of an investigation by the Department of Insurance on her salesperson examination application.

MARIO PIGNATELLI, broker, Columbus, Ohio, was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division, proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(D), when he failed to notify the Superintendent of a change in business location.

LARRY D. PRINCE, salesperson, Wooster, Ohio, was fined \$2,500.00 and was required to complete and to submit to the Division, proof of completion of 3 hours of education related to core law, for violating Revised Code 4735.02, when as a salesperson he attempted to or assisted in the negotiations of the sale, exchange, purchase, rental or leasing of real estate for an entity not licensed under 4735. In addition, he was fined \$1,000.00 and was required to complete and to submit to the Division, proof of completion of 3 hours of education related to ethics for violating Revised Code 4735.18(A)(6) as that section incorporates Section 1, Article 4 of the Canons of Ethics for the Real Estate Industry, when as a licensee he should have been knowledgeable of the laws of Ohio pertinent to real estate.

ROBERT J. RAGLIN, broker, Columbus, Ohio, as the result of an investigation of a formal complaint, was assessed a total \$600.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating 2 counts of Revised Code 4735.18(A)(31). Mr. Raglin, on 2 occasions, failed within a reasonable time after receipt of a commission, to render an accounting to or pay a salesperson their earned share of a commission, within a reasonable time after the receipt of the commission.

RAPINO REALTY, INC., corporation, Holland, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(B), when the company failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

MARGARET L. RAUCH, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was fined \$300.00 and was required to complete and to submit to the Division, proof of completion of 4 hours of education related to property management, for violating Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code Rule 1301:5-5-11(E). Ms. Rauch failed to provide statements, at least quarterly, to her property management clients for each of the quarters during which she managed properties owned by her clients.

DIANA I. REMAR, broker, Independence, Ohio, was fined a total of \$1,000.00 and was required to complete and to submit to the Division proof of completion of the 10 hour broker's post licensure course, 3 hours of education in core law and 3 hours of education in ethics for violating 2 counts of Revised Code 4735.18(A)(31). Ms. Remar, on 2 occasions, failed within a reasonable time after receipt of a commission, to render an accounting to or pay a salesperson their earned share of a commission.

TREVOR RENNER, salesperson, Copley, Ohio, was assessed a total \$2,400.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law, 3 hours of education in ethics and 3 hours of education in agency for violating 8 counts of Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.02. Mr. Renner, advertised or held himself out as engaged in the business of selling, exchanging, purchasing, renting, or leasing real estate, while not licensed as a broker.

RESULTS FIRST REALTY, INC., corporation, Dayton, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(B), when the company failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

JOHN E. RICH, salesperson, Mason, Ohio, as the result of an investigation of a formal complaint, was assessed a total \$1,800.00 civil penalty, for violating 6 counts of Revised Code 4735.18(A)(6), misconduct. Mr. Rich, with respect to 6 properties, facilitated a listing prior to those listings expiring with another broker without discussing the listings with the listing broker.

JEANNETTE R. RUGGIERO, salesperson, Barberton, Ohio, as the result of an investigation of a formal complaint, was assessed a \$1,500.00 civil penalty, was required to submit to the Division proof of completion of 3 hours of education related to core law and 3 hours of education in agency and her license was suspended for 30 days, to commence on April 25, 2008, for violating Revised Code 4735.18(A)(2), Revised Code 4735.18(A)(6), dishonesty and/or misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry. Ms. Ruggiero made false promises in an executed purchase contract with the intent to influence, persuade, and/or induce. In addition, she failed to maintain high standards of professional conduct and integrity and failed to avoid the appearance of impropriety.

SHELLY J. SAMMONS, salesperson, Newark, Ohio, was given a public reprimand for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.21, when she collected money directly in connection with real estate.

MICHAEL E. SAMUELS, broker, Cincinnati, Ohio, was assessed a \$500.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(D), when he failed to give notice to the superintendent of a change of business location and failed to receive new licenses for the new location. He was also found in violation of Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.13(A), when he conducted real estate business from a location not specified on his broker's license.

CHRISTIAN E. SANCHEZ, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when he entered a property without an appointment to show the property.

JAMES J. SHALATY, salesperson, Cleveland, Ohio, as the result of an investigation of a formal complaint, was assessed a \$150.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code

4735.18(A)(34) and Revised Code 4735.18(A)(6) as that section incorporates Section 1, Article 4 of the Canons of Ethics for the Real Estate Industry. Mr. Shalaty authorized or permitted a person not licensed under Chapter 4735 of the Ohio Revised Code, to act as an agent in the capacity of a salesperson when he should have been knowledgeable of the laws of Ohio pertinent to real estate.

ANDREW N. SIERS, broker, Dublin, Ohio, as the result of an investigation of a formal complaint, was assessed a \$300.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education related to core law for violating Revised Code 4735.18(A)(24). Mr. Siers failed to keep complete and accurate records of all transactions for a period of three years from the date of the transaction.

JAMES E. SIMPSON, broker, Columbus, Ohio, as the result of an investigation of a formal complaint, was fined \$200.00 for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.56(C), when he failed to provide a Consumer Guide to Agency Relationships to the seller. In addition, he was fined \$200.00 for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.58(A), when he failed to provide an agency disclosure statement to the seller. Also, for both counts he was required to complete and to submit to the Division, proof of completion of 3 hours of education on agency.

ARNOLD SMITH, broker, Miamisburg, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(B), when he failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

ELAINE SMITH, salesperson, Canton, Ohio, as the result of an investigation of a formal complaint, was fined \$1,000.00 and was required to complete and to submit to the Division, proof of completion of 3 hours of education related to core law for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.67(A). Ms. Smith became aware, from personal observation, that the carpet in the basement of a property was wet from storm water intrusion. She failed to have the residential property disclosure form updated, thereby, exposing her clients, the sellers to potential litigation; thus she failed to exercise reasonable skill and care.

RONALD D. SNYDER, broker, Bluffton, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, when he failed to return a branch office license to the Division within fourteen days after receiving a request from the Division to return the license.

LEANN M. STARKS, salesperson, Cincinnati, Ohio, as the result of an investigation of a formal complaint, was assessed a \$200.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education related to agency, for violating Revised Code Revised 4735.18(A)(6) as that section incorporates Revised Code 4735.58(B)(1)(c). The Commission found that Ms. Starks failed to provide the purchaser with an agency disclosure statement prior to showing the property to the purchaser other than at an open house.

SULPHUR SPRINGS REALTY, INC., corporation, Toledo, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates

Revised Code 4735.13(B), when the company failed to return a salesperson's license to the Division within three days after receiving a request from the Superintendent to return the license.

DAVID R. TOBIN, salesperson, Cincinnati, Ohio, had his license suspended for 120 days, to commence on April 25, 2008, and was required to submit to the Division proof of completion of 3 hours of education related to core law and 3 hours of education in ethics for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates 4735.02 and Revised Code 4735.18(A)(21). Mr. Tobin, for a company, an unlicensed entity without an affiliated licensed broker, with the intention or in the expectation of receiving or collecting a fee or other valuable consideration; listed, or offered, attempted or agreed to list, and advertised real estate; advertised or held himself out as engaged in the business of selling, exchanging, purchasing, renting or leasing real estate, attempted, or agreed to negotiate the sale or lease of real estate, and sold, rented, or leased or negotiated the sale, rental, or lease of real estate, without first being licensed under Chapter 4735. In addition, he listed himself as a licensed real estate agent for a company, an unlicensed entity, in advertising.

PATTI URBATIS (1), broker, Granville, Ohio, as the result of an investigation of a formal complaint, was assessed a \$1,000.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry and was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(24). Further, for both counts she is required to complete the 10 hour broker's post licensure course and her license was suspended for 15 days, which commenced on May 16, 2008. Ms. Urbatis failed to maintain and establish high standards of professional conduct when a salesperson initially affiliated with her brokerage, transferred the license to another brokerage and Ms. Urbatis continued to have the salesperson represent the seller, an Executor for an estate, the listing for which remained with Ms. Urbatis' brokerage. In addition, she failed to maintain a complete copy of the records relating to the property.

PATTI URBATIS (2), broker, Granville, Ohio, as the result of an investigation of a formal complaint, was required to complete and to submit to the Division proof of completion of 3 hours of education in ethics, 3 hours of education in core law and 3 hours of education in agency, for violating Revised Code 4735.18(A)(31). The Commission found that Ms. Urbatis failed, within a reasonable time after receipt of a commission, to render an accounting to or pay a real estate salesperson their earned share of the commission.

LENNY VACCARO, salesperson, Seven Hills, Ohio, as the result of an investigation of a formal complaint, was assessed a \$250.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in agency for violating Revised Code 4735.18(A)(6) as that section incorporates Revised Code 4735.58(A) and/or Ohio Administrative Code Rule 1301:5-6-06(A)(1), Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(A) and Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(D). Mr. Vaccaro failed to provide an agency disclosure statement to the seller and/or failed to obtain a signature on an agency disclosure statement. In addition, with respect to a purchase offer made by the buyers to the sellers, he failed to exercise reasonable skill and care in representing the client. Finally, with respect to a purchase offer made by the buyers to the sellers, he failed to perform all duties in a manner that are loyal to the interests of the client.

GREGORY H. WEBB, salesperson, Portsmouth, as the result of an investigation of a formal complaint, was required to complete and to submit to the Division, proof of completion of 3 hours of education related to agency for violating Revised Code 4735.18(A) (6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when he failed to properly fill out the agency disclosure form when he indicated that he represented the seller; when, in fact, he represented the buyer.

EUGENE L. WELLS, broker, Mount Gilead, Ohio, was assessed a \$500.00 civil penalty for violating Revised Code 4735.18(A)(6), as that section incorporates Section 1, Article 3 of the Canons of Ethics for the Real Estate Industry, when he failed to return the license of a real estate salesperson to the division as requested by the Division. In addition, he found in violation of Revised Code 4735.18(A)(6), as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry, when upon receiving notice, failed to inform a licensee that their license was suspended.

ROXANNE WHATLEY, salesperson, Akron, Ohio, as the result of an investigation of a formal complaint, was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(H). The Commission found that Ms. Whatley failed to remit the buyer's earnest money deposit to the brokerage for deposit in the trust account upon the seller's acceptance of the purchase offer. In addition, her license was suspended for five days, she was assessed a \$500.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in agency for violating Revised Code 4735.18(A)(6), incompetence, for such conduct.

LARRY A. WHITED, broker, West Chester, Ohio, was assessed a \$200.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Ohio Administrative Code Rule 1301:5-1-06(A), when Mr. Whited terminated a real estate salesperson, but failed to notify the salesperson by certified mail within three business days of returning their license to the Division.

HEATHER D. WHITEHEAD, salesperson, New Albany, Ohio, as the result of an investigation of a formal complaint, was assessed a \$1,000.00 civil penalty and was required to complete and to submit to the Division proof of completion of 3 hours of education in core law and 3 hours of education in agency for violating Revised Code 4735.18(A)(19), Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(A) and Revised Code 4735.18(A)(21). Ms. Whitehead, after transferring her license to another brokerage, continued to represent a seller, Executor for an estate, the listing for which remained with her prior brokerage. In addition, she drafted an addendum, on behalf of the seller, to the purchase contract that mislead the purchaser to think that the garage/hangar was included in the sale of the subject property when it was not intended to be included. Finally, she published advertising for the subject property that included a picture of the garage/hangar when the garage/hangar was not to be included in the sale.

NICOLE R. YODER-BARNHART, salesperson, Columbus, Ohio, as the result of an investigation of a formal complaint, was given a public reprimand for violating Revised Code

4735.18(A)(20), when she offered real property for sale without the knowledge and consent of two of the owners, or the consent of the owners' authorized agent.

Y-TOWN REALTY, INC., corporation, Youngstown, Ohio, was assessed a \$300.00 civil penalty for violating Revised Code 4735.18(A)(6), misconduct, when the company failed to return a branch office license to the Division within fourteen days after receiving a request from the Division to return the license.

UNLICENSED ACTIVITY

AMERICAN MIDWEST MORTGAGE CORP., Willoughby, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$1,000.00. The Commission found that the company, when in expectation of collecting a fee, commission or other valuable consideration, held itself out as engaged in the business of selling real estate in a publication and offered or attempted to offer, listed or attempted to list 20 real estate properties in the publication, without first being licensed under Revised Code Chapter 4735.

B & D MAINTENANCE-MANAGEMENT, WHAT WOULD JAN DO CONSULTING, LLC, Columbus, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$51,900.00. The Commission found that the company, offered, attempted, and agreed to negotiate the rental or leasing of a property, listed, or offered, attempted or agreed to list a property for rent or lease, managed or offered, or attempted to operate, manage a property, collected or attempted, or agreed to collect rental information for purposes of referring prospective tenants to rental units and charging the prospective tenants a fee, agreed to direct or assist in the procuring of prospects that was calculated to result in the leasing or renting of a property, advertised or held the company out as engaged in the business of managing, renting or leasing of real estate, while not licensed under Revised Code Chapter 4735.

BUSINESS RESOURCE GROUP, LLC, Wooster, Ohio, as the result of an investigation of the formal complaint, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$2,500.00. The Commission found that Mr. Underhill attempted to or assisted in the negotiation of the sale, exchange, purchase, rental or leasing of real estate on 47 occasions without first being licensed under Revised Code Chapter 4735.

KAMAL J. GREGORY, Dayton, Ohio, when not licensed, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$8,000.00, when he held himself out as engaged in the business of real estate and collected a fee, commission, or other valuable consideration, while not licensed under Revised Code Chapter 4735.

MADISON MARQUETTE REALTY SERVICES, LP, Minnetonka, Minnesota, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$200,000.00. The Commission found that the company, offered, attempted, and agreed to negotiate the rental or leasing of the spaces within a subject property, Listed, or offered, attempted or agreed to list a subject property for rent or lease, managed or offered, or attempted to operate, manage a subject property, agreed to direct or assist in the

procuring of prospects that was calculated to result in the leasing or renting of the spaces within a subject property, held the company out as engaged in the business of managing, renting or leasing of real estate, directed or assisted in the procuring of prospects that was calculated to result in the leasing or renting of the spaces within a subject property without first being licensed under Revised Code Chapter 4735.

LYNETTE S. MALY, Twinsburg, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$500.00, when she held herself out as engaged in the business of real estate, while not licensed under Revised Code Chapter 4735.

SHARI L. MORTER, Stow, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$500.00, when she held herself out as engaged in the business of real estate, while not licensed under Revised Code Chapter 4735.

GARY UNDERHILL, Wooster, Ohio, as the result of an investigation of the formal complaint, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$2,500.00. The Commission found that Mr. Underhill attempted to or assisted in the negotiation of the sale, exchange, purchase, rental or leasing of real estate on 47 occasions without first being licensed under Revised Code Chapter 4735.

MIKE ZUREN, Willoughby, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$1,000.00. The Commission found that Mr. Zuren, when in expectation of collecting a fee, commission or other valuable consideration, held himself out as engaged in the business of selling real estate in a publication and offered or attempted to offer, listed or attempted to list 20 real estate properties in the publication, without first being licensed under Revised Code Chapter 4735.

SHARI L. MORTER, Stow, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$500.00, when she held herself out as engaged in the business of real estate, while not licensed under Revised Code Chapter 4735.

GARY UNDERHILL, Wooster, Ohio, as the result of an investigation of the formal complaint, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$2,500.00. The Commission found that Mr. Underhill attempted to or assisted in the negotiation of the sale, exchange, purchase, rental or leasing of real estate on 47 occasions without first being licensed under Revised Code Chapter 4735.

JANET WINROD, Columbus, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$51,900.00. The Commission found that Ms. Winrod, offered, attempted, and agreed to negotiate the rental or leasing of a property, listed, or offered, attempted or agreed to list a property for rent or lease, managed or offered, or attempted to operate, manage a property, collected or attempted, or agreed to collect rental information for purposes of referring

prospective tenants to rental units and charging the prospective tenants a fee, agreed to direct or assist in the procuring of prospects that was calculated to result in the leasing or renting of a property, advertised or held the company out as engaged in the business of managing, renting or leasing of real estate, while not licensed under Revised Code Chapter 4735.

MIKE ZUREN, Willoughby, Ohio, was found by the Commission to have violated Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$1,000.00. The Commission found that Mr. Zuren, when in expectation of collecting a fee, commission or other valuable consideration, held itself out as engaged in the business of selling real estate in a publication and offered or attempted to offer, listed or attempted to list 20 real estate properties in the publication, without first being licensed under Revised Code Chapter 4735.