

## DISCIPLINARY ACTIONS

### REVOCATIONS/PERMANENT SURRENDERS/RESIGNATIONS

**Karyn J. Buggs**, broker, Shaker Heights, Ohio, as the result of an investigation of a formal complaint, had her license revoked, which commenced on May 02, 2011 for 3 counts of violating Revised Code 4735.18 (A). First, Revised Code 4735.18 (A)(5), failure within a reasonable time to account for or to remit any money coming into the licensee's possession which belongs to others, Revised Code 4735.18 (A)(27), failure to maintain a separate and distinct property management special or trust bank account and finally, Revised Code 4735.18 (A)(9), violation, failure to comply or willful disregard for Revised Code 4735.62(A) as it relates to exercising reasonable skill and care in representing the client and carrying out the responsibilities of the agency relationship. She was also fined \$1,000.00 for violating Revised Code 4735.18 (A)(6), misconduct, as it incorporates the Canons of Ethics for the Real Estate Industry, Section I, Article 5, for failing to represent her client competently. Finally, she was fined \$1,000.00 for violating Revised Code 4735.18 (A)(6), misconduct, as it incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations.

**Trisha Carpenter**, broker, Massillon, Ohio, as the result of a formal complaint had her license revoked, which commenced on August 31, 2011 for violations of Revised Code 4735.18(A)(6), misconduct as that section incorporates Revised Code 4735.58(A) and/or failed to maintain complete and accurate records of a transaction in violation of Revised Code 4735.18(A)(24). Further, Ms. Carpenter violated Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code 1301:5-1-13 and/or Revised Code 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, for failing to cooperate with an investigation when she failed to provide the agency disclosure statement, copies of correspondence and/or any advertising after a subpoena was issued to her by the Superintendent of the Division of Real Estate and Professional Licensing pursuant to an investigation.

**Judith A. Koob**, broker, Columbus, Ohio, was fined \$5,000.00 and required to permanently surrender her broker's license, and she shall never reapply for brokers' licensure in Ohio for violations of 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, for failure to personally oversee and direct the operations of her sole proprietorship. Ms. Koob was found in violation of Revised Code 4735.18(A)(6), misconduct, as that section incorporates O.A.C. 1301:5-1-14, when she entered into an arrangement, either directly or indirectly, whereby she lent her name or broker's license for the benefit of another licensed salesperson, Revised Code 4735.18(A)(34) when she authorized or permitted a person not licensed as a broker, to act in the capacity of a real estate broker, and Revised Code 4735.18(A)(6), failure to deposit and/or maintain earnest money in her brokerage trust account. Additionally, Ms. Koob failed to maintain a separate and distinct property management special or trust bank account in violation of Revised Code 4735.18(A)(27), and failed to deposit and/or maintain rental deposits, security deposits and/or rent in a property management special or trust bank account in violation of Revised Code 4735.18(A)(6) as that section incorporates O.A.C. 1301:5-5-11(F). Ms. Koob was also found to have violated Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 5 of the Canons of Ethics which provides that a license should

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represent clients competently. Ms. Koob was in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), when she maintained an “exclusive agreement of representation” that did not contain fair housing language, and in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(3) when she maintained an “exclusive agreement of representation” that did not contain blockbusting language and failed to state that it is illegal. Finally, the above conduct also constituted a violation of Revised Code 4735.18(A)(6), misconduct, as that section incorporates the canons of ethics, Section 1, Article 4, which provides that a licensee should be knowledgeable of the laws of Ohio pertinent to real estate and should keep informed of the changes in the statutes of Ohio affecting the duties and responsibilities of a licensee.

### SUSPENSIONS, FINES, EDUCATION

**Joseph Audino**, salesperson, North Royalton, Ohio, as the result of an investigation into a formal complaint, was required to complete a 10 day license suspension, which commenced on March 29, 2011, and to complete and submit proof of completion of 3 hours of education in ethics as well as pay a \$600.00 fine for violations of 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. Mr. Audino provided a property lock box code to his clients which resulted in his clients’ unsupervised entry into a property.

**Jere Austin**, broker, Lakewood, Ohio, as the result of an investigation of a formal complaint, was ordered to complete and submit proof of completion to the Division of 10 hours of broker post-licensure education in a live classroom setting and 3 hours of education in agency in a live classroom setting, as a result of violating Revised Code 4735.18(A)(19), when she attempted to negotiate the sale of a property directly with a seller that was represented by another agent, 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 as the buyer’s agent, she met with the seller to sign a purchase offer without receiving prior authorization from the seller’s agent and/or notifying the seller’s agent that she was meeting with the seller, and Revised Code 4735.18(A)(24) as that section incorporates Ohio Administrative Code 1301:5-5-09 for failing to properly maintain a trust account ledger.

**Gary E. Babcock**, salesperson, Newark, Ohio, as the result of an investigation into a formal complaint, was required to pay a \$500.00 fine as well as complete and submit proof of completion to the Division of 3 hours of education in agency for violating Revised Code 4735.18(A)(24), when he failed to maintain complete and accurate records of the transaction, specifically the pre-approval letter from the prospective buyer.

**J. Paul Basinger**, broker, North Lima, Ohio, as the result of an investigation into a formal complaint, was required to pay a \$1,000 fine and to submit his brokerage forms that contain the Fair Housing language for violations of Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code 1301:5-6-05(B)(3), and Revised Code 4735.18(A)(9), as that section incorporates Revised Code 4735.55(A)(2). Mr. Basinger failed to include “military status” in the fair housing language of his Consumer Guide to Agency Relationships and used the term “handicap” instead of “disability” in his agency agreement fair housing language.

**Randy J. Best**, broker, Upper Arlington, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$2,000.00 fine as well as complete and submit to the Division proof of completion of 10 hours of broker post-licensure education and 3 hours of continuing education in agency, for violations of Revised Code 4735.18(A)(6), misconduct, as that section

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incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry and/or Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 2 of the Canons of Ethics for the Real Estate Industry, when he failed to personally oversee and direct the operations of his real estate company.

**Fred D. Bradley**, broker, Euclid, Ohio, was required to complete a 180 day suspension for violating Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code 1301:5-1-13, when he failed to obey a subpoena issued to him by the Superintendent of the Division of Real Estate and Professional Licensing pursuant to an investigation. Mr. Bradley was also ordered to complete a 180 day suspension, to run consecutively, for violation of Revised Code 4735.18(A)(6), misconduct, as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1, Article 3, which provides that a licensee should provide assistance wherever possible to the members and staff of the Real Estate Commission and Division of Real Estate in the enforcement of the licensing statutes and administrative rules and regulations, when he failed to cooperate with a mail-in compliance inspection. Further, Mr. Bradley was ordered to pay a \$250.00 civil penalty for violation of Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.13(D), for changing his business address without notifying the Division of Real Estate and Professional Licensing and without receiving new licenses.

**Jo Beth Bryant**, salesperson, Xenia, Ohio, as the result of an investigation into a formal complaint, was required to pay a \$50 fine 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee. Ms. Bryant failed to publish a property was to have an open house until the day of the open house despite agreeing with the sellers of the property in advance regarding the date for the property's open house.

**Robert S. Cassel**, broker, Worthington, Ohio, as the result of an investigation into a formal complaint, was required to complete and submit proof of completion of 10 hours of post-licensure broker education as well as pay a \$500.00 fine for 2 violations of Revised Code 4735.18(A)(6), when he entered into a commission split with the listing agent and then demanded a commission from the sellers and failed to put in writing, a commission split agreement entered into with the listing agent.

**Frank Chahulski**, salesperson, Seven Hills, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$2,000.00 fine, and to complete and submit proof to the Division of completion of 3 hours of education in ethics, 3 hours of education in core law and 3 hours of education in agency as a result of violations of Revised Code 4735.18(A)(24), when Mr. Chahulski failed to keep complete and accurate leasing records for the property and 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct.

**Central Group, Inc**, real estate company, Toledo, Ohio, was fined \$500.00 for violating Revised Code 4735.18(A)(6) as that section incorporates Canons of Ethics for the Real Estate Industry, Section 1 Article 1 of the Canons of Ethics and Revised Code 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 2. Central Group, with respect to the attempted purchase of the subject property, a transaction that was unable to

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consummate, failed to return to the buyer all or part of the commission which was paid from the buyer's funds.

**Marsha A.Conner**, salesperson, Jamestown, Ohio, as the result of an investigation into a formal complaint, was required to pay a \$100 fine for violations of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(A), when she failed to exercise reasonable skill and care in representing the sellers by failing to give the sellers timely notification that the earnest money check supplied by the buyer had been returned because of insufficient funds. Further, Ms. Conner violated Revised Code 4735.18(A)(21) as that section incorporates Revised Code 4735.16(B)(3) and Ohio Administrative Code 1301:5-1-02(A), when during the Division's investigation, she provided the Division with a business card that failed to indicate whether she, as a licensee, was a real estate broker or a real estate salesperson.

**Donald R. Dobbs**, broker, Milford, 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 the 10 hour broker post-license course, for violating Revised Code 4735.18(A)(29). Mr. Dobbs was found to have an unsatisfied final judgment against him that arose out of his conduct as a licensed salesperson.

**William Drenik Jr.**, salesperson, Geneva, Ohio, was ordered to pay a \$2,500.00 fine, complete and submit proof of completion of 3 hours of education in core law and 3 hours of education in agency for 4 violations of Revised Code 4735.18(A)(6), misconduct, or in the alternative, in violation of R.C. 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, when he completed or signed documents as a broker when only licensed as a real estate salesperson.

**Michael L. Glass**, broker, Columbus, Ohio, was required to pay a \$4,000.00 fine and was required to complete and submit proof of completion of 3 hours of continuing education in ethics for violations of Revised Code 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics, Section I, Article 3, for failing to provide assistance to the Division when he provided the Division with a copy of the exclusive authorization to sell or exchange agreement for a property that contained an altered agent signature and date, and Revised Code 4735.18(A)(24) for failing to maintain complete and accurate transaction records for a period of three years when he provided to the Division a copy of the exclusive authorization to sell or exchange agreement for a property that contained an altered signature and date.

**Kevin D. Gordon**, broker, Akron, Ohio, as the result of an investigation of a formal complaint, was fined \$1,000.00, and was required to complete a 60 day suspension of his license, which commenced August 03, 2011, and to complete and submit proof of completion of 10 hours of broker post-licensure education for violating Revised Code 4735.18(A)(29), having an unsatisfied final judgment in any court of record against the licensee arising out of the licensee's conduct as a licensed broker or salesperson, when he was the subject of an unsatisfied judgment in the Summit County Court of Common Pleas.

**Jackie Hamilton**, salesperson, Leesburgh, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$1,000.00 fine as well as complete and submit proof of completion to the Division of 3 hours of education in agency and 3 hours education in core law. Ms. Hamilton violated Revised Code 4375.18(A)(20) by offering a property for sale without the

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knowledge and consent of all the owners. Additionally, Ms. Hamilton maintained a Consumer Guide to Agency that did not contain the correct fair housing language in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), and she maintained an exclusive right to sell agreement that did not contain fair housing language in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2).

**Tony Harker**, salesperson, Dayton, Ohio, was fined \$500.00 and required to complete and submit proof of completion of 3 hours of continuing education in core law 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. Mr. Harker signed as the sponsoring broker on a Salesperson License Examination Application while only licensed as a real estate salesperson.

**Cindy S. Harrison**, salesperson, Grove City, 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 core law as well as complete a 3 day suspension of her license, which commenced March 28, 2011, for violation of Revised Code 4735.18(A)(1) for knowingly making a misrepresentation when she forged a signature. Additionally, Ms. Harrison, by forging a signature on a contract addendum violated Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section I, Article 1 of the Canons of Ethics for the Real Estate Industry which provides a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee. For this violation, she is required to complete and submit to the Division proof of completion of 3 hours of education in agency.

**Sheila R. Hirschfeld**, salesperson, New Bremen, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$1,500.00 fine, complete a 5 day suspension, which commenced on May 31, 2011, and to complete and submit proof to the Division of completion of 10 hours in post-licensure sales education. Ms. Hirschfeld violated Revised Code 4735.18(A)(2), when she made false promises by assuring her client that any and all repairs to a property would be covered by either the home warranty program or by the US Government. In violation of Revised Code 4735.18(A)(9) as that section incorporates 4735.56(D) and violation of Revised Code 4735.18(A)(24), Ms. Hirschfeld failed to provide a consumer guide to agency relationships to the purchaser and failed to maintain complete and accurate records of the transaction.

**Damian Incorvia**, salesperson, Lakewood, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$450.00 fine, complete and submit proof of completion of 3 hours of continuing education in agency and 3 hours of continuing education in core law for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), when he maintained a Consumer Guide to Agency that did not contain the correct fair housing language. Further, Mr. Incorvia failed to comply with his company's written policy of agency, which required that he disclose that he had a relationship with Alexandria McAdams on an addendum to the purchase contract, this conduct is in violation of 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

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**Maria Koob**, salesperson, Columbus, Ohio, was required to complete a 21 day suspension of her license, which commenced on May 31, 2011, pay a \$3,500.00 fine, and complete and submit proof of completion of 10 hours of post-licensure sales education, for violations of Revised Code 4735.18(A)(6), misconduct, as that section incorporates Revised Code 4735.02, Ms. Koob acted like a broker without a broker's license, and in violation of Revised Code 4735.18(A)(6) as that section incorporates Section 1, Article 1, Canons of Ethics for the Real Estate Industry, advertised property as an agent and/or representative for an unlicensed entity, when her license was affiliated with an active broker. Ms. Koob violated Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code 1301:5-5-11(F) when she failed as account signatory to maintain and/or deposit rental deposits, security deposits and/or rent in a property management special or trust bank account. Also as an account signatory, she failed to deposit and/or maintain earnest money in the brokerage trust account in violation of Revised Code 4735.18(A)(6). Ms. Koob failed to advertise in the name in which she is licensed in violation of Revised Code 4735.18(A)(21) as it incorporates Ohio Administrative Code 1301:5-1-02(B). She also failed to include in the advertisement the name of the broker or brokerage under whom she was licensed in violation of Revised Code 4735.18(A)(21) as it incorporates Revised Code 4735.16(B)(1) and Ohio Administrative Code 1301:5-1-02(C). Ms. Koob maintained an "exclusive agreement of representation" that did not contain fair housing language in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2). She maintained an "exclusive agreement of representation" that did not contain blockbusting language and failed to state that it is illegal in violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(3). Ms. Koob also violated Revised Code 4735.18(A)(6), misconduct, as that section incorporates the canons of ethics, Section 1, Article 4, which provides that a licensee should be knowledgeable of the laws of Ohio pertinent to real estate and should keep informed of the changes in the statutes of Ohio affecting the duties and responsibilities of a licensee.

**Richard C. Luzny**, salesperson, Napoleon, Ohio, was required to complete a 3 day suspension, which commenced on September 5, 2011, and ordered to pay a \$500.00 fine and complete and submit proof of completion to the Division of 3 hours education in ethics for violations of 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee. Mr. Luzny signed the broker's name to a salesperson license examination application.

**Joe E. Martin**, salesperson, Akron, Ohio, as the result of an investigation of a formal complaint, was ordered to pay a \$200.00 fine, complete and submit proof of completion of 3 hours of education in ethics for 1 violation of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(1), 1 violation of Revised Code 4735.18(A)(9), as that section incorporates Revised Code 4735.55(A)(2) and Revised Code 4735.18(A)(6), misconduct, as that section incorporates the canons of ethics, section 1, article 4, which provides that a licensee should be knowledgeable of the laws of Ohio pertinent to real estate and should keep informed of the changes in the statutes of Ohio affecting the duties and responsibilities of a licensee. Mr. Martin maintained an exclusive right to sell agreement that did not contain an expiration date, as well as maintained an exclusive right to sell agreement that did not contain fair housing language.

**Alexandria McAdams**, broker, Rocky River, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$450.00 fine, complete and submit proof of completion of 3

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hours of continuing education in agency and 3 hours of continuing education in core law for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), when she maintained a Consumer Guide to Agency that did not contain the correct fair housing language. Further, Ms. McAdams failed to comply with her company's written policy of agency, which required that she disclose that she had a relationship with Damian J. Incorvia on an addendum to the purchase contract, this conduct is in violation of 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee.

**Kristin J. Mufti**, salesperson, Perrysburg, Ohio, as the result of an investigation of a formal complaint, was fined \$600.00, required to serve a 3 day suspension and required to complete and submit proof of completion to the Division of 10 hours of post-licensure sales education 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 to the purchaser prior to a showing of the subject property. Further, she violated Revised Code 4735.18(A)(6), misconduct, as it incorporates Revised Code 4735.58 for failing to present an agency disclosure statement to and/or obtain the signature of the purchaser prior to the preparation of an offer. Finally, in violation of Revised Code 4735.18(A)(6), Ms. Mufti worked as a team with another salesperson when their licenses were affiliated with different real estate brokerages.

**Jason L. Opland**, salesperson, Delaware, Ohio, as the result of an investigation into a formal complaint, was required to complete and submit proof of completion to the Division of 3 hours of education in ethics and 3 hours of education in agency, as well as pay a \$700.00 fine for violating Revised Code 4735.18(A)(21) when he published misleading and inaccurate advertising by advertising using photos of another property.

**Susan M. Penwell**, salesperson, Poland, Ohio, as the result of an investigation into a formal complaint, was required to complete a 15 day suspension of her license, which commenced on May 31, 2011, for violations of Revised Code 4735.18(A)(1) when she knowingly made a misrepresentation by creating and submitting a contract bid without the knowledge or consent of the buyer.

Joyce Petty, broker, Cleveland Heights, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$500.00 fine, complete and submit proof of completion of 3 hours of continuing education in agency and 3 hours of continuing education in core law, and to complete a 30 day suspension of her license, which commenced May 3, 2011, for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 3, Canons of Ethics for the Real Estate Industry, for failure to cooperate with the Division of Real Estate during an investigation.

**Joyce Petty**, broker, Cleveland Heights, Ohio, as the result of an investigation of a formal complaint, was required to pay a \$500.00 fine, complete and submit proof of completion of 3 hours of continuing education in agency and 3 hours of continuing education in core law, and to complete a 30 day suspension of her license, which commenced May 3, 2011, for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates Section 1, Article 3, Canons of Ethics for the Real Estate Industry, for failure to cooperate with the Division of Real Estate during an investigation.

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**Ellen E. Radatz**, salesperson, Kings Mills, Ohio, was ordered to pay a \$900.00 penalty, complete and submit proof of completion of 3 hours education in core law and 3 hours education in agency as a result of 3 violations of 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 which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, when she signed as the broker, a Salesperson Transfer/Reactivation while only licensed as a real estate salesperson.

**Robert S. Riehle**, salesperson, Morrow, Ohio, as the result of an investigation of a formal complaint, was required to complete and submit to the Division proof of completion of 3 hours of education in core law for violation of Revised Code 4735.18(A)(20), when he offered the subject property for sale without the knowledge and consent of the owners. Mr. Riehle was also required to submit a \$500.00 fine and complete 3 hours of education in agency for violating Revised Code 4735.18(A)(25), when he failed to provide a signed copy of the sales contract and/or the home inspection report to the seller of the subject property at the time the document was signed or in a timely manner. For violations of Revised Code 4735.18(A)(21), having published advertising, which was misleading or inaccurate in any material particular, as that section incorporates Ohio Administrative Code Rule 1301:5-1-02(B), when he advertised as "Steve Riehle" on a business card when Division records indicate he is licensed as Robert S. Riehle, he was fined \$200.00. Further, Mr. Riehle was ordered to submit a \$300.00 fine for violations of Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.62(A), or in the alternative, 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 during the inspection period, failed to keep the subject property's sellers informed regarding the subject property's home inspection.

**Kenneth Roberts**, broker, Massillon, Ohio, as the result of an investigation into a formal complaint, was required to pay a \$500.00 fine, complete a 7 day suspension of his license which commenced on August 31, 2011, and complete and submit proof of completion to the Division of 10 hours of education in broker post-licensure for violations of Revised Code 4753.18(A)(6), misconduct as that section incorporates Section 2, Article 9 of the Canons of Ethics for the Real Estate Industry, when he failed to put into writing in the purchase contract the amount of his fee or the timing of when the parties were to submit payment of that fee to him, Revised Code 4753.18(A)(6), misconduct as that section incorporates Section 1, Article 1 of the Canons of Ethics for the Real Estate Industry which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, when he failed to advise the buyers to initial the change to the deposit provision in the purchase contract. Further, Mr. Roberts violated Revised Code Section 4735.18(A)(6) or 4735.18(A)(26) as that section incorporates Ohio Administrative Code 1301:5-5-08(B), when he maintained a "special or trust" bank account which failed to bear the words "special account" or "trust account" on the account, Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.56(C), when he failed to note the sellers refused to sign the consumer guide to agency, or in alternative, failed to obtain seller's signature on the consumer guide to agency prior to marketing the property, Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.55(A)(2), when he maintained an Exclusive Right to Sell Agreement that did not contain the correct fair housing language. Finally, in violation of Revised Code 4753.18(A)(6), misconduct as that section incorporates Section 1, Article 3 of the Canons of Ethics for the Real Estate Industry, when

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during the course of the Division's investigation, he failed to provide the Division, when requested, a copy of your brokerage trust account ledger.

**Dawn Faye Ronski**, salesperson, Swanton, Ohio, as the result of an investigation into a formal complaint, was required to complete 3 hours of continuing education in ethics and 3 hours of education in core law, as well as pay a \$200.00 fine for violations of Revised Code 4735.18(A)(6), misconduct, when prior to the filing of the confirmation of the sheriff sale for a property, she provided buyers a "Knowing Your Options" Notice, which stated Fannie Mae was the owner of the subject property.

**Ronald N. Russell**, broker, Strongsville, Ohio, was ordered a public reprimand for violating Revised Code 4735.18(A)(6), misconduct as that section incorporates Section 1 Article 1 of the Canons of Ethics which provides that a licensee should endeavor to maintain and establish high standards of professional conduct and integrity in dealings with members of the public as well as with fellow licensees and, further, seek to avoid even the appearance of impropriety in any activities as a licensee, when he provided misleading and/or inaccurate information to members of the public concerning representation by a real estate agent.

**Linda Schutte**, salesperson, Springfield, Ohio, as the result of an investigation of a formal complaint, was required to complete and submit proof of completion of 10 hours of education in post-licensure sales and 3 hours of education in agency for violations of Revised Code 4735.18(A)(6), misconduct, for failing to properly fill out the agency disclosure statement and 2 violations of Revised Code 4735.18(A)(6), misconduct, as that section incorporates R.C. 4735.58(A), for failure on two occasions to present an agency disclosure statement to both the buyer and the seller.

**Cathy J. Scott**, salesperson, Minford, Ohio, as the result of an investigation into a formal complaint, was required to submit a \$3,000.00 fine, complete and submit proof of completion to the Division of 3 hours of education in core law and 3 hours of education in agency. Ms. Scott violated Revised Code 4735.18(A)(6) which provides that a licensee should endeavor to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and, further, to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession, when she engaged in dishonest or illegal dealing, gross negligence, incompetency, or misconduct by altering her client's original signatures, initials and or dates on the Agency Disclosure Statement and the Residential Property Disclosure Form. Further, Ms. Scott failed to maintain complete and accurate transaction records for a period of three years when she provided to the Division a copy of the Agency Disclosure Statement and a Residential Property Disclosure Form that contained altered signatures, initials, and dates in violation of Revised Code Section 4735.18(A)(24), as well as failed to provide the buyer with a Consumer Guide to Agency Relationships in violation of Revised Code 4735.18(A)(9) as that section incorporates 4735.56(D).

**David Sleva**, salesperson, Westlake, Ohio, as the result of an investigation of a formal complaint, was fined \$250.00 and required to complete and submit proof of completion to the Division of 3 hours of education in agency, for the violation of Ohio Revised Code Section 4735.18(A)(6) as it incorporates Section II, Article 9 of the Canons of Ethics for the Real Estate Industry, or in the alternative, in violation of Ohio Revised Code Section 4735.18(A)(20), when he failed to put into writing the agreement which reduced the list price of the property or failed to provide written confirmation to the seller of all list price modifications at the time they were orally agreed to.

## DISCIPLINARY ACTIONS

**J. Steve Strong**, salesperson, Huber Heights, Ohio, as the result of an investigation of a formal complaint, was required to complete and submit proof of completion to the Division of 3 hours of education in core law, 3 hours of education in agency and 3 hours of education in ethics as well as submit a \$250.00 fine for failure to maintain and establish high standards of professional conduct and integrity in dealings with members of the public in violation of Revised Code 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section 1, Article 1, after he failed to remove his lock box and advertising sign from the subject property within a reasonable time after closing.

**Keith Tammarine**, salesperson, Perrysburg, Ohio, as the result of an investigation of a formal complaint, was fined \$600.00, required to serve a 3 day suspension and required to complete and submit proof of completion to the Division of 10 hours of post-licensure sales education for violating Revised Code 4735.18(A)(9) as that section incorporates Revised Code 4735.56(D), when he failed to provide a consumer guide to agency to the purchaser prior to a showing of the subject property. Further, he violated Revised Code 4735.18(A)(6), misconduct, as it incorporates Revised Code 4735.58 for failing to present an agency disclosure statement to and/or obtain the signature of the purchaser prior to the preparation of an offer. Finally, in violation of Revised Code 4735.18(A)(6), Mr. Tammarine worked as a team with another salesperson when their licenses were affiliated with different real estate brokerages.

**Mark Thompson**, broker, Cincinnati, Ohio, was required to complete and submit proof of completion to the Division of 3 hours of education in agency as well as pay a \$500.00 fine for violation of Revised Code 4735.18(A)(21) as that section incorporates Revised Code 4735.16(B), when he failed to identify himself as a licensed real estate broker in advertisements, and Revised Code 4735.18(A)(6), misconduct, when he failed to properly fill out the agency disclosure statement. Further, Mr. Thompson violated Revised Code 4735.18(A)(6) as that section incorporates O.A.C. 1301:5-6-06(C), when he modified the Agency Disclosure Statement and/or maintained or made use of a modified Agency Disclosure Statement.

**Linda Faye Wise**, salesperson, Canton, Ohio, as the result of an investigation of a formal complaint, was fined \$600.00, was required to complete a 5 day suspension of her license, which commenced March 29, 2011, and to complete and submit proof of completion of 3 hours of education in ethics for violating Revised Code 4735.18(A)(6), misconduct, as that section incorporates the Canons of Ethics for the Real Estate Industry, Section 1, Article 1, when she and her clients entered a property with without prior authorization from the sellers or the listing agent.

**Robert Zavasini**, salesperson, Cincinnati, Ohio, was fined \$2,000.00 and required to complete and submit proof of completion to the Division of 3 hours of education in core law and 3 hours of education in agency, for 2 counts of 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 on two occasions he signed as the sponsoring broker on a Salesperson License Examination Application while only licensed as a real estate salesperson.

**Charles P. Zidian**, broker, Youngstown, Ohio, as the result of an investigation of a formal complaint, was required to complete a 365 day suspension of his license, which commenced July 27, 2011, for failure to reduce the renovation, maintenance and/or repair agreement to writing in violation of Revised Code 4735.18(A)(6) as that section incorporates Section II, Article 9 of the Ohio Real Estate Canons of Ethics for the real estate industry which provides that licensees, for the protection of all parties, should see that financial obligations and commitments regarding real estate transactions are in writing, expressing the exact agreement of the parties;

## DISCIPLINARY ACTIONS

and that copies of all agreements, at the time they are executed, are placed in the hands of all parties involved. Mr. Zidian was also ordered to pay a \$2,500 civil penalty and to complete and submit to the Division proof of completion of the 10 hour broker post-licensure course for violation of Revised Code 4735.18(A)(27), failure to maintain a separate and distinct property management special or trust bank account. For violations of Revised Code 4735.18(A)(6) as that section incorporates Ohio Administrative Code 1301:5-5-11(F), failure to deposit and/or maintain rental deposits, security deposits and/or rent in a property management special or trust bank account, he was required to complete a 60 day suspension, with both suspensions to run consecutively, and pay a \$2,500.00 civil penalty. For failing to put a definite expiration date in the Exclusive Right to Lease and/or Manage Real Estate agreement in violation of Revised Code 4735.18(A)(28), he was required to complete and submit to the Division proof of completion of 3 hours of education in core law and for a violation of Revised Code 4735.18(A)(6), as that section incorporates the Canons of Ethics, Section I, Article 2, failure to protect the public against fraud, misrepresentation or unethical practices in real estate transactions and failure to endeavor to eliminate in the community, any practices which could be damaging to the public or to the integrity of the real estate profession, he was required to complete and submit proof of completion to the Division of 3 hours of education in ethics.

### UNLICENSED ACTIVITY

**Aishia Johnson**, Columbus, Ohio, was found by the Commission to have violated 150 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$150,000.00. The Commission found that Aishia Johnson, when for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation, failed to take extreme care and allowed the impression of holding self out as engaged in the selling of real estate without first being licensing under Revised Code 4735.

**M&A Property Management**, Columbus, Ohio, was found by the Commission to have violated 150 counts of Revised Code 4735.02, unlicensed activity and was assessed a civil penalty in the amount of \$150,000.00. The Commission found that M&A Property Management, when for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation, failed to take extreme care and allowed the impression of holding self out as engaged in the selling of real estate without first being licensed under Revised Code 4735.

**David Wright**, Cincinnati, Ohio, was found by the Commission to have violated 229 counts of Revised Code 4735.02, unlicensed activity, and was assessed a civil penalty in the amount of \$5,725.00. The commission found that David Wright, when for another, for a fee, commission, or other valuable compensation or the expectation of a fee, commission, or other compensation, failed to take extreme care and allowed the impression of holding self out as engaged in the selling of real estate without first being licensing under Revised Code 4735.