



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**TENNESSEE REAL ESTATE COMMISSION**  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243  
615-741-2273  
<http://www.tn.gov/commerce/section/real-estate-commission>

## **MINUTES**

The Tennessee Real Estate Commission held a meeting December 12, 2016 at 9:00 a.m. in room 1B of the Davy Crockett Tower located at 500 James Robertson Parkway Nashville, TN 37243.

The Meeting was called to order by Chairman John Griess.

Chairman Griess welcomed everyone to the Board meeting.

Executive Director Malcolm Young called roll. The following Commission Members were present: Chairman Griess, Vice Chairman Commissioner Austin McMullen, Commissioner Diane Hills, Commissioner Marcia Franks, Commissioner Fontaine Taylor, Commissioner Gary Blume, Commissioner Rick Douglass joined the meeting after lunch break at 12.45, Commissioner Marcia Franks, Commissioner Johnny Horne, and Commissioner Bobby Wood. Others present: Executive Director Malcolm Young, Assistant General Counsel Sarah Mathews, Education Director Ross White, Commission Staff Brooke Chartrand and Commission Staff Sherry Brame.

Agenda items for the December 12 and 13, 2016 board meeting were submitted for changes and approval.

Motion made by Commissioner McMullen and seconded by Commissioner Hills to approve the December 12 and 13 agenda with changes. Motion carried unanimously.

Minutes for the November 9 and 10, 2016 board meeting were submitted for changes and approval.

Motion made by Commissioner McMullen and seconded by Commissioner Horne to approve the November 9 and 10, 2016 minutes with change. Motion carried unanimously, Commissioner Franks abstained.

#### **COMMISSION DISCUSSION-**

Commissioner Wood thanked Executive Director Young for attending an outreach at the Eastern Middle Tennessee Association of Realtors, Middle Tennessee Realtors Fair. Director Young had great success and a high rate of attendance.

The Commissioners discussed the current Firm Reinstatement process. Currently, when a firm license expires there is no reinstatement process; to hold an active license once expired a firm must reapply and provide the Commission with current licensing standards. Once an individual's license expires they can be reinstated up to a year past the expiration date, to be reinstated they need to sign the reinstatement order and pay the required fees; once one year has lapsed they must reapply. It is the wish of the Commission to align the current standards to meet the requirements of individual licensees for reinstatement. Commissioner Taylor made a motion, seconded by Commissioner Franks to have Commission staff to inquire if the Commission can send renewal notices to the firms return receipt. Commissioner McMullen sponsored a substitute motion to have Commission staff inquire as to the cost, ability, and how if this is a feasible option. The motion has been tabled and will be reevaluated at the January meeting. Additionally, Commissioner Hills made a motion seconded by Commissioner Franks to have the reinstatement process for a firm mirror the process of the licensee to apply for reinstatement, this motion passed unanimously.

Director Young highlighted how the Tennessee Real Estate Commission has reached out to the licensees of Sevierville. Currently, Director Young has contacted licensees operating out of the Gatlinburg Time Share Company Westgate Smoky Mountain Resort & Spa, it appears the sales office was not affected by the fire that destroyed much of the Gatlinburg, TN area. Additionally, Director Young has waived fees for any licensee requiring a duplicate license due to losing theirs in the fire; and are in the process of sending those out. Director Young has also been in communication with Cindy Grissom (CEO of RISC Errors and Omissions Insurance) and is

actively working to alleviate the burden of Errors and Omissions renewals for all affected licensees during this time.

#### **EDUCATION REPORT-**

Motion made by Commissioner Franks to approve courses D1-D39 motion seconded by Commissioner Wood. Motion carried unanimously. (Attachment A)

Motion made by Commissioner Franks to approve instructors D1-D2 motion seconded by Commissioner Taylor. Motion carried unanimously.

#### **EXECUTIVE DIRECTORS REPORT-**

**Review of Financial and Statistical Reports (Attachment B)**

#### **LEGAL REPORT- Staff Attorney**

- 1. 2016026051 – RE-PRESENT**  
**Opened: 5/12/16**  
**First Licensed: 11/12/10**  
**Expiration: 11/11/16**  
**Type of License: Affiliate Broker**  
**History: No Prior Disciplinary Action**

***DECISION: The Commission authorized a civil penalty in the amount of \$1,000 for violation of Rule 1250-02.08 (brokers and affiliate brokers shall make certain that all of the terms and conditions of the real estate transaction are included in the contract to purchase) plus attendance and successful completion of eight (8) hours of continuing education in contracts within one hundred eighty (180) days of Respondent's execution of Consent Order.***

***October 2016 Recommendation: \$250 violation for violation of T.C.A. § 62-13-313(a) (2) (failure to respond) - Legal Counsel defers to the Commission for any additional violations/civil penalties.***

***October 2016 Decision: The Commission voted to propose a civil penalty in the amount of \$1,000 for violation of Rule 1250-02.08 (brokers and affiliate brokers shall make certain that all of the terms and conditions of the real estate transaction are included in the contract to purchase), \$1000 for violation of T.C.A. § 62-13-313(a)(2)(failure to respond), plus attendance and successful completion of eight (8) hours of continuing education in contracts within one***

*hundred eighty (180) days of Respondent's execution of Consent Order above and beyond the minimum requirement for license renewal.*

**New Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Dollars (\$1,000)** for violation of Rule 1250-02.08 (brokers and affiliate brokers shall make certain that all of the terms and conditions of the real estate transaction are included in the contract to purchase).

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Taylor and seconded by Commissioner Hills. Motion passes unanimously.

**2. 2016026151 – RE-PRESENT**

**Opened: 5/12/16**

**First Licensed: 6/3/09**

**Expiration: 6/2/17**

**Type of License: Real Estate Broker**

**History: 2014029911 Agreed Order \$2,200 Civil Penalty for Failure to Supervise and Advertising**

*Recommendation: \$250 violation for violation of T.C.A. § 62-13-313(a) (2) (failure to respond) - Legal Counsel defers to the Commission for any additional violations/civil penalties.*

*Decision: The Commission voted to propose a consent order for \$1000 for violation of T.C.A. § 62-13-313(a)(2)(failure to respond), \$500 for violation of T.C.A. § 62-13-312(b)(15)(failure to supervise), plus attendance and successful completion of eight (8) hours of continuing education in contracts within one hundred eighty (180) days of Respondent's execution of Consent Order above and beyond the minimum requirement for license renewal.*

**New Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of Five Hundred Dollars (\$500)** for violation of T.C.A. § 62-13-312(b) (15) (failure to supervise).

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passes unanimously.

**3. 2016042291 - RE-PRESENT**

**Opened: 5/18/16**

**Type of License: Time Share Registration**

**History: No Prior Disciplinary History**

*Decision: Respondent 4, Consent Order for \$1,000 civil penalty for violation of Tenn. Code Ann. § 62-13-313(a) (2) (failure to respond).*

**New Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted postpones this complaint to be heard at the January 2016 meeting and ask that Counsel attempt to get service upon the Respondent. Motion by Commissioner Horne and seconded by Commissioner Franks. Motion passes unanimously.

**4. 2016036251**

**Opened: 05/29/2016**

**First Licensed: 06/05/2008**

**Expiration: 06/04/2019**

**Type of License: Affiliate Broker**

**History: 2008 – \$3,000 Consent Order; 201202580 – \$3,000 Consent Order for contracts and reasonable skill and care**

*Recommendation: Counsel recommends the authorization of a civil penalty in the amount of Five Hundred Dollars (\$500) for advertising that the can “stop all foreclosures” in violation of T.C.A. § 62-13-312(b).*

*Decision: Refer to Department of Financial Institutions and wait for response from principal broker 2016036491, and then put back onto the legal report together.*

**Decision:** The Commission voted to only refer the complaint to the Department of Financial Institutions.

**5. 2016036491 – RE-PRESENT**

**Opened: 05/29/2016**

**First Licensed: 07/23/1980**

**Expiration: 09/14/2018**

**Type of License: Principal Broker**

**History: 200417898 – \$1,000 Final Order**

*Recommendation: Dismiss.*

*Decision: Leave Open and get service for the complaint.*

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Griess and seconded by Commissioner Franks. Motion passes unanimously.

6. **2016051831**

**Opened: 5/29/15**

**First Licensed: 01/11/2007**

**Expiration: 03/31/2018**

**Type of License: Principal Broker**

**History: 2016003591 - Consent Order for Failure to Supervise**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Griess. Commissioner Blume abstained. Motion passes unanimously.

7. **2016035391 – RE-PRESENT**

**Opened: 06/07/2016**

**First Licensed: 02/08/2006**

**Expiration: 02/07/2018**

**Type of License: Affiliate Broker**

**History: 2015–\$1,000 Consent Order**

*Recommendation: Dismiss this matter against the Respondent and open a complaint against the real estate firm.*

*Decision: Litigation Monitoring*

**New Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

8. **2016035411 – RE-PRESENT**

**Opened: 06/07/2016**

**First Licensed: 03/16/1972**

**Expiration: 07/06/2018**

**Type of License: Principal Broker**

**History: 2015 – \$1,000 Consent Order- Failure to supervise**

**Recommendation: Consent Order for \$1,000 for violations of T.C.A. § 62-13-312(b) (5) (15) (20).**

**Decision: Litigation Monitoring**

**New Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passes unanimously.

**9. 2016040801**

**Opened: 06/07/2016**

**First Licensed: 02/11/1993**

**Expiration: 12/15/2016**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to authorize a civil penalty in the amount of One Thousand Dollars (\$1000) for violation of T.C.A. § 62-13-313(a) (2) (failure to supervise).** Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passes unanimously.

**10. 2016040821**

**Opened: 06/07/2016**

**First Licensed: 10/22/1990**

**Expiration: 06/26/2018**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

11. 2016041191

**Opened: 06/07/2016**

**First Licensed: 07/20/2000**

**Expiration: 10/19/2017**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

12. 2016041941

**Opened: 06/07/2016**

**First Licensed: 05/02/2000**

**Expiration: 10/10/2016**

**Type of License: Real Estate Firm**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

13. 2016041291

**Opened: 06/07/2016**

**First Licensed: 04/16/2013**

**Expiration: 02/22/2018**



**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Five Hundred Dollars (\$1,500)** for violations of T.C.A. §§ 62-13-312(b) (1) (substantial and willful misrepresentation), (4) misleading or untruthful advertising and (20) any conduct that constitutes improper, fraudulent or dishonest dealing.

**Decision: The Commission voted to authorize a civil penalty in the amount of Three Thousand Dollars (\$3,000) for violations of T.C.A. §§ 62-13-312(b) (1) substantial and willful misrepresentation, 62-13-312(b) (4) misleading or untruthful advertising and 62-12-312(b) (20) any conduct that constitutes improper, fraudulent or dishonest dealing. In addition, Respondent must take four (4) hours of CE in contracts, which must be completed within 180 days of execution of the Consent Order and the CE must be above and beyond the minimum CE required for license renewal.** Motion by Commissioner Blume and seconded by Commissioner Wood. Motion passes unanimously.

**14. 2016041351**

**Opened: 06/07/2016**

**First Licensed: 10/05/2009**

**Expiration: 10/10/2017**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of Five Hundred Dollars (\$500)** for violation of T.C.A. § 62-13-312(b) (15) (failure to supervise).

**Decision: Consent order for civil penalty in the amount of One Thousand Dollars (\$1,000) for violation of T.C.A. § 62-13-312(b) (15) (failure to supervise).** Motion by Commissioner Blume and seconded by Commissioner Hills. Motion passes unanimously.

**15. 2016042151**

**Opened: 06/17/2016**

**First Licensed: 11/16/2004**

**Expiration: 06/23/2018**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Dollars (\$1,000)** for a violation of T.C.A. § 62-13-403(1), reasonable skill and care.

**Decision: The Commission authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for a violation of T.C.A. § 62-13-403(1), reasonable skill and care. In addition, Respondent must take four (4) hours of CE in contracts, which must be completed within 180 days of execution of the Consent Order; the CE must be above and beyond the minimum CE required for license renewal.** Motion by Commissioner Taylor and seconded by Commissioner Wood. Motion passes unanimously.

16. **2016042181**

**Opened: 06/07/2016**

**First Licensed: 12/19/1997**

**Expiration: 12/02/2016**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for a violation of T.C.A. § 62-13-313(a) (2).** Motion by Commissioner Taylor and seconded by Commissioner Griess. Motion passes 8-1 with Commissioners Taylor, Griess, McMullen, Wood, Hills, Franks, Horne, Blume for - Commissioner Douglass against.

17. **2016042241**

**Opened: 06/09/2016**

**Type of License: Unlicensed**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of Five Hundred Dollars (\$500)** for violation of T.C.A. § 62-13-301. Respondent's name includes the word "realtor" in it and therefore the Respondent is holding itself out to be a "realtor" when in fact they are not licensed by the Commission.

**Decision:** The Commission authorized a civil penalty in the amount of One Thousand Dollars (\$1,000) for violation of T.C.A. § 62-13-301 (unlicensed activity). Additionally, the Commission asked that the Consent Order contain cease and desist language. Motion by Commissioner Griess and seconded by Commissioner Hills. Motion passes unanimously.

**18. 2016042021**  
**Opened: 06/12/2016**

**First Licensed: 09/28/1994**

**Expiration: 06/18/2017**

**Type of License: Real Estate Firm**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** **Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Griess and seconded by Commissioner Wood. Motion passes unanimously.

**19. 2016042041**  
**Opened: 06/12/2016**

**First Licensed: 05/19/1999**

**Expiration: 01/21/2017**

**Type of License: Principal Broker**

**History: 201101630 – \$1,000 Consent Order**

**201302212 – \$1,000 Final Order**

**201400399 – \$4,000 Consent Order**

**201401694 – \$1,000 Consent Order**

**2015022269 – \$500 Consent Order**

**201600383 – \$1,000 Consent Order**

**201605663 – Pending Open Complaint**

**201606230 – Pending Open Complaint**

**Recommendation:** Counsel recommends the authorization of **a civil penalty in the amount of One Thousand Dollars (\$1000)** for failure to respond, which is a violations of T.C.A. § 62-13-313(a)(2).

**Decision:** The Commission voted to downgrade the Respondent’s license status from principal broker to affiliate broker and authorized a civil penalty in the amount of One Thousand Dollars (\$1000) for failure to respond, which is a violation of T.C.A. § 62-13-313(a)(2). Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

**20. 2016042001**

**Opened: 06/12/2016**

**First Licensed: 07/08/2013**

**Expiration: 07/07/2017**

**Type of License: Real Estate Firm**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed and open a complaint against the affiliate broker.**

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passes unanimously.

**21. REMOVED (SEVIER COUNTY)**

**22. 2016044011**

**Opened: 06/14/2016**

**First Licensed: 08/22/1986**

**Expiration: 09/11/2017**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Blume and seconded by Commissioner Wood. Motion passes unanimously.

**23. 2016044051**

**Opened: 06/14/2016**

**First Licensed: 04/08/1998**

**Expiration: 07/07/2017**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Griess and seconded by Commissioner Wood. Motion passes unanimously.

**24. REMOVED (SEVIER COUNTY)**

**25. 2016042571**

**Opened: 06/14/2016**

**First Licensed: 01/23/2013**

**Expiration: 01/22/2019**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

**26. 2016043611**

**Opened: 06/14/2016**

**First Licensed: 09/14/2011**

**Expiration: 09/13/2017**

**Type of License: Real Estate Firm**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

**27. 2016042861**

**Opened: 06/16/2016**

**First Licensed: 04/30/1991**

**Expiration: 07/18/2017**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

**28. 2016042961**

**Opened: 06/16/2016**

**First Licensed: 10/19/2004**

**Expiration: 04/21/2018**

**Type of License: Real Estate Broker**

**History: 201604291 – Pending Open Complaint**

**201604464 – Pending Open Complaint**

**201605327 – Pending Open Complaint**

**201605855 – Pending Open Complaint**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

**29. 2016034561**

**Opened: 06/21/2016**

**First Licensed: 12/14/1993**

**Expiration: 01/29/2017**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Wood. Motion passes unanimously.

**30. 2016039131**

**Opened: 06/21/2016**

**First Licensed: 01/29/1998**

**Expiration: 12/11/2017**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**2016039132**

**Opened: 06/21/2016**

**First Licensed: 06/07/1994**

**Expiration: 01/21/2019**

**Type of License: Real Estate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed as to both Respondents.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

**31. 2016039291**

**Opened: 06/21/2016**

**First Licensed: 05/09/2002**

**Expiration: 12/31/2016**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

**32. 2016042881**

**Opened: 06/21/2016**

**First Licensed: 03/12/2012**

**Expiration: 03/11/2018**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously. Commissioner Hills abstained.

**33. 2016042911**



**Opened: 06/21/2016**

**First Licensed: 10/19/2004**

**Expiration: 04/21/2018**

**Type of License: Real Estate Broker**

**History: 201604296 – Pending Open Complaint**

**201604464 – Pending Open Complaint**

**201605327 – Pending Open Complaint**

**201605855 – Pending Open Complaint**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passes unanimously. Commissioner Hills abstained.

**34. 2016043071**

**Opened: 06/21/2016**

**First Licensed: 03/24/2008**

**Expiration: 03/23/2017**

**Type of License: Timeshare Registration**

**History: 201603856 – Pending Open Complaint**

**201604340 – Pending Open Complaint**

**201604467 – Pending Open Complaint**

**201604671 – Pending Open Complaint**

**201604688 – Pending Open Complaint**

**201605623 – Pending Open Complaint**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

**35. 2016050581**

**Opened: 06/22/2016**

**First Licensed: 02/02/2011**

**Expiration: 11/04/2016**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

**36. 2016035331**

**Opened: 06/23/2016**

**First Licensed: 06/30/1987**

**Expiration: 11/16/2016**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Griess and seconded by Commissioner Hills. Motion passes unanimously.

**37. 2016035741**

**Opened: 06/24/2016**

**First Licensed: 03/06/08**

**Expiration: 5/17/17**

**Type of License: Real Estate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of **a of a civil penalty in the amount of Two Hundred Fifty Dollars (\$250)** for violation of T.C.A. §§ 62-13-312(b) and 62-13-303(a) (1).

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Griess and seconded by Commissioner Hills. Motion passes unanimously.

- 38. 2016043651 - Respondent 1**  
**Opened: 06/23/2016**
- First Licensed: 1/30/14**
- Expiration: 1/29/18**
- E & O Suspension Date: 10/31/16**
- Type of License: Time Share Salesperson**
- History: No Prior Disciplinary History**
- 39. 2016043711 - Respondent 2**  
**Opened: 06/23/2016**
- First Licensed: 4/17/86**
- Expiration: 3/25/17**
- E & O Suspension Date: 10/31/16**
- Type of License: Real Estate Broker**
- History: No Prior Disciplinary History**
- 40. 2016043681 - Respondent 3**  
**Opened: 06/23/2016**
- First Licensed: 3/9/95**
- Expiration: 11/20/16**
- E & O Suspension Date: 10/31/16**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed against Respondent 1, 2 and 3.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

**41. 2016043731**

**Opened: 06/23/2016**

**First Licensed: 3/7/90**

**Expiration: 4/5/17**

**E & O Suspension Date: 10/31/16**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

**42. 2016035801**

**Opened: 6/27/16**

**First Licensed: 11/5/90**

**Expiration: 9/7/18**

**Type of License: Real Estate Firm**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel and refer complaint to Tennessee Auctioneer Commission.** Motion by Commissioner Wood and seconded by Commissioner Hills. Motion passes unanimously.

**43. 2016035951**  
**Opened: 6/28/16**

**First Licensed: 11/18/14**

**Expiration: 11/17/16**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of **a civil penalty in the amount of Two Hundred Fifty Dollars (\$250)** for violation of T.C.A. §§ 62-13-312(b)(12).

**Decision: The Commission voted to authorize a 3 month suspension of Respondent's license for violations of T.C.A. § 62-13-312(b)(12).** Motion by Commissioner Blume and seconded by Commissioner Hills. Motion passes 8-1 with Commissioners Taylor, Griess, McMullen, Douglass, Hills, Franks, Horne, Blume for - Commissioner Wood against.

**44. 2016036071**  
**Opened: 6/28/16**

**First Licensed: 3/29/04**

**Expiration: 7/20/17**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of **a civil penalty in the amount of Five Hundred Dollars (\$500)** for violation of T.C.A. §§ 62-13-312(b)(5) (failure to remit).

**Decision: The Commission voted to authorize a civil penalty in the amount of One Thousand Dollars (\$1,000) for violation of T.C.A. § 62-13-312(b)(5) (failure to remit). In addition, Respondent must take four (4) hours of CE in professional liability, which must be completed within 180 days of execution of the Consent Order and the CE must be above and beyond the minimum CE required for license renewal.** Motion by Commissioner Taylor and seconded by Commissioner Horne. Motion passes unanimously.

**45. 2016036101**

**Opened: 6/28/16**

**First Licensed: 3/29/96**

**Expiration: 7/9/17**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to authorize a civil penalty in the amount of \$2,000 for violations of T.C.A. §§ 62-13-312(b)(15) (failure to supervise) and 62-13-313(a)(2) (failure to respond). In addition, Respondent must take the principal broker core class, which must be completed within 180 days of execution of the Consent Order and the class must be above and beyond the minimum CE required for license renewal. Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

**46. 2016036291**

**Opened: 6/29/16**

**First Licensed: 3/27/75**

**Expiration: 10/15/18**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**, due to insufficient evidence of a violation on behalf of the Respondent.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

**47. 2016061731**

**Opened: January 11, 2016**

**First License Obtained: 9/23/14**

**License Expiration: 9/22/16**

**Type of License: Vacation Lodging Service**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Franks. Motion passes unanimously.

**48. 2016038561**

**Opened: 07/2016**

**First License Obtained: 3/24/08**

**License Expiration: 3/23/17**

**Type of License: Timeshare Registration**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Franks. Motion passes unanimously.

**49. 2016043161**

**Opened: 07/2016**

**First License Obtained: 3/14/07**

**License Expiration: 3/13/17**

**Type of License: Affiliate**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner McMullen. Motion passes unanimously.

**50. 2016043211**

**Opened: 08/2016**

**First License Obtained: 11/7/07**

**License Expiration: 11/6/17**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

**51. 2016043361**

**Opened: 7/18/16**

**First License Obtained: 6/6/84**

**License Expiration: 2/1/18**

**Type of License: Affiliate**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passes unanimously.

**52. 2016043361**

**Opened: 7/18/16**

**First License Obtained: 9/10/09**

**License Expiration: 1/28/18**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner McMullen. Motion passes unanimously.

**53. 2016043421**



**Opened: July 7, 2016**

**First License Obtained: 1/7/16**

**License Expiration: 1/6/18**

**Type of License: Affiliate**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**54. 2016043491**

**Opened: August 2016**

**First License Obtained: 08/10/87**

**License Expiration: 2/15/17**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Dollars (\$1000)** for violation of T.C.A. § 62-13-313(a)(2) (failure to respond).

**Decision:** The Commission voted to authorize a **civil penalty in the amount of Five Hundred Dollars (\$500)** for violation of T.C.A. § 62-13-313(a)(2) (failure to respond). Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**55. 2016043551**

**Opened: 7/11/16**

**First License Obtained: 9/17/10**

**License Expiration: 9/16/18**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** **Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Wood. Motion passes unanimously.

**56. 2016043871**  
**Opened: 7/8/16**

**First License Obtained: 12/23/87**

**License Expiration: 8/31/18**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner McMullen. Motion passes unanimously.

**57. 2016043991**  
**Opened: 7/7/16**

**First License Obtained: Unlicensed**

**Recommendation:** Counsel recommends this matter be **closed and flagged**; therefore this matter can be reopened if we receive any other complaints.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**58. 2016044431**  
**Opened: 7/18/16**

**First License Obtained: 11/19/03**

**License Expiration: 10/31/18**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

59. 2016044871

Opened: 7/18/16

First License Obtained: 6/3/97

License Expiration: 12/27/16

Type of License: Principal Broker

History: No prior disciplinary history

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

60. 201604058

Opened: 7/20/16

First License Obtained: 5/4/09

License Expiration: 5/3/17

Type of License: Real Estate Firm

History: No prior disciplinary history

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Franks. Motion passes unanimously.

61. 2016044381

Opened: 7/7/16

Type of License: Licensed in New York

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to authorize a civil penalty in the amount of One Thousand Dollars (\$1,000) for violation of T.C.A. § 62-13-301 (unlicensed activity).** Motion by Commissioner McMullen and seconded by Commissioner Wood. Motion passes unanimously.

**62. 2016044531  
Opened: 7/7/16**

**License Expiration: licensed in New York**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to authorize a civil penalty in the amount of One Thousand Dollars (\$1,000) for violation of T.C.A. § 62-13-301 (unlicensed activity).** Motion by Commissioner Taylor and seconded by Commissioner Hills. Motion passes unanimously.

## **PART II**

**1. 2016059191**

**Opened: October 2015**

**First License Obtained: 12/1/98**

**License Expiration: 3/26/17**

**Type of License: Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner McMullen. Motion passes unanimously.

**2. 2016059371**

**Opened: October 2015**

**First License Obtained: 4/19/93**

**License Expiration: 8/19/18**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**3. 2016037221 – REMOVED (SEVIER COUNTY)**

**4. 2016037371**  
**Opened: 7/5/16**

**First License Obtained: Unlicensed**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Wood. Motion passes unanimously.

**5. 2016037391**  
**Opened: 7/5/16**

**First License Obtained: Unlicensed**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Taylor and seconded by Commissioner Wood. Motion passes unanimously.

**6. 2016042771**  
**Opened: 6/30/16**

**First License Obtained: 7/9/02**

**License Expiration: 9/6/17**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passes unanimously.

7. **2016043321**

**Opened: 7/19/16**

**First License Obtained: 10/5/12**

**License Expiration: 10/4/18**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

8. **2016043322**

**Opened: 7/19/16**

**First License Obtained: 10/13/15**

**License Expiration: 10/12/17**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed against both Respondents**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

9. **2016043341**

**Opened: 7/19/16**

**First License Obtained: 2/16/94**

**License Expiration: 5/22/17**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

**10. 2016043661**  
**Opened: 7/1/16**

**First License Obtained: 6/18/15**

**License Expiration: 6/17/17**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner McMullen. Motion passes unanimously.

**11. 2016043791**  
**Opened: 7/1/16**

**First License Obtained: 6/4/00**

**License Expiration: 12/4/18**

**Type of License: Principal Broker**

**History: 2015- Letter of Warning- Failure to Supervise**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**12. 2016050271**  
**Opened: 7/2/16**

**First License Obtained: 1/31/95**

**License Expiration: 6/10/18**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passes unanimously.

**13. 2016050391**  
**Opened: 7/2/16**

**First License Obtained: 12/28/87**

**License Expiration: 1/28/17**

**Type of License: Principal Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Hills and seconded by Commissioner McMullen. Motion passes unanimously.

**14. 2016042161**  
**Opened: 4/25/16**

**First License Obtained: 8/27/10**

**License Expiration: 8/26/18**

**Type of License: Principal Broker**

**History: No prior disciplinary history**



**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Wood. Motion passes unanimously.

15. 2016039561

Opened: 06/08/2016

First Licensed: 03/05/2014

Expiration: 03/04/2018

Type of License: Affiliate Broker

History: No Prior Disciplinary History

**Recommendation:** We do not have insufficient evidence to prove a violation; therefore, Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to authorize a civil penalty in the amount of Five Hundred Dollars (\$500) for violation of T.C.A. § 62-13-403(1)(skill and care). In addition, Respondent must take four (4) hours of CE in contracts, which must be completed within 180 days of execution of the Consent Order and the CE must be above and beyond the minimum CE required for license renewal. Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

16. 2016042761

Opened: 6/8/16

First License Obtained: 12/11/89

License Expiration: 12/7/18

Type of License: Broker

History: 2015- \$500 Consent Order Failure to Supervise

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel and that a complaint be opened against the correct Principal Broker for the affiliate broker in complaint #2016039561. Motion by Commissioner Taylor and seconded by Commissioner Wood. Motion passes unanimously.

17. **2016034631 – Respondent 1**  
**Opened: 06/09/2016**  
  
**First Licensed: 08/30/1996**  
  
**Expiration: 06/21/2017**  
  
**Type of License: Principal Broker**  
  
**History: 201200436 - \$500 Consent Order**

18. **2016034632 – Respondent 2**  
**Opened: 06/09/2016**  
  
**First Licensed: 04/08/2008**  
  
**Expiration: 02/24/2018**  
  
**Type of License: Real Estate Broker**  
  
**History: No Prior Disciplinary History**

19. **2016034633 – Respondent 3**  
**Opened: 06/09/2016**  
  
**First Licensed: 07/21/2009**  
  
**Expiration: 07/20/2017**  
  
**Type of License: Affiliate Broker**  
  
**History: No Prior Disciplinary History**

**Recommendation:**

- **Respondent 1** - This appears to be a complaint based on real estate commissions and under Rule 1260-02-.02(8), the commission will not intervene in the settlement of debts, loans, draws, or commission disputes between firms, brokers and/or affiliates. Therefore, Counsel recommends this matter be **dismissed**.
- **Respondent 2** - Counsel recommends this matter be **dismissed**.

- **Respondent 3** - Counsel cannot determine any statutory or rule violations committed by Respondent 3 with respect to how Respondent 3 dealt with the Complainant. Therefore, Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Griess and seconded by Commissioner Franks. Motion passes unanimously.

**20. 2016044091**  
**Opened: 7/1/16**

**First License Obtained: 12/20/12**

**License Expiration: 12/19/16**

**Type of License: Affiliate Broker**

**History: No prior disciplinary history**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passes unanimously.

**21. 2016039331**  
**Opened: 7/13/16**

**First Licensed: Unlicensed**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: Dismissed** Motion by Commissioner Horne and seconded by Commissioner Griess. Commissioner Blume abstained. Motion passes unanimously.

**22. 2016039332**  
**Opened: 7/13/16**

**First Licensed: Unlicensed**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Griess. Motion passes unanimously.

23. 2016039251

**Opened: 7/13/16**

**First Licensed: Unlicensed**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Franks and seconded by Commissioner Griess. Motion passes unanimously.

24. 2016043571

**Opened: 7/10/16**

**Type of License: Unlicensed Recommendation:** Counsel recommends the authorized of a civil penalty in the amount of **One Thousand Dollars (\$1000)** in violation of T.C.A. § 62-13-301 (unlicensed activity).

**Decision: The Commission authorized a civil penalty for One Thousand Dollars (\$1000) per property, that Counsel can reasonably determine, based on Respondent's internet advertising (Facebook), plus include cease and desist language in the Consent Order regarding the unlicensed practice of real estate.** Motion by Commissioner Blume and seconded by Commissioner Wood. Motion passes unanimously.

25. 2016043151 – Respondent 1

**Opened: 7/16/16**

**First Licensed: 8/29/06**

**Expiration: 8/28/18**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

26. 2016043152 – Respondent 2

**Opened: 7/16/16**

**First Licensed: 9/3/02**

**Expiration: 9/30/17**

**Type of License: Affiliate Broker**  
**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed as to both Respondent 1 and 2.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Griess. Motion passes unanimously.

**27. 2016043201**  
**Opened: 7/16/16**  
**First Licensed: 10/17/96**  
**Expiration: 9/18/18**  
**Type of License: Principal Broker**  
**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed.**

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

**28. 2016039491**  
**Opened: 7/14/16**  
**First Licensed: 6/30/04**  
**Expiration: 12/31/16**  
**Type of License: Time Share Registration**  
**History: No Prior Disciplinary History**

**Recommendation:** Counsel has no proof that Respondent was conducting business during the time their license was expired. Therefore, Counsel recommends this matter be **closed and flagged**, due to lack of information and reopened upon the receipt of factual evidence.

**Decision: The Commission voted to accept the recommendation of legal counsel.** Motion by Commissioner Griess and seconded by Commissioner Blume. Motion passes unanimously.

**29. 2016043031**  
**Opened: 7/13/16**  
**First Licensed: 8/4/05**  
**Expiration: 7/17/17**  
**Type of License: Principal Broker**  
**History: 2010- Consent Order-Failure to maintain E & O Insurance**  
**Feb. 2016- Consent Order- \$24,000 Civil Penalty improper dealing & undisclosed commission**

**Recommendation:** Counsel recommends the authorization of a **civil penalty in the amount of One Thousand Dollars (\$1000)** for violations of T.C.A. §§ 62-13-312(b)(20) (improper, fraudulent or dishonest dealings) and 62-13-403 (reasonable skill and care).

**Decision: The Commission authorized a civil penalty in the amount of Three Thousand Dollars (\$3000) for violations of T.C.A. §§ 62-13-312(b)(20) (improper, fraudulent or dishonest dealings), 62-13-403 (reasonable skill and care) and 62-13-313(a)(2) (failure to respond).** Motion by Commissioner Griess and seconded by Commissioner Franks. Commissioner Taylor abstained. Motion passes unanimously.

**30. 2016036421**  
**Opened: 05/25/2016**  
**First Licensed: 08/25/2004**  
**Expiration: 05/06/2016**  
**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends the authorization of a **Letter of Warning** with regards to the TREC advertising rules.

**Decision: The Commission voted to dismiss this matter.** Motion by Commissioner Horne and seconded by Commissioner Taylor. Motion passes 6-3 with Commissioners Taylor, Griess, McMullen, Horne, Blume for - Commissioners Hills, Franks, Wood against.

**31. 2016036611**

**Opened: 05/25/2016**

**First Licensed: 04/19/1993**

**Expiration: 08/19/2018**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passes unanimously.

**32. 2016042101**

**Opened: 06/03/2016**

**First Licensed: 01/28/2004**

**Expiration: 12/14/2017**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Due to insufficient evidence of the allegations, Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passes unanimously.

**33. 2016042121**

**Opened: 06/03/2016**

**First Licensed: 11/29/1994**

**Expiration: 09/06/2018**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passes unanimously.

34. 2016042471

**Opened: 7/14/16**

**First Licensed: 2/2/00**

**Expiration: 11/11/18**

**Type of License: Principal Broker**

**History: November 2016- Consent Order Proposed-Failure to Supervise**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel

35. 20160444141

**Opened: 7/1/16**

**First Licensed: 3/10/95**

**Expiration: 12/7/18**

**Type of License: Principal Broker**

**History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends this matter be **dismissed**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passes unanimously.

36. 2016040331

**Opened: 7/19/16**

**First Licensed: 5/5/09**

**Expiration: 5/4/17**

**Type of License: Affiliate Broker**

**History: No Prior Disciplinary History**



**Recommendation:** Counsel recommends **Letter of Warning**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner McMullen and seconded by Commissioner Blume. Motion passes unanimously.

37.    **2016040491**  
      **Opened: 7/19/16**  
          **First Licensed: 4/7/00**  
      **Expiration: 3/14/17**  
      **Type of License: Principal Broker**  
      **History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends **Letter of Warning**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills and seconded by Commissioner Wood. Motion passes unanimously.

38.    **2016040541**  
      **Opened: 7/19/16**  
          **First Licensed: 2/22/13**  
      **Expiration: 5/10/17**  
      **Type of License: Principal Broker**  
      **History: No Prior Disciplinary History**

**Recommendation:** Counsel recommends **Letter of Warning**.

**Decision:** The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passes unanimously.

**Meeting adjourned at 4:15 pm on December 12, 2016.**