

SOUTH DAKOTA REAL ESTATE COMMISSION
TELEPHONIC MEETING
OCTOBER 4, 2016
221 W CAPITOL AVE, STE 101
PIERRE, SOUTH DAKOTA

The South Dakota Real Estate Commission convened telephonically at 10:03 a.m. on October 4, 2016. Present for the meeting were Chairman Ryan Wordeman and Commission members David Bonde, Kenneth Cotton and Matt Krogman. Commission member Mark Wahlstrom was not present for the meeting. Also present were executive director Melissa Miller, licensing program administrator Norma Schilling, Department of Labor and Regulation legal counsel Graham Oey, Department of Labor and Regulation Deputy Secretary Tom Hart and Stephanie Howard.

Roll call of Commission members was heard.

Motion by Cotton, seconded by Bonde, to approve the agenda as presented. Motion carried by roll call vote.

Motion by Cotton, seconded by Bonde, to affirm the proposed decision of Hearing Examiner Catherine Duenwald to reverse the Commission's previous ruling regarding Cieara Hyronemus and grant her a Residential Rental Agent license. Motion carried by roll call vote.

Commission member Matt Krogman joined the meeting at 10:06 a.m.

Motion by Bonde, seconded by Krogman, to enter into executive session pursuant to SDCL 1-25-2(3) at 10:07 a.m. Motion carried by roll call vote.

Commission reconvened to regular session at 10:20 a.m.

Motion by Cotton, seconded by Krogman, instruct legal counsel to draft necessary paper work to enter into an Assurance of Voluntary Compliance in lieu of a consent agreement, with the same terms as the proposed consent agreement, in Complaint 2016-096 for alleged violation of SDCL 36-21A-71(1), (2), & (31), SDCL 36-21A-130, SDCL 36-21A-136, SDCL 36-21A-147, and ARSD 20:69:16:01. Licensee agrees to the following:

- (a) Licensee shall pay an administrative fine in the amount of \$1,000.00 to the Commission by October 31, 2016;
- (b) Licensee shall pay for, attend, and successfully complete the following Commission approved education courses in an in-classroom setting:
 - (1) Responsible Broker Course – 15 hours.

Licensee shall submit written proof of completing the required education by March 31, 2017. For purposes of this agreement, "in-classroom setting" means a class offered in the traditional classroom setting with the instructor and a body of students present in the same room. The courses may not be distance education offerings. The required course work will not count toward Mr. Bowers' continuing education requirement for maintaining his license:

- (c) Licensee agrees that if he fails to comply with 14(a) of this Agreement, then he

shall pay an additional administrative penalty in the amount of \$1,000.00, totaling \$2,000.00, to the Commission by November 30, 2016; and

- (d) Licensee agrees that if he fails to comply with 14(b) or 14(c) of this Agreement, then his license shall be immediately suspended starting April 15, 2017, through May 15, 2017.

Motion carried by roll call vote.

There being no further business, motion by Bonde, seconded by Krogman, to adjourn at 10:23 a.m. Motion carried by roll call vote.

Minutes submitted by Norma Schilling

Ryan Wordeman, Chairman

Melissa Miller, Executive Director