



North Dakota Real Estate Commission Meeting Minutes – FINAL
1:00 p.m., Thursday, July 23, 2020
Lecture Rooms A & B, ND Heritage Center
612 E Blvd Av, Bismarck, North Dakota

www.realestatend.org

Present: Sandra Meyer, chair; Steven Bitz, vice chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach; Constance Hofland, special assistant attorney general; staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor. Members of the public also present in person and by phone.

- I. Call to order. Chair Ms. Sandra Meyer called the meeting to order at 8:30 a.m.
- II. Roll call and determination of quorum. Ms. Jeanne Prom, executive director, called the roll, with a quorum of all members present.
- III. Recognition of new chair, vice chair and commissioner. At this meeting, Ms. Meyer began her year as chair, Mr. Steven Bitz is the new vice chair, and Mr. Tate Cymbaluk began his five-year term as commissioner.
- IV. Review and approval of agenda. The commission approved by consensus an adjusted agenda. This accommodated the request from Ms. Kelly Collins to move the reconsideration of her denied application to be next on the agenda.
- V. Appeal of denied license application – Kelly Collins. Mr. Scott Breidenbach moved to approve the reciprocal salesperson license application from Ms. Kelly Collins, as she was no longer on probation. Mr. Cymbaluk seconded. Ms. Collins was present in person. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Steven Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
- VI. Review of statute (NDCC 43-23). Mr. Breidenbach led the review of the statute, taking comments from commission, staff and the public.
- VII. Next meetings. The commission agreed by consensus that the next meetings will be Thursdays September 10 and November 5, 2020 ; and January 14, March 11, May 13 and June 10, 2021.
- VIII. Update on complaints.
 - A. Case 2020-05 Mitzi Bestall v. Priscilla Distelvelt and David VanAssche. Mr. Link moved to dismiss Case 2020-05. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Link, Mr. Bitz; nays – Mr. Cymbaluk, Ms. Meyer. none. Motion carried 3-2.
 - B. Case 2020-06 Williston MLS v. Priscilla Distelvelt. Mr. Breidenbach moved to dismiss Case 2020-06. Mr. Bitz seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
 - C. Case 2019-06 Christopher Staloch v. Tyler Hofland. Ms. Connie Hofland reported that there was no action with Mr. Hofland on the proposed stipulation and settlement agreement and she will proceed with setting up notice for a hearing and a hearing for the next commission meeting.
- IX. Review of license applications. See attachment for actions on all license applications being considered for the first time.

Members of the North Dakota Real Estate Commission are: Sandra Meyer, Chair; Steven Bitz, Vice Chair; members: Steven Link, Tate Cymbaluk, Scott Breidenbach. Special Assistant Attorney General: Constance Hofland. Staff: Jeanne Prom, executive director; Rob Yost, CPA/auditor.

- X. Financial reports – June 2020, and continuing education audit. Mr. Robert Yost, CPA/auditor, presented the June 2020 financial statements and reported that he had completed the audit of the most recent continuing education cycle (November 16, 2018 to November 15, 2019) and found no noncompliance. Mr. Breidenbach moved to approve the June 2020 financial statements as presented. Mr. Cymbaluk seconded. Motion carried by unanimous voice vote. The commission agreed by consensus to discuss renewal late fees at the next meeting. Late fees are currently \$50/month.
- XI. Minutes – June 24, 2020 meeting. Mr. Cymbaluk moved to approve the minutes from the June 24, 2020 meeting as presented. Mr. Bitz seconded. Motion carried by unanimous voice vote.
- XII. Any additional business. Ms. Prom reported new license application numbers for June 2020, which were slightly less than the estimated amount.
- XIII. Adjourn. Chair Meyer adjourned the meeting at 3:48 p.m.

Attachment



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IX. Review of license applications

NAME	LICENSE/OTHER REQUEST/S:	ACTION BY COMMISSION:
A. Brendan Farley -- present on phone	salesperson	Mr. Breidenbach moved to waive the national portion of the exam and approve the salesperson application from Mr. Brendan Farley. Mr. Cymbaluk seconded. Mr. Farley will need to complete the 45 hours of pre-licensure education. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.
B. Wyatt Ford – present in person	salesperson	Mr. Link moved to approve the salesperson application from Mr. Wyatt Ford after staff receive official documentation that debts are paid. Mr. Breidenbach seconded. Roll call vote: ayes – Mr. Breidenbach, Mr. Cymbaluk, Mr. Link, Mr. Bitz, Ms. Meyer; nays – none. Motion carried unanimously.