

NEBRASKA REAL ESTATE COMMISSION

February 17, 2011

Staybridge Suites

Staybridge Room

Lincoln, NE

Opening

Acting Chairperson Griess convened a meeting of the Nebraska Real Estate Commission at 9:00 a.m. on February 17, 2011, in the Staybridge Room of the Staybridge Suites, located at 2701 Fletcher Avenue in Lincoln, Nebraska. All of the members of the Real Estate Commission were present, with the exception of Chairperson Gale and Commissioner Leisey, who were absent and excused. Also present were Director Greg Lemon, Deputy Director for Education and Licensing Teresa Hoffman, Deputy Director for Enforcement Terry Mayrose, and Administrative Assistant Monica Rut. Greg Barton, Special Assistant Attorney General and Counsel to the Commission, was present for the McNeil Hearing.

Notice of Meeting (Adopt Agenda)

Director Lemon presented a public notice and proofs of publication thereof relating to this meeting, all of which are attached to and made a part of these minutes. Acting Chairperson Griess reported that all Commissioners had been notified of the meeting simultaneously, by mail and e-mail, and that a proposed tentative agenda accompanied the notification.

Acting Chairperson Griess pointed out to those in attendance that a public copy of the materials being used during the meeting were available to the public on the counsel table in the meeting room; that a copy of the Open Meetings Act was posted on the easel located in the northwest corner of the meeting room by the west entrance; and that the procedures followed were in accordance with the Open Meetings Act. Acting Chairperson Griess asked that guests sign the guest list.

Director Lemon noted that no agenda items had been added since the tentative agenda was mailed to the Commissioners.

After review of the final agenda, a motion was made by Ptak and seconded by Rouch to adopt the final agenda as presented. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Minutes of January 20, 2011

The minutes of the Commission meeting held on January 20, 2011, were considered.

After review, a motion was made by Dover and seconded by Rouch to approve the minutes as presented. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Public Comment

Acting Chairperson Griess asked the members of the audience if anyone wished to come forward to provide public comment on Commission related business. No audience member indicated a desire to come forward.

Receipts and Expenditures Report for January

Director Lemon presented the Receipts and Expenditures Report for January. A copy of said report is attached to and made a part of these minutes. Director Lemon noted that an explanation page was included on the report.

The cash fund balance as of January 31, 2011, was \$733,444.58, which compared to a cash fund balance of \$853,489.86 on January 31, 2010.

After discussion, a motion was made by Dover and seconded by Rouch to file the January Receipts and Expenditures Report for audit. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Renewal Report

Director Lemon presented the Renewal Report. A copy of said report is attached to and made a part of these minutes.

No action was necessary on this report.

Specialized Registrations

There were no specialized registrations to be presented at the meeting.

Nonresident Licenses and Resident Licenses Issued to Persons Holding Licenses in Other Jurisdictions Report

Deputy Director Hoffman presented for ratification the Nonresident Licenses and Resident Licenses Issued to Persons Holding Licenses in Other Jurisdictions Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Ptak and seconded by Rouch to ratify issuance of the licenses as set forth in the report. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Examination Report - January

Deputy Director Hoffman presented for ratification the January Examination Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Rouch and seconded by Avery to ratify the January Examination Report for the purpose of issuing licenses. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Deputy Director Hoffman corrected a misstatement she had made in the January Commission Meeting. She noted that there would be no change in the passing percentage score on the salesperson state portion of the examination when new examination forms are instituted in April, contradicting what had previously been reported. Significant changes to the salesperson examination had been restricted to the national portion of the examination so the change in passing score to 70% would apply only to the National portion of the salesperson examination. Deputy Director Hoffman went on to report that in December she had gone through the entire

state examination question bank and that after making some minor changes to clarify a few items was comfortable with all of the questions and felt that the Commission's concerns had been addressed.

Real Estate Education Matters

Pre-License Education Instructor Approval

Deputy Director Hoffman presented for ratification the Pre-License Education Instructor Approval Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Rouch and seconded by Ptak to ratify the report. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused

Continuing Education Activity Approval

Deputy Director Hoffman presented for ratification the Continuing Education Activity Approval Report, a copy of which is attached to and made a part of these minutes.

After review, a motion was made by Ptak and seconded by Dover to ratify the report. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused

Continuing Education Instructor Approval

Deputy Director Hoffman presented for ratification the Continuing Education Instructor Approval Report, a copy of which is attached to and made a part of these minutes.

Prior to discussion of this matter, Commissioner Avery recused himself, thereby nullifying any potential conflict of interest.

After review, a motion was made by Rouch and seconded by Ptak to ratify the report. Motion carried with Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused, with Avery not participating or voting, having recused himself, thereby nullifying any potential conflict of interest.

Continuing Education Activity Rejection

Deputy Director Hoffman presented a Continuing Education Activity Rejection Report, a copy of which is attached to and made a part of these minutes.

No action was necessary on this report.

Pending Sworn Complaints and Investigative Matters

Deputy Director Mayrose presented a summary report of the pending complaints, which included a list of licensees presently under disciplinary action or on appeal. A copy of said report is attached to and made a part of these minutes.

No action was necessary on this report.

The following sworn complaints and investigative matters were presented to the Commission:

Item A Complaint 2010-002 – Harold R. Garlick Jr. vs. Gary Herbert Luchsinger

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Rouch that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item B Complaint 2010-001 - Harold R. Garlick Jr. vs. Kimberly Kay Hoefer

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item C Complaint 2010-003

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Rouch and seconded by Ptak that the complaint be dismissed without prejudice. Motion failed with Ptak and Rouch voting aye, with Avery, Dover and Griess voting nay, and with Leisey and Gale not participating or voting, being absent and excused

A motion was made by Dover that this complaint be held in abeyance and a new complaint be filed against the Respondent per the Staff recommendation.

After further discussion, an amendment was offered by Ptak that this complaint be held in abeyance and Deputy Director Mayrose conduct further investigation. The amendment was accepted by the mover. The pending amended motion was seconded by Ptak.

Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item D Complaint 2010-012

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Avery and seconded by Dover that the complaint be set for hearing. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item E Complaint 2010-019

Prior to discussion of this matter, Commissioner Avery recused himself, thereby nullifying any potential conflict of interest.

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the complaint be set for hearing. Motion carried with Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused, with Avery not participating or voting, having recused himself, thereby nullifying any potential conflict of interest.

Item F Complaint 2010-020 – Richard Givens, CAKR Enterprises LLC vs. Linda Claire McGuire

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, and Ptak voting aye, with Rouch voting nay, and with Leisey and Gale not participating or voting, being absent and excused.

Item G Complaint 2010-022 – Rollin Holmgren vs. Shawn Andrew Miller and Angela Maie Miller

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Rouch that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item H Complaint 2010-023 – Marvin Spath vs. Deborah Slingsby

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Avery that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item I Complaint 2010-024

Deputy Director Mayrose indicated that this investigative matter has been withdrawn and would be presented at a future meeting.

Item J Complaint 2010-025 – Kevin Kraning vs. Joan Marlene Perlinger

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item K Complaint 2010-027

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the complaint be dismissed without prejudice. Motion failed with Dover and Ptak voting aye, with Avery, Griess and Rouch voting nay, and with Leisey and Gale not participating or voting, being absent and excused.

A motion was made by Avery and seconded by Rouch that the complaint be set for hearing.

After further discussion, an amendment was offered by the mover to hold this complaint in abeyance and a new complaint be filed against the Respondent on 81-885.24(29). An amendment was offered by Commissioner Ptak to also include 81-885.24(22). The amendments were accepted by the mover and second.

Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item L Complaint 2010-039

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Avery that this complaint be held in abeyance and the Commission file a complaint on its own motion and set it for hearing on 81-885.24(29). Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item M Complaint 2010-059 – Sandra K. Brown vs. Timothy Charles Plate

Deputy Director Mayrose presented the alleged violations and investigative report to the Commission and, when necessary, answered questions on this matter.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Rouch that the complaint be dismissed without prejudice. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item N Investigative Matter

Deputy Director Mayrose presented an investigative report to the Commission.

After being advised of the results of the investigation and discussion, a motion was made by Dover and seconded by Ptak that the Commission file a complaint on its own motion on alleged violations as determined by Staff and Legal Counsel. Motion failed with Dover and Ptak voting aye, with Avery, Griess and Rouch voting nay, and with Leisey and Gale not participating or voting, being absent and excused.

A motion was made by Avery and seconded by Rouch that the Commission file a complaint on its own motion and set it for hearing on alleged violations as determined by Staff and Legal Counsel. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Item O Complaint 2008-031 – Conway T. Perry, Sr. vs. Michelle Lynn Crowell

Deputy Director Mayrose requested Complaint 2008-031 be dismissed. Deputy Director Mayrose explained that Complaint 2008-031 was presented to the Commission as an investigative matter. The Commission had voted to file a new complaint on its own motion and to hold Complaint 2008-031 in abeyance until the new complaint had been adjudicated. Complaint 2009-055 was the new complaint.

Item P Complaint 2009-015 – Sharon K. Warnke vs. Brenda Lee Whalen

Deputy Director Mayrose requested Complaint 2009-015 be dismissed. Deputy Director Mayrose explained that Complaint 2009-015 was presented to the Commission as an investigative matter. The Commission had voted to file a new complaint on its own motion and to hold Complaint 2009-015 in abeyance until the new complaint had been adjudicated. Complaint 2009-056 was the new complaint.

A motion was made by Ptak and seconded by Dover to dismiss Complaints 2008-031 and 2009-015, since the Commission accepted Stipulation and Consent Orders for Complaints 2009-055 and 2009-056 at this meeting. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Presentation of Stipulation and Consent Orders

**Complaint 2009-055,
Commission vs. Michelle Lynn Crowell**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2009-055, Commission vs. Michelle Lynn Crowell. A copy of said Order is attached to and made a part of these minutes.

A motion was made by Dover to decline the proposed Stipulation and Consent Order as presented. The motion died for a lack of a second.

After discussion, a motion was made by Ptak and seconded by Avery to enter into the Order as presented. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused

**Complaint 2009-056,
Commission vs. Brenda L. Whalen**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2009-056, Commission vs. Brenda L. Whalen. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Dover and seconded by Rouch to enter into the Order as presented. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

**Complaint 2010-006,
James E. Sanford vs. Diane Lee Powers and Michael Stuart Powers**

Deputy Director Mayrose presented a Stipulation and Consent Order in the matter of Complaint 2010-006, James E. Sanford vs. Diane Lee Powers and Michael Stuart Powers. A copy of said Order is attached to and made a part of these minutes.

After discussion, a motion was made by Rouch and seconded by Ptak to enter into the Order as presented. Motion carried with Avery, Dover, Griess, Ptak, and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Hearings

**February 17, 9:30 a.m. – Petition for Review Hearing on
P2010-001, Joel Thomas McNeil**

A Hearing was held on February 17 at 9:30 a.m., in the matter of P2010-001. Greg Barton, Special Assistant Attorney General and Counsel to the Commission, appeared for the Complainant. Respondent Joel Thomas McNeil was not present and was not represented by Counsel. Presiding Commissioner Ptak noted that neither Mr. McNeil nor Counsel for Mr. McNeil were present.

After Opening Statements, Counsel Barton offered eighteen Exhibits, all of which were received by Presiding Commissioner Ptak. Counsel Barton called Greg Lemon and Terry Mayrose as witnesses.

Counsel Barton indicated that correspondence had been received from the Respondents Counsel, Rob Gage, which requested the documents be placed in record. Counsel Barton indicated that he was not offering the exhibit but rather making it available for the Commission to view. Presiding Commissioner Ptak offered and accepted one Exhibit on behalf of the Respondent's Counsel Gage.

After closing arguments had been presented, Presiding Commissioner Ptak declared the Hearing concluded and gathered the original exhibits.

The Commission deliberated on the matters adduced at hearing.

A motion was made by Griess and seconded by Dover to deny the Petition for Review and uphold Director Lemon's decision to deny renewal of Mr. McNeil's license. Motion carried with Avery, Dover, Griess, Ptak and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Presiding Commissioner Ptak directed Counsel Barton to prepare the Order.

Presiding Commissioner Ptak directed Counsel Barton to notify the Petitioner that the costs incurred for the Court Reporter and any witness fees would be billed to the Respondent or addressed in the Commission's Order, as provided for in 305 NAC Chapter 4, and that the Respondent would have thirty days from the date of the Order to reimburse the Commission for said costs.

Presiding Commissioner Ptak announced that all exhibits related to this hearing would be retained in the Commission office.

The Hearing was adjourned at 10:00 a.m.

Informal Special Appearances

Khourched Iarbabaev, Potential Applicant

Director Lemon presented exhibits which included: correspondence regarding Mr. Iarbabaev's special appearance and trial court cases from the State of Nebraska on Mr. Iarbabaev's cases. A copy of said exhibit is attached to and made a part of these minutes. Mr. Iarbabaev was present.

Director Lemon presented character reference letters which were received after the mailing had been made and therefore distributed on behalf of Mr. Iarbabaev. A copy of said exhibit is attached to and made a part of these minutes, denoted as exhibit 13a1.

Acting Chairperson Griess reviewed the procedure for informal special appearances.

Mr. Iarbabaev distributed a registration receipt for Adult anger management course from May 2008 and a certificate of completion of men's non-violence program in July 2009. A copy of said exhibit is attached to and made a part of these minutes, denoted as exhibit 13a2.

Mr. Iarbabaev explained the situations regarding his past criminal history.

After discussion, a motion was made by Dover and seconded by Rouch to allow Mr. Iarbabaev to sit for the salesperson examination after making proper application and to have a license issued upon passing. Motion carried with Avery, Dover, Griess, Ptak and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Online Services Enhancement

Nebraska State Records Board Grant Request

Director Lemon presented a summary of the proposed online services enhancements. A copy of said exhibit is attached to and made a part of these minutes.

Director Lemon noted that as part of the Commission's Objectives, online enhancements and database enhancements were being reviewed. Currently the online renewals were not a sophisticated process and while online renewals could be submitted online, there currently is no interaction with the database. He explained that the State Records Board offers grants for State Agencies in amounts up to \$25,000 to assist with the cost of database enhancements. He indicated that should the Commission wish to pursue obtaining the grant to make the desired database enhancements, the deadline for the grant application submittal was April 2011 and the

State Records Board would review the grant applications in July 2011.

Acting Chairperson Griess asked if the grants were automatically given to applicants or if the Commission would be competing for the funds.

Director Lemon explained that the grants are offered to all state agencies, so there would be other agencies competing for the funds, however, he felt the proposal met the criteria for approval and would have a good chance for funding.

Acting Chairperson Griess asked if an analysis had been completed which would indicate that the proposed enhancements would save staff time and money in order to accomplish the renewal goals. Director Lemon indicated that such analysis had been done and the potential for time and money savings could be substantial.

Acting Chairperson Griess asked if there would be a backup plan whether the grant was approved or not. Director Lemon explained that while the online processes and the database were high priority, without the funding from the grant, the Commission's resources would need to be assessed to determine if enough funding was available.

It was the consensus of the Commission to submit the grant application to the State Records Board.

Online Services Fee

Director Lemon explained that the online renewals enhancements would be completed by Nebraska.gov. Currently Nebraska.gov receives a two percent proceed from the online payments. He further explained that Nebraska.gov indicated that their break even amount for the upgrade would be three percent with a projected 90% adoption rate. He also noted that the increase did not seem unreasonable, but since the Commission would be paying more they had the option of absorbing the additional cost or add a fee for online filings. Carmen Easley with Nebraska.gov was present for discussion.

Carmen Easley indicated that, based on experience with other agencies revenues, individuals were willing to pay an external fee for online convenience. She noted that the renewal rewrite would be sophisticated and incorporate the captured data into the database which would eliminate manual entry by staff and provide users with immediate confirmation. She explained that Nebraska.gov would assist in the marketing of the online renewals with no cost to the agency.

Commissioner Dover felt that an external service fee was not desired. Director Lemon indicated that each year the Commissioner reviews the license fees at which time any additional costs associated with a 3% fee could be addressed. He also explained that while Ms. Easley indicated that separate online fees do not hurt the revenue, it does not encourage the licensees to use the online services. Acting Chairperson Griess indicated that the Commission wants to encourage online usage and does not feel that those using those services should not be penalized. Director Lemon verified that the proposed increase for Nebraska.gov would not become effective until the online renewal enhancements were implemented.

A motion was made by Ptak and seconded by Dover to approve the proposed online service fee increase.

There were discussions regarding the automation of the renewal process and the possible enhancements.

Motion carried with Avery, Dover, Griess, Ptak and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

Legislative Matters

LB 23 - Director Lemon reported that the two-year renewal and fee provisions had been passed on final reading.

LB 24 - Director Lemon reported that the broker training requirements had been advanced to select file.

LB 25 – Director Lemon reported that the exemptions relating to real property for asset management companies had been advanced to select file.

LB 26 – Director Lemon reported that this bill had advanced to select file.

LB 315 –Director Lemon reported that this bill had not advanced. He noted that a task force was formed to review this bill. Kristen Anderson with the Nebraska REALTORS® Association, indicated that the task force met and an amendment was being drafted.

LB 347 – Director Lemon reported that there had been amendment added to this bill. Copy of said amendment is attached to and made a part of these minutes.

Kristen Anderson with the Nebraska REALTORS® Association, indicated that LB24, LB25 and LB347 had advanced to final reading the morning of the meeting.

No action was necessary with regard to these matters.

Information Matters

Trust Account Examination Evaluation Report - Fourth Quarter 2010

Director Lemon presented the Trust Account Examination Evaluation Report - Fourth Quarter 2010. A copy of said report is attached to and made a part of these minutes.

Director Lemon reviewed some of the comments received and how the situations were handled.

No action was necessary on this report.

ARELLO Mid-Year Meeting – April 4-6, 2011 - Destin, Florida

Director Lemon reminded the Commissioners that the hotel reservations needed to be made by March 11 for those who would be attending.

No action was necessary on this report.

Future Meeting Dates

March 17-18, 2011 - Staybridge Suites, Lincoln
April 21-22, 2011 – Staybridge Suites, Lincoln
May 19-20, 2011 – Staybridge Suites, Lincoln
June 16-17, 2011 - Staybridge Suites, Lincoln

Recesses and Adjournment

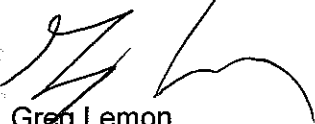
At 10:00 a.m., Acting Chairperson Griess declared a brief recess, and reconvened the meeting at 10:15 a.m.

At 11:35 a.m., Acting Chairperson Griess declared a recess for lunch, and reconvened the meeting at 1:30 p.m.

At 2:00 p.m., there being no further business to come before the Commission, a motion was made by Ptak and seconded by Rouch that the meeting adjourn. Motion carried with Avery, Dover, Griess, Ptak and Rouch voting aye, with Leisey and Gale not participating or voting, being absent and excused.

I, Greg Lemon, Director of the Nebraska Real Estate Commission, do hereby certify that the foregoing minutes of the February 17, 2011, meeting of the Nebraska Real Estate Commission were available for inspection on March 2, 2011, in compliance with Section 84-1413(5) R.R.S. 1943, of Nebraska.

Respectfully submitted,



Greg Lemon
Director

Guests Signing the Guest List

Kristen Anderson, Nebraska REALTORS® Association, Lincoln
Bryan Fraser, CBSHOME Real Estate, Omaha
Susan Geschwender, Randali School, Omaha