

Pending Complaints

A. Less Than 30 Days

2016 - 020 Opened: 10/18/2016 Answer Not Received
2016 - 019 Opened: 10/14/2016 Investigation

B. 30 - 59 Days

2016 - 018 Opened: 09/19/2016 Investigation

C. 60 - 89 Days

2016 - 017 Opened: 08/18/2016 Investigation
2016 - 016 Opened: 08/10/2016 Investigation

D. 90 - 119 Days

2016 - 015 Opened: 08/04/2016 Investigation
2016 - 014 Opened: 07/26/2016 Investigation
2016 - 013 Opened: 07/19/2016 Investigation
2016 - 012 Opened: 07/18/2016 Investigation

E. 120 Days or More

2016 - 011 Opened: 06/23/2016 Investigation
2016 - 010 Opened: 05/26/2016 Investigation
2016 - 009 Opened: 04/28/2016 Investigation
2016 - 008 Opened: 04/27/2016 Investigation
2016 - 007 Opened: 04/07/2016 Investigation
2016 - 006 Opened: 03/24/2016 Investigation
2016 - 004 Opened: 03/07/2016 Investigation
2016 - 005 Opened: 03/07/2016 Investigation
2016 - 003 Opened: 01/26/2016 Investigation
2016 - 002 Opened: 01/11/2016 Investigation
2016 - 001 Opened: 01/06/2016 Investigation
2015 - 026 Opened: 09/22/2015 Holding in Abeyance
2015 - 027 Opened: 09/22/2015 Hearing to be Set
2015 - 023 Opened: 08/31/2015 Hearing to be Set
2015 - 021 Opened: 08/27/2015 Pending Consent Agreement
2015 - 008 Opened: 06/18/2015 Appeal
2015 - 012 Opened: 06/08/2015 Hearing Scheduled

Investigative Summary Comparison

	<u>November 2015</u>	<u>November 2016</u>
Awaiting Amendment	0	0
Answer Not Received	8	1
Under Investigation	24	19
Held in Abeyance	6	1
Hearing Scheduled	3	1
Hearing To Be Set	0	2
Hearing Continued	0	0
Pending Consent Agreement	1	1
Appealed	0	1
Not Renewed	<u>0</u>	<u>0</u>
Total Pending	36	26
Complaints filed since Jan. 1	(2015) 35	(2016) 20
Public Filed	24	20
Commission Filed	11	0

Scheduled Settlement Hearings

From 10/28/2016 Through 12/31/2016

Nov 17, 2016

2015 - 012 Tyler Zach vs. Cyrus M. Khorram **Continued**
10:00 Khorram, Cyrus M
Staybridge Room of the Staybridge Suites
2701 Fletcher Ave
Lincoln NE 68504-
(402)438-7829

LICENSEES PRESENTLY UNDER DISCIPLINARY ORDER

<u>NAME</u>	<u>TYPE OF LICENSE</u>	<u>ACTION TAKEN/REINSTATEMENT DATE/EDUCATION</u>
Geraldine B. Allen (2014-013)	Broker	Stipulation and Consent Order entered June 25, 2014. License was suspended for a period of three (3) years all stayed and served on probation commenced on June 25, 2014 and will continue through June 25, 2017 ; plus pay a civil fine of \$1,500.00 due July 25, 2014, plus complete nine (9) hours of additional continuing education, three (3) hours each in the areas of contracts, ethics and license law by September 23, 2014. (Civil fine received) (Education completed)
Todd S. Bartusek (2015-001)	Salesperson	Hearing held March 19, 2015. License suspended for three (3) years with the first eighteen (18) months served on suspension and the balance of the three (3) year suspension period stayed and served on probation. Suspension commenced on April 29, 2015 and continues through October 29, 2016. The probation period commences on October 30, 2016, and continues through April 29, 2018 ; plus if charged with another criminal offense at any time during the three (3) year suspension period and probationary suspension period, he will need to report such charge to the Commission and to his employing broker, within seven (7) days following the date of the incident resulting in the charge. If convicted of another criminal offense during the three (3) year suspension period and probationary suspension period, he will need to report such a conviction to the Commission and to his employing broker, within seven (7) days following the date of the criminal conviction; plus a civil fine of \$1,500.00 to be paid by April 29, 2015; plus complete an additional six (6) hours of continuing education with three (3) hours each in the area of Ethics by September 30, 2015. (Civil fine received) (Education completed)(Suspension completed)
Adam Briley (2014-003)	Salesperson	Stipulation and Consent Order entered November 25, 2014. License was suspended for a period of three (3) years all stayed and served on probation commenced on December 25, 2014 and will continue through December 25, 2017 ; plus pay a civil fine of \$1,500.00 due December 25, 2014; plus pay hearing cost in the amount of \$220.00 by December 25, 2014; plus complete three (3) hours of additional continuing education, in the area of disclosures by May 25, 2015. (Civil fine received) (Hearing fee received) (Education completed)
Darla Bruna (2015-010)	Broker	Stipulation and Consent Order entered November 19, 2015. License suspended for one (1) year with the entire suspension period stayed and served on probation. Probation commenced on December 19, 2015 and continues through December 19, 2016 ; plus pay a civil fine of \$250.00 by December 19, 2015; plus complete an additional six (6) hours of continuing education, three (3) hours each in the areas of Contracts and License Law by May 19, 2016. (Civil fine received) (Education completed)
Michael R. Crawford (2014-035)	Broker	Stipulation and Consent Order entered April 23, 2015. License was suspended for a period of three (3) years all stayed and served on probation commenced on April 23, 2015 and will continue through April 23, 2018 ; plus pay a civil fine of \$2,500.00 due May 23, 2015; plus complete nine (9) hours of additional continuing education, with three (3) hours each in the areas of agency, risk management and trust accounts by July 22, 2015. (Civil fine received) (Education completed)

ON APPEAL
Curtis Hart
(2015-008)

Broker

Hearing Held November 19, 2015. License suspended for one (1) year all stayed and served on probation commences January 7, 2016 and continues through **January 7, 2017**; plus pay a civil fine of \$1,500.00 due January 7, 2016; plus pay hearing cost in the amount of \$200.00 by January 7, 2016; plus complete an additional three (3) hours of continuing education in the area of License Law by June 8, 2016; plus shall develop and submit to the Commission a written document retention, destruction and security policy by June 8, 2016. (Civil fine received) (Hearing fee received) (Education completed)

Appealed to District Court

George N. Herrington
(2014-008)

Salesperson

Stipulation and Consent Order entered March 20, 2014. License suspended for a period of three (3) years with the first forty five (45) days served on suspension and the remainder of the three (3) year period stayed and served on probation; plus pay a civil fine of \$1,500.00 by April 18, 2014; plus report any future alcohol or drug related charge or conviction, to the Director of the Commission within seven (7) days of the charge or conviction; plus submit to a Criminal Background Check on or about January 1, 2015, January 1, 2016 and **January 1, 2017**, by having his finger prints captured by the Nebraska State Patrol; and submit the resulting criminal background reports to the Commission office no later than February 28th of each year. Suspension commenced on March 24, 2014, and continues through May 8, 2014. Probation commences on May 8, 2014, and continues through **March 24, 2017**. (Civil fine received) (Suspension completed) (2015 Background check received) (2016 Background check received)

Craig Matthew Jungjohann
(2013-021)

Broker

Stipulation and Consent Order entered August 15, 2013. License suspended for a period of five (5) years with the entire five (5) period stayed and served on probation, commenced on August 15, 2013 and will continue through **August 15, 2018**; plus a civil fine of \$2,500.00 to be paid by September 14, 2013; plus complete nine (9) hours of additional continuing education three (3) each in the areas of ethics, license law and trust accounts and submit proof of completion to the Commission office by December 13, 2013; plus Jungjohann will be subject to additional random trust account examinations during the five (5) year suspension/probationary period. (Civil fine received) (Education completed)

Sheryl K. Matzen
(2014-042)

Salesperson

Stipulation and Consent Order entered April 30, 2015. License suspended for three (3) years with the first forty-five (45) days served on suspension and the remainder stayed and served on probation. Suspension commenced on April 30, 2015, and continues through June 13, 2015. Probation will commence on June 14, 2015, and continues through **April 30, 2018**; plus if charged with another criminal offense at any time during the three (3) year suspension period and probationary suspension period, she will need to report such charge to the Commission and to her employing broker, within seven (7) days following the date of the incident resulting in the charge. If convicted of another criminal offense during the three (3) year suspension period and probationary suspension period, she will need to report such a conviction to the Commission and to her employing broker, within seven (7) days following the date of the criminal conviction; plus submit to a Criminal Background Check on or about January 1, 2016, **January 1, 2017 and January 1, 2018**, by having her finger prints captured by the Nebraska State Patrol; plus submit the resulting criminal background report to the Commission office no later than February 28th of each year; plus during the entirety of her 3 year suspension and probationary suspension period, attend monthly alcohol/substance abuse groups and provide documentary evidence of such attendance to the Commission not later than the 5th of every month; any violation of the laws administered by the Real Estate Commission will result in a Show Cause Hearing against her; plus pay a civil fine in the amount of \$1,500.00, by May 30, 2015. (Civil fine received) (Suspension completed) (2016 Background check received)

Dennis James McGuire (2015-015)	Salesperson	Stipulation and Consent Order entered August 18, 2016. License suspended for one (1) year with the first thirty (30) days served on suspension and the remainder of the period stayed and served on probation. Suspension commenced August 23, 2016, and continues through September 22, 2016; Probation commences on September 23, 2016 and continues through August 23, 2017 ; plus pay a civil fine of \$500.00 due September 17, 2016; plus complete an additional three (3) hours of continuing education in either 0748R Professionalism Required: High Standards of Professional Conduct, or 0349R Risk Management for Real Estate Professionals, or 0497R Ethics & Professional Practice by February 17, 2017 . (Civil fine received) (Suspension completed)
Felix Dwayne Mitchell (2015-008)	Salesperson	Hearing held November 19, 2015. License suspended for three (3) years with the first sixty (60) days served on suspension and the remainder stayed and served on probation. Suspension commenced on January 7, 2016 and continues through March 6, 2016. Probation commences on March 7, 2016 and continues through January 7, 2019 ; plus pay a civil fine of \$2,000.00 due January 7, 2016 , plus pay hearing cost in the amount of \$200.00 by January 7, 2016; plus complete an additional six (6) hours of continuing education with three (3) hours each in the areas of Agency and License Law by June 8, 2016. (Hearing fee received) (Education completed)
Sonya Kaye Paxton (2015-002)	Broker	Hearing held March 17, 2016. License suspended for one (1) year with the entire period stayed and served on probation, commenced on April 23, 2016 and continues through April 23, 2017 ; plus complete and additional six (6) hours of continuing education to include three (3) hours each in the areas of Agency and Contracts by September 24, 2016; plus pay a civil fine of \$500.00 by March 23, 2016; plus pay hearing costs in the amount of \$320.00, by March 23, 2016. (Civil fine received) (Hearing fee received) (Education completed)
Jeff Rothlisberger (2015-004)	Salesperson	Hearing held January 21, 2016. License suspended for twenty four (24) months with the entire period stayed and served on probation. Probation commenced on March 2, 2016 and continues through March 2, 2018 ; plus pay a civil fine of \$1,500.00 due March 2, 2016 , plus pay hearing cost in the amount of \$160.00 by March 2, 2016 ; plus complete an additional six (6) hours of continuing education with three (3) hours each in the areas of Agency and License Law by July 1, 2016 .
Lisa K. Stork (2014-041)	Salesperson	Hearing held March 19, 2015. License suspended for three (3) years with the first nine (9) months served on suspension and the balance of the three (3) year suspension period stayed and served on probation. Suspension commenced on May 4, 2015 and continues through February 4, 2016. The probation period commences on February 5, 2016 and continues through May 4, 2018 ; plus if charged with another criminal offense at any time during the three (3) year suspension period and probationary suspension period, she will need to report such charge to the Commission and to her employing broker, within seven (7) days following the date of the incident resulting in the charge. If convicted of another criminal offense during the three (3) year suspension period and probationary suspension period, she will need to report such a conviction to the Commission and to her employing broker, within seven (7) days following the date of the criminal conviction; plus a civil fine of \$1,000.00 to be paid by April 29, 2015; plus complete an additional six (6) hours of continuing education, two (2) three (3) hour courses in the area of Ethics by September 30, 2015. (Civil Fine received) (Education completed) (Suspension completed)
Adam Tyler Vogt (2014-012)	Broker	Stipulation and Consent Order entered June 25, 2014. License suspended for three (3) years with the ninety (90) days served on suspension and the remainder stayed and served on probation; plus

Adam Tyler Vogt
(continued)

pay a civil fine of \$1,000.00 by July 25, 2014; plus report any future alcohol or drug related charge or conviction, to his broker and the Director of the Commission within seven (7) days of the charge or conviction; plus submit to a Criminal Background Check on or about January 1, 2015, January 1, 2016 and **January 1, 2017**, by having his finger prints captured by the Nebraska State Patrol; and submit the resulting criminal background reports to the Commission office no later than February 28th of each year, plus attend regular meetings of Alcoholic Anonymous ("AA") or a similar substance abuse program which provides group therapy or substance abuse counseling during the three (3) year suspension/probation period and provide proof of such attendance to the Commission office on a monthly basis; plus obtain an "AA" sponsor or counselor for such substance abuse program and provide proof to the commission office of such sponsorship or counselor; and any future alcohol or drug related charge or conviction will result in a Show Cause Hearing against him. Suspension began June 25, 2014 and continues through September 23, 2014. Probation begins September 24, 2014 and continues through **June 25, 2017**. (Civil fine received) (Suspension completed) (2015 Background check received) (2016 Background check received)

Steven Randolph Wiley Broker
(2015-039)

Stipulation and Consent Order entered April 21, 2016. License was suspended for a period of one (1) year, with the first 30 days served on suspension and the remainder of the year all stayed and served on probation commenced on May 4, 2016 and will continue through **May 4, 2017**; plus pay a civil fine of \$1,500.00 due May 21, 2016, plus complete three (3) hours of additional continuing education in the area of license law by October 21, 2016. (Civil fine received) (Education Completed)