



COLORADO

Department of
Regulatory Agencies

Division of Real Estate

1560 Broadway, Suite 925
Denver, CO 80202-5111

MINUTES

COLORADO REAL ESTATE COMMISSION MEETING

December 5, 2023

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MINUTES
COLORADO REAL ESTATE COMMISSION MEETING
December 5, 2023
Colorado Division of Real Estate
Meeting Conducted Via Webinar

A Colorado Real Estate Commission public meeting was conducted via Webinar and was held on December 5, 2023. Those Commissioners in attendance were Michelle Espinoza - Chair; Josh Brodbeck; Joe Chang; and Renee Lynde. Graham Kaltenbach - Vice Chair is excused. Also attending were Marcia Waters, Director; Eric Turner, Deputy Director; David Donnelly, Education, Communication and Policy Manager; Melissa Phipps, Senior Advisor; Penny Elder, ESP Program Manager; Sarah Halloran, Investigations Team Lead; Eddie Rose, Investigations Team Lead; and other members of the Commission's Staff. Angela Little attended from the Office of the Attorney General.

Notice of the meeting was timely published and the meeting was held pursuant to the Colorado Sunshine Laws, Title 24, Article 6, C.R.S., as amended.

The meeting was conducted via Webinar. The meeting was called to order by Commissioner Espinoza - Chair, at 9:05 a.m.

ORDER OF BUSINESS

Approval of Minutes - October 3, 2023

It was moved by Commissioner Chang and seconded by Commissioner Lynde to approve the Minutes of October 3, 2023 as written.



CREC

Minutes_October 3, 2023

Motion unanimously carried.

PUBLIC PRESENTATION: None

POLICY MATTERS:

NOTE: Commissioner Brodbeck joins the CREC Meeting at 9:10 a.m.

A. 2024 CREC Meeting Dates -

February 6, 2024
April 2, 2024
June 4, 2024
August 6, 2024
October 1, 2024
December 3, 2024

B. Commission Approved Forms -

It was moved by Commissioner Chang and seconded by Commissioner Lynde to approve the Global List and to authorize the Forms Committee to proceed with alterations to the forms as appropriate.

Motion unanimously carried.

C. CE Zoom -

Deputy Director Eric Turner advised the Commission that the Division is in the process of implementing a new licensing system and that the CE Zoom platform for uploading proof of continuing education into our licensing system isn't compatible with our new system. Staff is researching alternative methods for providing proof of CE to the Division electronically.

Agenda Items for Next Meeting - None

COMPLAINT MATTERS:

NOTICE: The following complaint matters contain summaries of investigative findings and disciplinary recommendations of Division staff. Ultimate settlement terms, imposition of discipline or findings of license law violations may differ from those originally considered by the Commission.

A. Complaints A. #2023-1212 (DE) -

The investigative report concerning a complaint filed against the respondent in Complaint #2023-1212 (DE) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law.

- A. The complainant alleges that the respondent is lending his license to his daughter, whose license was revoked by the Colorado Real Estate Commission on 02/09/2006. In review of the transaction files provided by the respondent, the investigation found that the respondent did not retain all required transaction documents. The investigation found that many of the transaction documents that were provided were incomplete, inaccurate, and, in one transaction, altered. Additionally, several of the respondent's MLS listings did not reflect the commission amount as stated on the Listing Contract; and
- B. This is a possible violation of:
 - a. § 12-10-217(1)(k), C.R.S. - failure to maintain files for 4 years;
 - b. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
 - c. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
 - d. Commission Rule 6.10 - advertising;
 - e. Commission Rule 6.20 - transaction file requirements;
 - f. Commission Rule 6.3 - employing broker's responsibilities and supervision;
 - g. Commission Rule 6.5 - brokerage relationship disclosures in writing; and
- C. The respondent's settlement offer includes a Stipulation and Final Agency Order;
- D. The respondent's real estate broker's license shall be publicly censured;
- E. He will be required to pay a fine to the Commission in the amount of \$1,000;
- F. He will be required to successfully complete 24 hours of real estate education in Brokerage Administration; and

- G. He will be required to submit to a follow up audit within three months.

Motion unanimously carried.

NOTE: Complaint B - # 2023-1211 (NSB) was removed from the Agenda and the Commission's consideration.

C. Complaint #2022-2163 (CC) -

The investigative report concerning a complaint filed against the respondent in Complaint #2022-2163 (CC) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law.

- A. The anonymous complainant alleges that the respondent is providing MLS entry only listing service. Additionally, the complainant alleges that the respondent is not using the required Colorado contracts; and
- B. This is a possible violation of:
 - a. § 12-10-217(1)(k), C.R.S. - failure to maintain files for 4 years;
 - b. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
 - c. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
 - d. § 12-10-404, C.R.S. - single agent engaged by seller or landlord;
 - e. Commission Rule 7.1 - standard forms;
 - f. Commission Rule 6.11 - square footage disclosure;
 - g. Commission Rule 6.19 - closing responsibilities; and
- C. The respondent's settlement offer includes a Stipulation and Final Agency Order;
- D. The respondent's real estate broker's license shall be publicly censured;
- E. He will be required to pay a fine to the Commission in the amount of \$3,000; and
- F. He will be required to successfully complete real estate education in Brokerage Relationships and in Contracts.

Motion unanimously carried.

D. Complaints #2022-2223 (JS) -

The investigative report concerning a complaint filed against the respondent in Complaint #2022-2223 (JS) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. The complainant alleges that the respondent caused the loss of his earnest money in the amount of \$7,500.00 due in part to the respondent's failure to provide HOA documents that were in the respondent's possession to the lender for loan approval before the deadline. The investigation found that the respondent failed to establish a brokerage relationship with the complainant via an Exclusive Right to Buy Listing Contract; as well as provide the complainant with a Dual Status Disclosure (Real Estate Broker and Mortgage Broker). Further, the respondent failed to amend several deadlines, failed to execute documents, and drafted documents inaccurately; and
- B. This is a possible violation of:

- a. § 12-10-217(1)(k), C.R.S. - failure to maintain files for 4 years;
- b. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
- c. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
- d. Commission Rule 6.2 - competency - must possession experience, training, and knowledge;
- e. Commission Rule 6.5 - brokerage relationship disclosures in writing;
- f. Commission Rule 6.20 - transaction file requirements; and
- C. The respondent's settlement offer includes a Stipulation and Final Agency Order;
- D. The respondent's real estate broker's license shall be publicly censured;
- E. He will be required to pay a fine to the Commission in the amount of \$5,000;
- F. He will be required to successfully complete real estate education in Brokerage Relationships; Contracts and in Ethics; and
- G. The respondent will be required to submit to a higher level of supervision for two years.

Motion unanimously carried.

E. Complaint #x2023-72 (GH) -

The investigative report concerning a complaint filed against the respondent in Complaint #x2023-72 (GH) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. On July 28th, 2023, a routine audit was opened on the respondent. After multiple phone calls to confirm the notification of audit was received, and changing email addresses from what is on file with the Division, confirmation was obtained. An extension was granted to obtain the initial response, but the response did not contain all of the requested information. Only a rent tracking spreadsheet and pdf's of emails approximating payment receipts were included. A correction letter was issued to request complete audit data, and due date reminders were sent. No response was received by the correction deadline, but the day after the deadline, the respondent said technical issues had prevented completion but were fixed. The auditor issued a Final Notice to Comply, which extended the deadline 10 days. A deadline reminder was sent, but no response was received by the Final Notice to Comply date. When the auditor notified the respondent that a report would be presented to the Commission, the respondent left a voicemail asserting a response had been sent on the deadline and asked to discuss what was lacking instead of presenting a report to the Commission. The auditor requested the respondent forward the response that had not been received and offered to schedule a recorded interview to discuss the audit. However, no further communication from the respondent was received, and
- B. no email was forwarded; and
- C. This is a possible violation of:
 - a. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
 - b. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
 - c. Commission Rule 5.14 - recordkeeping requirements;
 - d. Commission Rule 5.21 - production of documents and records;

- e. Commission Rule 5.22 - broker responsible for firms' compliance of Chapter 5 rules; and
- D. The respondent's settlement offer includes a Stipulation for Diversion;
- E. He will be required to pay a fine to the Commission in the amount of \$2,500;
- F. He will be required to successfully complete real estate education in Trust Accounts and in Property Management; and
- G. He will be required to submit to a follow up audit within 30 days.

Motion unanimously carried.

F. Complaint #2023-1437 (KF) -

The investigative report concerning a complaint filed against the respondent in Complaint #2023-1437 (KF) was presented to the Commission with accompanying documentation and information against the same respondent. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. The complainant, a Certified Residential Appraiser, alleges that the respondent improperly interfered with the appraisal process when she stated there was a conflict of interest with the seller; and requested that the lender reassign the appraisal assignment to someone else; and
- B. This is a possible violation of:
 - a. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice; and
- C. The respondent's settlement offer includes a Stipulation for Diversion;
- D. She will be required to pay a fine to the Commission in the amount of \$1,000;
- E. She will be required to successfully complete real estate education in Ethics; and
- F. The Division will refer this respondent to the CFPB for investigation.

Motion unanimously carried.

G. Complaint #2022-547 (SD) -

The investigative report concerning a complaint filed against the respondent in Complaint #2022-547 (SD) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. The complainant alleges that the respondent failed to return her security deposit in a timely manner and improperly withheld a portion of that deposit. In connection with the complainant's allegations, CREC alleges the respondent:
 - failed to provide the tenant with a proper Security Deposit Settlement Statement,
 - failed to properly disclose money belonging to others was held in interest bearing accounts (security deposit), and
 - failed to properly disclose licensure.

Additionally, CREC alleges that while engaged in property management, the respondent: does not maintain proper journals, ledgers or required 3-way bank reconciliations for accounts holding money belonging to others; failed to maintain trust accounts when required to do so; commingled funds; diverted funds (money belonging to others); failed to separate rents and security deposits by purpose; holds money belonging to others in non-trust or escrow accounts (personal security deposits); and

- B. This is a possible violation of:
- a. § 12-10-217(1)(i), C.R.S. - converting, diverting, commingling funds;
 - b. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
 - c. § 12-10-217(1)(t), C.R.S. - undisclosed compensation;
 - d. § 12-10-217(1)(w), C.R.S. - dishonest dealing;
 - e. § 12-10-404(1)(b), C.R.S. - failed to exercise reasonable skill and care;
 - f. § 12-10-217(1)(h), C.R.S. - failure to account for money;
 - g. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
 - h. Commission Rule 5.1 - establishment of internal accounting controls;
 - i. Commission Rule 5.2 - money belonging to others must be deposited in trust or escrow;
 - j. Commission Rule 5.3 - accounts in name of brokerage firm or broker
 - k. Commission Rule 5.5 - trust or escrow required for rental receipts and security deposit;
 - l. Commission Rule 5.9 - diversion, conversion prohibited;
 - m. Commission Rule 5.10 - commingling prohibited and failed to withdraw fees earned monthly;
 - n. Commission Rule 5.11 - security deposit for broker's own properties not held in a trust or escrow account;
 - o. Commission Rule 5.14 - recordkeeping requirements;
 - p. Commission Rule 5.15 - failure to maintain supporting records;
 - q. Commission Rule 6.17 - disclosure that they are licensed broker; and
- C. The respondent's settlement offer includes a Stipulation and Final Agency Order;
- D. The respondent's real estate broker's license shall be publicly censured;
- E. The respondent's real estate broker's license shall be revoked; and
- F. He will be required to pay a fine to the Commission in the amount of \$40,000.

Motion unanimously carried.

H. Complaint #2023-1434 (MM) -

The investigative report concerning a complaint filed against the respondent in Complaint #2023-1434 (MM) was presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. The complainant alleges that the respondent failed to perform the written terms of the amended Exclusive Right to Buy Listing contract, specifically that a \$795.00 broker credit was not included in the Settlement Statement. Subsequent to closing, the respondent told the complainant that he would pay her the \$795.00, but he did not until the complainant filed a civil action in small claims court

- B. This is a possible violation of:
 - a. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4;
 - b. § 12-10-217(1)(q), C.R.S. - unworthy, incompetent practice;
 - c. § 12-10-405(1)(a), C.R.S. - failed to perform written terms of the contract;
 - d. Commission Rule 6.19 - closing responsibility; and
- C. The respondent's settlement offer includes a Stipulation for Diversion;
- D. He will be required to pay a fine to the Commission in the amount of \$2,000; and
- E. He will be required to successfully complete real estate education in Contracts and in Brokerage Relationships.

Motion unanimously carried.

NOTE: Complaint I - #2022-1874 and #2023-1847 (HO/SP) was removed from the Agenda and the Commission's consideration.

NOTE: Commissioner Brodbeck recuses himself from consideration of Complaint J - #2023-342 and #2023-413 (MVR) and leaves the webinar at 10:01 a.m.

NOTE: Commissioner Brodbeck returns to the webinar at 10:07 a.m. to vote to go into Executive Session for the purposes of discussions on of Complaint J - #2023-342 and #2023-413 (MVR). However, Commissioner Brodbeck then recuses himself again immediately and does not participate in nor does he attend Executive Session.

EXECUTIVE SESSION:

At 10:07 a.m. it was moved, seconded and approved by more than two-thirds vote by the Commission that pursuant to §24-6-402(3)(a)(II), C.R.S., to convene the Colorado Real Estate Commission into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. §24-6-402(3)(a)(II) concerning disputes that are the subject of pending or imminent court action and/or for the purpose of receiving legal advice regarding Complaint J - #2023-342 and #2023-413 (MVR).

Motion unanimously carried.

Executive Session is conducted via Google Hangout Meeting.

The Commission adjourned out of Executive Session at 10:18 a.m. and resumes meeting via webinar that is open to the public.

J. Complaints #2023-342 and #2023-413 (MVR) -

The investigative report concerning complaints filed against the respondent in Complaints #2023-342 and #2023-413 (MVR) were presented to the Commission with accompanying documentation and information. It was moved and seconded by the Commission that reasonable grounds exist to refer the respondent to hearing for violations of the real estate license law and to send this matter through the expedited settlement process (ESP). The staff was also directed to incorporate these specific terms into the Commission approved ESP stipulation to be sent to the respondent.

- A. In Complaint #2023-342: The Division received a complaint filed by a homeowner. He entered into a "Homeowner Benefit Agreement" (HBA) and received \$1,150 in

exchange for a 40-year agreement to exclusively list the home for sale with the respondent. A memorandum of the HBA was recorded against the property. The homeowner attempted to sell the property using a listing broker he preferred over the respondent. The respondent filed a Lis Pendens. The complainant removed his home from the market in order for the Lis Pendens to be removed. The property remains off the market. The complainant stated that he did not want to list with the respondent, did not think they would do a good job, and had been bullied by the respondent.

- B. In Complaint #2023-413: The complainant is a 71-year-old man who is legally blind, who entered into a 40-year HBA in exchange for \$1,700. The complainant stated that the terms of the HBA were not explained but he was told it was a one-year right to list. A memorandum of the HBA was filed against his property. His Power of Attorney (POA) stated that she requested copies of transaction documents but never received them. A Brokerage Duties Disclosure to Seller was signed by the seller although it was not filled out, and the brokerage relationship was not identified. The POA stated that the seller's home was listed with the respondent but had not sold. The POA stated that they would like to use a different broker but would be subject to a termination fee of 3% of \$569,400 although the home has failed to sell at \$480,000; and
- C. This is a possible violation of:
 - a. § 12-10-217(1)(w), C.R.S. - dishonest dealing;
 - b. § 12-10-217(1)(m), C.R.S. - violation of any Commission rule or part 4
 - c. Commission Rule 6.5 - brokerage relationship disclosures in writing;
 - d. Commission Rule 6.22 - prohibited remedies for compensation; and
- D. The respondent's settlement offer includes a Stipulation and Final Agency Order;
- E. The respondent's real estate broker's license shall be publicly censured;
- F. The firm's license shall be revoked;
- G. The respondent will be required to pay a fine to the Commission in the amount of \$7,500; and
- H. This case will be directly referred to the Attorney General's Office.

Motion carried.

NOTE: Commissioner Brodbeck returns to the webinar at 10:20 a.m.

LICENSING MATTERS:

Licensing Matter A - Complaint #2023-2142 (PB) - License Application -

The Commission considered this application for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

The applicant was disciplined in Wyoming in 2010. The stipulated agreement states the applicant was found "Filing False and Fraudulent information with the Wyoming Real Estate Commission". The applicant was also disciplined in Wyoming in 2013. The applicant was found to have "continued to practice real estate with an inactive license".

Both stipulated agreements and orders have been settled. The applicant has active licenses in Wyoming and in Idaho.

It was moved by Commissioner Lynde and seconded by Commissioner Brodbeck to approve the license application at the associate broker level for a period of two years with a reasonable level of supervision.

Motion unanimously carried.

Licensing Matter B - Complaint #2023-2040 (JK) - License Application -

The Commission considered this application for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

The applicant failed to disclose two convictions in Arizona to the Arizona Department of Real Estate. Due to the failure to disclose, the applicant signed a consent order. Subsequently, the applicant was again convicted in 2008. The conviction was not disclosed to the Arizona Department of Real Estate at the time of conviction per Arizona license law. Upon renewal, the applicant chose to surrender his Arizona Real Estate License rather than go through the investigative process.

The applicant has received a real estate license in New Mexico.

It was moved by Commissioner Brodbeck and seconded by Commissioner Lynde to approve the license application.

Motion unanimously carried.

Licensing Matter C - Complaint #2023-1905 (SD) - Preliminary Advisory Opinion -

The Commission considered this application for a preliminary advisory opinion for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

On August 24, 2021, the applicant was convicted of a Felony DUI with Serious Bodily Injury. The applicant was sentenced to prison for 3 years (suspended), 3 years of supervised probation, and a fine of \$315.00. Probation has been changed to unsupervised probation and is in good standing. Probation is ongoing until August 2024.

It was moved by Commissioner Brodbeck and seconded by Commissioner Lynde to issue a negative opinion.

Motion unanimously carried.

Licensing Matter D - Complaint #2023-1901 (ZS) - License Application -

The Commission considered this application for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

On November 19, 2021, the applicant was convicted of Assault 3-Know/Reckless Cause Injury, a Class 1 Misdemeanor and Assault 2-Cause Serious Bodily Injury, a class 4 Felony. The applicant was sentenced to a 2-year Deferment and 2-years of probation. The applicant was ordered to pay a fine of \$3,491.50 and has a \$0 balance. The applicant's deferment ends January 12, 2024.

It was moved by Commissioner Brodbeck and seconded by Commissioner Lynde to defer consideration of this application until the meeting scheduled for February 6, 2024.

Motion unanimously carried.

Licensing Matter E - Complaint #2023-1780 (JF) - Preliminary Advisory Opinion -

The Commission considered this application for a preliminary advisory opinion for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

On December 13, 2022, the applicant pleaded guilty to Assault 3-Known/Reckless Cause Injury- a Class 6 Felony. The applicant was sentenced to a 12-month deferment supervised through probation and a fine of \$1,133.50 with a current balance of \$100.00. The deferment on the felony charge is ongoing.

It was moved by Commissioner Chang and seconded by Commissioner Brodbeck to issue a negative opinion.

Motion unanimously carried.

Licensing Matter F - Complaint #2023-1961 (EM) - Preliminary Advisory Opinion -

The Commission considered this application for a preliminary advisory opinion for a real estate broker's license together with accompanying documentation and information supplied by the applicant.

On February 17, 2015, the applicant was convicted of Child Abuse Negligently Cause SBI, a Class 4 Felony. The applicant was sentenced to 8 Years in the Department of Corrections with 293 days time served, 10 years of probation and a fine of \$3,086.00. Probation is set to end on 07/21/2026 and the fine has been paid in full.

On April 15, 2020, the applicant was convicted of Disorderly Conduct-Offensive Gesture a Class 1 Petty Offense and Violation P/O Criminal-Amended a Class 1 Misdemeanor. The applicant was sentenced to a fine of \$93.50 and 50 hours of Community Service. The case is closed.

It was moved by Commissioner Brodbeck and seconded by Commissioner Lynde to issue a negative opinion.

Motion unanimously carried.

ESP MATTERS:

ESP Matter A, Complaint #2022-2254 (KB) - Counteroffer -

The Commission was presented with a counteroffer from the respondent by Penny Elder regarding ESP Matter A, Complaint #2022-2254 (KB). It was moved by Commissioner Chang and seconded by Commissioner Lynde to reject the counteroffer.

Motion unanimously carried.

ESP Matter B, Complaint #2022-2216 (NW) - Counteroffer -

The Commission was presented with a counteroffer from the respondent by Penny Elder regarding ESP Matter B, Complaint #2022-2216 (NW). It was moved by Commissioner Lynde and seconded by Commissioner Brodbeck to authorize an alternative settlement to include a Final Agency Order; payment of a fine in the amount of \$2,000 (+15% mandatory surcharge); successful completion of coursework in Brokerage Relationships and Ethics; 1 year of probation; and the requirement that the respondent move from her current brokerage firm to a firm approved by the Division within 30 days. The respondent must agree not to return to the current brokerage.

Motion unanimously carried.

EXECUTIVE SESSION:

At 11:09 a.m. it was moved, seconded and approved by more than two-thirds vote by the Commission that pursuant to §24-6-402(3)(a)(II), C.R.S., to convene the Colorado Real Estate Commission into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. §24-6-402(3)(a)(II) concerning disputes that are the subject of pending or imminent court action and/or for the purpose of receiving legal advice regarding Attorney General Matter A - Complaint # 2023-960 (PM) - a counteroffer from the respondent.

Motion unanimously carried.

NOTE: Commissioner Espinoza recuses herself from consideration of Attorney General Matter A - Complaint #2023-960 (PM) and leaves the webinar. Commissioner Espinoza does not participate in nor attend the Executive Session.

Executive Session is conducted via Google Hangout Meeting.

The Commission adjourned out of Executive Session at 11:14 a.m. and resumes meeting via webinar that is open to the public.

ATTORNEY GENERAL MATTERS:

A. Complaint #2023-960 (PM) - Counteroffer -

Following discussion in Executive Session, it was moved by Commissioner Brodbeck and seconded by Commissioner Chang to reject the counteroffer for Complaint #2023-960 (PM).

Motion carried.

NOTE: Commissioner Espinoza returns to the webinar at 11:16 a.m.

ADJOURN:

The Real Estate Commission adjourned out of their regular meeting at 11:17 a.m. on December 5, 2023.

Michelle Espinoza, Chair

ABSENT
Graham Kaltenbach, Vice Chair

Josh Brodbeck, Commissioner

Joe Chang, Commissioner

Renee Lynde, Commissioner

Marcia Waters, Director
Colorado Division of Real Estate