



State of Idaho  
Division Of Occupational and Professional Licenses  
Idaho Real Estate Commission

**BRAD LITTLE**  
Governor  
**RUSSELL BARRON**  
Administrator

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**Minutes of 03/14/2023**

**Board Members Present:** Kim Cooper, Chair  
Martin Espil  
Michael Johnston  
Elizabeth Hume

**Division Staff:** MiChell Bird, Executive Officer  
Lea Kear, Legal Counsel  
Melissa Ferguson, Curr/Exam Supv  
Jesama Rosensweig, Licensing Supv  
Carlotta Zito, Board Support Spec

**Board Members Absent:** Jill Stone, Vice-chair

The meeting was called to order at 1:00 PM MT by Kim Cooper.

**APPROVAL OF MINUTES**

A motion was made to approve the 02/02/2023 meeting minutes. The motion carried unanimously.

**DIVISION BUSINESS**

**Honoraria Policy:** The DOPL Honoraria policy was presented.

**2023 Legislative Session Overview:** Executive Officer, MiChell Bird presented a legislative session overview.

**COMMISSION BUSINESS**

**Idaho REALTORS® Update:** David Hensley, CEO, Idaho REALTORS® presented an Idaho REALTORS® update.

**Education Report:** The Education report was presented by Melissa Ferguson. Commissioner Hume recommended to address the transaction coordinator section as a guideline at the next meeting.

**License Base Report:** The Licensing report was presented.

**Team Registration Form:** The Team Registration Form was reviewed. The form is being finalized. It is in the IT queue to go online. Board Member Johnston recommended assigning a number to each team. The form will be revised with the recommended changes; no motion was made.

**Applications:** There were no applications to review.

**Public Comment:** There were no comments from the public.

### **EXECUTIVE SESSION**

**Motion to Enter Executive Session:** A motion was made that the Commission enter into executive session under Idaho Code § 74-206 (1)(d) to consider records that are exempt from disclosure under the Public Records Act, Idaho Code § 74-106 (9). Roll call: Kim Cooper-aye, Martin Espil-aye, Elizabeth Hume-aye, and Michael Johnston-aye. The motion carried unanimously.

**Motion to Leave Executive Session:** A motion was made to leave Executive Session. The motion carried unanimously.

### **MOTION(S) RE: Discipline**

A motion was made and seconded that the facts set forth in PC Memo 2022-192 is sufficient to proceed to formal action and that staff enter into the minutes our standard language. The motion carried unanimously.

A motion was made that finding the facts set forth in probable cause memo #2022-192 provided by the Executive Officer, and pursuant to Idaho Code 54-2058(1), are sufficient to proceed with formal action on the violations presented. Commission staff is authorized to file an administrative complaint, and upon the initiation of any formal proceedings the Executive Officer shall appoint a hearing officer to preside in the case, as provided by law. The hearing officer shall have the standard authority set forth in Chapter 2 of the Commission's Administrative Rules, IDAPA 33.01.02.452. Further, for any hearing held, with or without a hearing officer, the Notice of Hearing shall be issued in accordance with the Commission's "Standard Form for Notice of Hearing and Scheduling Order", a copy of which shall be provided to any hearing officer upon appointment. Motion carried.

A motion was made and seconded to grant an exemption to the following cases: #23-005, #23-006, #23-008, #23-009. The motion carried unanimously.

A motion was made and seconded to grant inquiry in case #23-010. The motion carried unanimously.

A motion was made and seconded to deny the request in case #23-007. The motion carried unanimously.

### **ADJOURNMENT**

With no further business, the meeting adjourned at 3:15 PM MT.