

**IDAHO REAL ESTATE COMMISSION**  
**Meeting Minutes**  
**December 7, 2015**

Pursuant to notice given, a special meeting of the Idaho Real Estate Commission (Commission) was held at 575 E. Parkcenter Blvd., Suite 180, Boise, Idaho on Monday, December 7, 2015 at 10:00 a.m.

**Commission Members Present:**

Mike Gamblin, Vice Chair, Boise  
Kathy Weber, Member, Moscow  
Michael James Johnston, Member, Idaho Falls  
Comprising a quorum of the Commission

**Members Absent:**

Marvis Brice, Chair, Burley

**Staff Present:**

Jeanne Jackson-Heim, Executive Director  
Craig Boyack, Chief Investigator  
MiChell Bird, Education & Licensing Director

**Others Present:**

Maurie Ellsworth, Commission's Legal Counsel (afternoon only)  
LaDawn Anderst, Idaho REALTORS®  
John Eaton, Idaho REALTORS®  
Andrew Mitzel, Idaho REALTORS®  
Tracy Kasper, Silverhawk Realty and Idaho REALTORS®

**Introductions:**

- a. Commissioners
- b. Staff
- c. Guests

Meeting was called to order at 10:32 a.m. MT by Vice Chair Mike Gamblin.

**Workshop to discuss possible license law and rule changes:**

- **Advertising requirements – brokerage name, signage**
- **License fee increase**
- **Unlicensed practice – cooperation with out-of-state licensees**

The parties discussed the above topics at length. There was consensus that more information is needed prior to pursuing any law changes. Tracy Kasper will present the results of the workshop to the Idaho REALTORS® Executive Committee for possible inclusion of the topic(s) in upcoming broker summit meetings to be held around the state. IREC Staff will look for available public information on licensee demographics to attempt to identify why inactive license numbers are falling. Staff will also contact the Nevada Real Estate Division to gather additional information on that jurisdiction's cooperative certificate process, along with a draft proposal and FAQ on how such a

process might work in Idaho.

Kathy Weber moved to conclude the workshop and adjourn for lunch at 12:20 p.m. The vote showed all in favor.

Commissioners reconvened the meeting at 1:34 p.m. Kirt Naylor of Naylor & Hales, attorney for the Commission, joined the meeting.

**Executive Session:** Mike Gamblin moved that the Commission adjourn to executive session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. A roll call vote was taken: Johnston – yes; Weber – yes; Gamblin – yes. Commissioners convened in executive session and discussed with counsel the legal options for the pending litigation in Case No. 1:15-cv-00215-CWD filed in the U. S. District Court for the District of Idaho.

**Regular Session:** There being no further purpose for an executive session, a motion was made by Kathy Weber to adjourn the executive session and return to open meeting at 2:20 p.m. Motion carried.

At 3:30 p.m., Pam Howland of Holland & Hart, attorney for the Commission, joined the meeting.

**Executive Session:** Mike Johnston moved that the Commission adjourn to executive session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. A roll call vote was taken: Johnston – yes; Weber – yes; Gamblin – yes. Commissioners convened in executive session and discussed with counsel the legal options for threatened litigation in a personnel matter.

**Regular Session:** There being no further purpose for an executive session, a motion was made by Kathy Weber to adjourn the executive session and return to open meeting at 4:15 p.m. Motion carried.

Mike Johnston moved to provide to the Idaho Human Rights Commission the investigative report prepared by Marla Henken. Motion carried.

There being no further business, the meeting was adjourned at 4:19 p.m.

Respectfully submitted,

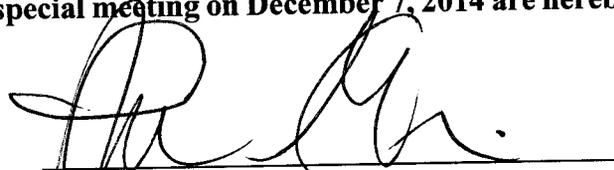


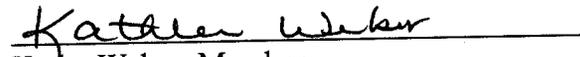
Jeanne Jackson-Heim  
Executive Director

jjh

Minutes of the Idaho Real Estate Commission special meeting on December 7, 2014 are hereby approved.

[Absent]  
Marvis Brice, Chair

  
Mike Gamblin, Vice Chair

  
Kathy Weber, Member

  
Michael J. Johnston, Member