



**Board of Legal Document Preparers**  
Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room 109

Date: February 23, 2009  
Time: 10:00 a.m. – 2:00 p.m.

**Approved Regular Meeting Minutes**

**MEMBER ATTENDANCE:**

**Present:**

Les Krambeal  
Andrew M. Saper  
Paul D. Friedman  
Judge Robert H. Oberbillig

**Telephonically Present:**

Cynthia S. Felton  
Kristina Fredericksen  
Debra Griffin  
Stephanie Dawn Gates Wolf

**Absent:**

Debra A. Young  
Kelly A. Dowdle  
Gwen Kemnitz

**OTHER ATTENDEES:**

**AOC Staff:**

Kandace French  
Linda Grau  
Tony Posante  
Karla Clanton  
Nina Preston  
Nancy Swetnam  
Jenny Lubben  
Afton Foutz

**Guests:**

Dale Shephard  
Joelle Sammetinger  
Russell Ehlinger  
William Bowman  
Michael Shader  
Edith Joyce Funk  
Dean Funk  
David B. Goldstein

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**CALL TO ORDER**

*Called to Order By*  
*Time:*

Les Krambeal  
10:01 am

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**1) REVIEW AND APPROVAL OF MEETING MINUTES**

***1-A: Review and approval of the regular session minutes of the meeting of November 24, 2008.***

***Individuals Addressing the Board:*** Les Krambeal

***Discussion:*** None

***Motion:*** Board moved to approve regular session minutes for the meeting of November 24, 2008.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-001**

***1-B: Review and approval of the regular session minutes of the meeting of December 15, 2008.***

***Individuals Addressing the Board:*** Les Krambeal

***Discussion:*** None

***Motion:*** Board moved to approve regular session minutes for the meeting of December 15, 2008.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-002**

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**2) REVIEW OF PENDING COMPLAINTS**

***2-A: Review, discussion, and possible action regarding non-certificate holder complaint number NM09-L003 involving Michael Harold and Legal Aid Assisted Document Preparation, LLC.***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** The Board and staff discussed sending a Cease and Desist letter to Mr. Harold and LAADP requiring submittal of a sworn responsive Affidavit acknowledging they are not authorized to provide or offer to provide legal document preparation services to the public in Arizona until such time as they are certified to do so. It is further recommended the Board request Mr. Harold and LAADP refund the complainant the amount of \$399 within 30 days of receipt of the

Cease and Desist letter. It was recommended the Board order that if Mr. Harold and LAADP fail to submit the Affidavit and proof of refund within 30 days, the processing of this matter will proceed through filing of a Petition for Cease and Desist Order in the Superior Court containing a request for restitution to complainant and reimbursement of Division costs. The matter has already been referred to the State Bar for review.

**Motion:** Move to adopt Staff recommendation in its entirety.

**Motion Proposals:** First Paul D. Friedman  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-003**

**2-B: Report, discussion, and possible action regarding complaints dismissed by the Division Director pursuant to Arizona Code of Judicial Administration §7-201(D) (4) (a) and (H)(2)(b):**

***Complaint Number 08-L006***

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** On December 12, 2008, Division Director Swetnam dismissed complaint number 08-L006 without prejudice based on the complaint being submitted anonymously.

**Motion:** Move to affirm the Division Director Dismissal pursuant to ACJA § 7-201 (H)(2)(d).

**Motion Proposals:** First Paul D. Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 09-004**

***Complaint Number 08-L052***

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** On December 12, 2008, Division Director Swetnam dismissed complaint number 08-L052 without prejudice based on the complainant having failed to provide contact information sufficient enough for an investigation to proceed.

**Motion:** Move to affirm the Division Director Dismissal pursuant to ACJA § 7-201 (H)(2)(d).

**Motion Proposals:** First Andrew M. Saper  
Second Paul D. Friedman

**Motion Results:** Pass **LDP 09-005**

***Complaint Number 08-L068***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** On December 12, 2008, Division Director Swetnam dismissed complaint number 08-L068 with prejudice for lack of jurisdiction

***Motion:*** Move to affirm the Division Director Dismissal pursuant to ACJA § 7-201 (H)(2)(d).

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-006**

***Complaint Number NC08-L071***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** On December 12, 2008, Division Director Swetnam dismissed complaint number NC08-L071 with prejudice for lack of jurisdiction and referred the complaint to the State Bar of Arizona.

***Motion:*** Move to affirm the Division Director Dismissal pursuant to ACJA § 7-201 (H)(2)(d).

***Motion Proposals:*** First Andrew M. Saper  
Second Paul D. Friedman

***Motion Results:*** Pass **LDP 09-007**

***2-C: Review, discussion, and possible action regarding the following certificate holder complaints:***

***Complaint Number 03-L028- Josephine Norton***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** Materials were not posted on the website for the Board's review. Recommendation to defer Complaint Number 03-L028 to next board meeting.

***Motion:*** Move to defer action to next Board meeting to be held on April 27, 2009.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-008**

***Complaint Number 03-L029- Josephine Norton***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** Discussion regarding probable cause, allegation and finding. Probable Cause Evaluator Baumstark entered a finding probable cause exists as to Allegation 1 of complaint number 03-L029. It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding of grounds for informal disciplinary action against Ms. Norton exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201 (H)(6)(d) and (H)(7) for the act of misconduct involving ACJA § 7-208 (F)(2) and Appendix A Code of Conduct Standards (1)(a), (2)(c) and (5)(a). Recommendation the Board issue a Letter of Concern to Ms. Norton.

***Motion:*** Move to accept Division Director recommendation.

***Motion Proposals:*** First Andrew M. Saper  
Second Paul D. Friedman

***Motion Results:*** Pass **LDP 09-009**

***Complaint Number 08-L044- Richard Slatin and Divorce, Custody, and Child Support Services, Inc.***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** Discussion regarding probable cause, allegation and finding. Probable Cause Evaluator, Mike Baumstark, determined probable cause does not exist the certificate holder committed the alleged acts of misconduct. Recommendation the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 08-L044.

***Motion:*** Move to accept Division Director recommendation.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-010**

***Complaint Number 08-L018- Richard Slatin and Divorce, Custody, and Child Support Services, Inc.***

***Individuals Addressing the Board:*** Nancy Swetnam

**Discussion:** Discussion regarding probable cause, allegations and findings. On January 26, 2009, Probable Cause Evaluator Baumstark entered a finding probable cause exists as to Allegations 1, 2 and 3 of complaint number 08-L018. It is recommended the Board adopt the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201 H)(6)(a), (H)(6)(k)(2) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201 (F)(1), ACJA § 7-208 (F)(2), (J)(1)(a), (J)(1)(b), (J)(5)(a), Arizona Supreme Court Rule 31 (a)(2)(D) and Arizona Revised Statutes § 12-2238 (F). Discussion regarding anticipated fine amount.

**Motion:** Move to have Board enter a finding ground for formal disciplinary action exists.

**Motion Proposals:** First Paul D. Friedman  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-011**

**2-D: Review, discussion, and possible action regarding non-certificate holder complaint number NC08-L074 involving Janet Summers and Van Rylin Associates.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding previous history, documentation, and correspondence. As Ms. Summers and Van Rylin Associates have continued non-compliance with Rule 31 and ACJA, it is recommended the Board order the filing of a Petition for Cease and Desist Order in the Superior Court containing a request for restitution to the complainant and reimbursement of Division costs.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Paul D. Friedman  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-012**

**2-E: Review, discussion, and possible action regarding non-certificate holder complaint number NC08-L035 involving Michael Hawkins and LLC Filing Services.com.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding certification status, correspondence, and lack of response from Mr. Hawkins. It was confirmed Mr. Hawkins is not admitted to practice law in Arizona. Recommendation the Board invite Mr. Hawkins to next Board meeting to address the Board and answer any questions as to why he and business entity have not applied for certification as Legal Document Preparers. Discussion regarding issuance of a Cease and Desist letter rather than an invitation.

**Motion:** Move to issue a Cease and Desist letter to Mr. Hawkins and LLC Filing Services.com.

**Motion Proposals:** First Paul D. Friedman  
Second Kristina Fredericksen

**Motion Results:** Pass **LDP 09-013**  
Nay Cynthia S. Felton

**2-F: Review, discussion, and possible action regarding pending formal disciplinary action involving Vanessa Henderson and Arizona Legal Specialists, LLC and complaint numbers 07-L012 and 08-L027.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding amended proposed sanctions, proposed Consent Agreement and cost summary related to the investigation and disciplinary proceedings

**Motion:** Move to accept the Consent Agreement.

**Motion Proposals:** First Andrew M. Saper  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-014**  
Nay Paul D. Friedman

**2-G: Review, discussion, and possible action regarding non-certificate holder complaint number NC08-L020 involving Patricia Milino and Document Diva, LLC.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding certification status, correspondence, and Affidavit from Ms. Milano. Recommendation the Board send a Cease and Desist letter to Ms. Milino and Document Diva, LLC, withdraw the earlier recommendation to seek a Superior Court Cease and Desist Order, and close complaint number NC08-L020.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Cynthia S. Felton  
Second Paul D. Friedman  
**Motion Results:** Pass **LDP 09-015**

**2-H:** *Review, discussion, and possible action regarding “Motion to Extend Time to Secure Reinstatement” received from suspended legal document preparers Julie Haigh and Majestic’s Paralegal Center.*

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding new request for an extension of time to for payment and the Request for Payment Plan request which was previously denied by the Board. Recommendation the Board inform Ms. Haigh and MPC the orders of June 23, 2008 and November 25, 2008 remain in force and effect as entered and reference in the communication ACJA § 7-201 (E)(9) does not mandate a time frame for Ms. Haigh and MPC to apply for reinstatement.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Andrew M. Saper  
Second Judge Robert H. Oberbillig  
**Motion Results:** Pass **LDP 09-016**

**2-I:** *Review, discussion, and possible action regarding non-certificate holder complaint number NC09-L006 involving Consiglieri, LLC dba Consiglieri Legal Services.*

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Discussion regarding complaint, documentation, correspondence, and past history involving Allan Sobol, Statutory Agent and only listed member of Consiglieri, LLC and The Consiglieri Group, LLC. It is recommended the Board move for filing of a Petition for Cease and Desist Order in the Superior Court pursuant to ACJA § 7-201 (E)(6) and ACJA § 7-208 (E)(1) specifically noting the Board previously issued a disciplinary Cease and Desist Order and requesting reimbursement of service fee paid by the consumer and costs incurred by the Program.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Paul D. Friedman  
Second Andrew M. Saper  
**Motion Results:** Pass **LDP 09-017**



**2-J: Review, discussion, and possible action regarding non-certificate holder complaint numbers:**

**NC08-L072 Dan Cornell**  
**NC07-L062 Shelley Wilson**  
**NC09-L004 Business Services Etc., Inc.**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** The above listed individuals and business entities have provided written statements reporting they are not in the business of preparing legal documents for the public or non-represented consumers. Should future information be presented to the Division which is contrary to the written statements, these complaints and any new related complaints will be presented to the Board with a request for formal action. It is recommended the Board close these non-certificate holder complaints.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Cynthia S. Felton  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-018**

**NC08-L028 Emerald Rain Production**

**Individuals Addressing the Board:** Nancy Swetnam

**Discussion:** Attempts to reach this individual and business entity via U.S. mail and additional attempts to locate this individual and entity have been unsuccessful. No evidence is available confirming the subjects are providing document preparation services. Should contrary information be presented, the complaint and any new related complaint will be presented to the Board with a recommendation for formal action. It is recommended the Board close these non-certificate holder complaints.

**Motion:** Move to accept Division Director recommendation.

**Motion Proposals:** First Cynthia S. Felton  
Second Andrew M. Saper

**Motion Results:** Pass **LDP 09-019**

**NC07-L071 Littleton Long, Inc./Martha Leyvas**  
**NC07-L050 Littleton Long, Inc./Martha Leyvas**

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** The Board issued a Cease and Desist letter requesting a written response from Martha Leyvas owner of Littleton Long, Inc. After many unanswered attempts to reach Leyvas regarding the pending non-certificate holder complaints, it is recommended that the Board invite Leyvas to attend the April Board meeting regarding why she and the business entity are not certified legal document preparers.

***Motion:*** Move to accept Division Director recommendation.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-020**

***NC08-L073 Phan Hung Dinh***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** On December 17, 2008, Division staff sent a letter to Mr. Dinh notifying him of certification requirements. On January 30, 2009, Mr. Dinh submitted an acknowledgement letter stating he prepared divorce documents and was paid \$800.00 of which he paid \$571.00 for filing fees. It is recommended the Board send a Cease and Desist letter from the Board with a request he reimburse the consumer \$229.00.

***Motion:*** Move to accept Division Director recommendation.

***Motion Proposals:*** First Paul D. Friedman  
Second Judge Robert H. Oberbillig

***Motion Results:*** Pass **LDP 09-021**

***2-K: Review, discussion, and possible action regarding complaint number 09-L010 involving suspended certificate holders Russell Ehlinger and Mtn. Holiday, Inc.***

***Individuals Addressing the Board:*** Nancy Swetnam

***Discussion:*** The intended recommendation contained in the Board materials was presented to the Board. Newly received information and a letter from Mr. Ehlinger were presented to the Board. The Board discussed the options for resolution of the new complaint and noted Mr. Ehlinger and Mtn. Holiday have yet to comply with the Board's Final Order issued on June 23, 2008.

***Motion:*** Move to go into Executive Session to receive advice of counsel.

**Motion Proposals:** First Cynthia S Felton  
Second Kristina Frederickson  
**Motion Results:** Pass **LDP 09-022**

**Executive Session:** 11:42 a.m. to 11:52 a.m.

**Discussion:** Staff recommended and the Board discussed offering a Consent Agreement to Mr. Ehlinger and Mtn. Holiday affirming Mr. Ehlinger and Mtn. Holiday will cease and desist from providing or otherwise offering or arranging legal document preparation services and will remit payment of the previously assessed costs and civil penalties contained in the June 23, 2008 Final Order.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Paul D. Friedman  
Second Judge Robert H. Oberbillig  
**Motion Results:** Pass **LDP 09-023**

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### 3) Administrative Issues

**Individuals Addressing the Board:** Kandace French

**Discussion:** Welcome new Board member Gwen Kemnitz appointed by Chief Justice Ruth V. McGregor to fill the vacant public member seat through June 30, 2010. Ms. Kemnitz was unable to attend today's Board Meeting.

**3-B: Review, discussion and possible action regarding the certification renewal application deadline pursuant to Arizona Code of Administration §7-201 (G)(2).**

**Individuals Addressing the Board:** Kandace French

**Discussion:** The certification period expires at midnight on June 30<sup>th</sup> of each odd numbered year. Historically, the renewal application deadline for certified legal document preparers has been April 30<sup>th</sup>. However, the current application can no longer be supported online. Staff recommended the Board establish the 2009-2011 renewal application deadline as May 31, 2009 at midnight in order to give IT Staff sufficient time for coding and posting of the new application.

**Motion:** Move to accept Staff recommendation. The renewal application will be available on May 1, 2009. Applications not received by midnight on May 31, 2009 will incur a \$50 late application fee.

**Motion Proposals:** First Paul D. Friedman  
Second Andrew M. Saper  
**Motion Results:** Pass **LDP 09-024**

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**4) REVIEW OF CERTIFICATION APPLICATIONS**

**4-A:** *Review, discussion and possible action regarding pending business application of Joyce's Services Corporation.*

**Individuals Addressing the Board:** Karla Clanton, Linda Grau, Edith Joyce Funk,  
Dean Funk

**Discussion:** Edith and Dean Funk were present to answer questions regarding the business documents submitted for Board review, concerns regarding their business application, and the role of Mr. Funk as a supervisor within the company. Staff recommended the Board grant certification to Joyce's Services Corporation contingent upon Mrs. Funk entering into a Consent Agreement with additional language stipulating that Mrs. Funk actively supervise the business and any document preparation by staff. Mr. Funk shall not supervise document preparation without certification.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Judge Robert H. Oberbillig  
Second Kristina Fredericksen  
**Motion Results:** Pass **LDP 09-025**

**4-B:** *Review, discussion and possible action regarding pending applications for 2007-2009 initial Standard certification.*

**Individuals Addressing the Board:** Karla Clanton, Linda Grau

*Carissa Olson  
Pamela Hofmann  
Carrie Montoya  
Michele Gilley  
Expert Tax & Accounting Services, LLC (Marla De La Torre)  
Signature Documents, LLC (Joann Kramer)  
Buckley and Associates, LLC (Michelle Buckley)  
Fresh Start Women's Foundation (Edna Gomez-Green)  
My Corporation Business Services, Inc. (Amanda Beren)  
Aubrey Norrick  
Rebecca Ruiz  
Malisa Lievrouw*

**Discussion:** Listed applicants have demonstrated they have met the minimum eligibility requirements for Standard certification, their applications are complete, and no information has been presented during the background check which is contrary to Standard certification being granted. It is recommended Standard certification is granted to the following individual/business entities

**Motion:** Move to accept Staff recommendation

**Motion Proposals:** First Cynthia S. Felton  
Second Paul D. Friedman

**Motion Results:** Pass **LDP 09-026**

*Cathalina Galvan*  
*Peteris Berzins*  
*Jodi Peary*  
*Stephen Peary*  
*Cherry Blue*  
*EPL Legal Document Preparation (Loray Bassani)*  
*AZ Legal Papers (Carrie Montoya)*

**Discussion:** Listed applicant applications are incomplete pending background review or receipt of additional information and/or fingerprint results. Recommendation to defer consideration of applications to April 27, 2009 Board meeting.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Cynthia S. Felton  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-027**

*Mark Larkin*

**Discussion:** Applicant holds a Juris Doctor degree from the University of Arizona since 2006 but is not a practicing attorney in Arizona or any other state. It is recommended the Board grant certification and require Mr. Larkin to submit an Affidavit stating he understands and will comply with the provisions of ACJA §§ 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Paul D. Friedman  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-028**

***Mark Clark***

***Discussion:*** Applicant holds a Juris Doctor degree from the University of Virginia since 1968 and has been admitted to the practice of law in Washington. It is recommended the Board grant certification and require Mr. Clark to submit an Affidavit stating he understands and will comply with the provisions of ACJA §§ 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

***Motion:*** Move to accept Staff recommendation.

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper

***Motion Results:*** Pass **LDP 09-029**

***Teri Campbell***

***Discussion:*** Applicant holds a Juris Doctor degree from Washburn University since 2004 he is not a practicing attorney in Arizona or any other state. It is recommended the Board grant certification and require Ms. Campbell to submit an Affidavit stating she understands and will comply with the provisions of ACJA §§ 7-201 and 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

***Motion:*** Move to accept Staff recommendation.

***Motion Proposals:*** First Andrew M. Saper  
Second Judge Robert H. Oberbillig

***Motion Results:*** Pass **LDP 09-030**

***Ada Chavira***

***Discussion:*** Applicant failed to disclose two civil actions in her application. The first was a custody matter regarding her spouse and the second was a civil case for a vehicle registered in her name that she had lent to someone else. Applicant stated she mistakenly marked “no” on her application regarding her civil actions. It is recommended the Board grant standard certification and direct staff to include language indicating failure to disclose in subsequent applications may result in disciplinary action or denial of renewal.

***Motion:*** Move to accept Staff recommendation.

***Motion Proposals:*** First Paul D. Friedman

**Motion Results:** Second Andrew M. Saper  
Pass **LDP 09-031**

***Justin Pierson***

**Discussion:** Applicant disclosed a DUI that occurred on March 5, 2004 in California. He pled no contest and was convicted of misdemeanor DUI. The applicant completed all stipulations of his sentence on July 11, 2007. He has provided documentation of completion to Staff for the Board's review. It is recommended that the Board grant individual standard certification

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Judge Robert H. Oberbillig  
Second Paul D. Friedman

**Motion Results:** Pass **LDP 09-032**

***Dubravka Sinno***

**Discussion:** Staff received information during the background investigation, that applicant was involved in two civil actions which she failed to disclose. Upon Staff request, she provided documentation in regards to these actions and stated that she did on advice from the District Attorney. Applicant completed the terms of a deferred prosecution agreement within the timelines dictated and has submitted verifying paperwork. Documentation was submitted for the Board's review. It is recommended the Board grant standard individual certification and direct Staff to include language indicating failure to disclose in subsequent applications may result in disciplinary action or denial of renewal.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Andrew M. Saper  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-033**

***George Mortensen***

**Discussion:** Applicant disclosed that on August 14, 2008 he and his wife filed a complaint in Superior Court for the State of Arizona against Home Loan Center, Inc for violating the truth in lending Act, breaching their fiduciary duty, and engaging in misleading advertising. The applicant failed to disclose a civil action wherein he evicted a tenant for non-payment of rent and was awarded \$560 and \$53 in court costs. He stated he it was an oversight that he failed to disclose this

matter. Applicant failed to disclose four additional civil actions stating he was a victim of identity theft and resulting incorrect information negatively affected his credit score. He has filed civil actions in this matter. The applicant submitted correspondence for Staff and the Board review. It is recommended the Board grant standard individual certification and direct staff to include language indicating failure to disclose in subsequent applications may result in disciplinary action or denial of renewal.

***Motion:*** Move to accept Staff recommendation.

***Motion Proposals:*** First Andrew M. Saper  
Second Judge Robert H. Oberbillig  
***Motion Results:*** Pass **LDP 09-034**

***Dale Shephard***

***Discussion:*** Discussion regarding two civil lawsuits that were disclosed, civil actions that were not disclosed, criminal history and subsequent probation. The charges were vacated in 2006 and all his civil rights restored. Documentation regarding these matters has been presented for Board review. It is Staff's recommendation that the Board grant standard individual certification.

***Motion:*** Move to accept Staff recommendation.

***Motion Proposals:*** First Judge Robert H. Oberbillig  
Second Andrew M. Saper  
***Motion Results:*** Pass **LDP 09-035**

***Shana Audett***

***Discussion:*** Applicant does not meet the minimum standards for individual certification. Staff contacted Ms. Audett to discuss the requirements for certification. She requested that the Board consider certifying her even though she was short almost a year of experience. It is Staff's recommendation that Ms. Audett be denied certification pursuant to ACJA § 7-201(E)(2)(c)(1) for not meeting the qualifications or eligibility requirements at the time of the application.

***Motion:*** Move to accept Staff recommendation

***Motion Proposals:*** First Paul D. Friedman  
Second Andrew M. Saper  
***Motion Results:*** Pass **LDP 09-036**



**4-C: Review, discussion and possible action regarding pending applications for Business Entity Exemption requests.**

***Expert Tax & Accounting Services, LLC (Marla De La Torre)***  
***Buckley and Associates, LLC (Michelle Buckley)***

**Individuals Addressing the Board:** Karla Clanton

**Discussion:** It is recommended the Business Entity Exemption be granted to the above listed applicants.

**Motion:** Move to accept Staff recommendation

**Motion Proposals:** First Andrew M. Saper  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-037**

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**5) CERTIFICATION AND ELIGIBILITY**

**5-A: Review, discussion and possible action regarding Continuing Education Credit Request of the following continuing education credit request:**

***Construction Insurance, Bonding & Liens in Arizona for 6.5 hours***

**Individuals Addressing the Board:** Kandace French

**Discussion:** The Continuing Education Credit Request Form requests the staff of Prelien Services, LLC receive 6.50 hours continuing education credit for attending a presentation of material directly related to the type of work performed by the staff. Recommendation to grant full 6.5 hours of Continuing Education.

**Motion:** Move to accept Staff recommendation.

**Motion Proposals:** First Paul D. Friedman  
Second Judge Robert H. Oberbillig

**Motion Results:** Pass **LDP 09-038**

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**CALL TO THE PUBLIC**

No response

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**ADJOURNMENT**

***Motion:*** Adjourn the meeting.

***Motion Proposals:*** First Paul D. Friedman  
Second Judge Robert H. Oberbillig

***Motion Results:*** Pass **LDP 09-039**

***Time:*** 12:46 pm

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