

CHAPTER 5-003.17 - FAILURE TO PRODUCE ANY DOCUMENT, BOOK OR RECORD

VIOLATION	COMPLAINT	DATE OF ORDER	PENALTY
<p>Stipulation and Consent Order entered February 28, 2023. Licensee's failure to complying with an audit since 2018 is a violation of Title 299, Chapter 3-002. Licensee's failure to turn over their transaction files is a violation of Title 299, Chapter 5-3.17 and Neb. Rev. Stat. §81-885.24 (29).</p>	<p>2022-018 Commission vs. Joshua William Coates</p>	<p>February 28, 2023</p>	<p>Licensee shall pay a civil fine of two thousand dollars (\$2,000.00) by May 29, 2023; plus complete an additional six (6) hours of continuing education with three (3) in the area of trust accounts and three (3) in the area of licensing law. These hours are due by August 27, 2023.</p>
<p>Section 81-885.24(22) by substantial misrepresentation; 81-885.24(26) by failing to produce a document in the Respondent's possession or under his control concerning a real estate transaction under investigation by the Commission; Ch. 5-003.17 by violating rules or regulations adopted and promulgated by the Commission; and 81-885.24(29) by demonstrating negligence, incompetency, or unworthiness.</p>	<p>95-054 - Commission vs. Scott W. Bloemer</p>	<p>July 1, 1996</p>	<p>License revoked. Motion for New Hearing and Stay of Execution denied - July 22, 1996.</p>
<p>Section 81-885.24 (26) by violation of a rule or regulation adopted and promulgated by the Commission in the interest of the public and consistent with the Nebraska Real Estate License Act, specifically the stipulated facts demonstrate a violation of Title 299 Chapter 5-003.17, by failing to produce documents, books and records in the licensee's possession, or under her control, concerning any real estate transaction under investigation by the Commission as requested by the Commission on December 17, 2004; Neb. Rev. Stat. § 81-885.24 (29) by demonstrating negligence, incompetency or unworthiness to act as a broker, by utilizing, or allowing the utilization, of services of individuals without an "active" Nebraska real estate license for time-share sales in Nebraska on behalf of a Florida time-share development for which she was the designated broker; and by failing to provide transaction files when requested on December 17, 2004.</p>	<p>2005-017 - Commission vs. Roberta L. Springer, Broker</p>	<p>November 16, 2005</p>	<p>Stipulation and Consent Order. License revoked.</p>

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Violated Neb. Rev. Stat. § 76-2422(2) Before engaging in any of the activities enumerated in subdivision (2) of section 81-885.01, a designated broker intending to establish a single agency relationship with a seller or landlord shall enter into a written agency agreement with the party to be represented. The agreement shall include a licensee's duties and responsibilities specified in section 76-2417, the terms of compensation, a fixed date of expiration of the agreement, by entering into a Rental Management Contract with the client that did not have a fixed date of expiration; violated Title 299 NAC 5-003.17 Failure to produce any document, book, or record in the licensee's possession, or under his or her control, concerning any real estate transaction under investigation by the Commission, Paxton failed to provide documents in her possession or under her control concerning a real estate transaction under investigation by the Commission.	2015-002 – Commission vs. Sonya Kaye Paxton	March 17, 2016	Hearing held March 17, 2016. License suspended for one (1) year with the entire one (1) year period stayed and served on probation. Probation commences on April 23, 2016 and continues through April 23, 2017; plus pay a civil fine of \$500.00 due April 23, 2016; plus pay hearing cost in the amount of \$320.00 by April 23, 2016; plus complete an additional six (6) hours of continuing education with three (3) hours each in the areas of Agency and Contract Law by September 24, 2016.
Violated Neb. Rev. Stat. § 81-885.24(29) Demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson, whether of the same or of a different character as otherwise specified in this section; when Ms. Brezinski (1) failed to obtain a new listing agreement or addendum to the listing agreement signed and finalized when the terms of the original listing agreement changed, (2) reused old contract pages that do not represent the intention and actions of the Parties, and (3) failed to provide the Nebraska Real Estate Commission with all documents in her possession as they related to the Property; violated Neb. Rev. Stat. § 299-5-003.17 Failure to produce any document, book, or record in the licensee's	2018-002 - Commission vs. Michelle A. Brezinski	August 16, 2018	Stipulation and Consent Order entered August 16, 2018. License suspended for a period of twelve (12) months with the entire period to be stayed and served on probation. Probation commences on September 15, 2018 and continues through September 15, 2019; plus pay a civil fine of \$1,200.00 due September 15, 2018; and complete three (3) hours of additional continuing education in the area of License law on or before February 16, 2019.

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possession, or under his or her control, concerning any real estate transaction under investigation by the Commission; by failing to provide the Nebraska Real Estate Commission with the Second Listing Agreement when asked for all transaction documents pertaining to the Property pursuant to the investigation of Complaint in Case No. 2016-022; violated Neb. Rev. Stat. § 81-885.24(26) Violating any rule or regulation adopted and promulgated by the commission in the interest of the public and consistent with the Nebraska Real Estate License Act; when Ms. Brezinski failed to provide the Nebraska Real Estate Commission with all documents related to the transaction under investigation in her possession.	2018-002 - Commission vs. Michelle A. Brezinski		

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