

**Office of Professional Regulation
National Life Building North Fl 2, Montpelier, VT**

Real Estate Commission

Minutes

November 17, 2011

Location: National Life Building North Fl 2, Montpelier, Conference Room M2D

Commission Members and Staff Present: Gloria Rice, Claire Porter, Michelle Gosselin, Elizabeth Wilkel, Maretta Hostetler, Terry Gray, Judith Griffen, Colin Benjamin, **Absent Commission members:** David Raphael, Thomas Prindiville, **Public members Present:** Nancy Stead, Randy Mayhew, Robin Jacobs, Tess Kennedy, Andrew Werry, Ron Sanville, Liz Merrill, Tanya Moore, James Fitzgerald, Ami Milne-Allen, and Nicole Senecal.

1. **8:30 - Education Committee**
 - a. **Quality Workshops** 2012 Mandatory Course for 4 hours – approved
2. **9:30 - Full Commission meeting - Called to Order at 9:32 a.m.**
3. **Approved October 27, 2011 minutes:**
5. **Scheduled Licensing/Disciplinary Matters:** None
6. **Concluded Reports:**
 - a. 2011-509 – I-team member, Maretta Hostetler – **approved**
 - b. 2011-439 and 2011-440 – I-team member, Maretta Hostetler – **approved**
 - c. 2011-589 and 2011-590 – I-Team member, David Raphael – **approved**
 - d. 2010-637 – I-Team member, Elizabeth Wilkel – **approved**
7. **Discussion Items:**
 - a. **Executive Session** for AMP Testing Review. Elizabeth Wilkel moved that the Commission members along with Larry Fabrey and OPR staff should go into executive session for discussion on the consideration of AMP testing services. It was seconded and approved. The Commission and guests went into executive session. At the conclusion of the executive session and once the meeting was back on public session Elizabeth Wilkel moved to accept the results of the passing point studies conducted by AMP for assurance of minimal competency on all portions of the national and state exams for Vermont real estate licensure. This motion was seconded and all were in favor. Motion passed.
 - b. Chris Winters, Director of OPR, came in to have a general discussion on sanctions, non-compliance, rejected stipulations, etc. Chris gave some examples of how other professions handle their compliance issues and hoped that the Commission members would take this under advisement while considering options for the future.
 - c. Mandatory licensing for Appraisers – Ami Milne-Allen, Chair of the Real Estate Appraiser Board, came into discuss what she is seeing in her profession with BPO's and to get the Commissions advice on Mandatory licensing for the Real Estate Appraiser board. This was a general and open discussion that will be taken up at a future time once more information can be collected.
 - d. Maretta Hostetler reserved her comments due to lack of time.

- e. Status of unprofessional cases was given by Carla Preston. There are 123 open cases as of today. Seventy one (71) are pending an I-Team meeting, 16 are under investigation, 11 are ready for closing reports, 14 are in the intake process and 11 have either charges filed or will be filed.
- f. Audit/Inspection of out of state firms was discussed again and Terry will request the last month's Iorta bank statements from each of the out of state offices. Once these are received she will then pick 2 files for review.
- g. Application of inspectors were reviewed Terry will set up an interview time for all applicants that have been chosen for the next meeting.
- h. Continuing Education: after discussion, and upon motion and vote, the Commission authorized that all continuing education hours and courses, which are required for license renewal, including the Mandatory Course, may be taken online by licensees if they choose to do so. There is no longer a requirement for the Mandatory Course to be taken in a classroom setting.
- i. Electronic signatures discussion was tabled and will be sent to the rules committee.
- j. The following law and rule were reviewed and the Commission feels we should be enforcing them.

41 V.S.A §2214 and 4.7 Trust and escrow accounts – “The broker shall notify the commission, within ten days after opening any trust or escrow account, of the bank or other financial institution in which the account is located.”

8. Ongoing discussions –

- a. Rules working group update – Elizabeth Wilkel informed the Commission that the rules committee will be suspended until after January 1, 2012.

9. FYI:

10. Public Comment:

11. Next Scheduled Meeting: December 15, 2011

12. Adjournment at 1:49 p.m.