

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

**Real Estate Commission
Minutes**

February 23, 2012 – 9:30 a.m.

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

Commission Members and Staff Present: Gloria Rice, Claire Porter, Michelle Gosselin, David Raphael, Thomas Prindiville, Terry Gray, Judith Griffen, Colin Benjamin, **Absent:** Maretta Hostetler

Public members Present: Kathleen Sweeten, Teresa Merelman, Marion Gray, John Sullivan, Sue Aldrich, Nicole Senecal, Donna Coker, Janel Johnson, Lisa Wilson, Mary Cohen and Amy Messina

1. **8:30 - Education Committee**
2. **9:30 - Full Commission meeting - Call to Order at 9:29 a.m.**
3. **9:35 - Approved January 26, 2012 minutes:**
4. **Disciplinary:**
 - a. 2010-482 - Stipulation and Consent Order – Virginia Roth
Gabriel Gilman, prosecuting attorney was present and presented the Stipulation and Consent Order to the Commission. A motion was made to accept the order and the motion was seconded. There was an additional motion to go into deliberative session. At the conclusion of the deliberative session the vote was 4 to 1 for the motion. The Stipulation and Consent Order was accepted.
5. **9:40 - Chair's Comments:** Gloria Rice gave a summary of a case law report regarding a Pennsylvania case dealing with disclosure of material facts. A copy will be given to all board members.
6. **9: 45 – Case Manager Report - Carla Preston**

Status of unprofessional cases was given by Carla Preston. There are 110 open cases as of today. Fifty nine (59) are pending an I-Team meeting, 12 are under investigation, 17 are ready for closing reports, 6 are in the intake process and 16 have either charges filed or will be filed.

 - a. **Barry Hickok - Order to Remove Conditions –**
A motion was made to accept the Order to Remove Conditions and the motion was seconded. The motion was accepted by unanimous vote.
 - b. **Giles Wagoner – Order to Remove Conditions**
A motion was made to accept the Order to Remove Conditions and the motion was seconded. The motion was accepted by unanimous vote, Claire Porter recused herself and did not participate in the vote.
7. **10:15 - Concluded Reports**
 - a. 2010-744 and 2010-745 – approved
 - b. 2011-229 – approved – David Raphael recused himself and did not participate in the vote.
 - c. 2011-324 – approved
8. **10:00 – Discussion Items**

- a. Electing a Vice Chair was briefly discussed and tabled until after executive session. Once executive session was over it was moved to nominate David Raphael as Vice Chair, the motion was seconded. The vote was unanimous to accept David Raphael as Vice Chair.
- b. Supervision and tracking was discussed. There is a question of whether the Commission would like to track the licensee's supervision in the office.

9. 10:30 - Rules Committee Report

- a. Rules Update was given by David Raphael. David explained how the rules committee would be starting again today and meeting after every board meeting until done. They feel they are on track and will hold the agency discussion for last.

10. 10:45 - Public Comment

11. 11:00 – New Business

- a. **Inspector Interviews (2)** - A motion was made and seconded to go into executive session to interview for the inspectors position. Motion carried. Commission will go into executive session.

11:45 - A motion was made and seconded to come out of executive session. Motion carried. The Commission came out of executive session.

A motion was made and seconded to offer Kerry Wevurski the inspector's position. Motion carried.

12. Next Scheduled Meeting – March 22, 2012

13. Adjourned at 11:50 a.m.

Real Estate Education Committee

Courses for review

February 23, 2012

McKissock, LP

Contract Law from the Top Down for 4 hours – approved for 3 hours – **expires 2-23-14**

Misrepresentations and Case Studies for 4 hours – approved for 3 hours – **expires 2-23-14**

Randy Mayhew School of Real Estate

Vermont Real Estate Buyer Broker Series – Part 2 for 4 hours - approved – **expires 2-23-14**

Required Disclosures 101 for 2 hours - approved – **expires 2-23-14**

Continuing Ed Express LLC

Your First Year in Real Estate Part 1 for 3 hours - **denied**

How To Sell Real Estate Part-Time for 3 hours – **denied**

Your First Year in Real Estate Part 2 for 3 hours - **denied**

Simple Staging for Quicker Sales for 3 hours – approved for 2 hours – **expires 2-23-14**

National Business Institute

Boundary Issues and Easement Law for 7 hours – **table** for incomplete application, need additional information.

Northwestern Vermont Board of Realtors

Helping Clients Succeed at the Negotiating Table for 4 hours – **approved**, David Raphael recused himself and did not participate in the vote.