

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

**Real Estate Commission  
Minutes**

**April 28, 2011**

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

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

**Public members Present:** Teresa Merelman, Randy Mayhew, Sharon Bateman, Curtis Trousdale, Cubby Momsen, Tess Kennedy, Kyle Kershner.

- 1. 8:30 - Education Committee**
- 2. 9:30 - Full Commission meeting – Called to Order at 9:34 a.m.**
- 3. Approved March 24, 2011 minutes:**
- 4. Chair's Comments:** Mareta commented on David's email regarding thoughts of changes for the rules discussion. She also commented on the fact that sales are down right now for agents and that the Commission should be prepared to see more complaints in the future.
- 5. Case Manager Report: Status of Unprofessional Conduct Cases**  
Carla advised that there are 48 open cases as of today. There are 9 before the board today for hearing and closing reports, 7 are ready for I-Teams, 6 are in the intake process, 3 are pending charges or a hearing, 1 is under appeal, and 22 are in the investigation process. Carla also spoke to the Commission about a violations grid and asked the Commission members to give their input. This will be on the next agenda.
- 6. Administrators Report:**  
Terry talked about the rule changes and asked the Commission if it would like to assign a committee to start the process. The Commission voted to establish a committee for updating the rules. The Committee will then bring back all changes and updates to the Commission meetings for board approval.
- 7. Scheduled Licensing/Disciplinary Matters:**
  - a. 2009-482 – Ann Swanson – Stipulation and Consent Order** – I-Team member, Mareta Hostetler  
  
Gregg Meyer (prosecuting attorney) presented the Stipulation and Consent Order to the Commission. The Commission went into deliberative session. When the Commission returned from deliberative session it voted to approve the Stipulation and Consent Order.  
  
**2009-568 – Ann Swanson – Motion for Waiver of Condition H of the June 26, 2009 Stipulation and Consent Order and Petition for Reinstatement as Principal Broker** – I-Team member, Mareta Hostetler  
  
Christopher Ekman (respondent's attorney) presented the Motion for Waiver and Petition to the Commission. Ann Swanson was present. The Commission went into deliberative session. When the Commission returned from deliberative session it announced that it had approved the Motion for Waiver and Petition but with the condition that Ms. Swanson pays the penalty imposed in 2009-482 before the decision takes effect. A written decision will follow.

- 8. Concluded Reports:**
- a. 2011-90, 2011-91 and 2011-92 – I-Team member, Gloria Rice - approved
  - b. 2010-639 – I-Team member, Michelle Gosselin – approved
  - c. 2009-488 and 2010-339, I-Team member, Maretta Hostetler – rejected
  - d. 2010-196 and 2010-197 – I-Team member, Michelle Gosselin – approved
  - e. 2009-533 – I-Team member, Maretta Hostetler – approved
- 9. Discussion Items:**
- a. The Commission voted to appoint David Raphael, Elizabeth Wilkel, Gloria Rice and Maretta Hostetler to the rules committee to work with Colin Benjamin on the rules changes. They will report back to the Commission with their monthly progress until the rules review has been completed.
- 10. Ongoing discussions - None**
- 11. FYI:**
- 12. Public Comment:**
- 13. Next Scheduled Meeting: May 26, 2011**
- 14. Adjournment**

# **Real Estate Education Committee**

## **Courses for review**

### **McKissock, LP**

Vermont Real Estate Principles and Practice for 40 hours - **tabled**

### **New Hampshire Association of Exclusive Buyer Agents**

Advanced Negotiation Techniques for Buyer Agents for 6 hours – **approved for 4.0 hours**

Advanced Negotiation Techniques for Listing Agents for 6 hours - **approved for 4.0 hours**

Code of Ethics for 3 hours – **approved**

### **New Hampshire Association of Realtors**

Cracking the Credit Code: The Key to Buyer Recovery for 3 hours - **Denied**

Identity Crisis: Protecting Your Clients & Yourself from Identity Theft for 2 hours – **approved**

Most Dangerous Part of your Day: Protecting Your Clients During Open Houses and When Using Social Media for 2 hours– **approved**

### **Wells Fargo Home Mortgage**

Reverse Mortgage Evolution to Reverse for Purchase for 3 hours – **approved**

### **Career Webschool dba Cengage Learning, Inc.**

RESPA Reform for 4 hours – **approved**

### **Vermont Commercial Investment Board of Realtors**

Creative Solutions for 7 hours – **approved**

### **McKissock, LP**

Liens, Taxes and Foreclosures for 4 hours – **approved**

### **First American Title Insurance Company**

Title Insurance – What is it? For 2 hours – **approved**

### **Jennifer Roberts**

What Today's Informed Real Estate Agent Needs to Know About Reverse Mortgages for 2 hours– **approved**

### **Sterling Education Services, Inc.**

Landlord- Tenant Law Beyond the Basics for 8 hours – **approved for 6 hours**

### **First American Title Insurance Company**

Title Insurance – What Realtors Need to Know for 2 hours – **approved**

### **Vermont Association of Realtors**

HAFA Short Sales for 7 hours– **approved**

No One Look Good in Horizontal Stripes for 3 hours– **approved**

### **Building Trades Environmental**

Lead Painting and the Law: Vermont Essential Maintenance Practices & Federal Lead Paint Rules for 4 hours – **approved**

### **Yerhot Environmental Solutions, LLC**

Instructor approval for Abigail Bostrom – **approved**