



Real Estate Commission

Office of Professional Regulation, Vermont Secretary of State

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Minutes

Friday, December 15, 2017

Commission and Office Members Present: David Raphael, Gloria Rice, Donna Murray, Joyce Cameron, Wendy Beach, Mikail Stein, Gabriel Gilman, Tara Grenier and Judith Roy **Others Present:** Randy Mayhew, Helen Hossley, Sue Kearney, Chad Jacobson, Betty McEnany and Teresa Merelman.

1. 9:30 Called to Order

2. Changes to the agenda

David Raphael moved to change the approval of the minutes to after the education review; to add salesperson post licensure requirements to new business; and to add status of license numbers to old business. Seconded by Gloria Rice. The motion carried unanimously.

3. Approval of minutes

Gloria Rice moved to approve all of the following minutes as is. Joyce Cameron seconded the motion. David Raphael wanted to make it public record that he was not in favor but would vote in favor to move forward. The motion carried unanimously.

- a. July 27, 2017 meeting
- b. August 24, 2017 meeting
- c. October 26, 2017 meeting

4. 9:30 Disciplinary Matters

- a. Stipulation and Consent Order – Julie A. Lowe: Lowe's Real Estate and Property Management LLC. Docket numbers 2015-472 and 2015-473

Gloria Rice moved to approve the Stipulation and Consent as presented. Mikail Stein seconded. The motion carried unanimously.

- b. Stipulation and Consent Order – Patricia S. Davis: Mary W. Davis Realtor & Associates, Inc. Docket numbers 2015-502 and 2015-110

Gloria Rice moved to approve the Stipulation and Consent as presented. Mikail Stein seconded. The motion carried unanimously.

5. Topics for Discussion – New Business

- a. The Commission reviewed the 2018 Meeting dates and agreed to cancel the February 22, 2018, June 28, 2018 and September 27, 2018 meetings. The Commission will also find a date to combine the November 29, 2018 and December 20, 2018 meeting into one.
- b. Gabe Gilman spoke to the Commission about harmonizing administrative processes and the roles of OPR and the Commission. Items discussed included the primary purpose of the Commission, who should prepare the agenda and minutes, and what the Commission can do if they have a disagreement with the Office.

6. Administrative Updates

- a. The Commission opted not to have the online licensing training and review at the meeting. They have asked that Tara Grenier send them instructions through email, and they will call if they have problems or need help.

7. Education Review

- a. There was a lengthy discussion on the course application process and how the Commission would like to proceed in the future. The Commission would like Judith to draft an education policy for review by the Commission. This will be on the next agenda.
- i. There was a motion and a second to approve the Renovation Lending in Vermont Course for four years. After discussion the board voted to deny the course unanimously. The course is denied.

8. Other Business – Old Business

- a. Administrative Rules discussion on teams and advertising was tabled and will continue to be on the agenda in the future.
- b. Status of license numbers was discussed briefly and will be on the next agenda.
- c. The Commission would like to add agenda items for the next meeting at the end of each meeting. Agenda items for the next meeting are 2018 goals and Initiatives, new public member appointment needed, education criteria draft, availability of license numbers, and administrative rules.
- d. The Commission asked for clarification on the 90-days post-licensure education requirement versus the 90-day renewal process. It is important to note these requirements stand alone.

Post-licensure education (Administrative Rule 5.2): Salespersons must provide evidence of having completed 8 hours of post-licensure education within 90 days of obtaining their initial salesperson's license. There are no exceptions to this process.

3 V.S.A §123(a)(12) provides: *A person whose initial license is issued within 90 days prior to the set renewal date shall not be required to renew the license until the end of the first full biennial licensing period following initial licensure.*

Consequently, the relevant date under 3 V.S.A §123(a)(12) is the date the very first license issues, not the date in which the post-licensure education is completed.

9. Correspondence – None

10. Public Comment

- a. Chad Jacobson gave feedback on the new online system and how licensee lookup displays statuses, course grids and other items to the public. He asked if the office would look into the issues he sees. The information will be forwarded to the team that is working on the new system.
- b. Helen Hossley pointed out that the Green Designation course was only approved for 8 hours even though the same course with a different provider was approved for 10 hours previously. The Commission pointed out that the policies changed in the October meeting, and if the same course comes through again, it will only be allowed 8 hours.
- c. Betty McEnany shared with the Commission her research on newsletters to show the Commission what the other states are doing. The Commission thanked Betty for efforts. Gabe Gilman expressed that this issue has been discussed on many previous occasions there will be no newsletter.

11. Adjourned at 12:15 p.m.

Next Scheduled Meeting – Thursday January 25, 2018
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