

Office of Professional Regulation
Real Estate Commission
Corner of State and Main in the City Center
89 Main Street
3rd Floor
Montpelier, VT 05602

Minutes

December 20, 2013 – 9:15 AM

Commission Members and Staff Present: Michelle Gosselin, Gloria Rice, Claire Porter, David Raphael, Maretta Hostetler, Judith Griffen and Peter Comart **Members Absent:** Mark Thibeault
Public members Present: Helen Hossley, Randy Mayhew, Isaac Chavez, Rosemary Gingue, Liz Merrill and Robin Jacobs.

1. **8:30 - Education Committee**
2. **9:15 - Full Commission Meeting - Called to Order at 9:17 a.m.**
3. **9:19 - Approved November 14, 2013 minutes**
4. **9:20 - Case Manager's Report – C. Preston**

There are eighty-five (85) open cases at this time. Eighteen (18) have been recommended for closing, four (4) are pending I-Team meetings, nine (9) are in the intake process, twenty-nine (29) are under investigation, four (4) are pending charges, two (2) are pending hearings, nine (9) have charges filed and ten (10) are on hold.

Gabe Gillman joined Carla Preston to explain the new "hold" status to the Commission as a new categorization to park cases when circumstances exist that prevent a case from moving through the process. The example that was given was when a complaint is filed with OPR and is also going through civil litigation for the same issues. In this example, letting the case complete with the courts is necessary before attempting to decide the same issues through our complaint process.

A brief discussion surrounding sign violations occurred and the Commission was brought up to speed on Carla Preston's expedited process for addressing such issues. Staff agreed to report back to the Commission on how this is progressing.

5. **9:30 - Closing Reports:**
 - a. 2013-272 - approved
 - b. 2013-276 – approved

6. **9:40 - Old Business:**
 - a. OPR BillCommissioner Raphael provided the Commission a copy of the latest draft of the OPR bill, reflecting the discussed changes from the November, 2013, meeting. He requested that anyone with corrections or comments should reach out to him or Colin soon, as the bill was being finalized. He reminded the Commission that there will be opportunities to testify in support of the changes and that some licensed brokers have volunteered to do the same.

- b. Sign violation ticket process - update

The sign violation process was discussed during the Case Manager's Report.

7. 9:45 - New Business:

- a. Office Inspections - update

The Commission was updated that Commissioner Raphael and Hostetler would be meeting with Carla Preston, Gabe Gillman, and the two inspectors this afternoon to review the office inspection program with the goal of providing a report back to the Commission at its January, 2014 meeting.

- b. Annual Board Member and Advisor Training

The Commission was reminded that OPR is holding its *2014 Board Member and Advisor Training* on Wednesday, January 15, at the Lake Morey Resort. Commissioners were encouraged to attend and to RSVP either with Kara Shangraw or through Judith.

- c. 2014 Calendar, Initiatives, Priorities

The Commission had a brief discussion on initiatives and priorities for 2014.

- Home Inspector licensing
- Agency changes and corresponding statute/rule changes
- Creation of a ticket process for minor administrative rule violations
- Education policy revisions
- Review of all application and forms
- Maintenance of a full and complete Commission with no vacancies
- Creation of an attendance and communication policy for Board Members
- Mandatory course for next renewal cycle

8. Public Comment

Vermont Realtors' CEO, Isaac Chavez, updated the Commission on changes to the contracts and forms that the association provides its members, noting that more stringent guidelines have been put in place to prevent the forms being used by non-Realtor members. He wanted the Commission to be aware that as a result, they might see more types of contracts and forms in the future.

9. Adjournment

The "Agency Workgroup" will hold its meeting after the full Real Estate Commission meeting adjourns.

Next Scheduled Meeting – January 23, 2014

Real Estate Education Committee

Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
New Hampshire Association of Realtors						
1. 2014 Professional Standards Workshop “The Law Versus the Code	4	No	Approved	4		
Vermont Realtors						
2. It’s the Transaction – Know It!	2	No	Approved	2		
Continuing Ed Express LLC						
3. Code of Ethics Case Studies II	3	Yes	Approved	3		
360Training.com						
4. Contracts	3	Yes	Tabled	0		Need untimed access
5. Environmental Basics	4	Yes	Approved	4		
6. Bad Loans – Predatory and Fraud	3	Yes	Approved	3		
7. Human Land Use	4	Yes	Approved	4		
8. Pricing Property	4	Yes	Tabled	0		Need untimed access
Continuing Ed Express						
9. Real Estate Teams	3	No	Denied			Doesn’t meet criteria
10. History of the American Home: Part 1	3	No	Approved	2		Approved for 2 hours
11. Short Sales Simplified	3	No	Tabled	0		Need access
12. Rehab for Resale	3	No	Tabled	0		Need access
Individual request (Philip Steckler)						
13. Maximizing the Value of the Privately Held Company	8	No	Approved	4		Approved for 4 hours
Individual request (Arthur Ross)						
14. 2013 Sior Fall World Conference	3	No	Approved	2		Approved for 2 hours
Vermont Realtors						
15. Fair Housing	4	Yes	Approved	4		

The CE Shop, Inc						
16. Basics of Real Estate Taxation	3	Yes	Approved	3		
17. Breaking Barriers: Fair Housing	2	Yes	Approved	2		
18. Diversity: Your Kaleidoscope of Clients	2	Yes	Approved	2		
19. Foundations of Real Estate Finance	3	Yes	Approved	2		Approved for 2 hours
20. Going Green: The Environmental Movement in Real Estate	2	Yes	Approved	2		
Northwestern Vermont Board of Realtors						
21. Working with Buyers	3	No	Approved	3		Approved (see note below)
Randy Mayhew School of Real Estate						
22. New Rules and Recent Legislation	4	No	Approved	4		
Hickok and Boardman Realty						
23. 2012-2014 Renewal Cycle Mandatory Course	4	No	Approved	4		

21. Working with Buyers: The course provider will be instructed to add content for:
addressing conflicts amongst the brokerage firm's other clients
brokerage firm policies for resolving such conflicts
addressing the new Rule 4.3(e).