

**Office of Professional Regulation
Real Estate Commission**

Vermont College Campus
32 College Street
Schulmaier Hall
Montpelier, VT 05602

Minutes

January 24, 2013 – 9:00 a.m.

Commission Members and Staff Present: Maretta Hostetler, Gloria Rice, David Raphael, Michelle Gosselin, Mark Thibeault and Claire Porter **Absent:** Thomas Prindiville **Staff Present:** Terry Gray, Judith Griffen, Colin Benjamin **Public members Present:** Lynne Labombard, Lori Pinard, Teresa Merelman, Helen Hossley, G. Ray Ault, Donna Cusson, Marlene McCarty and Betty McEnaney

1. **Education Committee** - Met and reviewed the attached continuing education courses. Please see attached list for approval/denial of courses submitted.
2. **Full Commission meeting - Call to Order at 9:30 a.m.**
3. **Approved December 20, 2012 minutes**
4. **Case Manager's Report – C. Preston**
There are 96 open cases at this time. Sixteen (16) are in the intake process, twenty (20) are ready for I-Team meetings, thirteen (13) are ready for closing, eleven (11) are on the agenda today, one (1) is under appeal, twenty-six (26) are under investigation and twenty (20) have been recommended for charges.

Commissioner Raphael requested that Carla Preston continue her effort in preparing an aging report for the Commission's cases.

5. **Closing reports**
 - a. 2012-609 and 2012-610 – approved
 - b. 2012-396, 2012-397 and 2012-474 - approved
 - c. 2012-521 and 2012-522 - approved
 - d. 2012-469 and 2012-470 – approved
 - e. 2012-553 and 2012-554 - approved
6. **Discussion:**
 - a. Rules update was given by Colin Benjamin. The rules have been formally filed and are now with the APA. The first meeting with ICAR is scheduled for February 11th, after which one additional public meeting will be scheduled.
 - b. There was a discussion with the Commission regarding the registered names of brokerage firms and how the names being used by licensees are often different. This was a topic addressed in a previous newsletter. A letter will be mailed to all registered brokerage firms in an attempt to remedy this situation.
 - c. David Raphael explained how the education committee will meet after the next meeting on February 28th to start the process of cleaning up the education policy and to look at the applications and forms.
 - d. After a brief discussion regarding ongoing sign violations, a motion passed to authorize OPR to hire

another contractor for sign and advertising issues.

7. New Business

a. Terry Gray announced that OPR will be starting online applications and that the Real Estate Commission licensees will be the first to go live.

b. A brief discussion occurred about continuing the work of the Rules Committee with a specific focus on agency. It was agreed that the full Commission should participate in learning about the issues prior to a committee working on proposing changes. The Commission agreed that bringing in outside parties, at the March meeting, to present their perspective would be beneficial. Names and organizations that were suggested included Tom Heilmann, Vermont Realtors, Paula Savard, and Randy Mayhew.

8. 10:35- Public Comment

a. Mr. Ault mentioned that he will be submitting a request for a declaratory ruling in the near future.

b. Betty McEnaney suggested that the commission review abutting states' rules on agency, as many licensees practice in states other than Vermont.

9. 10:45- Adjournment

Next Scheduled Meeting – February 28, 2013

January 24, 2013

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