

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
March 23, 2017

Commission Members and Staff Present: David Raphael, Gloria Rice, Wendy Beach, Donna Murray, Joyce Cameron, Mikail Stein and Judith Griffen **Others Present:** Teresa Merelman, Helen Hossley, Liz Merrill, Scott Buckley, Betty McEnaney and Kendall Mccausland

1. 8:30 Education Committee

2. 9:30 Commission Meeting

3. Disciplinary Matters – Hearings/Dismissals/Stipulations:

- a. 2014-84, 2014-85
KW Vermont / Brian Armstrong

The Commission reviewed a Stipulation and Consent Order. After a hearing, a motion was made and seconded to accept the Stipulation and Consent Order. The motion passed.

4. Approved Minutes of February 23, 2017

5. Education Committee report

The Commission reviewed the table of courses and corresponding notes from the Education Committee. A motion was made and seconded to approve the Education Committee Report. The motion passed.

Commissioner Raphael noted that the Committee was struggling with a couple of providers who don't seem to be able to make their content available for review. He noted that he contacted one already and would have staff follow up on the most recent challenges. He wondered if there was confusion on the part of the providers regarding the requirements.

6. Case Manager's Report

Number of Active Licensees as of March 16, 2016

Brokers:	940
Salespersons:	1116
Brokerage Firms - Main Offices:	478
Brokerage Firms - Branch Offices:	67

There are Seventy-five (75) open cases. Thirteen (13) are pending I-Team meetings, Twenty-seven (27) are under investigation, nineteen (19) are pending charges, eleven (11) are pending closing reports, two (2) are pending hearings and three (3) are new and in the intake process.

Carla Preston provided a report summarizing where cases are in the enforcement process as well as an aging report by month and year. She also provided excerpts from this year's OPR Annual Report and directed Commissioners to the website for the full report.

7. Old Business:

a. Goals and Initiatives 2017

The Commission had a brief discussion about creating an Administrative Rules Workgroup to address items on the goals and initiatives list. The consensus was that a discussion should occur in May to determine what items could be addressed through rule making and which were of priority. The latest version of the document will be shared with Commissioners.

8. New Business:

Commissioner Stein raised the topic of complaints and a question he was asked concerning submitting anonymous complaints. The Commission confirmed that anonymous complaints are handled the same way within enforcement, except that they lack a complainant to contact for more or clarifying information. The topic of the mandatory consumer disclosure was raised again as a possible tool to educate licensees and the public about the complaint process. The Commission requested data, if available, on what percentage of complaints submitted are done anonymously.

9. Public Comment

Teresa Merelman asked if the Stipulation and Consent Order from today's hearing is put on the website. Staff confirmed that they are.

Betty McEnaney referenced the approved education list and requested that in the future it include course expiration and whether the course is on-line or classroom.

10. Adjournment

Next Scheduled Meeting – May 25, 2017

Real Estate Education Committee Report

March 23, 2017

Provider/Title	Requested # of Hours	Renewal	Date of Last renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
The CE Shop							
1. Accredited Buyer's Representative Designation Course	12	Yes	3-19-15	8			Denied-see notes
2. Anatomy of Commercial Building	3	Yes	3-26-15	2	Yes	2	
3. Expanding Housing Opportunities	3	Yes	3-19-15	2			Denied-see notes
4. Generation Buy	6	Yes	3-26-15	4			Denied-see notes
5. Residential Property Management Essentials	4	Yes	4-23-15	2	Yes	2	
6. The Fundamentals of Commercial Real Estate	3	Yes	4-23-15	2	Yes	2	See notes
7. Home Sweet (Second) Home: Vacation, Investment, Luxury Properties	6	Yes	3-26-15	4			Denied-see notes
8. Short Sales & Foreclosures: What Real Estate Professionals Need to Know	6	Yes	3-26-15	4			Denied-see notes
9. Seller Representative Specialist (SRS) Designation Course	12	Yes	3-26-15	8			Denied-see notes
McKissock							
10. How is the Legalization of Marijuana Affecting the Real Estate Market	2	Yes	1-5-15	2	Yes	2	Instructor approval only Course already approved on 2-23-17
11. The Power of Exchange: Discover the Value of 1031 Tax-Deferred Exchanges	2	Yes	4-23-17	2	Yes	2	
12. The Secrets of Residential Investing	4	No			Yes	3	
13. What Everyone Should Know About Their Credit History	2	No			Yes	2	

OnCourse Learning dba Career Webschool							
14. Real Estate Math	2	Yes	6-1-15	2			Tabled-see notes
15. Principles of Commercial Real Estate	2	Yes	6-1-15	2			Tabled-see notes
16. Ethics in Real Estate	4	No					Tabled-see notes
17. Tax Free Exchanges	3	Yes	6-20-15	3			Tabled-see notes
18. ADA & Fair Housing	3	Yes	6-20-15	3			Tabled-see notes
19. Pricing Property to Sell	4	Yes	6-20-15	4			Tabled-see notes
20. Prequalifying Your Buyer in Today's Market	3	Yes	6-20-15	3			Tabled-see notes
21. Environmental Hazards Disclosures	3	Yes	6-1-15	2			Tabled-see notes
Servpro Industries							
22. Understanding Mold in the Restoration Industry (2017)	3	No			Yes	3	
Vermont Realtors							
23. FHA/VA/USDA for Real Estate Agents & Appraisers	3	No			Yes	3	See notes
24. Selling & Valuing Energy Efficient Residential Properties for Real Estate Agents & Brokers	8	No					Pulled at provider's request
NH Association of Realtors							
25. Green Symposium	5	No			Yes	5	

Notes:

Courses 1,3,4,7,8&9: Denied. The on-line content was not available for reviewers to move through freely without completing one section in order to move onto the next. The provider has been contacted. See application requirements.

Courses 6: Also approved for 2 hours of post licensure education

Courses 10: Instructor also approved

Courses 14-21: Tabled because the on-line content was not available. The login information provided did not work for accessing the course material. See application requirements.

Courses 23: Also approved for 2 hours of post licensure education

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