

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

**Real Estate Commission**

**Minutes**

**October 27, 2011**

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

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

**Public members Present:** Liz Merrill, Teresa Merelman, Rosemary Gingue, Ron Sanville, Randy Mayhew, A. Daniels and Wenda Bird

**1. 8:30 - Education Committee**

Committee reviewed all education; the list is attached. They also began the process of updating the Education Policy and will continue this until it has been completed.

**2. 9:30 - Full Commission meeting - Call to Order at 9:32 a.m.**

**3. Approved September 22, 2011 minutes as amended**

**4. 10:00 a.m. Budget –** Chris Winters gave a summary of the budget, which will be done on a yearly basis, and let the Commission know that he believes the budget is in good shape and there is no need for change at this time.

**5. Scheduled Licensing/Disciplinary Matters:**

- a. **10:15 a.m.** - 2010-385 – Kristen Ziter Taylor – Stipulation and Consent Order – S. Lauren Hibbert, prosecuting attorney was present and presented the Stipulation and Consent Order to the Commission. A motion was made to accept the order and the motion was seconded. There was an addition motion to go into deliberative session. At the conclusion of the deliberative session the vote was 5 to 1 against the motion. The Stipulation and Consent Order was rejected.
- b. **10:30 a.m.** - 2010-482 – Virginia Roth – Stipulation and Consent Order - S. Lauren Hibbert, prosecuting attorney was present and presented the Stipulation and Consent Order to the Commission. A motion was made to reject the order and the motion was seconded. There was a motion to go into deliberative session. At the conclusion of the deliberative session the motion was approved and the Stipulation and Consent was rejected. All were in favor.
- c. **10:45 a.m.** – 2010-734 – Jeffrey Jonas – Stipulation and Consent Order - S. Lauren Hibbert, prosecuting attorney was present and presented the Stipulation and Consent Order to the Commission. A motion was made to reject the order and the motion was seconded. There was a motion to go into deliberative session. At the conclusion of the deliberative session the motion was rejected 1 to 6. There was another motion to accept the Stipulation and Consent order, this was seconded and the motion was approved 6 for and 1 against.

**6. Concluded Reports: None**

**7. Discussion Items:**

- a. Chair's comments – Maretta Hostetler gave a report on the ARELLO meeting and what she learned from the meeting. The following is a short list of the topics Maretta covered:
  - Ideas for the next mandatory course
  - She and Terry met with several testing providers
  - All states are concerned with broker's supervision
  - Short sales and some of the scams that are out there
  - Policy and Procedure manuals that are mandatory with some brokers applications, in other states.
- b. Status of unprofessional cases was given by Carla Preston. There are 127 open cases as of today. Seventy (70) are pending I-Teams, 15 are in the intake process, 13 are ready for closing reports, 16 are under investigation and 13 are either charged or ready to be charged.
- c. Audit/Inspection of out of state firms still needs more investigation on how to proceed. This is something that Colin will review and come back with a recommendation to the Commission at the next meeting.
- d. Application of inspectors – Terry Gray handed out all of the applications to the Commission for review. The Commission members will review all of the applications and come back next month with their recommendations.
- e. Online Continuing education – Mandatory course – Tabled until next meeting.
- f. New testing service and mandate questions – Terry Gray discussed having a committee to get the state exam questions ready for review by the Commission and the testing service. This will then be emailed to all Commission members for their input.
- g. Presentations
  - 1:00 p.m.** – AMP (webinar) gave a webinar to show the Commission members what they could provide to the state for an examination and the services they provide.

**8. Ongoing discussions –**

- a. Rules working group update – Elizabeth Wilkel gave an update on the rules. At this time the committee is meeting every two weeks. They are in the process of cleaning up some of the language and are in the beginning stages of compiling a survey for review by the committee.

**9. FYI:**

**10. Public Comment:**

**11. Next Scheduled Meeting: November 17, 2011**

**12. Adjournment**

# **Real Estate Education Committee**

**Courses for review**

**October 27, 2011**

## **Thomas F. Heilmann/Heilmann, Ekman & Associates, Inc.**

From Listing to Closing – Real Estate Licensee’s Responsibilities to the Client, the Public & the Customer for 2 hours – **approved**

## **National Association of Realtors (Individual Request)**

EPRO Certification for 12 hours – **approved for 6 hours**

## **Continuing Ed Express LLC**

Managing the Risks of Using Your Home or Car For Business for 2 hours – **approved**

## **Cabela’s Trophy Properties (individual request)**

Land 101 – ALC Realtors Land Institute for 16 hours – **approved for 6 hours**

## **McKissock, LP**

Real Estate Ethics & Standards of Professional Conduct for 3 hours – **approved** - Name has been changed to Code of Ethics see email from December 6, 2011 attached to file.

Fair Housing for 4 hours – **approved**

## **Vermont Association of Realtors**

New NAR code of Ethics instructor – **approved**

New Instructor for pre-licensing course – **approved**

Vermont Residential Building Energy Standards (RBES) for 2 hours – **approved**

BPO’s: The Agent’s Role in the Valuation Process for 6 hours – **approved**

Vermont Law Day 2011 for 4 hours – **approved**

## **Quality Workshops**

2012 Mandatory Course for 4 hours – **Tabled**