

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
May 26, 2016 – 9:30 AM

Commission Members and Staff Present: David Raphael, Wendy Beach, Gloria Rice, Joyce Cameron, Mikail Stein, Donna Murray, Larry Novins and Judith Griffen **Public Members Present:** Teresa Merelman, Helen Hossley, Randy Mayhew, Betty McEnaney, Nicole Senecal, Jan Lawson, Kendall McCausland, Ed Izzo, Liz Merrill and Justin Rice

1. 8:30 Education Committee

2. 9:30 Commission Meeting

The Commission introduced and welcomed Tara Grenier, Tara is the new Licensing Administrator for OPR.

3. Approved March 24, 2016 Minutes

4. 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 as presented. The motion passed.

5. Case Manager's Report

There are fifty-one (51) open cases. Eight (8) are pending I-Team meetings, nineteen (19) are under investigation, fourteen (14) are pending charges, six (6) are pending closing reports, one (1) is scheduled for hearing, one (1) is on hold and two (2) are new and in the intake process.

Number of Active Licensees as of May 19, 2016

Brokers:	909
Salespersons:	460 active 689 still pending renewal
Brokerage Firms - Main Offices:	445
Brokerage Firms - Branch Offices:	67

The Commission noted the drop in brokerage firms and brokers. It was noted that some of the drop could be attributed to people going back to a salesperson license. There was a discussion that the Commission should work with staff to make sure that we don't have licensees renewing one license and not the other, like their broker's license and not their brokerage firm. It was also noted that this is the first renewal with sole proprietors renewing with a fee.

There was a question from a public member about the new hearing process and the perceived lack of hearings. The Commission noted that there have not been very many cases that have come before them recently and reminded those in attendance that even cases heard by an ALO still come before the Commission for a vote.

6. Old Business:

a. ARELLO District 1 and Mid-Year Meeting

Commissioner Raphael reported that the ARELLO meeting was well attended and informational. He noted that the Law and Regulation Committee continues to track the impact of the North Carolina Dental Board supreme court case. He also noted that the Committee began discussing license portability and the concept of single licensure.

b. 2016 Goals and Initiatives

The Commission had a brief discussion and noted that there were several updates on the agenda pertaining to the list. Commissioner Stein noted that he has some research to share on license reciprocity and that he is continuing to look into the topic.

c. Education Workgroup (Commissioner Beach)

Commissioner Beach updated the Commission on the last meeting held in March and noted that the workgroup is getting together after the full Commission meeting. They intend to finalize changes to the education submission forms as well as discuss content for the next mandatory course.

d. Signs

On Tuesday March 29th, Commissioner Raphael met with Toni May, John Kessler, and John LaBarge in Montpelier to discuss the state statutes relating to signs, the Travel Information Council, and the Agency of Transportation who in large part have responsibility for enforcement and administration of signs. There was general consensus that historical attempts to change the statutes through the legislative process have been met with resistance. All agreed that many areas of the sign law are dated and in need of clarification and updating. Raphael provided several examples of the challenges seen around the state and discussed how they could be addressed. The meeting ended with consensus that education was the best next step and the Commission discussed the idea of a pamphlet style publication that could be completed in collaboration with the resources at the other agencies. Commissioner Raphael committed to finding out how to move this initiative forward with staff. Commissioner Murray requested that advertising be included in some way.

e. Newsletter (Commissioner Cameron)

Commissioner Cameron presented the Commission with a draft template for a newsletter and discussed topics with the Commission. Several Commissioners stepped forward to offer content. Each Commissioner was requested to submit a brief bio.

f. Post-Licensure Education Audit

After the salesperson renewal is complete, staff will be conducting an audit of all licensees required to complete the eight hours of post-licensure education. Results will be reported back.

g. Communication to Pre-Licensing Providers

An e-mail was sent in April to all pre-licensing education providers reminding them of AMPs new testing outline and providing a link to the documents and resources on the AMP website.

7. New Business:

a. Complaints and Enforcement

Commissioner Raphael asked Commissioners to look at Title 3 as it pertains to complaints and the Commission's role. There was a brief discussion surrounding closing reports and how complaints that are not charged get resolved. Raphael asked each Commissioner to review the statutes and think about their I-Teams and involvement in the enforcement process, noting what they each felt was working and what areas need improvement.

b. ARELLO 2016 Annual Meeting – September 21-25, 2016

The Commissions was reminded that the annual meeting is approaching and Commissioners should review their calendars to see if they can attend.

8. Public Comment

Jan Lawson advocated for having reduced continuing education requirements for licensees who are retired but no longer practicing.

Randy Mayhew asked the Commission to consider having a process for issuing advisory opinions, one that is different than having to ask for a declaratory ruling.

9. Adjournment at 10:40 AM

Next Scheduled Meeting – June 23, 2016

The Education Workgroup met immediately following the full Commission meeting.

**Vermont Real Estate Commission
Education Committee Report
May 26, 2016**

Provider/Title	Requested # of Hours	Renewal ?	Date of Last renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
Lamoille Area Board of Realtors							
1. Fundamentals of Landlord – Tenant Law	7	No			No		Withdrawn
2. Housing Summit: Landlord-Tenant Law and Other Practical Solutions	6	No			4		
Vermont Realtors							
3. Dot Loop Basic Agent Training	2	Yes	3-1-14	6	2/2		2 post-licensure
4. Dot Loop Advanced Agent Training	2	No			2/2		2 post-licensure
5. Mold a Growing Concern	3	No			3/2		2 post-licensure
6. Unethical & Unlawful Use of Social Media	2	No			2/2		2 post-licensure
7. Pricing Strategies for Today's Seller	3	No			3/2		2 post-licensure
Sterling Education Services							
8. Landlord – Tenant Law: Lease Agreements, Defaults & Collections	7	No			4		
American Society of Farm Managers and Rural Appraisers (ASFMRA)							
9. Agricultural Consulting Practices	24	No			No		
10. AG Land Management 1	4	Yes	5-22-14	4	No		
11. AG Land Management 2	6	Yes	5-22-14	4	No		
12. AG Land Management 3	6	Yes	5-22-14	4	No		
13. AG Land Management 4	8	No			No		

Provider/Title	Requested # of Hours	Renewal ?	Date of Last renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
Randy Mayhew School of Real Estate							
14. 40 Hour Prelicensing Course – VT Salesperson	40	Yes	6-12-14	40	40		
15. Vermont Law Study	8	Yes	6-12-14		8/8		4 for CE and 8 for PL
The CE Shop							
16. Attracting Online Consumers: Listings and Syndication	3	No			3		
17. Real Estate Safety Matters: Safe Business – Smart Business	4	No			4		
18. Pricing Strategies: Mastering the CMA	6	No			6		
American Ground Water Trust							
19. Residential Water Wells & Drinking Water	3	No			3		
Curtis Trousdale (individual request)							
20. Real Estate Negotiations Expert (RENE) Certification	12	No			12		
Barbara Trousdale (individual request)	12	No					
21. Real Estate Negotiations Expert (RENE) Certification					12		

Notes:

Courses 3,4,5,6,7 also approved for 2 hours of post-licensure education. Course 6 has a lot of code of ethics content and therefore the Committee felt it met the intent of post-licensure education.

Courses 9 through 13 were denied because the Committee deemed that the content was not relevant to the profession the Commission regulates. Individuals are always invited to submit courses for individual approval and can make the case that a course is relevant to their practice of the profession.