



Real Estate Commission

Office of Professional Regulation, Vermont Secretary of State

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Minutes

Thursday, May 23, 2019

Members Present: Mikail Stein, Paul Harsch, Alex Farrell, Paige Harrington

OPR Staff Present: Gabriel Gilman, Lora Marchand, Lauren Layman, Tara Grenier and Ashley Piro

Others Present: Randy Mayhew, Teresa Merelman, Gordon Miller and Betty McEnany.

1. 9:40 Called to Order

Welcomed new members

2. Changes to the agenda

Mikail Stein moved to have Gabe Gilman run the meeting for this time because all members were new except one member. Alex seconded the motion.

Mikail asked to add the following in the discussion items later. Alex seconded the motion.

- a. Post licensure – already on the agenda (6.b.)
- b. Fee structure – will add to administrative updates
- c. Education approvals – already on the agenda (8)

3. Approved February 28, 2019 minutes

Mikail Stein moved to approve the minutes from February 28, 2019 as written. Paul Harsch seconded the motion. Motioned carried and the minutes are approved as is.

4. Disciplinary Matters

- a. Stipulation and Consent Order – Edward Donovan & American Real Estate Services; Docket Number 2019-13 & 2019-14

Mikail Stein moved to accept the report, adopt the findings of fact and conclusions of law, and order the recommended discipline as set forth in the proposed order. Alex Farrell seconded the motion. The motioned carried.

Paul Harsch motioned to appoint Mikail Stein as authorized temporary board chair to sign the stipulation and consent order. Alex Farrell seconded the motion the motioned carried.

5. Public Comment

- a. Randy Mayhew had two comments. The July 1st changes to unlicensed practice cases civil actions penalty brought to the court has been raised to 5000 and 2500 brought to the commission along with the elimination of the 90 day licensure requirement for brand new salespeople. What does that mean? Do the new salespeople still have this requirement because it is still in the rules? After a very lengthy discussion Alex motioned to have Gabe and Lauren do some more research and send a written legal opinion for clarification for public information. It was seconded by Paul and the motion carried unanimously.

6. Topics for Discussion

- a. Status of Commission membership was given by Lora. The list is updated on the website all positions have been filed except for the broker member and the non- realtor broker member. Looks like they have plenty of brokers interested in filling the broker member position and that should be filled soon. The non-realtor broker is a little harder and they are still working on that.

- b. 90-day salesperson post-licensure coursework was discussed under public comment.
- c. Election of officers will be tabled until a future meeting when all members are present.
- d. Fee structures if passed will be initial individual application 100.00, initial firm application 200.00, individual renewal 240.00 and firm renewal 400.00.

Mikail Stein started a lengthy discussion on communications between the office and the Board. Both are in agreement that there should be more communications.

7. Administrative Updates

8. Education Review

- a. The board would like to bring back the education that was approved between March and May.
- b. McKissock – 2018-2020 Mandatory Course for 4 hours – online course

Mikail Stein motioned to approve the 2018-2020 mandatory course for 4 hours, Paige seconded the motion, the motion carries unanimously.

- c. Fairway Independent Mortgage Company – Reverse Mortgage for Purchase for 2 hours – Classroom

Paul motioned to deny the course as is and let them know if they would like to resubmit with edited power point that does not promote the company they would take another review. Mikail seconded the motion and the motion carried.

9. Other Business – Old Business

- a. Tara gave and updated on the exam test questions and contract. At this time the contract is in the process of being finalized.
- b. Rules discussion tabled to next meeting.

10. Adjourned at 12:10

Click [here](#) to join the meeting remotely

Next Scheduled Meeting – June 27, 2019
Please check the office [website](#) for updates