

**Office of Professional Regulation**  
**Real Estate Commission**  
Corner of State and Main in the City Center  
89 Main Street  
3<sup>rd</sup> Floor  
Montpelier, VT 05602

**Minutes**  
**March 24, 2016**

**Commission Members and Staff Present:** David Raphael, Wendy Beach, Gloria Rice, Joyce Cameron, Mikail Stein, Larry Novins and Judith Griffen. **Commission Members by phone:** Donna Murray. **Public Members Present:** Teresa Merelman, Helen Hossley, Randy Mayhew, Mary Cohen, Kyle Neyer, Betty McEnaney, Nicole Senecal, George Bambara, Ellen Bambara, Lori Holt, Jay Flanagan, Bradley Gardner, Charlotte Gardner, Michael Calcagni, Franklin Cioffi, Justin Rice, Bob Montgomery and Michael Bruschi.

1. **8:30 Education Committee**
2. **9:30 Commission Meeting**
3. **Approved February 25, 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-five (55) open cases. Five (5) are pending I-Team meetings, sixteen (16) are under investigation, fourteen (14) are pending charges, nineteen (19) are pending closing reports and one (1) is scheduled for hearing.

Number of Active Licensees as of March 17, 2016

|                                   |      |
|-----------------------------------|------|
| Brokers:                          | 1131 |
| Salespersons:                     | 1132 |
| Brokerage Firms - Main Offices:   | 485  |
| Brokerage Firms - Branch Offices: | 61   |

The Commission reported that to-date, 536 brokers have renewed their licenses; 285 main offices and 58 branch offices have renewed their brokerage firm registrations. The Commission reminded licensees to avoid waiting until the last day to renew on-line, as any issues that cause a delay could result in a late license renewal.

The Commission had a brief discussion about the post-licensure education for new salespersons. Since the new requirement went into effect July 1, 2015, 83 new salesperson licenses have been issued. There was consensus that auditing these individuals at time of renewal makes the most sense. The Commission directed the Chair to work with staff to discuss how best to audit compliance with the new requirement for 8 hours of post-licensure education in the first 90 days of licensure.

## 6. Closing Reports:

The following reports of concluded investigations were presented by I-Team members:

- a. 2014-531 - approved
- b. 2015-323, 2015-324 – approved
- c. 2015-350, 2015-351 – approved
- d. 2015-371, 2015-372 – approved
- e. 2015-373, 2015-374, 2015-532 – approved
- f. 2015-384 – approved
- g. 2015-408, 2015-409 – approved

## 7. Old Business:

- a. ARELLO District 1 and Mid-Year Meeting

Commissioner Raphael will be attending the meetings in April and will report back at the May meeting.

- b. AMP Salesperson and Broker Cut Score Study

AMP was informed of the Commission’s February vote to adopt the recommendations of the Salesperson and Broker Cut Score Study. No further action is required.

- c. Education Workgroup

Commissioner Beach reported that the newly formed Education Workgroup met at the conclusion of the February meeting. Work has begun on modifying the forms providers use to submit and deliver courses. The workgroup was also provided copies of documentation from ARELLO and its distance education certification process. The workgroup is scheduled to meet after the March meeting to continue its work.

- d. 2016 Goals and Initiatives

The Commission reviewed the final draft of the 2016 Goals and Initiatives and acknowledged that the items were not currently in priority order. It was noted to change the word “Admissions” to “Omissions”. There was a motion to adopt the 2016 Goals and Initiatives. The motion passed.

## 8 New Business:

- a. Signs

Commissioner Raphael reported that a meeting with individuals from the Agency of Transportation and Travel Information Council has been scheduled for Tuesday, March 29<sup>th</sup>, at 10:00 AM at the National Life building and invited Commissioners to participate. He noted that he has reached out to Lauren Hibbert in enforcement to request her participation as well. Raphael stated that the goals of the meeting were to discuss open questions surrounding the sign law, enforcement, and to gauge the level of willingness to make changes to the sign law as it relates to real estate. Raphael indicated that he hoped the work would result in a marketing type piece from the Commission that would educate licensees and help with compliance.

- b. Craigslist Scams

The Commission discussed the reappearance of an old scam where someone data scrapes a licensee’s property, listing information on a home for sale and putting it on Craigslist as a home available for rent, when in fact it is

not. These homes can be owner occupied or sometimes vacant. The unsuspecting “tenant” is instructed to wire funds to the purported “property owner” and told keys will be mailed. In the end, the “tenant” learns that it is a scam to get money and the property is not in fact a legitimate rental. Commissioner Stein indicated that there was a recent news story about this happening in Brattleboro. The Attorney General’s office has a warning on their site, but has indicated that they are not able to investigate or pursue these cases. The FBI has internet crimes reporting, but also lacks the resources to track down the offenders, who often use untraceable methods of communication. Licensees were reminded to be vigilant in reviewing Craigslist and flagging fraudulent listings. A member of the public also warned that similar cases are occurring with Air BnB.

c. Newsletter

As a result of the February meeting requesting questions on Designated Agency, Commissioner Cameron received an e-mail with a suggested list of FAQs. The Commission discussed that a newsletter was the most appropriate way to communicate with licensees. Teresa Merelman and Betty McEnaney echoed that licensees are wanting more communication and requested that the newsletter be developed. Commissioner Cameron agreed to work with the Commission on the content and development of the newsletter.

**9. Public Comment**

Charlotte Gardner asked if the 8 hours of post-licensure education could be used toward the 16 hours required for a salesperson renewal. The Commission answered no, indicating that the 8 hours of post-licensure education was in addition to the 16 hours of required continuing education credit.

Randy Mayhew noted that licensees were wondering if they took an approved four-hour course and only used two hours toward the post-licensure education, would the other two hours be available toward the continuing education requirement. The Commission indicated no, the course taken had to be used for one or the other.

Lori Holt requested that if the Commission were to send an e-mail with a link to the newsletter, that it also consider having a link on the Commission’s website. She noted that with all of the dangerous links out there, some people will want to get to the content through the website. Betty McEnaney also requested that the “sender” be something that was more user friendly, like “Real Estate Commission”.

George Bambara asked if the Commission tracks who takes on-line versus in-person continuing education, noting that he felt the on-line courses were lighter and less effective. The Commission does not currently track this.

**10. Adjournment – 10:30 a.m.**

**Next Scheduled Meeting – April 28, 2016**

**Vermont Real Estate Commission  
Education Committee Report  
March 24, 2016**

| Provider/Title  | Requested # of Hours | Renewal ? | Date of Last renewal | Previously Approved Hours | Approved | Approved # of Hours | Comments  |
|---|----------------------|-----------|----------------------|---------------------------|----------|---------------------|-----------|
| <b>Lamoille Area Board of Realtors</b>                                      |                      |           |                      |                           |          |                     |           |
| 1. Land Surveying Overview for Realtors                                     | 2                    | No        |                      |                           | Yes      | 2                   | See notes |
| <b>Vermont Realtors</b>   |                      |           |                      |                           |          |                     |           |
| 2. Methods of Effective Marketing for Commercial Agents                     | 8                    | No        |                      |                           | Yes      | 6                   |           |
| <b>Individual request (Barbara Trousdale)</b>                               |                      |           |                      |                           |          |                     |           |
| 3. Certified Luxury Home Marketing Specialist                               | 16                   | No        |                      |                           |          | 10                  |           |
| <b>Individual request (Curtis Trousdale)</b>                                |                      |           |                      |                           |          |                     |           |
| 4. Certified Luxury Home Marketing Specialist                               | 16                   | No        |                      |                           |          | 10                  |           |
| <b>Northwestern Vermont Board of Realtors</b>                               |                      |           |                      |                           |          |                     |           |
| 5. Consumer Centric Negotiating   | 3                    | No        |                      |                           |          | 3                   | See notes |
| <b>CE Institute</b>   |                      |           |                      |                           |          |                     |           |
| 6. Tia Poalino as an instructor   |                      | n/a       |                      |                           |          |                     | Approved  |
| <b>The CE Shop</b>  |                      |           |                      |                           |          |                     |           |
| 7. Enhance Your Brand & Protect Your Clients with Data Privacy and Security | 3                    | Yes       | 07-28-14             | 2                         |          | 2                   |           |
| 8. Seniors Real Estate Specialist (SRES) Designated Course                  | 6                    | Yes       | 05-22-14             | 3 Each Day                |          | 6                   |           |

| Provider/Title                                    | Requested # of Hours | Renewal ? | Date of Last renewal | Previously Approved Hours | Approved | Approved # of Hours | Comments  |
|---|----------------------|-----------|----------------------|---------------------------|----------|---------------------|-----------|
| <b>Individual request</b> (Bridget Gracey)        |                      |           |                      |                           |          |                     |           |
| 9. 14-Hour Correspondence CE                      | 14                   |           |                      |                           |          | 8                   |           |
| <b>McKissock</b>                                  |                      |           |                      |                           |          |                     |           |
| 10. Uncovering The Facts About Mortgage Financing | 3                    | No        |                      |                           |          | 3                   | See notes |

**Notes:**

Courses 1  
Courses 1, 5, and 10

Must remove the words “for Realtors” from the course title  
Also approved for 2 hours of post-licensure education.