

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

**Real Estate Commission
Approved Minutes**

November 19, 2009 – 10:00 a.m.

Location: National Life Building North Fl 3, Montpelier, VT Conference Room 1

Commission Members Present:

**Herb Beggs, Gloria Rice, Maretta Hostetler, Elizabeth Wilkel, Tara Dowden, Claire Porter
Michelle Gosselin,**

Education Members Present:

Liz Merrill and Ernie Begin

Staff Members Present:

Rita Knapp, Kevin Leahy, Judith Griffen,

Public members present:

**Nancy Stead, Ginger La Bombard, Randall Mayhew, Stephen Bousquet, Tess Kennedy, Bonnie
Blade, David Raphael, Katherine Momsen, Pall Spera, Bob Hill**

- 1. 9:00 Education Committee**
- 2. 10:00 Full Commission meeting – Called to Order at 10:00 a.m.**
- 3. Approved September 24, 2009 minutes:**
- 4. Chair's Comments:**
 - Maretta reported on ARELLO's Regional and National meetings**
 - Issues regarding "Buyer Agents" were mentioned and will be discussed later in detail.**
 - Code of Ethics**
- 5. Administrator's Report: Status of Unprofessional Conduct Cases was discussed. There are 34 open cases in different stages of the process as of today.**
- 6. 10:15 a.m. Pall Spera – There was a discussion on reciprocity agreements. Mainly regarding Florida and Vermont; but because there was not enough information on what Floridas' requirements are and because Vermont does not have authority at this time to have these kinds of agreements it was decided that more information was needed. Pall has offered to look into this further for the Board. This will be on a future agenda for discussion again.**
- 7. Scheduled Licensing/Disciplinary Matters:**
 - 2009-519 – Summary Suspension – Kristy Derobertis – Gregg Meyer the prosecuting attorney was present with Gregory Kelly the Investigative Coordinator to present the Summary Suspension. The Board reviewed the Summary Suspension and voted to approve. All were in favor.**
- 8. Concluded Reports: None**

- 9. Discussion Items:**
- Buyer Broker discussion with Randy Mayhew was a lengthy discussion on the issues at hand and the draft language for the disclosure form. All the information will be put into the next draft and will be on future agendas.
 - Use of the term “Ecobroker” is becoming very popular and being used by salespeople and brokers. There were some growing concerns over this and the fact that it may not be legal to use the term “Ecobroker”. “Ecobroker” is a term that is not prohibited by the Real Estate Commissions laws and rules and this office would have no jurisdiction over the use.
 - There was a lengthy discussion on web advertising and what was considered the thumbnail and what was not. Should the listing agent and company be listed on the thumbnail if it gives any information? These issues were discussed and websites were viewed. It was decided that the thumbnail was not considered to be the same as the data sheet, therefore, if the listing agent and company are not listed on the thumbnail it is not considered unprofessional conduct. The data sheet must have the listing agent and company on the top of the first page or it will be considered unprofessional conduct.
- 10. FYI: None**
- 11. Public Comment:**
- 12. Next Scheduled Meeting: December 17, 2009**
- 13. Adjournment**

Real Estate Education Committee

Courses for review

William Simendinger (individual request)

Hot to be a Super Communicator for 6 hours - **denied**

Friends Conflict Resolution Programs (individual request)

Basic Mediation Program for 24 hours – **approved but for 4 hours**

McKissock, LP

RE Title Insurance: Current Issues for 2 hours - **approved**

Real Estate Ethics and Standards of Professional Conduct for 3 hours - **approved**

Contract Law for 2 hours – **approved**

Real Estate & Related Investments in IRA's & Qualified Plans for 3 hours - **denied**

Fair Housing for 2 hours - **approved**

Tax Advantage of Home Ownership for 2 hours - **approved**

Risk Management for 2 hours - **approved**

Agency Law for 4 hours – **approved**

Loan Types and Instruments of Finance for 3 hours - **approved**

Buyer Agency for 4 hours – **approved**

Highlights of Real Property Law for 6 hours – **approved but for 4 hours**

A Concise Guide to Real Estate Taxes for 4 hours – **approved**

Environmental Pollution & Mold for 2 hours – **approved**

RESPA for 2 hours – **approved**

Taxation of Real Estate Capital Gain for 2 hours – **approved**

National Association of Home Builders (individual request)

Green Building for Building Professionals for 16 hours – **approved but for 4 hours**

Business Management for Building Professionals for 8 hours – **denied**

Bill Morgan Real Estate Academy (individual request)

Brokerage Relationship Chapter 93A for 12 hours – **approved for 5 hours**

Manfred Real Estate Learning Center (individual request)

Code of Ethics for 4 hours – **denied**

Continuing Ed Express.com

Managing the Risks of Using Your Home or Car for Business for 4 hours – **approved but for 2 hours**

The Essential Real Estate Marketing Guide for 4 hours – **denied**

How to Resolve Real Estate Transaction Disputes for 4 hours – **denied**

The CE Shop

Accredited Staging Professional (ASP) for 6 hours – **denied**

VAR

Vermont Law Day for 6 hours – **approved**