

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

September 25, 2014 – 9:15 AM

Commission Members and Staff Present: Joyce Cameron, Claire Porter, Gloria Rice, Maretta Hostetler, Michelle Gosselin, David Raphael, Mark Thibeault, Colin Benjamin and Judith Griffen **Public members Present:** Randy Mayhew, Betty McEnaney, Liz Merrill, Mike McCarthy and Stephen Bousquet.

1. **8:30 Education Committee**
2. **9:15 Commission Meeting - Call to Order at 9:15**
3. **9:20 Approved August 28, 2014 minutes**
4. **9:20 Chris Winters – Budget**

Director Chris Winters presented the 2015 Real Estate Commission Budget. Last year the Commission voted to increase licensure fees because projections were showing a decrease in the contingency fund balance. This year's projections are in the acceptable range and the Director feels comfortable that no further increases will be needed at this time. The Director informed the Commission that he is working on tying the budget to measureable outcomes and the ability to have concrete measures of success and would like to come back to the Commission to continue discussions on how to move, in part, toward performance based budgeting. The Commission and Director agreed to continue these discussions at a future meeting.

5. **9:30 Case Manager's Report**

Carla Preston was not available and had provided the Commission with the following case statuses. There are seventy-five (75) open cases at this time. Eighteen (18) have been recommended for closing, nine (9) are pending I-Team meetings, five (5) are on hold, nineteen (19) are under investigation, fifteen (15) are pending charges, two (2) are in the intake process and seven (7) have charges filed.

Number of Active Licensees as of September 17, 2014

Brokers:	1014
Salespersons:	1031
Brokerage Firms - Main Offices:	546
Brokerage Firms - Branch Offices:	73

6. **10:00 Old Business:**

a. Agency Workgroup update – Raphael reminded the Commission that there will be a public meeting on October 23, 2014 on the draft Administrative Rules for all licensees and any interested parties. The Office has arranged to have a webinar available so that all licensees can participate, even those that cannot attend in person.. The e-mail notice went out less than 24 hours ago and already there are 21 individuals signed up. Raphael has also advised that there are many individual coming to the meeting and it may be standing room only.

b. Inspectors and sign/advertising violations – Raphael reported this was discussed with the Director to make sure the inspector contracts allowed the inspectors to address violations for licensees who are not following the sign and advertising rules. Liz Merrill was present and wanted to make sure that the inspectors have a clear understanding, by way of forms, on how this process would be done and what their responsibilities are. This is something the Commission will work on before administering.

- c. Licensure renewal and letter to brokers – Raphael explained that this was still in process.
- d. Filling open inspector position – Raphael explained they are still working on this and that Peter Comart will be completing a list of individuals to go to the Commission for further review.
- e. 2014 Calendar, Initiatives, and Priorities
 - Agency changes and corresponding statute/rule changes is ongoing
 - Creation of a ticket process for minor administrative rule violations is ongoing
 - Education policy revisions is on the agenda under new business.
 - Review of all application and forms is ongoing but most have been updated and added to the web. Judith and David will now start working on the education forms.
 - Creation of an attendance and communication policy for Board Members is ongoing.

7. 10:15 New Business:

a. Education Policy discussion

There was a lengthy discussion on Commissioner Thibeault's proposed changes to the education policy, resulting from previous discussions. The Commission talked about the ability to assess a fee for education course submission and the possibility of delegating course review to a sub-contractor. The Education Committee members agreed that review of the courses was time consuming. The Commission agreed to table adoption of the policy and move the discussion as a priority for next year's initiatives.

b. ARELLO 2014 Annual Conference report

Commissioners Hostetler and Raphael reported on their attendance at the conference and provided materials they brought back from different sessions. Hostetler was particularly impressed with one on material facts and misrepresentation. The Commission will be provided an electronic copy of the handout from that session. Both agreed that this year's conference was better than last year's.

c. 2015 Calendar, Initiatives, and Priorities

Raphael urged the Commission to begin planning for 2015 and asked the Commission if they would consider a planning retreat to set goals and initiatives for the following year. The Commission agreed and thought tying it to the OPR retreat would make the most sense.

d. Advertising video

The Commission was shown a video that the Idaho Real Estate Commission prepared on advertising and how to avoid violations.

8. 11:00 Election of Officers

There was a motion to nominate the current slate of offices as is. The motion was seconded. All present were in favor. The motion passed. It will remain David Raphael as Chair, Maretta Hostetler as Vice Chair and Gloria Rice as Secretary.

9. Public Comment

9. Adjournment

Next Scheduled Meeting – October 23, 2014

****NOTE: October 23, 2014 @ 12:00 Noon there will be a meeting on the DRAFT proposed changes to the Administrative Rules relating to agency and other amendments from recent statute changes. Licensees are encouraged to either attend in person, attend via a hosted web meeting, or send in written comments. More information is available at www.vtprofessionals.org**
The "Agency Workgroup" will hold its next meeting following the full VREC meeting.

Real Estate Education Committee
Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
Vermont Realtors						
1. Salesperson Pre-Licensing Course	40	Yes	Yes	40		
2. Global Real Estate: Local Market	8	No	Yes	4		
3. Global Real Estate: Transaction Tools	8	No	Yes	4		
4. Europe and International Real Estate	8	No	Yes	4		
5. Asia/Pacific & International Real Estate	8	No	Yes	4		
6. The Americas & International Real Estate	8	No	Yes	4		
Workshops for Modern Real Estate						
7. Salesperson Pre-Licensing Course	40	Yes	Yes	40		Must update to the 19 th edition
The CE shop						
8. Green 100: Real Estate for Sustainable Future	4	Yes	Yes	4		
9. Green 200: The Science of Green Building	4	Yes	Yes	4		
10. Code of Ethics: Good for Your Clients and Your Business	3	No	Yes	3		
11. Did you Serve? Identifying Homebuying Advantages for Veterans	3	No	Yes	2		
Exchange Authority			Yes			
12. EA 101 Basic Tax Deferred Exchanges	2	no	Yes	2		
Vermont Bar Association						
13. Title & Closing Puzzlers	3	No	Yes	3		
Vermont Realtors						
14. Tools & Resources for Working with Farms with Commercial Agricultural Potential	3	No	Yes	3/2		3 hours for Electives 2 hours for Post-licensure
Dennis Powers						
15. Optimizing The Features of Innovia	3	Yes	Yes	3		