

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

October 23, 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:** Betty McEnaney, Helen Hossley, Bruce Bertholon, Sammi Norway and Doug Denison.

1. **8:30 Education Committee**
2. **9:15 Commission Meeting - Call to Order**
3. **9:15 Approval of September 25, 2014 minutes**

The minutes were approved with one correction to the course table. The split hours listed under comments were approved for Dennis Power's "Optimizing The Features of Innovia" and not "Tools & Resources for Working with Farms with Commercial Agriculture Potential."

4. **9:20 Case Manager's Report**

Carla Preston provided the Commission with the following case status. There are seventy-three (73) open cases at this time. Sixteen (16) have been recommended for closing, fourteen (14) are pending I-Team meetings, five (5) are on hold, sixteen (16) are under investigation, fifteen (15) are pending charges, one (1) is pending hearing and six (6) have charges filed.

Number of Active Licensees as of October 15, 2014

Brokers:	1016
Salespersons:	1030
Brokerage Firms - Main Offices:	548
Brokerage Firms - Branch Offices:	74

5. **9:30 Closing Reports**
 - a. 2014- 113, 2014-114 and 2014-115 - approved
 - b. 2014-298 – approved
 - c. 2014-357 and 2014-358 – approved

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

a. Agency Workgroup update

Colin Benjamin talked to the Commission about the public hearing occurring at noon. He walked the Commission through the process and ways to engage with participants. The Commission agreed that when receiving testimony, they would like individuals to include what states they are licensed in and the size of their firms.

b. Inspectors and sign/advertising violations

Commissioner Raphael provided an update that he was meeting with Carla Preston and Gabe Gilman to get agreement on the process and workflow for inspectors to begin issuing sign and advertising notices of violation. The goal is to pilot the approach with one inspector in the near future.

c. Licensure renewal and letter to brokers

The Commission agreed to remove this from the list. A discussion concluded that the Commission was working with the office and our processes to make sure that situations are not created where one license or registration is renewed and another is not.

d. Filling open inspector position

The Commission will be adding this to an upcoming meeting to hold interviews.

e. 2014 Calendar, Initiatives, and Priorities

A brief update was provided on the initiatives below, each sited as ongoing and in progress.

- Agency changes and corresponding statute/rule changes
- Creation of a ticket process for minor administrative rule violations
- Education policy revisions
- Review of all application and forms
- Creation of an attendance and communication policy for Board Members

f. 2015 Budget and Performance Metrics

Director Winters appeared before the Commission to continue the discussion on the 2015 budget and looking at ways to provide performance metrics. A general discussion occurred revolving around what types of metrics the Commission would find helpful in measuring performance. The Director provided sample handouts of licensing application metrics. The Commission talked about being able to measure the volume of calls and e-mails the office handles. A discussion also focused on tracking types of complaints by category to allow the Commission to focus its education and rule making efforts.

The Commission updated the Director on recent discussion about how it handles education and approval of courses and its desire to move away from an education committee and to a resource dedicated to reviewing courses. The Commission felt that by charging a course submission fee, a resource could be funded. The Director supported the idea and asked the Commission to provide something for the fee bill along with a summary of the justification and benefits. The Commission also agreed that it would move to approve courses for four years instead of two.

g. 2015 Calendar, Initiatives, and Priorities

The Commission agreed to hold a planning session at the next meeting. Colin Benjamin encouraged the Commission to keep the sessions open to the public.

7. 10:30 New Business:

A motion was made and seconded to establish a \$100.00 fee per course, to be charged to education providers, for courses submitted for Commission approval and that this be sent to the Director for inclusion in the 2015 fee bill. The motion passed.

Commissioner Raphael informed the Commission that he was elected to another term on the ARELLO Board of Directors and will be serving as Vice-Chair of the Law and Regulation Committee. He encouraged Commissioners to consider attending the 2015 annual meeting in Washington, DC in September.

8. Public Comment

9. Adjourned at 10:30

Next Scheduled Meeting –November 20, 2014

Real Estate Education Committee
Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
Quality Workshops						
1. Buyer Representation	4	Yes	Yes	4		4 hours for Electives 2 hours for Post-licensure
2. Environmental Issues	4	Yes	Yes	4		
3. Intro to Commercial Real Estate	4	Yes	Yes	4		
4. Fair Housing	4	Yes	Yes	4		4 hours for Electives 2 hours for Post-licensure
5. Real Estate and Finance Today	4	Yes	Yes	4		
6. Red Flags	4	Yes	Yes	4		4 hours for Electives 2 hours for Post-licensure
7. Risk Management	4	Yes	Yes	4		
8. Understanding 1030 Tax-Free Exchanges	4	Yes	Yes	4		
The CE shop						
9. Uncles Sam has Home for Sale: Listing & Selling HUD Homes	3	No	Yes	2		Approved for less hours
InterNACHI, The International Assoc. of Certified Home Inspectors						
10. Home Energy Efficiency for Real Estate Professionals	4	No	Yes	4		
Vermont Realtors						
11 Code of Ethics	2.5	No	Yes	2		Approved for less hours Continuing education
11. Code of Ethics	2	No	Yes	2		Post Licensure
12. Instructor approval only Rhonda Evey-Lentini			Yes			Instructor approval only

The Education Committee agreed that Fair Housing should be included in the post-licensure education list of offerings and that any other already approved Fair Housing courses should be granted the 2 hours of post-licensure education credit.

The Education Committee agreed that any provider offering the on-line NAR version of the code of ethics qualifies for granting the approved 2 hours of continuing and post-licensure education credits.