

**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**

**October 24, 2013 – 9:15 AM**

**Commission Members and Staff Present:** Gloria Rice, Claire Porter, David Raphael, Maretta Hostetler, Elizabeth Merrill ad hoc, Colin Benjamin, Judith Griffen and Peter Comart

**Commission members absent:** Mark Thibeault, Thomas Prindiville and Michelle Gosselin

**Public members Present:** David Alexander, Stephen Bousquet, Isaac Chavez, Teresa Merelman, Donna Cusson, Annemarie Daniels, Betty McEnaney and Randy Mayhew

1. **8:30 - Education Committee**
2. **9:15 - Full Commission Meeting – Called to Order at 9:32 a.m.**
3. **Approved September 26, 2013 minutes**
4. **Case Manager's Report – C. Preston**

There are eighty-two (82) open cases at this time. Fourteen (14) have been recommended for closing, twenty-eight (28) are pending I-Team meetings, five (5) are in the intake process, twenty-one (21) are under investigation, six (6) are pending charges, three (3) are pending hearings and five (5) of them have charges filed.
5. **Closing Reports**

The following closing reports were presented and discussed and voted to be accepted by the Commission. In cases where the Investigative Team member was present, they recused themselves from the Commission vote.

  - a. 2012-498, 2012-499, 2012-500
  - b. 2013-93, 2013-94
  - c. 2013-191, 2013-192, 2013-193
  - d. 2012-555, 2012-556
6. **Old Business:**
  - a. Colin Benjamin handed out a draft copy of the new OPR Bill for the Commission to review and bring back to the next meeting for discussion. Several members of the public offered comment on the Commission's discussion surrounding post licensure education. The Commission requested that Benjamin add in enabling language which would allow the Commission to address post licensure education in rule making.
  - b. Brokerage Firm Registered Name was briefly discussed. Everything seems to be on track and going smoothly.
  - c. Agency Workgroup update was given by David Raphael. The assignment from the last meeting was for David and Randy to propose enabling language for other forms of agency that could be discussed at today's Workgroup meeting. He reminded everyone that the meeting are open to the public.

**7. New Business:**

- a. Real Estate Commission Budget was discussed with Chris Winters. After review of the budget projections it appears that the fund balance is declining and may reach a deficit in the future so the Director has suggested a fee increase for the profession. There were several scenarios given to the Commission for consideration, varying the increase between licensees and brokerage firms. A motion was made and seconded to increase the fee for an individual's license from \$175.00 to \$200.00 and increase the brokerage firm main office and branch office registrations from 75.00 to 200.00. The motion passed with Mareta Hostetler abstaining.
- b. 26 V.S.A. § 2293 Renewal of License was discussed at length and it is the Commission's intention to avoid deviating from the continuing education credit needed for first time renewals. All first time licensees will be required to have the entire 16 hours of credit for the first renewal unless they fall within the 90 day window. A motion was made and seconded to require that all licensees who renew after 90 days of licensure be required to complete sixteen hours of continuing education, including the four hour mandatory course. The motion passed.

**8. Disciplinary Action – Hearings/Dismissals/Stipulations:**

- a. 2012-37 and 2012-38 – Paul Harsch III and Harsch Properties – Notice of Dismissal
- b. 2012-594 and 2012-595 - Altrui Realty and Peter Altrui – Stipulation and Consent Order - A motion was made and seconded to approve the Stipulation and Consent order with minor clerical changes. The motion passed with one abstention.
- c. 2009-490 and M2011-134 – James Chamberlin – Request for Removal of Conditions - A motion was made and seconded to approve the Removal of Conditions. The motion passed with one abstention.

**9. Public Comment**

Teresa Merelman spoke to the Commission regarding the frustration level of the licensees unable to attend the Commission meeting due to parking issues. Peter Comart will look into some solutions and bring that back to the board at the next meeting.

**10. Adjourned at 11:43 a.m.**

**Next Scheduled Meeting – November 14, 2013**

The "Agency Workgroup" will hold its meeting after the full Real Estate Commission meeting adjourns.

