

**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**  
**November 20, 2014 – 9:15 AM**

**Commission Members and Staff Present:** Joyce Cameron, Claire Porter, Gloria Rice, Maretta Hostetler, Michelle Gosselin, David Raphael and Judith Griffen **Absent:** Mark Thibeault **Public members Present:** Dennis Brown, Elizabeth Merrill and Lori Holt. Randy Mayhew came in toward the end of the meeting.

1.     **8:30     Education Committee**
2.     **9:15     Commission Meeting - Call to Order**
3.     **9:15     Executive Session**

The Commission motioned to go into executive session for the purposes of interviewing for the open inspector position. The motion carried unanimously.

The Commission came out of executive session at 9:40.

There was a motion and second to offer Dennis Brown the position of inspector for the Real Estate Commission. The motion carried unanimously. The Commission will work with staff to prepare Mr. Brown's contract and arrange for training with the Commission's other two inspectors.

4.     **9:40     Approval of October 23, 2014 minutes – approved**
5.     **9:45     Case Manager's Report**

Commissioner Raphael provided the Commission with the following case status update in Carla's absence. There are seventy-one (71) open cases at this time. Fourteen (14) have been recommended for closing, seven (7) are pending I-Team meetings, five (5) are on hold, twenty (20) are under investigation, fifteen (15) are pending charges, seven (7) are pending hearing and three (3) are in the intake process.

Number of Active Licensees as of November 13, 2014

Brokers:	1012
Salespersons:	1036
Brokerage Firms - Main Offices:	548
Brokerage Firms - Branch Offices:	75

6.     **9:45     Closing Reports**
  - a. 2013-143, 2013-144 and 2013-341 – approved
  - b. 2014-279, 2014-281 and 2014-282 – approved

7.     **10:00    Old Business:**
  - a. Agency Workgroup updateThe public hearing on October 23 was a success with over ninety participants on the GoToWebinar and almost thirty participants attending in person. The consensus was that there was a majority who supported the draft changes and designated agency. The Commission was asked if there was any reason to change the direction of

the proposed rules and it was agreed there was not. The Workgroup will continue its work by next reviewing the written comments and finalizing the draft language.

b. Inspectors and sign/advertising violations

Commissioner Raphael updated the Commission that he and Liz Merrill met last week and drove around to review possible sign violations in the Chittenden County Area. Gabe Gilman is working on a letter for the inspectors to use as part of the new violation process. Raphael indicated that he intends to provide the Commission with a list of FAQs around signs to assist with the common questions that are likely to arise.

c. Filling open inspector position

This is complete with the decision to bring Dennis Brown on board.

d. 2014 Calendar, Initiatives, and Priorities

- Agency changes and corresponding statute/rule changes
- Creation of a ticket process for minor administrative rule violations (see above)
- ~~- Education policy revisions (This will move into 2015)~~
- ~~- Review of all application and forms~~
- ~~- Creation of an attendance and communication policy for Board Members (This will move into 2015)~~

e. 2015 Budget and Performance Metrics

f. 2015 Calendar, Initiatives, and Priorities

- Education course submission fee

Language has been added to the 2015 OPR fee bill. A brief discussion took place concerning next steps to move toward making the changes to a contracted position to review courses.

**8. 10:15 New Business:**

The Commission asked when the next OPR retreat was scheduled for. Judith reported it is tentatively scheduled for January 23rd at the Three Stallion Inn in Randolph.

**9. Public Comment**

There was a question on whether the Commission would consider a sliding fee scale for course submission. It was explained that the decision was made to keep the fee consistent and easier to administer and that in the end it would be equitable. The point was made that sometimes the shorter two hour courses require as much work as longer ones.

Randy Mayhew informed the Commission that he had some students approach him noting they had not been aware of the 90 day post licensure education rule and wondered what they should do. These new licensees had not taken their required 8 hours of post licensure education. Judith Griffin reminded the Commission that she is telling people that 100% of new licensees are being audited. After a brief discussion, the Commission noted that licensees should immediately inform OPR of the deficiency along with a corrective action plan to cure it.

**10. Adjournment**

**Next Scheduled Meeting –December 18, 2014**

**From 10:30 - 11:30 AM, the Commission held a planning session for 2015 goals and initiatives. Members of the public attended.**

The "Agency Workgroup" held a meeting following the planning session.

# Real Estate Education Committee

## Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
Vermont Realtors						
1. Basic Intro to the Home Inspection Process – Exterior	2	No	Yes	2		For Continuing Education
1. Basic Intro to the Home Inspection Process – Exterior	2	No	Yes	2		Post-License Education
NH Association of Realtors						
2. Protection and Professionalism	3	No	Yes	2		Approved for less hours and approved for 2 hours of post –licensure
The CE Shop						
3. A Brief Introduction to Real Estate Finance	2	Yes	Yes	2		Also approved for post- licensure
4. Advocating for Short Sale Clients	2	Yes	Yes	2		
5. Sign Here: Contract Law on E-Signatures	2	Yes	Yes	2		
Individual Request (Robert Maneely)						
6. Stay Out of Real Estate Jail	3	No	Yes	3		
7. 203 K As A Team Sport	2	No	No	0		
8. Using Pre-Tax Dollars in Real Estate Transactions	3	No	No	0		
9. Working with Buyers – What Have We Agree To?	3	No	Yes	3		
10. Owners Title Insurance	2	No	Yes	2		
11. How CFPB Rules for Lenders will Affect Real Estate Agents & Closings	2	No	No	0		
12. Septic Inspections	2	No	Yes	2		
13. Protecting Your Clients: The Value of Title Insurance	2	No	Yes	2		
The CE shop						
14. Commercial Ethics	3	No	Yes	2		Approved for less hours and approved for 2 hours of post –licensure
15. Military Relocation Professional Certification	6	No	Yes	4		Approved for less hours
McKissock						
16. Basic of Green Building for Real Estate	2	Yes	Yes	2		
17. National Marketing , Negotiations & Closing the Sale	2	Yes	Yes	2		