

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
August 25, 2016

Commission Members and Staff Present: David Raphael, Wendy Beach, Gloria Rice, Joyce Cameron, Mikail Stein, Donna Murray, Larry Novins and Judith Griffen **Others Present:** Teresa Merelman, Helen Hossley, Randy Mayhew and Betty McEnaney

1. **8:30 Education Committee**
2. **9:30 Commission Meeting**
3. **Approved Minutes of July 28, 2016**
4. **Education Committee report**

The Commission reviewed the table of courses and corresponding notes from the Education Committee. A motion was made and seconded to approve the Education Committee Report as presented. The motion passed.

5. **Case Manager's Report**

Number of Active Licensees as of August 18, 2016

Brokers:	923
Salespersons:	970
Brokerage Firms - Main Offices:	458
Brokerage Firms - Branch Offices:	67

There are sixty-seven (67) open cases. Seven (7) are pending I-Team meetings, twenty-three (23) are under investigation, fourteen (14) are pending charges, eleven (11) are pending closing reports, two (2) are scheduled for hearing, two (2) are on hold, six (6) are new and in the intake process and the remaining two (2) cases have charges filed.

6. **Old Business:**

- a. 2016 Goals and Initiatives (review)
- b. Education Workgroup (Commissioner Beach)

Commissioner Beach reported that the next meeting of the workgroup would be after the September 29th meeting.

c. Signs / Advertising

On Commissioner Rice’s request, the Commission was provided the following numbers from Tara Grenier in response to sign and advertising complaint numbers:

Real Estate Commission	SFY 2015	SFY 2016	Total
Total # of Complaints	57	64	121
# re: advertising	0	7	7
# re: sign	4	5	9
Total # Closed	47	24	71
# Closed re: advertising	0	1	1
# Closed re: sign	4	4	8
Total # Disciplined	3	0	3
# Disciplined re: advertising	0	0	0
# Disciplined re: sign	0	0	0
Current # Pending	7	40	47
# Pending re: advertising	0	6	6
# Pending re: sign	0	1	1

Commissioner Raphael suggested, based on last month’s conversation with the Director, that Commissioners visit other jurisdictions websites and see what types of communication and education initiatives are being used.

d. Newsletter (Commissioner Cameron)

Commissioner Cameron reported that she has forwarded a draft of the newsletter to Director Benjamin for his review. She was asked to copy Commissioner Raphael so that he could ensure that other administrators had a chance to review it as well.

Commissioner Stein asked that the Commission revisit the idea of broadcasting meetings over the web, as previously discussed, to increase outreach and communication. There was agreement that this would be a great way for licensees to get involved.

e. Post-Licensure Education Audit

The Commission was updated that out of the 148 licensees audited, the office is down to communicating with seven to confirm compliance. Any licensees who fail to demonstrate compliance by the deadline will be turned over to enforcement for follow-up.

Board Counsel Novins presented the Commission with draft statutory language which could make it easier to address the post-licensure education compliance through the issuance of an initial license that expires after ninety days. A licensee would then have to submit the required course certificates to have their license renewed for the remainder of the biennial licensing period.

The Commission agreed that creating a process to ensure compliance was their end goal and asked Mr. Novins to confer with staff to agree on the best way to handle this.

f. Complaints and Enforcement

There was a brief discussion about closing reports and their role in the I-Team and enforcement process. There was agreement that the act of voting to accept the reports appears to be a process outside of what statute requires. The consensus was that the Commission needs statistical data on complaints, categorization of complaint types, and a high level synopsis of complaint information to drive possible education, administrative rule changes, and statutory changes. Comments from the audience indicate that some education instructors rely on the reports as a teaching tool. The Commission was asked to review the current statutes and be open to thinking of ways to achieve the same goals through a different approach.

g. 2016-2018 Renewal Cycle – Mandatory Course

The final branded version of the 2016-2018 Renewal Cycle – Mandatory Course has been posted to the website and is available.

h. Website Changes Requested at July Meeting

Staff reported that the requested changes on the website to items like the old version of the consumer disclosure and AMP candidate handbook have been either corrected or removed. The Commission thanked Judith for her work on completing this.

7 New Business:

The Commission was informed that due to conference room scheduling conflicts, the September 29th meeting will be next door at the Department of Financial Regulations. Signage will be posted.

8. Public Comment

Randy Mayhew suggested a callout box in the newsletter dedicated for administrative rules that have changed. He also noted that he is hearing of some potential issues arising out of designated agency and wonders if those will come back to the Commission through complaints or court decisions.

9. Adjournment 10:35 AM.

Next Scheduled Meeting – September 29, 2016

**Vermont Real Estate Commission
Education Committee Report
August 25, 2016**

Provider/Title	Requested # of Hours	Renewal ?	Date of Last renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
American Society of Farm Managers and Rural Appraisers							
1. Agricultural Consulting Principles	24	No				8	
Society of Exchange Counselors Education Foundation							
2. Comprehensive Due Diligence	8	No				8 & 2	2 Post-Licensure
Vermont Realtors							
3. Captivating, Classic & Candid: A Review of VT Real Estate Law	8	Yes	5/2014	8	8 & 8		8 Pre-Licensing 8 CE
4. 2016-2018 Renewal Cycle Mandatory Course	4	No			Tabled		

Notes:

At the July 28th meeting, the Committee approved the course “Vermont Shoreland Protection Act” submitted by UVM Lake Sea Grant Program subject to submission of the PowerPoint slides that were not included. The provider submitted the slides for the Committee’s review. The Committee reviewed the material and considers the requirement satisfied.