

**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**

**January 23, 2014 – 9:15 AM**

**Commission Members and Staff Present:** Michelle Gosselin, Gloria Rice, Claire Porter, David Raphael, Marett Hostetler, Mark Thibeault, Joyce Cameron, Judith Griffen, Colin Benjamin and Peter Comart

**Public members Present:** Helen Hossley, Frances Pickel, Lindsay Wade, Mary Cohen, Lori Holt, Karen Harris, Wenda Bird, Betty McEnaney,

1. **Education Committee**
2. **Commission Meeting - Call to Order at 9:24**
3. **David Raphael introduced our new Public Member, Joyce Cameron**
4. **Approved December 20, 2013 minutes**
5. **Case Manager's Report – C. Preston**

Commissioner Raphael indicated that Carla Preston was not available and indicated he would obtain the current case numbers from her and have them added into the meeting minutes.

In an e-mail to Commissioner Raphael, Carla Preston provided the following:

There are eighty-one (81) open cases at this time. Sixteen (16) have been recommended for closing, Seven (7) are pending I-Team meetings, Ten (10) are in the intake process, twenty-two (22) are under investigation, five (5) are pending charges, one (1) is pending hearings, nine (9) have charges filed and eleven (11) are on hold.

**6. Number of Active Licensees**

Commissioner Raphael indicated that beginning with this meeting, he would be providing the Commission with the numbers for active licensees and brokerage firms. He reported the following:

Brokers:	1093
Salespersons:	1114
Brokerage Firms - Main Offices:	641
Brokerage Firms - Branch Offices:	76

**7. Closing Reports:**

- a. 2013-240, 2013-241 – approved
- b. 2013-320, 2013-321 – approved
- c. 2013-382, 2013-383, 2013-384 – approved
- d. 2013-388, 2013-389, 2013-390 - approved
- e. 2013-500, 2013-522, 2013-523 – approved

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

- a. 2013-275 – Thomas Williams – Stipulation and Consent Order  
A motion was made and seconded to approve the Stipulation and Consent Order as presented. The motion passed with one abstention.
- b. 2013-273 – D. William Pratt – Stipulation and Consent Order  
A motion was made and seconded to approve the Stipulation and Consent Order as presented. The motion passed with one abstention.
- c. 2013-271 – Susan Arguin – Stipulation and Consent Order  
A motion was made and seconded to approve the Stipulation and Consent Order as presented. The motion passed with one abstention.

**9. Old Business:**

- a. Agency Workgroup Update was given by Commissioner Raphael. The committee reviewed other states agency language at the last meeting. Randy Mayhew drafted language which will be reviewed at their meeting today.
- b. Office Inspections Update was given by Commissioner Raphael. The office inspections are going well since the start of the program in August of 2012 with 18 inspections completed in 2013 and 47 completed in 2013. The office will be updating the inspection forms and is exploring increasing the number of inspections. Common observations from our inspectors include:
  - Signatures and initials missing on brokerage service agreements and forms
  - Compensation on buyer service agreements missing or vague
  - Lead disclosure forms missing or incomplete
  - Improper renewal of brokerage service agreements either through phone or e-mails
- c. OPR Annual Board Member and Advisor Training went well and the Commission felt it was informative.
- d. 2014 Calendar, Initiatives, and Priorities  
The Commission had a brief discussion on initiatives and priorities for 2014, agreeing to include these as points of discussion on the Commission's monthly agenda. The following statuses were given
  - Home Inspector licensing – waiting on legislature
  - Agency changes and corresponding statute/rule changes – in committee
  - Creation of a ticket process for minor administrative rule violations – in committee
  - Education policy revisions – with the education committee
  - Review of all application and forms – in process
  - Maintenance of a full and complete Commission with no vacancies – completed with new member
  - Creation of an attendance and communication policy for Board Members – in process
  - Mandatory course for next renewal cycle - with the education committee
- e. OPR Bill is now at the legislature and Commissioner Raphael will be testifying in front of the legislature around the first week of February regarding the Real Estate changes. Commissioners asked to be kept apprised of the date in the event they are able to attend.

**10. New Business:**

- a. 2014 Renewal and Letter to Licensees  
Education hours needed for licensees that received their license between June 1, 2013 to September 1, 2013 was discussed. These licensees will only be required to have the 4 hour 2012-2014 Renewal Cycle - Mandatory Course. Any questions regarding renewal requirements should be directed to Judith Griffen at the office.
- b. Redesign of the OPR Website is in process and the Commission will get a chance to see it before it goes live.

**11. Public Comment**

**12. Adjournment**

**Next Scheduled Meeting – February 27, 2014**

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

Additional public members that arrived for the Agency workgroup were AnnMarie Daniels, Randy Mayhew and Isaac Chavez

## Real Estate Education Committee

### Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
<b>Continuing Ed Express LLC</b>						
1. Simple Staging for Quicker Sales	3	Yes	Yes	2		
Short Sales Simplified	3	No	Yes	2		
Rehab for Resale	3	No	Yes	2		
<b>UVM – Lake Champlain Sea Grant Program</b>						
2. Water Resources for Realtors: Stormwater, Flood Resiliency & Con	2.5	No	Yes	2		
<b>Vermont Realtors</b>						
3. So You're an Agent, Now What?	8	No	Yes	4		
4. Keep Your Can Out of Court by Keeping Your Clients & Customers Happy	4	No	Yes	2		
<b>McKissock</b>						
5. Short Sales	3	Yes	Yes	2		
6. What Real Estate Professionals Need to Know About FHA	4	Yes	Yes	2		
<b>The CE Shop</b>						
7. VT Broker & Associate Duties, Responsibilities & Best Practices	4	No	Yes	4		(see below)
<b>Brian Armstrong</b>						
8. Limited Agency – Removing Limitation for Consumers & Agents	3	No	No	0		
<b>First America Title Insurance Company</b>						
9. How CFPB Rules for Lenders will Affect Real Estate Agents & Closings	2	No	Yes	2		
<b>Vermont Realtors</b>						
10. The Eight Critical Steps to Negotiating	3	No	Tabled			Need more content
11. Three Steps to Fair Housing for Brokers	3	No	Yes	2		
12. Digital Security for 2014	3	No	Yes	2		

\*\*\*For course 7. This course is approved pending the name is changed to “2012 – 2014 Renewal Cycle - Mandatory Course” The course provider is also instructed to address the content surrounding the differentiation of brokers into principal, managing, and associate. The committee noted that Vermont does not have differing licensing levels for Brokers and the course should make clear that the differences may exist in title within a brokerage firm, but that in terms of licensing law, there is no differentiation. Vermont does recognize the term principal broker for a main office and broker in charge for a branch office.