

**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
February 25, 2016**

Commission Members and Staff Present: David Raphael, Wendy Beach, Donna Murray, Joyce Cameron, Mikail Stein, Larry Novins and Judith Griffen **Commission Members Absent:** Gloria Rice. **Public Members Present:** Teresa Merelman, Helen Hossley, Randy Rouleau, Bill Kiendl, P. Anthony Blake, Randy Mayhew, Kevin Copeland, Mary Cohen, Matt DePrizio, Fred Buskirk, Timothy Heney, Kyle Neyer, Isaac Chavez, Dennis Brown, Betty McEnaney and Kendall McCausland.

1. 8:30 Education Committee

The Education Committee met and prepared a report of recommended courses and continuing education hours for approval by the full Commission.

2. 9:30 Commission Meeting

3. Approved January 28, 2015 Minutes

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 report as presented. The motion passed.

5. Case Manager's Report

Number of Active Licensees as of February 18, 2016

Brokers:	1025
Salespersons:	1129
Brokerage Firms - Main Offices:	557
Brokerage Firms - Branch Offices:	73

There are fifty-four (54) open cases. Seven (7) are pending I-Team meetings, fifteen (15) are under investigation, twelve (12) are pending charges, nineteen (19) are pending closing reports, and one (1) has charges filed.

6. Disciplinary Matters – Hearings/Dismissals/Stipulations:

a. 2015-88 – Margaret Meyer – Removal of Conditions

Case Manager, Carla Preston, indicated that the licensee and respondent brokerage firm met their obligations by paying the administrative penalty and completing a course in ethics and recommended that the Commission approve the order for the removal of conditions. A motion was made and seconded to approve the order as presented. The motion passed with I-Team member, Commissioner Beach, abstaining.

6. Old Business:

a. ARELLO Mid-Year Meeting April 2016

Commissioners were reminded that the Mid-Year meeting is fast approaching and that District 1 would be collaborating with District 4 to hold a district meeting the first day of the conference.

b. 2016 Planning: Goals and Initiatives

The Commission reviewed the draft 2016 Goals and Initiatives that was developed at the January meeting. There was a brief discussion concerning the grouping of initiatives, agreeing that some items could be in more than one category. Under Sign and Advertising Violations, it was recommended to move the expedited process “to do” under Enforcement. There was consensus that the notions of teams should be considered when developing the FAQs surrounding designated agency.

Commissioner Murray expressed interest in the Signs and Advertising Violations.

Commissioner Beach agreed to lead the Education initiatives.

Commissioner Cameron expressed interest in the Marketing and Communication initiative.

Commissioner Stein expressed interest in the Designated Agency and License Reciprocity initiatives.

The Commission discussed that the 2016-2018 Renewal Cycle Mandatory Course is a priority.

8 New Business:

a. AMP Salesperson and Broker Cut Score Study and Recommendation

The Commission was provided with the National Broker Simulation Exam and National Salesperson Exam Cut Score Study and Recommendations dated January 2016. The Commission’s testing provider, AMP, has requested that the Commission adopt its recommendations or provide its own cut score. After a brief discussion, the Commission agreed that it had no reason to challenge the recommendations.

A motion was made and seconded to adopt the AMP National Broker Simulation Exam and National Salesperson Exam Cut Score Study and Recommendations dated January 2016. The motion passed.

b. Education Workgroup

The Commission discussed its desire to move forward with changes to the education policies and procedures.

A motion was made and seconded to create an Education Workgroup, chaired by Commissioner Beach, for the purpose of reviewing the current education and instructor submission and approval process, creating revisions to the education policies and procedures, and devising a process and timeline to move to a single resource for education approval. The Education Workgroup will bring its recommendations to the full Commission for consideration and adoption. Commissioner Beach is encouraged to seek participation and input from non-Commission members. The motion passed.

c. **Broker Continuing Education**

Commissioner Raphael noted that he was approached by a broker recently who was complaining about the additional 8 hours of required continuing education (CE), claiming that it was a cost burden to licensees and lamenting there are not a lot of courses. Raphael noted that there are in fact a wide-variety of courses on the approved list and individuals are always able to submit other courses for consideration.

Raphael noted that the complaint spurred him to research the cost associated with CE. He reviewed three on-line providers who offer a “package” promotion for licensees to obtain all of their CE. He shared the following:

	Brokers 24hrs	Salesperson 16hrs	Difference
McKissock:	\$169.95	\$115.95	\$54
CE Shop	\$179	\$119	\$60
At Your Pace	\$165	\$115	\$50

The net result is that licensees in the above scenarios would pay a maximum of an extra \$30 a license year for CE. He also noted that he found on-line courses as inexpensive as \$19.95.

The Commission recalled that brokers were who requested that the Commission increase CE requirements. The Commission agreed that a wider variety, including broker specific, educational opportunities are welcomed.

9. Public Comment

Helen Hossley noted that the general FAQs are missing from the site. Judith Griffen indicated that they are being reviewed and updated. The Commission was asked for clarity on license renewal requirements for new licensees coming into this renewal cycle. Judith Griffen indicated that a salesperson licensed before March 1st is required to complete the entire 16 hours of continuing education for this current renewal period as well as the 8 hours of post-licensure education within the first 90 days of licensure. A salesperson licensed after March 1st will be licensed through to 2018 and there are no continuing education requirements. The requirement to fulfill the 8 hours of post-licensure education within the first 90 days of licensure is required. Helen Hossley asked the Commission about their intent to create a broker specific course for renewals.

Teresa Merelman provided positive feedback for the Commission on the on-line renewal process and told the Commission they may want to warn salespersons that they will need to upload their course certificates. Merelman requested that the Commission include the ability to search disciplinary cases by date.

Bill Kiendl asked the Commission for the thinking behind the increased broker continuing education requirements and the possibility of a broker specific course.

10. Adjournment

Next Scheduled Meeting – March 24, 2016

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

Provider/Title	Requested # of Hours	Renewal ?	Date of Last Renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
360Training.com							
1. Contracts	3	Yes	12/20/13	3	Yes	3	See notes
2. Environmental Basics	4	Yes	12/20/13	4	Yes	4	
3. Human Land Use	4	Yes	12/20/13	4	Yes	4	
4. Pricing Property	4	Yes	12/20/13	4	Yes	4	
Continuing Ed Express							
5. Professional Standards & Best Practice	3	No			Yes	3	
6. Serving Senior Homebuyers & Sellers	2	No			Yes	2	
7. Managing Real Estate Risks with Insurance	3	No			Yes	3	
8. History of the American Home Part II	3	No			Yes	3	
9. Buyer Counseling: A Planned Approach	3	No			Tabled	3	See notes
10. Indoor Air Quality: Risks and Remedies	2	Yes	3/27/14	2	Yes	2	
11. Home Inspection Basics	2	Yes	3/27/14	2	Yes	2	See notes
12. Service Dogs, ADA and the Fair Housing Act	2	Yes	3/27/14	2	Yes	2	
13. Resolving Transaction Disputes	2	Yes	2/27/14	2	Yes	2	See notes
Individual Request (Randy Rouleau)							
14. 8 Hr Safe Comprehensive Mortgage Compliance	8	No			Yes	8	
McKissock							
15. Crowd Funding in Real Estate	3	No			Yes	3	
16. Millennials are Changing Real Estate: Are you Ready	4	No			Yes	3	
17. The property Management Primer	3	No			Yes	3	
18. Social Media Marketing: Reaching & Networking the Affluent	3	No			Tabled		See notes
19. Using Retirement Assets to Purchase Real Estate	3	No			Yes	3	

20. Preparing a Listing Agreement: An In-Depth Look	4	No			Tabled		See notes
21. Urbanization and the 18 Hour City	3	No			Yes	2	
Vermont Realtors							
22. EcoBroker: Current Trends in Sustainability	4	No			Yes	4	See notes
23. Realtors Property Resource: Using RPR to Better Serve Buyers and Sellers	2	No			Yes	2	See notes
24. Economic Impact of Walking/Biking	2	No			Yes	2	See notes
Randy Mayhew School of Real Estate							
25. VT Real Estate Practice Changes – 2015	2	No			Yes	2	See notes
26. VT Real Estate Buyer Agency – Basic Course	4	No			Yes	4	See notes
Sterling Education Services							
27. Fundamentals of Landlord-Tenant Law	6	No			Yes	6	

Other Business:

McKissock:

Request to change instructor for course “Liens, Taxes and Foreclosures” to Robert Fleck (resume attached)

The request was approved

Notes:

Course 9: This course was tabled. While a general subject matter course, the content needs to include material on Rule 4.5 and the obligations of providing the mandatory consumer disclosure as well as informing the public of their options for representation and the lack of confidentiality until and unless a brokerage service agreement is entered into. The content also needs to include the specific requirements of Rule 4.10 Buyer Service Agreements. If the applicant resubmits content satisfying these requirements, the Committee will move to approve the course.

Courses 1, 11, 13, 22, 23, 25, & 26: Also approved for 2 hours of post-licensure education.

Course 18: This course was tabled. While a general subject matter course, the content needs to include material on Rule 4.12 Advertising with detailed explanations of a licensee’s obligation to make the brokerage firm’s registered name the largest and most prominent identifier everywhere a licensee uses for communication.

Course 20: This course was tabled. While a general subject matter course, the content needs to include material on Rule 4.5 and the obligations of providing the mandatory consumer disclosure as well as informing the public of their options for representation and the lack of confidentiality

until and unless a brokerage service agreement is entered into. The content also needs to include the specific requirements of Rule 4.9 Seller Service Agreements. If the applicant resubmits content satisfying these requirements, the Committee will move to approve the course.

Course 24: Denied approval for 2 hours of post-licensure education.