

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

July 25, 2013 – 1:00 PM

Commission Members and Staff Present: Gloria Rice, Mark Thibeault, Thomas Prindiville, Claire Porter, David Raphael, Mareta Hostetler, Colin Benjamin and Judith Griffen

Commission members absent: Michelle Gosselin

Public members Present: Teresa Merelman, Helen Hossley, Justin Rice, Kathleen Sweeten, Lori Pinard, Betty McEnaney, Randy Mayhew and Bruce Bertholon

1. **12:30 - Education Committee**
2. **1:00 - Full Commission meeting - Called to Order at 1:01**
3. **1:05 - Approved June 21, 2013 minutes**
4. **1:10 - Case Manager's Report – C. Preston**
There are ninety-nine (99) open cases at this time. Thirty (30) have been recommended for closing, Eleven (11) are pending I-Team, eight (8) are waiting a response, eleven (11) are in the intake process, eighteen (18) are under investigation, six (6) are pending charges, four (4) are pending hearings and eleven (11) of them have charges filed.
5. **1:20 - Closing reports**
 - a. 2011-728 and 2011-729 and 2012-323 – approved
 - b. 2013-99, 2013-100 and 2013-116 – approved
 - c. 2013-265, 2013-266, 2013-267 and 2013-268 – approved
 - d. 2013-14, 2013-15, 2013-16 and 2013-17– approved
 - e. 2013-42, 2013-43, 2013-44, 2013-45 and 2013-46 – approved
 - f. 2013-97, 2013-98 and 2013-120 – approved
6. **2:00 Disciplinary Action – Hearing/Dismissal/stipulation**
 - a. 2013-101 – Andre Viens – Stipulation and Consent
Commissioner Thibeault, the participating I-Team member, recused himself. Prosecuting Attorney, Gabriel Gilman presented the Stipulation and Consent Order. A motion was made and seconded to accept the Stipulation and Consent Order for this case. The motion carried with a vote of 5–0.
 - b. 2012-411 – Stan Johnson Company – Stipulation and Consent
Commissioner Raphael, the participating I-Team member, recused himself. Prosecuting Attorney, Gabriel Gilman presented the Stipulation and Consent Order. A motion was made and seconded to accept the Stipulation and Consent Order for this case. The motion carried with a vote of 4–1.

7. 2:30 - Old Business

- a. The Agency Workgroup will have an introductory meeting at the next commission meeting. This will take place after the regular scheduled meeting on August 22nd.
- b. Seller Service Agreements and Cooperation: Commissioner Raphael updated the Commission on recent inspections into how brokerage firms are utilizing seller service agreements and disclosure of cooperation fees. He indicated that more information would be forthcoming as the inspections are completed.
- c. Administrative Rules: Raphael gave an update on the rules. They have passed LCAR unanimously with a few changes resulting from statutory conflicts and should be in effect by the next meeting. The Commission will post all information on the website and will look into other avenues for distribution of the new rules when they are finalized.

8. 2:45 - Public Comment

9. Adjournment

Next Scheduled Meeting – August 22, 2013

Real Estate Education Committee

Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
First American Title Insurance Company						
1. Title Insurance – What Realtors Need to Know	2	Yes	Yes	2		
The CE Shop, Inc						
2. Real Estate Investors and Your Business	4	Yes	Yes	2		Reduced hours
Northwestern Vermont Board of Realtors						
3. Listing Strategies for the Residential Specialist (CRS 201)	8	No	Yes	8		8 hours for Two days
Vermont Realtors						
4. Realtor Liability & Ethics – Understanding & Minimizing Risks in	2	No	Tabled			Need more information
5. Mandatory Course	4	No	Denied	0		Lacking in content/information
Broker Pre-Licensing	40	Yes	Yes	40		
What Has Been Learned From The Credit Crisis	3	No	Denied	0		Lacking in content/information
American Society of Farm Managers & Rural Appraisers						
6. ASFMRA 84 th Annual Convention Day 1	6	No	Denied	0		
7. ASFMRA 84 th Annual Convention Day 2	3	No	Denied	0		
Vermont Realtors						
8. Creating an Office/Company Policy Manual	2	No	Denied	0		
Quality Workshops						
9. VT Law Portion of the 40 Pre-Licensing Course	40	Yes	Yes	40		Just updated Vermont Section as requested.
Vermont Realtors						
10. Commercial Real Estate and the Current Environmental Crisis: Oil Wind, Water and Air	3	No	Tabled	0		Need more information