

**Office of Professional Regulation
National Life Building North Fl 2, Montpelier, VT**

Real Estate Commission

Minutes

June 28, 2012 – 9:30 a.m.

Location: National Life Building North Fl 2, Montpelier, VT Conference Room A

Commission Members and Staff Present: Maretta Hostetler, Gloria Rice, Claire Porter, David Raphael, Thomas Prindiville, Michelle Gosselin, Terry Gray, Judith Griffen, Colin Benjamin **Absent:** Mark Thibeault

Public members Present: Liz Merrill, Randy Mayhew, Kathy Sweeten, Helen Hossley, Teresa Merlman, Pat Glabach and Gordon Miller.

1. **8:30 - Education Committee**
2. **9:30 - Full Commission meeting - Called to Order at 9:31 a.m.**
3. **9:35 - Approved May 24, 2012 minutes:**
4. **9:40 - Chair's Comments:** Maretta Hostetler commented on how hard the Commission is working on many issues right now, including the rules, education policy and review of all education courses. The Commission will continue to work on all of the issues at hand. She also reported that David Raphael will give a report on the inspection process later in the meeting.
5. **9:45 – 2011-732 – Stipulation and Consent Order – Sharon Vilcins**

Gabriel Gilman, prosecuting attorney was present. Mr. Gilman presented the Stipulation and Consent Order to the Commission. A motion was made and seconded to accept the Stipulation and Consent Order. The motion passed, with one abstention. Thomas Prindiville abstained from the vote.
6. **9:50 - Administrator's Report** – Terry Gray reported that the mandatory course that was approved at the last meeting is now available online for everyone. Terry also reported that the Commission will be going into executive session later in the meeting to discuss the Vermont State exam.
7. **9:55 - Case Manager's Report – C. Preston**

There are 50 open cases at this time. Two (2) have been recommended for closing, eight (8) are pending I-Teams, twenty-seven (27) are in the investigation process and eleven (11) have been recommended for charges and two (2) are pending a hearing.
8. **10:00 - Discussion Items**
 - a. Frank Molgano Jr. written request to waive continuing education hours pursuant to Rule 5.2(c)

A motion was made and seconded to grant the waiver for continuing education. The Commission then motioned and seconded to go into deliberative session for further discussion. Once out of deliberative session there was a vote on the previous motion on the floor. The vote was 1 for and 5 against the motion. The motion was denied. A second motion was made to grant a waiver for twelve (12) hours of the continuing education required for the 2010 to 2012 renewal period and postpone the requirement of Mr. Molgano to complete the four (4) hour 2010-2012 mandatory course until December 31, 2012. Completion of the four (4) hour 2010-2012 mandatory course shall not count towards the sixteen (16) hours of required continuing education for the 2012-2014 renewal period. Mr. Molgano may complete his license renewal application to have his license renewed and pay the associated fees and late fees. The motion was

seconded. The motion passed.

b. Colin discussed a grid for disciplinary procedures as previously discussed by Carla Preston. This would be helpful to the prosecutors and may include automatic fines for certain licensee violations. This is an ongoing discussion and Colin will be back at the next meeting with more information.

c. David spoke about the pilot inspections the inspectors went on last Tuesday. The inspection went well and gave the inspectors good insight for future inspections. There will be further discussions on what the duties for the inspectors will be and what will be expected from this process. This will be done in the meeting with the inspectors on July 12, 2012 at 10:00 a.m.

9. 10:30 – New Business - none

10. 10:45 - Public Comment

Randy Mayhew asked the Commission what they would for the name of the new mandatory course? The Commission agreed that the name of the course should be “Mandatory Course Renewal Cycle 2012 – 2014” This will be the name that needs to be used by all the providers that provide the mandatory course.

11. 11:00 - Executive session to review examination

There was a motion made and seconded to go into executive session to discuss the exam questions. All were in favor and the Commission went into executive session.

12. Next Scheduled Meeting – July 26, 2012

13. Adjournment was at 12:03

REAL ESTATE RULES SUBCOMMITTEE
Met immediately following the full Commission Board Meeting

Real Estate Education Committee
Courses for review
June 28, 2012

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
The CE Shop						
1. Seniors Real Estate Specialist (SRES) Designation Course	12	No	Approved	6		
2. e-Pro Certification Program Day 1	6	No	Approved	2		
3. e-Pro Certification Program Day 2	6	No	Approved	2		
Dennis Power						
4. Optimizing the Features of InnoVia	3	Yes	Approved	3		
Vermont Association of Realtors						
5. Seller Representative Specialist	16	No	Approved	8		
American Society of Farm Managers & Rural Appraisers						
6. Risk Management, Market Outlook & Insurance	8	No	Approved	2		
7. Emerging Technologies & Issues	8	No	Denied	0		
ServPro Industries, Inc						
8. Understanding Mold in the Restoration Industry	3	No	Approved	3		
Northwestern Vermont Board of Realtors						
9. Professional Standards	7	Yes	Approved	4		