

Office of Professional Regulation
National Life Building North Fl 2, Montpelier, VT
M2d Conference Room

Real Estate Commission
Approved - Meeting Minutes

May 28, 2008 - 10:00 a.m.

Commission Members Present:

Susan Matthews, Chair
Elizabeth Wilkel

Claire Porter
Tara Dowden, Vice-Chair

Herb Beggs
Maretta Hostetler

Commission Members Absent:

Gloria Rice

Staff Members Present:

Rita Knapp, Administrator
Kevin Leahy, Legal Counsel

Judith Griffen, Administrative Assistant
Robert Backus, Prosecuting Attorney

Members of the Public Attending:

Preston Bristow, Jr.
Michelle Wass
Liz Merrill
Nancy Carroll
Doug Miller

Randall Mayhew
Bob Hill
Patricia Glabach
John Nelson
Dean Hamel

1. Called to order at 10:05 a.m.
2. The Commission approved the April 23, 2008 Minutes as written.
3. Administrator's Report:

Status of Unprofessional Conduct Cases

# of Cases	Current Status
9	Pending Completion of Investigation
2	Case Manager to Prepare Closing Report
11	Sent to Commission To Be Closed
6	Prosecutor to File Charges
7	Charges Filed – in Pre-Hearing Schedule
1	Stip/Hearing or Dismissal Before Commission
36	Total Cases

4. Scheduled Licensing/Disciplinary Matters:
 - a. REC17-1005 Gaboriault – the Commission voted to accept the Stipulation and Consent Order presented by Attorney Backus.

5. The following unprofessional conduct complaints were concluded without disciplinary action:

- a. **REC22-0307**
- b. **REC23-0307**
- c. **REC34-0507**
- d. **REC28-0407**
- e. **REC36-0607**
- f. **REC07-0807**
- g. **REC27-0407**
- h. **REC11-0807**
- i. **REC16-0907**
- j. **REC15-0907**
- k. **REC14-0907**

6. Discussion Items:

- a. Rick John's application to renew his broker's license was reviewed. The Commission voted to table his renewal pending additional information. Staff is to write to Mr. John and request that he submit copies of the certificates from continuing education reported on his renewal.
- b. Draft Advisory Opinion regarding Raffling of real estate by licensees. The Commission agreed to table this item, and asked that staff contact other states inquiring if they have addressed this issue. Legal counsel is asked to research other Vermont statutes that might speak to raffles.
- c. Letter from Michael Hertz regarding Wayne Mills – Attorney Hertz, on behalf of his client Wayne Mills, submitted a letter pursuant to the Order Mr. Mills is to comply with, identifying the banking institution, and account # for Mr. Mills IORTA account. In addition, Attorney Hertz requested that the Commission approve him (Hertz) to serve as the reviewer of Mr. Mills IORTA account pursuant to the Order. The Commission voted to approve Attorney Hertz to serve in this capacity, and has asked that the staff so notify him.

7. Next Scheduled Meeting: June 18, 2008

8. Adjournment 12:50 p.m.