

**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**  
**December 22, 2016**

**Commission Members and Staff Present:** David Raphael, Gloria Rice, Joyce Cameron, Mikail Stein by phone, Donna Murray by phone, Larry Novins and Judith Griffen **Absent members:** Wendy Beach **Others Present:** Helen Hossley, Kelly Statton, Nicole Senecal, Michael McCarty, Kendall McCausland, Teresa Merelman, and Dennis Brown

**1. 8:30 Education Committee**

**2. 9:30 Commission Meeting**

**3. Approved the Minutes of November 17, 2016**

Commissioner Cameron requested that her comments under section 5. be amended to read: "citing that the Commission desires better information on case types and status, making it easier for the case manager to disseminate information."

**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 Education Committee Report. The motion passed.

**5. Case Manager's Report**

Number of Active Licensees as of December 15, 2016

Brokers:	935
Salespersons:	1078
Brokerage Firms - Main Offices:	469
Brokerage Firms - Branch Offices:	67

There are sixty-five (65) open cases. Six (6) are pending I-Team meetings, twenty-five (25) are under investigation, nineteen (19) are pending charges, eleven (11) are pending closing reports, two (2) are scheduled for hearing and two (2) are on appeal.

The Commission requested that the Chair work with Carla to produce an enforcement report with statistics for 2016. Commissioner Raphael also noted that he would work with Staff and AMP/PSI to also bring back a report on testing.

**6. Old Business:**

- a. Newsletter

Commissioner Raphael noted that he would send the current content to the Director.

- b. FYI: 2017 OPR Bill Draft Changes

Commissioner Rice noted that the version provided in the board packet was missing the draft language addressing the salesperson initial licensure requirements surrounding the post licensure education requirements in section 2292(b)(5). Commissioner Raphael agreed to obtain the latest version from Larry Novins and distribute it.

- c. FYI: Memo from Larry Novins: "*Deciding Cases: Considerations and Options*"

The Commission was provided a copy of the memo in the board packet.

**7 New Business:**

- a. 2016 Goals and Initiatives review and discuss 2017

The Commission reviewed each of the items and noted which were completed in 2016 and agreeing which remain a priority for 2017. The Commission will use this as a basis for planning in January. It was noted that an item should be added for filling the existing opening for a public member.

- b. 2017 Meeting Calendar

The Commission discussed the idea of altering the frequency of the monthly meetings and using the off months to hold workgroup meetings. Some Commissioners felt that the monthly meetings were beneficial. An audience member raised the issue of education course approvals.

- c. AMP/PSI

Commissioner Raphael informed the Commission that there is a PSI/AMP meeting in San Diego January 25 through the 27<sup>th</sup> and asked if a member was interested in attending. The focus will be review of the national survey for the national exam content.

**8. 10:20 Disciplinary Matters – Hearings/Dismissals/Stipulations:**

- a. M2016-80 (2015-348 & 2015-349)  
Beth A. McCullough/Harrington Realty: Request for Removal of Conditions

A motion was made and seconded to approve the Order to Remove Conditions. The motion passed with I-Team member, Commissioner Murray, abstaining from the vote.

- b. 2015-281 & 2015-285  
Robert E. Balewicz: Request for Relief from Default Order

At 10:27 the Commission held a hearing for the Request for Relief from Default Order with George Belcher as the Presiding Officer. Commissioner Stein, the I-Team member, left the call and did not participate. At the conclusion of a deliberative session, a motion was made and seconded to deny the Request for Relief from Default Order. The motion passed.

**9. Public Comment**

Dennis Brown inquired about the status of office inspections. He noted that in terms of marketing and communication, the inspections served a dual purpose and afforded licensees with an opportunity to ask questions and get input through the inspection process. Other members in the audience agreed.

**10. Adjournment 11:30**

**Next Scheduled Meeting – January 26, 2017**

**Vermont Real Estate Commission  
Education Committee Report  
December 22, 2016**

Provider/Title	Requested # of Hours	Renewal ?	Date of Last renewal	Previously Approved Hours	Approved	Approved # of Hours	Comments
<b>Carlton Cole – individual request</b>							
1. Natural Shorelands Erosion Control Certification	8	No			Yes	4	
<b>Vermont Realtors</b>							
2. Basic Intro to the Home Inspection Process – Exterior	2	Yes	11-20-14	2	Yes	2/2	2 – post licensure
<b>NH Realtors</b>							
3. Consumer Protection with Professional Practice	3	No			Yes	3	
<b>Mckissock, LLC</b>							
4. Liens, Taxes and Foreclosures	2	Yes	3-27-15	2	Tabled		
<b>Elizabeth Merrill – instructor approval</b>							
5. 40 Hour pre-licensing course	40				Yes		Instructor approval only
6. 4 Hour Mandatory course	4				Yes		Instructor approval only
<b>NEREN</b>							
7. Paragon Comprehensive	3	No			Tabled		

**Notes:**

Course 1: Approved for 4 hours, some of the material was not relevant to the practice

Course 2: Approved for 2 hours post licensure education in addition to 2 hours of CE

Course 4: Could not move through the on-line content to evaluate course. Providers must make the entire content accessible without having to complete sections or be in a timed course.

Course 7: No course content was provided with the application.