

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

**Real Estate Commission
Approved Minutes**

August 26, 2010

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

Commission Members Present: Claire Porter, Herb Beggs, Gloria Rice, Maretta Hostetler, Thomas Prindiville, and Michelle Gosselin, Elizabeth Wilkel

Staff Members Present: Kevin Leahy, Terry Gray and Judith Griffen

Public Members Present: Tess Kennedy, Dale Hittle, Barbara Hittle, David Raphael, Randy Mayhew, Teresa Merelman and Andrew Werry

1. **9:00 - Education Committee**
2. **10:00 - Full Commission meeting - Called to Order at 9:55**
3. **Approved June 24, 2010 minutes with correction.**
4. **Chair's Comments: Maretta would like the Commission members to think about any changes they would like to see and if they have thoughts of what direction the Commission should be going in the future.**
5. **Administrator's Report: Status of Unprofessional Conduct Cases. Terry Gray gave a brief report on the cases and will put together individual lists for each of the members.**
6. **Scheduled Licensing/Disciplinary Matters:**
 - **11:30a.m. – 2009-327–Stipulation & Consent – Robert L. Provost – I-Team member, Elizabeth Wilkel Gregg Meyer was present. The respondent Robert Provost was not in attendance. The Stipulation and Consent order was approved by the voting members. Elizabeth Wilkel did not participate in the decision.**
 - **11:45 a.m. – 2008-375 – Stipulation & Consent – Scott D. Bollman – I-Team member, Maretta Hostetler Gregg Meyer was present. The respondent Scott Bollman was not in attendance. The Stipulation and Consent order was approved by a majority of the voting members. Thomas Prindiville voted no. Elizabeth Wilkel and Maretta Hostetler did not participate in the decision.**
 - **10:30 a.m. – 2008-332 – Stipulation & Consent – Barry W. Hickok – I-Team member, Susan Matthews. Gregg Meyer (attorney for the state), William Gagnon (attorney for the Respondent) and Barry Hickok were all present. There were two matters before the Commission on this case. The first matter before the Commission was a Stipulation and Consent order. All Commission members were present and voted to reject the Stipulation and Consent order. The second matter was a Motion to Withdraw as Legal Counsel by William Gagnon. This Motion was approved by all members of the Commission.**
7. **Concluded Reports:**
 - **2009-474 – I-Team member, Maretta Hostetler – approved**
 - **2009-557 – I-Team member, Herbert Beggs – approved with Elizabeth Wilkel in opposition to the language**
 - **2010-97 – I-Team member, Maretta Hostetler - approved**
 - **2010-113 – I-Team member, Michelle Gosselin – approved**

8. **Discussion Items:**
 - 10:00 a.m. Chris Winters came in to give the Commission an update on personnel and office changes that have occurred and might occur in the future. The Commission now has a new Unit Administrator, Terry Gray, a new Case Manager, Carla Preston, and a new Docket Clerk, Agnes Hughes. He also spoke about the Retreat and what to expect. Chris will be back at a future meeting to discuss the budget.

 - Right of Way and advertising was discussed in length. It is the Commission's position that the Commission will not prosecute as unprofessional conduct if signs are placed in right of ways or on common land but this does not prohibit the state from doing so, if it is a violation of state laws. Terry, Kevin and Maretta will discuss this further and draft a written response for this.

 - Office closures and what should be done with disputed deposits. A question was presented about disputed deposits and what should be done if both parties would not agree and the office was closing. The Commission believes this should be done through a court of competent jurisdiction.
9. **Ongoing discussions**
 - Establishing Professional Standards
 - Changes needed for the real estate license exams
10. **FYI:**
 - Board and Advisor Retreat Training is Wednesday November 10, 2010 at the Snowflake Resort. Please reserve the date on your calendars.
11. **Public Comment:**
12. **Next Scheduled Meeting: September 23, 2010**
13. **Adjournment**

Real Estate Education Committee
Courses for review

McKissock, LP

Foundations in Sustainability: "Greening" the Real Estate and Appraisal Industries for 7 hours – **approved for 4 hrs**

Leading the Real Estate Transaction for 4 hours – **denied**

Using the HP 10Bii Calculator for 3 hours – **approved**

Keeping Yourself and Your Broker Out of the Court for 3 hours - **approved**

Yerhot Environmental Solutions, LLC

Understanding Mold Damage in Today's Real Estate Market for 3 hours - **approved**

Servpro

Understanding Mold in the Restoration Industry for 3 hours - **approved**

Vermont Association of Realtors

Instructor for Green Home Construction course already approved - **approved**

Instructors for Vermont Law Portion of the Sales and Brokers course already approved - **approved**

McKissock LP

The Three P's of Negotiation for 5 hours – **denied**

American Society of Farm Managers and Rural Appraisers, Inc.

Animal Agricultural Seminar for 4 hours – **denied**

Financial Management Seminar for 4 hours - **denied**

ASFMRA 81st Annual Convention for 7 hours – **denied**

Vermont Association of Realtors

Professional Standards for 7 hours – **approved for 4 hours**

Carl O. Anderson Esq

VT Real Estate Salesperson Mandatory Pre-licensing Course for 40 hours – **tabled** pending the course is 40 hours classroom hours in length.

Northern New England Real Estate Network

Optimizing the Features of InnoVia for 3 hours – **tabled** because it was only received two days prior to the meeting and there was not enough time to review.