



Real Estate Commission Public Meeting

Minutes

Real Estate Commission (Brokers & Salespersons)
Mar 19, 2024 at 8:30 AM EDT

Attendance

Members:

Ralph Valentine, Chair (RV), Suzanne Brunelle (SB), Matthew Cabana (MC), Susan Doyle (SD)

Staff:

Michael Gianunzio, Board Administrator, Rahkiya Medley, Esq., Board Counsel, Heather Kelley, OPLC Director of Operations

Absent:

None

- I. Call to Order 8:34 am
- II. Public Meeting Minutes from February 20, 2024

Motion:

Upon a motion by SB with a second by SD the Board voted to approve the minutes as amended; unanimous.

Changes:

1. Page 2, paragraph 3, the word "information"
 2. Page 4, section E, the word "licensure"
 3. Page 4, under F, RAC to REC
 4. Page 5, H – "scheduled"
 5. III B 1 – Capitalize Senator Carson
- III. Public Comment
 - A. Ann Flanagan
 1. CE Broker website is still showing that Real Estate is live. Pre licensing course it titled as "self paced" and that is not the case. It has been

months now that this has not been corrected. Every course is showing up as live. It does not seem to be functioning properly. The one that is not supposed to be self paced is showing as self paced. The provider put it in their title that it is not showing as live.

B. Shannon Whaley

1. Is not allowed to load herself as an instructor for her school. There is no category to put in class for ethics or other topics.

C. Jennifer Frost

1. Is concerned that people are being denied licenses because the exam is not concurrent with the current RSA's. In the candidate bulletin, it gives an outline of the topics but refers to 3 laws that have been repealed. Asking that this be placed on the agenda.

D. Jill Gauthier

1. Has put up the weekly updates, it has not been March 3rd, from Prime MLS. Wants to know if we can list which offices the licensees are affiliated with.
2. RV – We used to publish the information they were looking for, can we clarify if there is a policy change? Prime MLS is an important stakeholder, the majority of their licensees are NH licensees.

E. Joseph Haas

1. Asked what happened to his complaint from June of 2022.
 - a. RV – the Commission is very cognizant of the backlog and we are working to get through them as fast as possible.

IV. OPLC and/or Board Administration Updates

A. Heather Kelley (HK), Director of Operations - 9:00 AM

1. LBA Audit
 - a. There have been adjustments to the responses which will go before the Board at the next meeting.
2. List provided to Prime MLS

- a. Director Kelley will look into this, connect with Prime MLS and see about including the office information.
- B. CE Broker Questions / Comments for OPLC Operations
- 1. Ann Flanagan
 - a. Everyone's courses are still coming up as "live". The only one that is showing up as self-paced is labeled self-paced in the title. And has been months and is making her not even want to be an instructor as it's so frustrating.
 - 2. Shannon Whaley
 - a. Cannot renew her core class, but only hears from the chat bot. If there is another option. Heather confirms they are looking into it.
 - 3. Jennifer Frost
 - a. Concerns about the teaching around the laws and rules. This is for PSI.
 - i. HK – We will need to review internally.
 - b. Once this is submitted to PSI, what would be the timeline?
 - i. HK - We would have to put this before the Board at the next meeting at which time, Heather will have spoken with PSI to get a better idea of the timeframe. The Commission is responsible for the questions. Board Counsel can review anything that is out of date to ensure that everything is reflective of the current statutory framework.
 - 4. Ann Flanagan
 - a. REC / OPLC's responsibility to notify the testing company when there is a change in law or rule.
 - i. HK – We are taking the comments under advisement.
 - ii. SD – is there a checklist / process that ensures these changes are communicated to PSI.
 - i. HK – Yes
 - 5. Lisa Davidson
 - a. Comment on CE Broker, when you put in an elective course, you choose one of the 4 post-education topics. If you add something that is not one of those topics, it does not add it to your credits that you've done.

- b. There may be an issue with the course expiration dates.
 - 6. John Doran
 - a. Comment – 331 course reference pre-licensing and electives. This covers establishment of basics for new licensees and became post-licensing requirements.
- V. Administrative Rules & Legislative Topics - Board Counsel
 - A. HB 1095
 - 1. Executive session is scheduled for March 20. The bill is largely to align practice acts with legislation that was passed last legislative session.
 - B. SB 538
 - 1. Zoning procedures regarding residential housing. Indications that there may be revisions based on testimony provided at the public hearing. We don't have any updated Bill language yet.
 - C. SB 533
 - 1. Physical quorum at public meetings. Change from 1/3 physical attendance, instead it would be at least 2 in attendance. Voted inexpedient to legislate, based a committee report to the full house.
 - D. HB 1134
 - 1. Committee voted to move to interim study.
 - E. HB 1320
 - 1. Flood risk disclosure. Board Counsel did not see an update yesterday. Executive session tomorrow 3/20/24.
 - F. SB 502
 - 1. Scanning of non-driver ID cards by Brokers. Should pass based on committee report.
 - G. SB 480
 - 1. OPLC and regulation of Real Estate practice. Should pass based on committee report.
 - H. HB 1420
 - 1. Communications between agencies and citizens. This is going to interim study.
 - I. HB 1521

1. Requiring agencies to respond to issues and respond during rulemaking process. This should pass with an amendment, but still needs to go through the House.

J. HB 1622

1. OPLC Rules. Recessed this Bill until the 20th.

K. SB 369

1. Notice for meetings and opportunities for comment. Should pass based on committee report which will be the recommendation to the full house.

VI. Non-Public Session

Motion:

Upon a motion by MC with a second by SD, the Board voted to move into non public session at 9:50 am; unanimous roll call vote.

VII. Resume Public Session

Motion:

Upon a motion by MC with a second by SD the Commission voted to resume public session at 11:10 am; unanimous roll call vote.

VIII. Seal the Minutes of the Non-Public Session

Motion:

Upon a motion by SB with a second by MC the Board voted to seal the minutes from the non public session.

IX. Board Vacancy

A. Stuart Arnett

1. Mr. Arnett's application has not yet gone before the Governor. If it does and goes to the next G&C meeting, the vacancy could be filled by the April meeting.

X. Adjournment-upon a motion by MC with a second by RV the Commission voted to adjourn the meeting at 11:13 am; unanimous.