

**NEW HAMPSHIRE REAL ESTATE COMMISSION**  
**PUBLIC MEETING MINUTES**  
**July 19, 2022**

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A meeting of the New Hampshire Real Estate Commission was held on Tuesday, July 19, 2022, at 8:30 a.m. The meeting was conducted at the Office of Professional Licensure and Certification, 7 Eagle Square, Concord, New Hampshire. Public could attend in person or via teleconference.

Present: Commissioners: Steven Hyde, Esq., Susan Doyle, Matthew Cabana, Paul Lipnick and Ralph Valentine.

Also present from OPLC office: Administrators Bobbie Mayo and Dawn Couture.

Sheri Phillips from the Department of Justice was also present.

**I. CALL TO ORDER –**

The meeting was called to order at 8:30 a.m. by Chairman Hyde.

**II. READING AND APPROVAL OF MINUTES –**

Chairman Hyde suggested minor amendments to the minutes -

- Under 9a, New Business, Remove the word “upon” and remove the phrase “from realtor.com”.
- Under 9b, make note that the petitioner had a witness speak on her behalf.
- Under section 8, remove the word “academy”.

Commissioner Valentine moved to approve the June 21, 2022, public minute, as amended, seconded by Commissioner Doyle. The motion passed unanimously.

**III. APPOINTMENTS –**

- Debbie Ball – Commissioner Valentine informed the Commission that he knew Ms. Ball personally and has completed many transactions in the past. Commissioner Valentine stated that they had no open transactions at this time and he does not feel that his relationship with Ms. Ball would create any bias. Ms. Ball appeared via Zoom requesting to be the principal broker of two firms and acting as managing broker of numerous offices. Ms. Ball has been acting as a managing broker for about 25 years. She works at ExP Realty along with Melinda Torrens and between New Hampshire, Maine, and Vermont they support about 500 agents. Ms. Ball would like to replace Melinda as the principal broker in New Hampshire for ExP, she will also be acting as the managing broker for five offices located in Plymouth, Gilford, Concord, Nashua and Bedford; she would also like to open four additional offices, and act as a managing broke, located in Meredith, Milford and two in Amherst. A motion was made by Commissioner Valentine to approve Ms. Ball as the principal broker for ExP

Realty, LLC and ExP Commercial, LLC as well as the managing broker at nine branch offices. The motion was seconded by Commissioner Cabana. The motion passed unanimously.

- Jason Westcott – Chairman Hyde and Commissioner Doyle both stated, for the record, that they knew Mr. Westcott and both have business relationships with Keller Williams which is where Mr. Westcott works. Both Commissioner Doyle and Chairman Hyde feel that their relationships with Mr. Westcott do not create a bias. Mr. Westcott appeared in person requesting to be a managing broker in multiple offices. Mr. Westcott works for New England Coastal Realty, Inc. in Meredith and would like to be managing broker for their new office located in Hanover. A motion was made by Commissioner Cabana to approve Mr. Westcott to the managing broker for both offices. The motion was seconded by Commissioner Valentine. The motion passed unanimously.
- Rebecca Beauchemin – Ms. Beauchemin appeared via Zoom requesting to act as the principal broker for Beauchemin & Associates Referral, LLC while still being the principal broker for Beauchemin & Associates Real Estate, LLC both located in Bedford at the same address. A motion was made by Commissioner Valentine to approve Ms. Beauchemin as the principal broker for both firms. The motion was seconded by Commissioner Cabana. The motion passed unanimously.

#### IV. OTHER BUSINESS –

- Questions and Comments –
  - Instructor Ann Flanagan asked a question in regard to the new recognition bill that is to start on August 1<sup>st</sup>. Chairman Hyde mentioned that he does not want to comment about statutory changes and if anyone has questions about it, they should contact legal counsel. She clarified her question to ask how OPLC would process requests for licensure recognition. Administrator Mayo informed the Commission that staff at the OPLC would receive the exam application and the verification, at that time, staff would then email the candidate to clarify that the candidate took both the state and national exam to become a broker. Maine licensees take the national test during the course which make them eligible to only take the state exam. However, attorney brokers in Massachusetts do not take an exam and therefore would have to take both the state and national portions of the examination in New Hampshire.
  - Instructor John Doran asked the Commission to clarify where the boundary was between being a principal broker and acting as a managing broker, using Debbie Ball's request as an example. Chairman Hyde responded stating that Managing brokers oversee individual offices which is required by law, therefore Debbie, although already responsible for all the offices,

will also oversee each individual office instead of appointing a separate managing broker.

- Instructor John Doran asked staff when the rules might go into effect. Administrator Mayo informed the Commission that she felt that it should be by September 1 but that is subject to change.

V. **NON-PUBLIC MEETING –**

At 9:08 a.m. following an appropriate motion by Chairman Hyde and seconded by Commissioner Doyle to go in to a non-public session the Commission, by roll call, voted to conduct a non-public session for the purpose of the reading and approval of the non-public minutes of the June 21, 2022 meeting, and evaluating complaints against licensees, accredited individuals, institutions, or organization, or persons charged with practicing unlawful brokerage activity, and noting that such a non-public session is authorized by RSA 91-A:3, II(c), RSA 91-A:5, IV, *Lodge v. Knowlton*, 118 N.H. 574 (1978), and the Commission's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the vote of all members present.

VI. **PUBLIC MEETING RECONVENED –**

At 11:49 a.m. an appropriate motion was made by Commissioner Valentine and seconded by Commissioner Doyle, and the Commission unanimously voted by roll call, to reconvene the public meeting.

VII. **NON-PUBLIC MINUTES SEALED –**

On an appropriate motion by Commissioner Doyle and seconded by Chairman Hyde, by roll call voted to seal the minutes of the non-public session from public disclosure pursuant to RSA 91-A:3, III(c), on the grounds that public disclosure would likely affect adversely the reputation of licensees, accredited individuals, institutions, or organizations, or persons charged with practicing unlawful brokerage activity, RSA 91-A:5, IV, *Lodge v. Knowlton*, 118 N.H. 574 (1978), and the Commission's executive and deliberative privileges. The motion passed with each member recording his or her vote on the motion.

VIII. **NEXT MEETING – August 16, 2022, at 8:30 a.m.**

IX. **ADJOURNMENT**

At 11:50 a.m. a motion to adjourn was made by Commissioner Valentine, and seconded by Commissioner Doyle, to adjourn the meeting. The motion was unanimously approved.