

April 6, 2017

## REAL ESTATE APPRAISER BOARD MINUTES

There was a meeting of the Real Estate Appraiser Board on April 6, 2017. The following were present: Sherman, Griffin, Schubert, Carroll, Martin, St. Germain and Lamprey. Also present was Director Capuchino and staff members Bobbie Carter and Dawn Couture. Attorney's Jill Perlow and Robert Lamberti were present for parts of the meeting.

### **1. Call to order** – 9:02 a.m.

### **2. Interview/meeting/hearing** –

- a. 9:30 a.m. Show Cause Hearing – 17.02 Kathy Gosselin – Hearing began at 9:30 a.m. and ended at 10:30 a.m. during which Ms. Gosselin appeared and offered testimony. Investigator Ren Horne prosecuted the case. Bobbie Carter and Barry Shea acted as witness on behalf of the prosecution.
- b. 10:30 a.m. Steven DeConto – NHCR-260 – Voluntary Surrender of Certificate in Massachusetts – Mr. DeConto spoke briefly with the Board regarding his voluntary surrender and the circumstances surrounding the agreement. Moved, seconded and voted unanimously to renew Mr. DeConto's certification.

### **3. Reading and approval of the minutes of the February 17, 2017 meeting** – Moved, seconded and voted unanimously to accept the public and non-public minutes as written.

### **4. Communications – General** –

- a. Susan McHugh NHCR-726 – Failure to Comply with Continuing Education Audit – passed away January 6, 2017. Noted.

### **5. Communications – Board Action** – None.

### **6. Unfinished Business** –

- a. 2017 Federal Register – ASC proposed Revised Policy Statements – A brief discussion was held. Attorney Lamberti advised the Board that they should not amend the language of SB53 at this time.

### **7. New Business** –

- a. Upon the motion of Carroll and the second of Griffin, the Board voted by roll call vote, to conduct a non-public session for the purpose of discussing pending investigations and noting that such a non-public session is authorized by RSA 91-A:3, II (c) & (j), RSA 91-A:5, IV, Lodge v. Knowlton, 11 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

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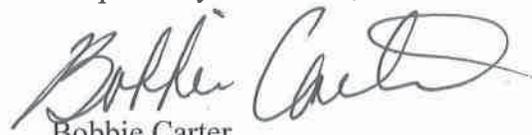
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7. New Business, continued –

- b. Upon the motion of Carroll and the second of Griffin, the Board by roll call vote resumed public session.
- c. Upon the motion of Carroll and the second of Griffin, the Board, by roll call vote, resolved to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.
- d. Deliberation on Show Cause Hearing – 17.02 Kathy Gosselin – Moved and seconded to discipline the respondent for violations of RSA 310-B: II (a), (b), (e) and (i), RSA 310-B:18-a and Rab 501.02 (a) through (c). The motion included a reprimand, additional education in the form of 15 hour of ethics. This course is to be taken in a classroom setting in addition to all continuing education required for renewal. Respondent will also be required to pay an administrative fine in the amount of 1000.00 dollars. An amendment was made, accepted and seconded to increase the administrative fine to 2000.00. An additional amendment was made, accepted and seconded to suspend the respondent's certificate until completion of the required education. Motion was withdrawn. Moved and seconded to discipline the respondent for violations of RSA 310-B:, II (a), (b), (e) and (i), RSA 310-B:18-a and Rab 501.02 (a) through (c). The motion included a reprimand and a thirty day license suspension effective immediately. The respondent must also take education in the form of 15 hour in ethics, this course is to be taken in a classroom setting in addition to all continuing education required for renewal, within 1 year. Respondent will also be required to pay an administrative fine in the amount of 2000.00 dollars plus 368.00, which is the cost of the investigation, within 90 days. Motion passed 6-1
- e. Courses for Approval – Moved, seconded and voted unanimously to approve.
- f. Date and time of next meeting – *Thursday, May 11, 2017 at 9:00 a.m.*

8. Adjournment – 12:57 p.m.

Respectfully Submitted,



Bobbie Carter

Program Specialist II