

# NEW HAMPSHIRE REAL ESTATE COMMISSION

## COMMISSION MEETING MINUTES

MAY 17, 2016

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, May 17, 2016 at 8:30 a.m. in Conference Room #B119, 121 South Fruit Street, Concord, New Hampshire 03301.

- I. CALL TO ORDER - Meeting was called to order at 8:40 a.m. by Chairman Daniel Jones. Present: Commissioners Daniel Jones, William Barry, Calley Milne, and Paul Lipnick.

Also present: Beth Edes, and Kinsman Corthell.

- II. READING AND APPROVAL OF THE MINUTES - On motion by Commissioner Barry, seconded by Commissioner Milne, the Commission unanimously approved the non-public Minutes of the Commission meeting held on April 19, 2016. On motion by Commissioner Milne, seconded by Commissioner Lipnick, the Commission unanimously approved the public Minutes of the Commission meeting held on April 19, 2016.

- III. UNFINISHED BUSINESS

The Commission discussed the issue with team names and advertisements, and suggested that proposed rulemaking regarding advertisements by teams be drafted and submitted to the Commission and that proposed legislation be submitted to the Commission for consideration regarding teams.

- IV. NEW BUSINESS

8:45 a.m. Equivalency Appointment – JOHN F. SKINNER, III, ESQUIRE

Attorney Skinner appeared before the Commission to request that his real estate experience be approved as sufficient experience pursuant to RSA 331-A:10, II (c) and (g). After review and discussion, the Commission, on motion by Commissioner Lipnick, seconded by Commissioner Milne, decided to approve Attorney Skinner's real estate experience as sufficient experience pursuant to RSA 331-A:10, II (c) and (g), and will allow licensure contingent upon an opinion from the Attorney General's office that it is allowable for a NH attorney to be concurrently licensed as a NH real estate broker. Commissioner Barry was opposed to the decision.

8:55 a.m. Show Cause Hearing – JOANNE GAUTHIER appeared before the Commission for a show cause hearing regarding her criminal history record submitted with her application for an original salesperson's license. After review and discussion, the Commission, on motion by Commissioner Lipnick, seconded by Commissioner Milne decided to allow Ms. Gauthier to apply for her original salesperson's license, based on information presented at the hearing by Ms. Gauthier, along with letters of recommendation submitted to the Commission, a letter from her principal broker notifying the Commission that she is aware of Ms. Gauthier's previous criminal history, and letters of completion of court required courses.

9:15 a.m. – NICOLE ALWARD appeared before the Commission to request reinstatement of her lapsed broker's license pursuant to RSA 331-A:18, II. After review and discussion, the

Commission, on motion by Commissioner Milne, seconded by Commissioner Lipnick, decided to allow the license reinstatement of Ms. Alward's lapsed broker license as required by RSA 331-A:18, II.

9:40 a.m. HEARING – A hearing was conducted on Docket No. 2015-006 New Hampshire Real Estate Commission v. Marlene Miniemier.

SETTLEMENT AGREEMENT – On motion by Commissioner Lipnick, seconded by Commissioner Barry, the Commission approved the following Settlement Agreement:  
File No. 2015-035 Diane E. Canelas v. Kim E. Spanos

NEXT MEETING – The Commission unanimously approved the following date for the June meeting:

June 21, 2016 at 8:30 a.m.

V. NON-PUBLIC MEETING 12:15 PM

On motion by Commissioner Milne, seconded by Commissioner Lipnick, the Commission, by roll call vote, voted unanimously to conduct a non-public session for the purpose of evaluating complaints against licensees, accredited individuals, institutions, or organizations, 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, 11 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 unanimous vote of all members present. On motion by Commissioner Milne, seconded by Commissioner Lipnick, the Commission adjourned the non-public meeting at 1:05 p.m.

VI. PUBLIC MEETING RECONVENED

On motion by Commissioner Milne, seconded by Commissioner Lipnick, the Commission reconvened the public meeting at 1:05 p.m.

VII. NON-PUBLIC MINUTES SEALED

On motion by Commissioner Barry, seconded by Commissioner Milne, the Commission, by roll call vote, voted to seal the Minutes of the non-public meeting 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, 11 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 unanimous vote of all members present.

VIII. ADJOURNMENT

On a motion by Commissioner Barry, seconded by Commissioner Lipnick, Chairman Daniel Jones adjourned the meeting at 1:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Paul A. Lipnick". The signature is written in black ink and is positioned above the printed name.

Paul A. Lipnick  
Clerk