

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING MINUTES

AUGUST 16, 2016

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, August 16, 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 8:36 a.m. by Chairman Daniel Jones.
Present: Commissioners Daniel Jones, John Cronin Esquire, William Barry, Calley Milne, and Paul Lipnick.
Also present: Linda Capuchino, Beth Edes, and Kinsman Corthell.
- II. READING AND APPROVAL OF THE MINUTES - On motion by Commissioner Cronin, seconded by Commissioner Lipnick, the Commission approved the Minutes of the public commission meeting held on July 19, 2016. Commissioner Milne was not present at the July 19, 2016 meeting and abstained from the approval of the Minutes.
- III. NEW BUSINESS
JAMES DESTEFANO – Chairman Daniel Jones announced the recent passing of real estate broker James DeStefano and asked for a brief moment of silence from the Commission and others in attendance at the meeting in remembrance of James DeStefano.

8:45 a.m. Show Cause Hearing – DESTINY P. CHENEY 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 Cronin, seconded by Commissioner Milne decided to table its decision on whether to approve or disapprove Ms. Cheney's application for a salesperson's license and requested the Commission's Investigator to obtain additional information regarding Ms. Cheney's criminal convictions and report his findings to the Commission. The Commission requested Ms. Cheney to have a letter submitted by principal broker James D'amico notifying the Commission that he is aware of Ms. Cheney's previous criminal convictions, and submit a letter of recommendation from her current employer. Commissioner Lipnick was opposed to the decision.

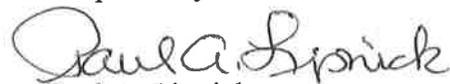
COMMISSION ADJOURNMENT – Chairman Daniel Jones adjourned the meeting at 9:11 a.m. and reconvened the meeting at 9:37 a.m.

COMMISSION DISCUSSION – the Commission discussed its current policy regarding the use of electronic devices by licensees during Commission accredited education courses that was issued at the September 18, 2012 commission meeting. After review and discussion, the Commission, on motion by Commissioner Cronin, seconded by Commissioner Milne, decided that all accredited pre-licensing and continuing education course providers mandate that all electronic devices be turned off during the course, with the exception of electronic devices that are left on with instructor permission.

SHOW CAUSE ORDERS – The following show cause orders were approved by the Commission:
JOANNE GAUTHIER
LOUIS D. FERULLO

- IV. NEXT MEETING – The Commission unanimously approved the following date for the September meeting:
September 20, 2016 at 8:30 a.m.
- V. NON-PUBLIC MEETING 10:25 AM
On motion by Commissioner Milne, seconded by Commissioner Cronin, the Commission, by roll call vote, voted unanimously to conduct a non-public session for the purpose of the reading and approval of the non-public minutes of the July 19, 2016 meeting, and 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 Cronin, seconded by Commissioner Milne, the Commission adjourned the non-public meeting at 11:35 a.m.
- VI. PUBLIC MEETING RECONVENED
On motion by Commissioner Cronin, seconded by Commissioner Barry, the Commission by roll call vote reconvened the public meeting at 11:35 a.m.
- VII. NON-PUBLIC MINUTES SEALED
On motion by Commissioner Cronin, seconded by Commissioner Milne, the Commission, unanimously 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 Cronin, Chairman Daniel Jones adjourned the meeting at 11:36 a.m.

Respectfully submitted,


Paul A. Lipnick
Clerk