

**NEW HAMPSHIRE REAL ESTATE COMMISSION  
COMMISSION MEETING MINUTES  
AUGUST 15, 2017**

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, August 15, 2017 at 8:32 a.m. at 121 South Fruit Street, Room #B119, Concord, New Hampshire 03301.

Present: Commissioners: Daniel Jones, William Barry, Paul Lipnick, Calley Milne, and John Cronin, Esq.

Also present from OPLC: Executive Director Peter Danles, Rick Wisler, Bobbie Carter, Kinsman Corthell, and Attorney Robert Lamberti. Also present were members of the public.

**I. CALL TO ORDER –**

The meeting was called to order at 8:32 by Chair Dan Jones.

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

On a motion to approve the July 18, 2017 minutes by Commissioner Barry, seconded by Commissioner Cronin, the motion passed.

**III. NEW BUSINESS –**

A. KORRIE JEAN CHAMPAGNE appeared before the Commission for a show cause hearing regarding her criminal history and answering “no” on the application whether she had been previously convicted. Ms. Champagne testified that she believed after a period of years past convictions would not appear on a criminal record. The Commission emphasized the importance of verifying all information submitted on an application was correct. Following questions and discussion, Commissioner Lipnick moved to accept the application, seconded by Commissioner Milne. The motion was approved with Commissioner Barry opposed.

B. RYAN GALLAGHER appeared before the Commission to discuss his criminal history. Mr. Gallagher explained the issues of his earlier conviction, that he paid the fine and completed the required anger management class. Following questions and discussion, Commissioner Barry moved to deny the application. The motion did not receive a second and failed. Commissioner Cronin moved to accept the application, seconded by Commissioner Lipnick, and was approved with Commissioner Barry opposed.

C. CHERYL DEMARCO appeared before the Commission for a continuance of the last meeting’s show cause hearing regarding her criminal history and answering “no” on the application whether she had been previously convicted. Attorney Matt Johnson also appeared and represented Ms. Demarco. Attorney Johnson explained that Ms. DeMarco believed past convictions eventually were removed from records and she did not have to report prior convictions but takes full responsibility for her actions, and that she would be willing to discuss an appropriate fine or educational courses resulting from her actions. The Commission noted prior correspondence regarding the first conviction, and that Ms. DeMarco failed to report a subsequent conviction on succeeding applications. Following discussion

and questions, Commissioner Lipnick moved to accept Ms. DeMarco's application. Commissioner Cronin seconded for additional discussion. After discussion, Commissioner Cronin asked Commissioner Lipnick if he would accept an amendment to the motion to allow for a fine and completion of specified courses. The amendment was not accepted, and the motion failed. Commissioner Cronin moved to require a course in ethics and legal procedures, pay a \$1,000 fine, and Attorney Johnson would waive any objection to procedure. Commissioner Milne seconded, the motion passed 3 -2 with Commissioners Barry and Lipnick opposed. Attorney Johnson informed the Commission that he agreed to the stipulation of waiving any objection and will file the paperwork with the REC.

- D. PETER PHINNE, Esquire appeared before the Commission for equivalency of a broker's license. Attorney Phinne informed the Commission of his past experience as a managing broker in Massachusetts since 2014, and that his most recent transactions dated back to 2014. He further explained he is based mostly in Massachusetts but also spends part of his time in New Hampshire. Following questions and discussion Commissioner Cronin moved to accept the equivalency, seconded by Commissioner Milne. The motion was unanimously approved.
- E. SAMANTHA MAHEUX appeared before the Commission for equivalency of experience for a broker's license. Ms. Maheux is currently a New Hampshire licensed salesperson who has conducted a number of vacation lease and rental transactions. The Commission expressed some concern of the difference between Ms. Maheux's experience and those with sales experience. Following additional questions and discussion Commissioner Cronin moved to accept the transactions and application, Commissioner Milne seconded. The motion was unanimously approved.

**IV. RULES –**

OPLC Attorney Robert Lamberti asked the Commission to approve the adoption of Rea 100 – 200 that were previously approved by JLCAR. The rules would replace the interim rules currently in effect but due to shortly expire. Commissioner Lipnick moved to adopt sections 100 – 200, Commissioner Milne seconded. The motion was unanimously approved.

**V. 9:55 MEETING RECESSED –**

The Commission recessed the public meeting for a short break.

**VI. 10:05 PUBLIC MEETING RECONVENED**

**VII. OTHER BUSINESS –**

Chair Daniel Jones provided a background of the NHREC and OPLC merger, and discussed the history of Commissioner Milne's term with the Commission which was due to expire in the coming weeks, and the recent Governor and Council appointment to replace her. Commissioner Barry asked that his comments be noted for the record. Commissioner Barry was recently informed that the new appointee was withdrawing her appointment due to personal reasons. Following his inquiries, Commissioner Barry was informed that OPLC management had requested a new board member. He noted his dissatisfaction that the Commission was not

consulted about the request. Discussion followed between the Commission and Executive Director Danles regarding the reasons for the request, Commissioners' experience and reduction thereof following departure. The Commission also voiced concern that a request to replace could negatively impact a Commissioner's reputation. Commissioner Milne discussed her professional and personal background and her desire to support the REC mission.

**VIII. 10:57 MEETING ADJOURNED –**

Commissioner Cronin moved to adjourn, seconded by Commissioner Barry. The motion was approved unanimously.