

**NEW HAMPSHIRE REAL ESTATE COMMISSION  
COMMISSION MEETING MINUTES  
OCTOBER 31, 2017**

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, October 31, 2017 at 8:30 a.m. at 121 South Fruit Street, Room #B119, Concord, New Hampshire 03301.

Present: Commissioners: Daniel Jones, Paul Lipnick, John Cronin, Esq. and Richard Hinch.

Present from OPLC/REC: Rick Wisler, Bobbie Carter, and Kinsman Corthell. Also present was Thomas Broderick of the office of the Attorney General, and members of the public.

**I. CALL TO ORDER –**

The meeting was called to order at 8:30 by Chair Dan Jones.

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

Commissioner Cronin moved to approve the supplement to the August 15, 2017 minutes, Commissioner Lipnick seconded, the motion passed with Commissioner Hinch abstaining.

Commissioner Cronin moved to accept the September 19, 2017 minutes, seconded by Commissioner Lipnick, the motion passed with Commissioner Hinch abstaining.

**III. NEW BUSINESS –**

- A. COURTNEY SAUNDERS appeared before the Commission for a show cause hearing regarding his criminal history. Mr. Saunders testified he has learned from his past and is now a better person. Commissioner Cronin expressed concern of Mr. Saunders' past in relation to his duties as a salesperson. Rebecca Beauchemin, managing broker, spoke favorably about Mr. Saunders and is prepared to develop a disclosure of Mr. Saunders' past. Commissioner Lipnick moved to accept the application, seconded by Commissioner Cronin. The motion passed unanimously.
- B. Chair Jones asked education providers to submit input regarding an upcoming instructors' workshop to be scheduled at a later date.
- C. The Chair moved to the next item on the agenda, Adam Dean regarding one broker managing multiple locations. Chair Jones announced that Mr. Dean requested his item be withdrawn.
- D. BILL ARNOTT addressed the Commission regarding his concern whether licensees were notified of recent rule changes pursuant to past practice. Following discussion, the Commission and staff stated the public was appropriately notified in accordance with state requirements, but will review possibilities to better inform licensees by email in the future.
- E. TREVOR KNIGHT appeared before the Commission to continue the discussion of his criminal history. The matter was initially discussed at the Commission's July 18, 2017 meeting. David Millette, managing broker, joined Mr. Knight and stated that Trevor will be signing a mentor agreement with an experienced sales agent to oversee the first four transactions. The agreement can be extended if needed. Following discussion Commissioner

Cronin moved to accept Mr. Knight's application, seconded by Commissioner Lipnick. The motion passed unanimously.

- F. GRACE DRAPEAU submitted a letter to the Commission requesting approval to renew her lapsed inactive license in accordance with RSA 331-A:18, II. Commissioner Cronin moved to approve the request, seconded by Commissioner Hinch. The motion passed unanimously.
- G. At the Commission's September 19, 2017 meeting Attorney Matt Johnson addressed the Commission regarding his request for the Commission to allow two managing brokers in a single office. The matter was then tabled pending further review. Commissioner Cronin referred to Commission counsel's review of the matter that the legislative intent was to have a single managing broker. Commissioner Cronin moved to deny Attorney Johnson's request to allow for multiple brokers in a single office, seconded by Commissioner Hinch. The motion passed unanimously.
- H. MELISSA VAN SICKLE addressed the Commission to provide a summary of Real Estate Commission's expenses and income for Fiscal Years 16 and 17. Both years reflected excess revenue above the 125% requirement. Examination fees are one area that can be adjusted as the exam costs are contractually fixed and other related expenses can be identified. Additional review is needed to identify costs related to licensing and any adjustment of those fees. Discussion was held on future needs versus budgetary restrictions. Staff will review the numbers and report back to the Commission with recommended fee adjustments. Following an audience comment regarding the pass/fail rate of NHREC exam candidates, the staff was asked to contact the exam company and obtain information and possibly arrange for a meeting to further discuss this matter.
- I. RYK BULLOCK appeared before the Commission at its September 19, 2017 meeting to discuss his request for a second temporary broker's license for his firm but under the name of a different person who received the first temporary license. The matter was tabled pending further review. Chair Jones referenced a review from the Commission's counsel that only one temporary license shall be issued to a firm pursuant to RSA 331-A:21. Commissioner Cronin moved to deny Mr. Bullock's request for a second temporary license, seconded by Commissioner Hinch. The motion passed unanimously.
- J. TOM TREMBLAY addressed the Commission at its September 19, 2017 meeting regarding his request to act as a broker for two separate entities. The matter was tabled pending further review. The Commission referenced a review from the Commission's counsel that Mr. Tremblay should either seek an opinion from his own private attorney or seek a declaratory ruling from the Commission.

The Commission recessed for a break at 10:15.

The Chair reconvened the public meeting at 10:45.

#### IV. NON-PUBLIC SESSION –

At 10:45 Chair Jones asked for a motion to go in to a non-public session. On a motion by Commissioner Cronin, seconded by Commissioner Lipnick, the Commission, by roll call vote, voted to conduct a non-public session for the purpose of the reading and approval of the non-public minutes of the September 19, 2017 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, 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 vote of all members present.

**V. PUBLIC MEETING RECONVENED –**

At 12:22pm on a motion by Commissioner Cronin, seconded by Commissioner Hinch, the Commission adjourned the non-public meeting and immediately reconvened the public meeting

**VI. NON-PUBLIC MINUTES SEALED –**

On a motion by Commissioner Hinch, seconded by Commissioner Cronin, the Commission unanimously 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, 11 N.H. 574 (1978), and the Commission's executive and deliberative privileges. Each member recorded his or her vote on the motion.

**VII. MEETING ADJOURNED –**

At 12:25 the Commission appropriately moved and approved to adjourn the meeting.