

**NEW HAMPSHIRE REAL ESTATE COMMISSION
COMMISSION MEETING MINUTES
March 20, 2018**

A meeting of the New Hampshire Real Estate Commission was held on Tuesday March 20, 2018 at 8:30 a.m. at 121 South Fruit Street, Room #B119, Concord, New Hampshire 03301.

Present: Commissioners Dan Jones, Paul Lipnick, Richard Hinch, John Cronin and Sue Doyle.

Present from OPLC/REC: Rick Wisler and Bobbie Carter.

I. CALL TO ORDER –

The meeting was called to order at 8:35 a.m. by Chair Dan Jones.

II. READING AND APPROVAL OF THE MINUTES –

Commissioner Hinch moved to approve the February 20, 2018 minutes, Commissioner Cronin seconded. The motion unanimously passed with Commissioner Cronin abstaining.

III. NEW BUSINESS -

A. Aaron Michael Brack – Show cause hearing for past criminal convictions. Time has been served for convictions. Currently helping his sister, a licensed real estate salesperson, with administrative duties. Chair Jones suggested a letter from Mr. Brack's principal broker acknowledging full awareness of his past. Commissioner Lipnick moved to accept the application subject to a letter from his principal broker, seconded by Commissioner Hinch. The motion was unanimously approved, Commissioner Cronin abstained.

B. Richard Latham – Request to renew lapsed inactive broker license. Mr. Latham's license expired March 15, 2017 and lapsed September 15, 2017 due to extenuating circumstances. No transactions occurred for at least two years. Commissioner Hinch moved to allow renewal of Mr. Latham's lapsed inactive license due to good cause and reasonable period of time, seconded by Commissioner Cronin. The motion was unanimously approved.

C. Attorney Gerald Caruso – Request for equivalency. Attorney Caruso is currently licensed as a broker in Massachusetts obtained through his status as an attorney, and is a licensed salesperson in Massachusetts with a number of transactions in that state. Commissioner Cronin moved to approve Attorney Caruso's equivalency subject to completing both exams in New Hampshire, seconded by Commissioner Hinch. The motion was unanimously approved.

- D. Blake Elizabeth DeBoisbriand – Request to renew lapsed salesperson license. Ms. DeBoisbriand did not appear at the meeting, therefore, the Commission tabled action on the request.

IV. OTHER BUSINESS –

- A. Staff/Commission reviews of criminal convictions and adverse financial issues. – By unanimous consensus the Commission approved staff reviews and approvals/denials of criminal convictions for misdemeanors that occurred two years or more from date of application. All other convictions will be forwarded to the Chair for review. Additionally, the Commission approved staff reviews and approvals/denials of reported adverse financial issues. Sizeable or complex issues will be forwarded to Commissioner Cronin or other commissioner for review.
- B. Real Estate Exams – Commissioners and audience members discussed the need to change some of the exam questions. It was believed the current contract with PSI Exam Services does not allow an instructor to take the exam. Rick Wisler informed everyone that PSI has agreed to facilitate a review of the questions and update the exam. It is anticipated the process will take a few months.
- C. Legislation – Commissioner Hinch provided an update of legislation including SB461, SB459, SB334 and HB1732. Legislation will “crossover” within the next few days for bills that received an “ought to pass”.
- D. Discussion of licensure for LLCs. The Commission is awaiting guidance from the Office of the Attorney General’s office of a request for a declaratory ruling.
- E. Chair Jones asked staff to add a general comment item on future agendas.
- F. At the request of some of the instructors, REC staff will forward quarterly pass/fail reports to all core and pre-licensing instructors.

The meeting was recessed at 10:00 a.m. for a short break.

The meeting was reconvened at 10:10 a.m.

a. NON-PUBLIC SESSION -

At 10:11 a.m. following an appropriate motion and second to go in to a non-public session the Commission, by roll call, voted to conduct a non-public session for the purpose of the reading and approval of the non-public minutes of the February 20, 2018

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.

b. PUBLIC MEETING RECONVENED –

At 11:50 a.m. an appropriate motion was made and seconded, and the Commission unanimously voted, to reconvene the public meeting.

c. NON-PUBLIC MINUTES SEALED –

On an appropriate motion and second the Commission, by roll call, 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.

d. NEXT MEETING –

The next meeting is scheduled for April 17, 2018 at 8:30 a.m.

e. MEETING ADJOURNED –

At 11:53 a.m. an appropriate motion was made, and seconded, to adjourn the meeting. The motion was unanimously approved.