

**NEW HAMPSHIRE REAL ESTATE COMMISSION
COMMISSION MEETING MINUTES
January 15, 2019**

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, January 15, 2019 at 8:30 a.m. at 121 South Fruit Street, Room #B119, Concord, New Hampshire 03301.

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

Present from OPLC/REC: Division Director Joe Shoemaker, Rick Wisler, Michael Porter and Bobbie Carter.

I. CALL TO ORDER –

The meeting was called to order at 8:32 a.m. by Commissioner Jones.

II. READING AND APPROVAL OF THE MINUTES –

Commissioner Hinch moved to approve the December 18, 2018 meeting minutes, Commissioner Cronin seconded. The motion passed unanimously.

III. NEW BUSINESS –

Show Cause Hearing:

- A. David O'Rourke – Mr. O'Rourke was scheduled for a show cause hearing for failure to comply with the CEU terms of the settlement agreement. Mr. O'Rourke informed the Commission that he was scheduled for the mandated class the next day. After a brief discussion, Commissioner Cronin asked to table the hearing until the February meeting pending completion of the required course. If Mr. O'Rourke completes the course, the hearing will be cancelled.

Appointments:

- B. Robert Weisenbloom – Mr. Weisenbloom explained to the Commission that he did not renew his broker license in a timely manner due to a divorce and not receiving the renewal notice because he did not update the Commission with his change of address. The Commission deemed that not keeping the Commission informed of address changes was a violation of 331-A:17, III. Commissioner Cronin made a motion to assess a \$750.00 fine for violation to notify the commission of an address change, seconded by commissioner Hinch. The motion passed 4-1. Commissioner Cronin made a motion to reinstate Mr. Weisenbloom's license after the payment of his fine, seconded by Commissioner Hinch. Motion passed unanimously.

- C. Danielle Lape – Ms. Lape explained to the Commission that she did not timely renew her lapsed license due to extensive medical issues. Commissioner Cronin made a motion to reinstate based on good cause, seconded by Commissioner Lipnick. Motion passed unanimously.
- D. Michael McGrory – Mr. McGrory asked to renew his lapsed license due to medical issues. Commissioner Cronin made a motion to approve reinstatement based on good cause, Commissioner Hinch seconded. Motion passed unanimously.
- E. Bradley Stephens – Mr. Stephens explained that he did not renew his lapsed license due to the fact that he moved away from New Hampshire and did not expect to need it again. Commissioner Cronin made a motion to approve reinstatement based on good cause, Commissioner Hinch seconded. Motion passed 4-0. Commissioner Doyle was recused.

IV. OTHER BUSINESS –

Questions and Comments:

Providers expressed concern that roster lists do not include personal mail and email addresses, as had previously been provided. Administrator Rick Wisler informed the Commission that new rules may address the providers concerns. A new question is being added to the renewal which should address this situation.

New Bills

HB335 – Ann Flanagan informed the Commission her proposed legislation HB355 was sponsored and introduced. The Commission expressed some concern of new language. The Commission determined not to take a position on HB355.

HB268 – Ann Flanagan expressed her concern of current language in HB268 that states “at least...” Bob Quinn of Realtors’ Association informed the Commission that the Association intends to amend the legislation to instead say “all”. Commissioner Hinch moved to support with the correction line 8 to say “all” and to possibly add “unlicensed” to line 5. Commissioner Cronin seconded. Motion passed unanimously.

SB25 – Would exempt any person who is hired by property owners to; rent, lease and manage residential housing units from being licensed. Investigator Mike Porter discussed a similar case in Pennsylvania. Commissioner Cronin moved not to support the bill, seconded by Commissioner Doyle. Motion passed unanimously.

Rule Changes:

Providers asked to be informed by email of rule changes. Providers also requested changes to exam fees. Joe Shoemaker said under recent legislation OPLC defines fees, but timing did not allow changes in the current budget but will be in the next. Providers asked for reinstatement of Green Rule book.

The Commission took a break at 10:20

V. NON-PUBLIC SESSION –

At 10:30 a.m. following an appropriate motion by Commissioner Hinch and second by Commissioner Doyle 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 December 18, 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.

VI. PUBLIC MEETING RECONVENED –

At 11:23 a.m. an appropriate motion was made by Commissioner Hinch and seconded by Commissioner Cronin, and the Commission unanimously voted, to reconvene the public meeting.

VII. NON-PUBLIC MINUTES SEALED –

On an appropriate motion by Commissioner Hinch and second by Commissioner Doyle 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.

VIII. NEXT MEETING –

The next meeting is scheduled for Tuesday, February 19, 2019 at 8:30 a.m.

IX. MEETING ADJOURNED –

At 11:23 a.m. an appropriate motion was made, and seconded, to adjourn the meeting. The motion was unanimously approved.