

**NEW HAMPSHIRE REAL ESTATE COMMISSION
MEETING MINUTES
November 19, 2019**

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, November 19, 2019 at 8:30 a.m. at 121 South Fruit Street, Room #B119, Concord, New Hampshire 03301.

Present: Commissioners: Daniel Jones, Paul Lipnick, Richard Hinch, Steven Hyde, Esq. and Susan Doyle.

Also present from OPLC: Division Director Joe Shoemaker, Investigator Michael Porter, Board Administrator Rick Wisler and Bobbie Mayo.

I. CALL TO ORDER –

The meeting was called to order at 8:30 a.m. by Chairman Hinch.

II. READING AND APPROVAL OF THE MINUTES –

Commissioner Jones moved to approve the October 15, 2019 meeting minutes, seconded by Commissioner Hyde with a correction to the date on top of page 4. The date originally read November 17 and should read November 19. The motion passed unanimously.

III. NEW BUSINESS –

Appointments:

- A. Mary Williams – Request to Manage Multiple Offices – Ms. Williams is requesting to manage the NRT offices in both Laconia and Wolfboro. Ms. Williams is a non-competing broker. Commissioner Jones made a motion to approve Ms. Williams request to manage both offices, seconded by Commissioner Doyle. Motion passed unanimously.

- B. Erminio Grasso – Request to Manage Multiple Offices – Mr. Grasso is requesting two NRT offices, one in Winchester and the other in Andover. He is requesting to do this temporarily until Jackie Ball completes licensure as a broker in the State of New Hampshire. Mr. Grasso is currently on record as managing both with the Massachusetts Real Estate Commission. He lives in between both offices and will travel to each of them. Commissioner Hyde made a motion to approve Mr. Grasso to manage both offices, seconded by Commissioner Doyle. Motion

passed unanimously.

- C. Stefan Timbrell – Request to Manage Multiple Offices – Mr. Timbrell currently oversees eight locations in the State of New Hampshire. He is requesting to open an additional location in Lincoln for agents who are transitioning out of full time. Commissioner Jones made a motion to approve Mr. Timbrell’s request to manage an additional location in Lincoln, seconded by Commissioner Doyle. Motion passed unanimously.
- D. Lorna Gagnon – Request to Manage Multiple Offices – Ms. Gagnon is requesting to manage two branch offices in Portsmouth and Exeter. Ms. Winthrop is the current manager and sought approval from the Commission in 2015, however she is moving to another office as an associate broker. Commissioner Jones made a motion to approve Ms. Gagnon’s request to manage multiple offices, seconded by Commissioner Doyle. Motion passed unanimously.
- E. Melinda Torrens – Request for Equivalency – Ms. Torrens is currently the Regional Manager for her company overseeing ten states. She wants to receive a broker’s license in the state so that she is able to step in for the current New Hampshire broker should there be a need. Ms. Torrens has held a broker’s license in her home state since 2002. After a brief discussion and questions from the Commission, Commissioner Hyde made a motion to approve Melinda Torrens request for equivalency with the understanding that she will have to take the 60 hour brokers education and both the state and national exams. The motion was seconded by Commissioner Doyle, motion passed unanimously.
- F. Kris Lippi – Request for Equivalency – Mr. Lippi currently holds a broker’s license in every state in the Northeast, he would like to be able to conduct business as a broker in this state as well. After a brief discussion and questions from the Commission, Commissioner Hyde stated that he felt that Mr. Lippi met all the requirements for equivalency as stated in the statutes. Commissioner Jones made a motion to approve, seconded by Commissioner Lipnick. Motion passed unanimously.
- G. Jason Singer – Request for Equivalency – Mr. Singer stated he was working with Keller Williams. Commissioner Doyle went on record to state that she also worked with Keller Williams. Commissioner Hyde made it known that he is an attorney for Keller Williams. Neither believe that their relationship with the firm would hinder the ability to remain impartial. Commissioner Jones made a motion to approve Mr. Singer for equivalent experience, Seconded by Commissioner

Lipnick. Commissioner Hyde stated that Mr. Singer is qualified under the statutes even though, out of the six transactions submitted, only one was in New Hampshire. Commissioner Hyde recognized that this was due to Mr. Singers brief period of licensure as a New Hampshire salesperson. Motion passed unanimously.

- H. Miriam Shpindler – Request for Reinstatement – Ms. Shpindler stated that she miscalculated her expiration date. Commissioner Hyde voiced his concern regarding the fact that the renewal was notarized as complete on September 10, however the core course was not completed until September 25th which was days after her renewal was received by Real Estate Commission staff. Ms. Shpindler stated that the course was completed but she had not completed the exam. Commissioner Hyde made a motion to deny Ms. Shpindler’s request because of a lack of good cause shown, he also reiterated his concerns regarding the completion dates of the core course. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- I. Judy Kelly – Request for Equivalency – Commissioner Hyde made a motion, due to Ms. Kelly’s absence, to deny her request for equivalent experience, seconded by Commissioner Jones. Motion passed unanimously.
- J. Trevor Hunt – Request for Reinstatement of Refund - Commissioner Hyde made a motion, due to Mr. Hunt’s absence, to deny his request for reinstatement or refund, seconded by Commissioner Jones. Motion passed unanimously.

IV. DISCIPLINARY HEARING –

- A. Complaint Docket #2019-009 NHREC v Peter K. Quinn – Continued.

V. OTHER BUSINESS –

Petition for Reduction of Fees – Administrator Rick Wisler presented information received from the OPLC director of finances. Commissioner Hinch inquired as to what percentage the Real Estate Commission would fall to should they reduce the testing fees. Administrator Wisler did not have that information. Commissioner Hyde requested that the Commission seek council guidance as to RSA 332-G and how much the Commission can charge for the exam fee, whether it be only 125% or if we can charge in excess of that. Commissioner Hyde made a motion to table the request until we received guidance from Commission Council and a percentage from the OPLC director of finance. Motion was seconded by Commissioner Jones, passed unanimously.

Grace Drapeau - Request for Appeal of denial for Reinstatement - Commissioner Hyde stated that the Commission's appellate process is defined in RSA 331-A:28. The Commission did not take any actions listed within this statute. Furthermore, if the Commission had acted in accordance with RSA 331-A:28, Ms. Drapeau would need to appeal to the Superior Court. Commissioner Hyde made a motion to deny Ms. Drapeau's request for appeal, seconded by Commissioner Jones. Motion passed unanimously.

Questions and Comments

Instructor Ann Flanagan voiced her concerns over the exam fees and the cost comparison between New Hampshire and Massachusetts. Administrator Wisler stated that the current contract would soon be expiring and it would then be released out for bid.

A Break was held from 9:49 a.m. to 10:00 a.m.

VI. NON-PUBLIC SESSION –

At 10:01 a.m. following an appropriate motion by Commissioner Jones and second by Commissioner Lipnick 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 October 15, 2019 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.

VII. PUBLIC MEETING RECONVENED –

At 11:57 a.m. an appropriate motion was made by Commissioner Hyde and seconded by Commissioner Jones, and the Commission unanimously voted, to reconvene the public meeting.

VIII. NON-PUBLIC MINUTES SEALED –

On an appropriate motion by Commissioner Hyde and second by Commissioner Jones 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.

IX. NEXT MEETING –

The next meetings are scheduled for Tuesday, December 3, 2019 at 10:00 a.m. and Tuesday, December 17, 2019 at 8:30 a.m.

X. MEETING ADJOURNED –

At 12:00 p.m. an appropriate motion was made, and seconded, to adjourn the meeting. The motion was unanimously approved.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bobbie Mayo".

Bobbie Mayo
Supervisor II