

NEW HAMPSHIRE REAL ESTATE COMMISSION
PUBLIC MEETING MINUTES
December 20, 2022

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, December 20, 2022, at 8:30 a.m. The meeting was conducted at the Office of Professional Licensure and Certification, 7 Eagle Square, Concord, New Hampshire. Public could attend in person or via teleconference.

Present: Commissioners: Steven Hyde, Esq., Matthew Cabana, Ralph Valentine, Susan Doyle and Paul Lipnick.

Also present from OPLC office: Administrators Dawn Couture, Marla Pike and Chris Senko.

Sheri Phillips from the Department of Justice was also present.

I. CALL TO ORDER –

The meeting was called to order at 8:43 a.m. by Chairman Hyde.

II. REVIEW OF PUBLIC MINUTES –

Commissioner Lipnick made a motion to approve the November 15, 2022, public minutes, as presented, the motion was seconded by Commissioner Doyle. The motion passed unanimously.

III. PUBLIC APPEARANCES –

- a. Mike Keeler – Request to manage a branch office as a principal broker – Mr. Keeler appeared via Zoom requesting to act as a temporary managing broker to the branch office in Chelmsford MA while maintaining his principal broker status. Mr. Keeler stated that there is a person currently in process of taking the broker exam who will become the managing broker of Chelmsford. A brief discussion was held. Commissioner Valentine made a motion to approve Mr. Keeler's request to be the managing broker, temporarily, for the Chelmsford MA office while still maintaining his principal broker status. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- b. Allison McIntyre – Request to manage multiple offices – Ms. McIntyre appeared via Zoom requesting to be the managing broker of a new NRT New England LLC office in North Reading MA while still acting as the managing broker for the office located in Andover MA. There are 90 agents at the Andover office and 12 agents will be at the North Reading office. Commissioner Valentine made a motion to approve Ms. McIntyre as the managing broker for the North Reading office as well as maintaining the managing broker for the Andover office. The motion was seconded by Commissioner Cabana, the motion passed unanimously.

- c. Arlene Richardson – Review of application for equivalency – Ms. Richardson was not present. Chairman Hyde made a motion to deny her request due to non-appearance. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- d. Robert A. Cole – Review of application of equivalency – Mr. Cole appeared in person. Mr. Cole is requesting that his experience as an investor is equivalent to the experience pursuant to RSA 331-A:10. Mr. Cole has worked in NH and MA for 11 years. He stated that his business does not use MLS. Commissioner Doyle asked about his involvement in the transactions that were submitted as the information was not indicated on the documents. Mr. Cole stated that he had been completely involved in all transactions. Mr. Cole brought copies of his commission checks. He also stated that he is 100% of the time employed by a broker. Chairman Hyde made a motion to approve Mr. Cole’s application as he had met the experience requirements under RSA 331-A:10 II (c); therefore, it was not necessary for him to show equivalency. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- e. Janet Deborah Bamford – Ms. Bamford appeared in person requesting to have her lapsed inactive broker license reinstated. Ms. Bamford explained to the Commission that her husband had been ill for years and that she was his caregiver full time. During the timeframe that she was to renew her license, her husband had passed. Ms. Bamford mentioned that although her license has been in inactive status since 2018 and that she does not use it daily; however, she does not want to give the license up. Ms. Bamford confirmed that she has not done any transactions. Commissioner Valentine moved to allow the renewal of Ms. Bamford’s lapse license. The motion was seconded by Commissioner Lipnick.

Chairman Hyde moved to amend the motion, to the approve Ms. Bamford’s request as the Commission had found that the period of the time is reasonable. The motion was seconded by Commissioner Valentine. The motion passed unanimously.

Ms. Bamford made a verbal request for the Commission to waive the fees. Commissioner Valentine moved to waive the fees due to good cause shown. The motion was seconded by Chairman Hyde. The motion passed unanimously.

- f. Kristen P. Kassas – Ms. Kassas’s appeared in person requesting to have her lapsed salesperson license reinstated. Ms. Kassas stated that she is an engineer and that her real estate license is used mostly for referrals. Ms. Kassas did admit that gotten about her renewal expiring as she was planning a family event. Ms. Kassas explained that when she realized she was within the 6 months, she got her course completed and tired to renew online; however, she was having some technical difficulties as her course certificate would not upload. She mentioned

that she could not call as there was no phone number listed but she did email Customer Support. Chairman Hyde made a motion to approve Ms. Kassas's request to reinstate her license and that any fees be waived as she had met the requirements to renew within the 6 month timeframe and that it was OPLC's system that had the issue. The motion was seconded by Commissioner Cabana. The motion passed unanimously.

Commissioner Valentine made a friendly amendment to the motion, for Ms. Kassas to completely fill out the top section of her course certificate prior to leaving the meeting. The motion was seconded by Commissioner Doyle. The motion passed unanimously.

VI. QUESTIONS AND COMMENTS –

- Commissioner Valentine asked OPLC staff if the last meeting date could be put onto the agenda regarding reviewing of the minutes. Staff will include the last meeting date when referencing the minutes.
- Aaron Rouse asked the Commission on the status of his application. Chairman Hyde informed Mr. Rouse that the Commission does not review all applications; someone from OPLC will get back to him with an update.

VII. NON-PUBLIC MEETING –

At 9:44 a.m. following an appropriate motion by Commissioner Cabana and seconded 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 November 15, 2022 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*, 118 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.

VIII. PUBLIC MEETING RECONVENED –

At 11:35 a.m. following an appropriate motion made by Commissioner Valentine and seconded by Chairman Hyde, the Commission unanimously voted by roll call, to reconvene the public meeting. The motion passed unanimously.

IX. NON-PUBLIC MINUTES SEALED –

On an appropriate motion by Chairman Hyde and seconded by Commissioner Doyle, 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*, 118 N.H. 574 (1978), and the Commission's executive and deliberative privileges. The motion passed with each member recording his or her vote on the motion.

X. NON-PUBLIC MEETING –

At 11:37 a.m. following an appropriate motion by Chairman Hyde and seconded 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 discussing 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*, 118 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.

XI. PUBLIC MEETING RECONVENED –

At 11:41 a.m. following an appropriate motion made by Chairman Hyde and seconded by Commissioner Cabana, the Commission unanimously voted by roll call, to reconvene the public meeting. The motion passed unanimously.

XII. NON-PUBLIC MINUTES SEALED –

On an appropriate motion by Chairman Hyde and seconded by Commissioner Doyle, 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*, 118 N.H. 574 (1978), and the Commission's executive and deliberative privileges. The motion passed with each member recording his or her vote on the motion.

XIII. ADJOURNMENT –

At 11:42 a.m. a motion to adjourn was made by Chairman Hyde, and seconded by Commissioner Doyle, to adjourn the meeting. The motion was approved unanimously.