



## Real Estate Commission Public Meeting

Real Estate Commission (Brokers & Salespersons)

Tuesday, February 18, 2025 at 8:30 AM EDT to Tuesday, February 18, 2025 at 2:30 PM EDT

**Attendees:** Ralph Valentine – Chair (RV), Suzanne Brunell, Esq. (SB), Matthew Cabana (MC), Stuart Arnett (SA), Susan Doyle (SD)

**Staff:** Justin (JB) Frazier – Board Administrator, Erica Lamy (Board Administrator), Rahkiya Medley, Esq. – Board Counsel

### Agenda

**I. Call To Order:** RV called the meeting to order at 8:41 am

The Real Estate Commission went into Non-Meeting at 8:42 am until 9:11 am

**II. Approval of the Public Minutes from January 21, 2025:** Motion to approve Public Minutes as amended by RV second by MC. Motion passes 5-0-0

### III. Public Comments:

**Jennifer Frost:** Core class regarding dual licensing. Attendee questioned that they have their own residential property that they rent out and their office doesn't do Property Management. Questioned whether their Broker needs to collect rents. Referred to 331:A(2) and 331:A(4). What are the activities need to be managed by Brokerage. Rahkiya recommended seeking legal analysis as it is not a REC. Could file an appeal for declaratory ruling under Plc 210 declaratory rulings shows everything needed.

**Joseph Haas:** Mr. Haas provided documentation that was handed out to the Commission. Mr. Haas asked to be put on the agenda on Feb 18<sup>th</sup> to request a motion on investigative reports. Human Rights advised that the public has the right to request reports. He was advised that the Commission could choose to put in a rule if they choose to and if they choose not to, Mr. Haas will go to JLCAR to force the rule creation. Mr. Haas would like to know how much Enforcement delved into the Revocable Trust. Mr. Haas would like to know if the Commission has gotten a copy of the trust that was provided. Attorney Medley advised she will discuss with the Commission in Non-Public

Return to Public Session at 10:45 am

### V. Hearings A. Lawrence Dunlap - 10:30 am

The licensee requested the Commission vote to hold the hearing in Non-Public Session. Motion to move to Non-Public at 10:53 am by RV second by SB. Motion passes 5-0-0

**VI. Administrative Rules and Legislative Topics:** Chantell

**A. Rea 100 - Final Proposal:** Made changed by Paragraph G of 101.01. Cause re-lettering on 101.01. Motion to file final proposal as amended with OLS by RV second by MC. Motion passes 5-0-0

**B. Rea 300**

The rules coordinator Chantell and Attorney Medley informed the commission that the Rea 300s are still being drafted and will be available at the March meeting

**C. Rea 400 and Rea 700**

Motion to initiate rule writing of the Rea 400 and Rea 700 by RV second by MC. Approved 5-0-0. Point of contact will be SD.

**VII. OPLC Updates:**

**Attorney Medley:** Crossover scheduled for April. Deep in legislative session. Attorney Medley discussed the details of SB185. Hearing was on Feb 5th. Gen Court does not have the disposition of what happened. Further updates will be in March meeting

**VIII. Non-Public Session:** Motion to move to Non-Public by RV and second by SB at 9:39 am. Roll call: 5-0-0

Non-Public session conducted for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, *Lodge v. Knowlton*, (1978), and the Board's executive and deliberative privileges.

**IX. Return to Public Session at 12:05 pm**

**X. Seal the Minutes of the Non-Public Session:** Motion at 12:10 pm to seal the Non-Public minutes by RV second by SB. Roll call: 5-0-0

Minutes of the non-public session are sealed to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective

**XI. Adjournment:** Meeting adjourned at 12:13 pm