



Real Estate Commission Public Meeting Minutes

Real Estate Commission (Brokers & Salespersons)

Tuesday, March 18, 2025 at 8:30 AM EDT to Tuesday, March 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: Meeting called to order by RV at 8:37 am

II. Approval of the Public Minutes from February 18, 2025: Motion to approve the Public Minutes as amended by MC second by SB. Board approved 5-0-0

III. Public Comments

Comment from Rebecca Mann: MC: Rebecca is the provider that has a self-paced course.

Medley: This was submitted as part of the 300's. It may be best to look at it through that lens. RV move to 300 discussion.

Tom Heany: Mr. Heany has been a licensee since 1986 and has been teaching since 1986. He finds himself having to renew this month. He currently teaches CE classes and writes certificates towards renewals. He is curious if he can he give himself a certificate for the courses that he teaches? Massachusetts does allow it. **Attorney Medley:** Cannot provide legal advice of interpretation to the Commission. She does not have an immediate answer. As they going through the rules, the Commission may want to consider moving this to 300 to discuss. There is nothing that currently allows that. **RV:** Can the Commission make the decision to allow it? **Attorney Medley:** Advises no. **SA:** Can Commission extend the renewal? **SB:** Noted that as an attorney, you get double hours when instructing. **RV:** We can put this in the rule discussion.

Mr. Heany wanted to address CE Broker: He went to renew 2 classes. As a function of renewing, you send the information to CE Broker and when he did, he got no response. Mr. Heany had to call and they were nice but responded with a scripted response of “marked as urgent”. Through multiple calls and electronic communication, he was getting the same response. Mr. Heany was also contacting OPLC about scheduling classes. He spoke with Jessica Prive in Licensing who was very empathetic and she requested her supervisor call CE Broker. Mr. Heany then got a response immediately from CE Broker and it was resolved. Mr. Heany was frustrated by the length of time that it takes to get response. He has had a very difficult time with the customer service with the automated customer service. **SB:** Do you have the pay or free service? **Mr. Heany:** Feels there is a lot of confusion on the pay vs. free. **RV:** We will address this question with Heather Kelley.

Ann Flanagan: Ms. Flanagan mentioned that she sent comments with regards to 200s during the response period, but did not get a response. Was expecting a response to at least say OPLC

received the comments. Chantell did not receive the comments and requested Ms. Flanagan to resend those. Public comments ended 12/27/24. **Ms. Flanagan** corrected herself that her email was to the Plc 200 which has been forwarded appropriately.

Ms. Flanagan expressed that she feels the proposed change to the 300 rules, as it affects when someone has a complaint against them, she feels the response is can you change the rules so I am not violating. **Attorney Medley**: The comment is about the 300s and the Commission will not speak to anything that is going through the adjudicative process.

Ms. Flanagan spoke to the fact that she used to work as investigator and wants to know who to call. Is there a directory that people could have to get a hold of people if they need to inquire about things?

Shannon Whaley: Is there any progress to speed up the complaint process? **RV**: The new Enforcement Director has gone through all complaints and have eliminating nearly half of the complaints. **Ms. Whaley**: Do the complainants get updates on when a complaint is dismissed? Feels that complaints go into a "black hole". **RV**: Feels new Director has hit the ground running and doing well.

IV. Hearings: No hearings scheduled

V. Administrative Rules and Legislative Topics

Final Proposal - Chantell Wheeler 9:00 AM

A. Rea 100: Going on the consent calendar at JLCAR agenda 3/21. **SA**: What is the section from the person from FL? **Medley**: We will address at another time. Rules just received them with the correct edits from January. Adoption will be added to April meeting.

B. Rea 200: Have already been approved by Commission and JLCAR. Can get signed by Commission and get effective tomorrow. Motion to adopt the Rea 200 rules as written MC second by SB. Board approved 5-0-0. Certification will be added to the April meeting.

C. Rea 300: Does the Commission use the affidavits from the character references? **RV**: Yes **Ann Flanagan**: There is no longer an exam registration form. **RV**: There is a form that was created years ago. Change "reciprocity" to licensure recognition. Respectfully asked that Ann refrain from comments and allow the Commission to complete their process.

Chantell: Does the Commission provide lists of candidates that passed the exams. **SD**: Feels this is something that PSI would provide. **RV**: Asks that it be changed to "If the Real Estate Commission provides..." Also, school code clarify that this is an instructor. **RV**: How deep should this form go. **Chantell**: Applicant needs to fill out Universal Application for licensure.

***Deactivation form**. Will continued

VI. OPLC Updates

A. Heather Kelley - 10:00 am

Standing Order on Failed or Returned License Fee Payments: Motion to adopt the standing order on Failed or Returned License Fee Payments by MC second by SA. Board approved: 5-0-0

RV: Shared the public comment regarding Pay vs. Free versions of CE Broker. **Heather:** There are FAQ's regarding the options. Paid service provides you access to live customer service. We can update the page explaining the level of customer service access difference.

VII. Non Public Session:

Motion to move to Non Public Session at 10:14 am by RV second by MC. Board approved 5-0-0

Motion to move to Non Public Session at 12:24 pm by RV second by SB. Board approved: 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.

VIII. Seal the Minutes of the Non Public Session: Motion to seal the Non Public Minutes at 11:22 am by RV second by MC. Board approved 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

IX. Adjournment: Meeting adjourned at 1:38 pm