

NEW HAMPSHIRE REAL ESTATE COMMISSION
PUBLIC MEETING MINUTES
April 19, 2022

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, April 19, 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., Susan Doyle, Matthew Cabana and Ralph Valentine

Not Present: Commissioner Paul Lipnick

Also present from OPLC office: Administrator Bobbie Mayo.

Sheri Phillips from the Department of Justice was also present.

I. CALL TO ORDER –

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

II. READING AND APPROVAL OF MINUTES –

Commissioner Valentine moved to approve the March 15, 2022, minutes as written, seconded by Commissioner Doyle. The motion passed unanimously.

III. NEW BUSINESS -

Appointments:

- a. Michael Keeler – Mr. Keeler appeared via Zoom to request the ability to maintain his license as a principal broker but act as a managing broker for the Andover MA office temporarily. Mr. Keeler stated that there is a person currently in process of taking the broker exam who will become the managing broker of Andover. A brief discussion was held. Commissioner Valentine made a motion to approve Mr. Keeler's request to be the managing broker, temporarily, for the Andover MA office. The motion was seconded by Commission Cabana. The motion passed unanimously.
- b. Christina Soucy – Ms. Soucy appeared via Zoom to request approval to take over for Managing Broker Jeff Smith. Ms. Soucy does have a Broker license in MA as well as NH. A brief discussion was held, Commission Hyde made a motion to approve Ms. Soucy's request to take over for Mr. Smith as Managing Broker for the Haverhill, NH, Newburyport, MA and the Pelham, MA offices. The motion was seconded by Commissioner Valentine. The motion passed unanimously.
- c. Lydia Foley – Ms. Foley appeared in person to request approval to manage a second location in Hollis, NH. Ms. Foley currently has 8 agents in the Nashua, NH location.

- There will not be any agents at the Hollis, NH location at this time. A brief discussion was held, Commissioner Valentine made a motion to approve Ms. Foley's request to maintain her role as principal broker but act as managing broker for an additional office in Hollis, NH. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- d. Nicholas Giesinger – Mr. Giesinger appeared via Zoom to request approval of equivalency. Mr. Giesinger has active licenses in RI, MA & CT. Mr. Giesinger submitted a full equivalency packet and 6 transactions. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Commissioner Valentine made the motion to approve Mr. Giesinger's request for equivalency. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
 - e. Thomas Lazzaro - Mr. Lazzaro appeared via Zoom. Mr. Lazzaro and his wife are moving to New Hampshire. Mr. Lazzaro has been a full-time realtor for 22 years, working as a broker since 2002. Mr. Lazzaro submitted a completed equivalency packet with 6 transactions. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Commissioner Valentine made the motion to approve Mr. Lazzaro's request for equivalency. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
 - f. Susan Mahony- Attorney Mahony appeared via Zoom. Attorney Mahony is a Broker and Attorney in Massachusetts. Attorney Mahony has been a licensed Attorney since 1995 with a focus in real estate law. Attorney Mahony's client base has expanded, and she would like to help her Massachusetts real estate clients with finding homes in New Hampshire. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Chairman Hyde made the motion to approve Attorney Mahony's request for equivalency. The motion was seconded by Commissioner Valentine. The motion passed unanimously.
 - g. Jeremy Hakimi- Mr. Hakimi appeared via Zoom. Mr. Hakimi is licensed in numerous states and has been a licensed broker since 2005. Mr. Hakimi has no plans in opening an office or having agents work under him. He would like to hang his license as a referral agent. Mr. Hakimi does not know which Keller Williams office he is going to work in but neither Chairman Hyde nor Commissioner Doyle know Mr. Hakimi. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Commissioner Valentine made the motion to approve Mr. Hakimi's request for equivalency. The motion was seconded by Commissioner Cabana. The motion passed unanimously.

- h. Luz Elena Echeverry - Ms. Echeverry appeared via Zoom with her husband Justin. Ms. Echeverry has been a realtor for 7 years. Ms. Echeverry is following her husband to New Hampshire as he received a promotion within Redfin. Ms. Echeverry submitted a completed equivalency packet and 6 transactions. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Commissioner Valentine made the motion to approve Ms. Echeverry's request for equivalency. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- i. Justin Martin- Mr. Martin appeared via Zoom. Mr. Martin is employed by Redfin in Texas; he was recently promoted to Market Manager and is relocating to New Hampshire. Mr. Martin submitted a completed equivalency packet and 6 transactions. A brief discussion was held wherein the Commission discussed the petitioner's qualifications and compared them to RSA 331-A:10, II C(3). Commissioner Valentine made the motion to approve Mr. Martin for equivalency. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- j. Kara Leigh Baumann - Ms. Baumann appeared in person. Commissioner Hyde was recused from this discussion, Commissioner Valentine acted as Chair. Ms. Baumann stated that she broke her neck and that was why she did not renew. Ms. Baumann stated that she does not need her real estate license to work but would like to keep it. It was pointed out that Ms. Baumann's license expired one month prior to Ms. Baumann's injury. It was also stated that 4 out of the last 5 renewals were completed late. Ms. Baumann stated that she could do computer work during her recovery. Commissioner Doyle explained that to grant reinstatement there must be a good cause and reasonable amount of time pursuant to state statute. A brief discussion was held wherein Commissioner Cabanna made a motion to deny the license reinstatement. The motion was seconded by Commissioner Doyle. The motion passed unanimously.
- k. Kimberly Aponte - Ms. Aponte appeared via Zoom. Ms. Aponte stated that she did not renew on time because she was diagnosed with a high-risk pregnancy due to covid she also stated that she was not aware that her license had lapsed because she did not receive any renewal notices. Commissioner Doyle explained that the pocket card has the expiration date directly on it. Ms. Aponte informed the Commissioners that she was not in possession of her pocket license. A brief discussion was held wherein the Commission discussed the requirements to reinstate a license which requires a petitioner to show good cause and a reasonable amount of time. Commissioner Valentine made the motion to deny Ms. Aponte for reinstatement due to lack of good cause and time passed. The motion was seconded by Commissioner Doyle. The motion passed unanimously.

IV. ADMINISTRATIVE RULES HEARING

9:00 Administrative Rules Hearing – Chairman Hyde opened the rules hearing for Rea 300 and Rea 400 at 9:31 a.m. the hearing remained open until 10:14 a.m. The Commission heard testimony from Instructors Ann Flanagan, Kathy Roosa and Jennifer Frost. A few edits were made based on testimony heard. Written testimony was also received and reviewed. Staff member Tina Kelley will make the edits and have the rules ready for final approval at the May 17 meeting.

V. OTHER BUSINESS

- Pending Bills – Commissioner Valentine gave a summary and review of pending legislation.
 - SB 222 – ITL
 - SB 1014 – Tabled
 - SB 1354 – Passed House & Senate
- Questions and Comments –
 - Instructor Kathy Roosa asked Administrator Mayo if the proposed cost increase for renewals would provide funding for the OPLC to begin providing the State Statute books to the instructors as they had in the past. Administrator Mayo informed Ms. Roosa that the OPLC had made the decision to become a paperless office and therefore providing the instructors with the State Statute books is not a possibility at this time.

VI. NON-PUBLIC MEETING –

At 10:41 a.m. following an appropriate motion by Chairman Hyde and seconded by Commissioner Cabana 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 February 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.

VII. PUBLIC MEETING RECONVENED –

At 12:47 p.m. an appropriate motion was made by Commissioner Valentine and seconded by Commissioner Doyle, and the Commission unanimously voted by roll call, to reconvene the public meeting.

VIII. NON-PUBLIC MINUTES SEALED –

On an appropriate motion by Commissioner Valentine 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.

OTHER BUSINESS - Continued

- Director Kallipolites – Director Kallipolites and Attorney Porter joined the meeting. A discussion regarding the new complaint procedure was held. Chairman Hyde stated that the Commissioner's main concerns with the new complaint process was that it appears following this process would be a direct violation of RSA 331-A. Director Kallipolites explained the procedure that was being followed for the Commission and offered further explanations into the complaint process and where they would like to go. Chairman Hyde stated that if after a complaint and response was received, if there appears to be no violation, then a short synopsis could be included with a recommendation to close the complaint.

IX. **NEXT MEETING** – May 17, 2022, at 8:30 a.m.

X. **ADJOURNMENT**

At 1:40 p.m. an appropriate motion was made by Commissioner Valentine, and seconded by Chairman Hyde, to adjourn the meeting. The motion was unanimously approved.