

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION

August 2, 2006
165 CAPITOL AVENUE
HARTFORD, CT 06106

The Connecticut Real Estate Commission convened for a Meeting on Wednesday, August 2, 2006 at 9:15 a.m. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present:	Bruce H. Cagenello, Chairman	(Broker - 1 st District)
	Joseph B. Castonguay,	(Broker – 2 nd District)
	Marilyn Keating	(Salesperson – 4 th District)
	Barbara Thompson	(Salesperson – 3 rd District)
	Joseph H. Kronen	(Public Member – 1 st District)
	Theodore F. Ells	(Public Member- 3 rd District)
Commissioners Absent:	Lana K. Ogradnik	(Broker – 5 th District)
Commission Vacancy:	Public Member (1)	4 th District
Attorney General:	Alan Ponanski	
DCP Staff present:	Sallie Pinkney, Commission Secretary	Occ/Pro Licensing Division
	Richard Hurlburt, Director	Occ/Pro Licensing Division
	Elisa Nahas, Administrative Attorney	Legal Division
	Lynn Fiore, Attorney	Legal Division
	Jerry Padula, Attorney	Legal Division
	Richard Maloney, Director	Trade Practice
	Michele Erling, Real Estate Examiner	Trade Practice
Public Present:	Manuel Pacheco	
	Bunny Kyle	
	Jim Kyle	
	Alan Drinan	
	Katherine Pancak	

The next Meeting of this Commission is schedule for Wednesday, September 6. 2006 at 9:15 a.m. in Room 119 As called for by Chairperson Cagenello.

Note: The administrative functions of this Commission are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information please call Richard M. Hurlburt, Director and Real Estate Commission Administrator, at (860) 713-6135 or visit www.ct.gov/dcp.

Real Estate Commission Meeting of August 2, 2006

1. **MINUTES:**

Review Minutes from May 3, and May 24, 2006

Com. Kronen motioned to accept the amended minutes of 5/3 and 5/24, 2006. Com. Keating 2nd, and the vote carried.

2. **FORMAL HEARING**

Robert C. White Company – Formal Hearing was canceled, the respondent withdrew his request for a formal hearing.

Com. Kronen motioned to put in the minutes that the respondent withdrew his request for a formal hearing, and the respondent understand that the denial of the registration is in effect. Com. Thompsen 2nd, and the vote carried unanimously.

3. **CONSENT AGREEMENTS**

The following consent agreements were signed by the Real Estate Chairman, Bruce Cagenello.

- a. **#2006-277 Civil Penalty Paid \$1,500. Com. Kronen motioned to accept. Com Ells 2nd, and the vote carried unanimously.**
- b. **#2006-515 Civil Penalty Paid \$500. Com. Kronen motioned to accept. Com Thompson 2nd, and the vote carried unanimously.**
- c. **#2006-525 Civil Penalty Paid \$500. Com. Kronen motioned to accept. Com Ells 2nd, and the vote carried unanimously.**
- d. **#2006-509 Civil Penalty Paid \$500. Com. Kronen motioned to accept. Com Castonguay 2nd, and the vote carried unanimously.**
- e. **#2006-510 Civil Penalty Paid \$1,000. Com. Kronen motioned to accept. Com Castonguay 2nd, and the vote carried unanimously.**
- f. **#06-908 Civil Penalty Paid \$1,000. Com. Kronen motioned to accept. Com Ells 2nd, and the vote carried unanimously.**
- g. **Daniel Lorenzetti #2006-817 Civil Penalty Paid \$1,000. Com. Kronen motioned to accept. Com Ells 2nd, and the vote carried unanimously.**
- h. **Roman Realty, Inc. #2006-817 Civil Penalty paid \$1,000. Com Kronen motioned to accept. Com Ells 2nd, and the vote carried unanimously.**

4. **TRADE PRACTICE ENFORCEMENT REPORT**

- a. Richard Maloney and Michele Erling presented a Metrics Reports for 1/01/06 – 07/18/06. Michele gave an overview of Real Estate Enforcement Issues and Trends.
- b. Tim Keefe reported on Escrow Field Audits. The audits have been successful, no non compliance books. No co-mingling or checks out of place.

5. **LEGAL DIVISION**

- a. Jerry Padula, Attorney DCP Legal Division gave a draft list of Legislative changes for 2007. Regulations that will be brought before the Legislative Committee are as follows:
 - Model Timeshare Act in CT
 - 20-314 Clarification of the Five Dollar (\$5) test fee if valid for 1 year only and eliminate phrase that renew annually.
 - Changes on the Regs 20-311 F
 - 20-320 Section 8 Suspension/Revocation to include all felonies
 - 20-320 Section 13 Fines, If RE fines can be generated to the enforcement fund
 - The Real Estate course approval process and charge a review fee

- 21A-4C Late Fees for renewal of late applications
- 20-324A Guaranty Fund used for educational & training for commission and staff.

6. **GUARANTY FUND HEARING**

- a. Mary Ann Young is requesting restitution from the guaranty fund in the amount of Twenty Six Thousand, Five Hundred and Forty One Dollars (\$26,541.00). **Com Kronen motioned to grant her Twenty Five Thousand Dollars (\$25,000.00) the maximum she can receive from the fund. Com. Thompson 2nd and the vote carried unanimously.**

7. **REAL ESTATE BROKERS & SALESPERSON APPLICATION**

- a. Manuel Pacheco – Appealed his Real Estate Brokers Application denial. **Com. Kronen motioned to approve his application. Com Castonguay 2nd, and the vote carried unanimously.**
- b. Peter Maggio – Requesting to have his license reissued without taking the exam. **Com. Kronen motioned to reinstate his Real Estate Salespersons license providing he take 30 hours of Principles and Practice course. Com. Thompson 2nd, and the vote carried unanimously.**
- c. Elaine Riccoboni – Requesting a waiver to take the exam again without the 1 year wait period required after a series of failures. **Com. Kronen motioned to deny. Com. Castonguay 2nd, and the vote failed. Com. Ells motioned to grant her a One Time Only opportunity to take the test again. She must take the test at the schedule appointment time. No canceling or rescheduling of appointments, and the test must be taken with 3 months from 8/2/06. Com Thomspon 2nd, and the vote carried unanimously.**

8. **APPLICATIONS PREVIOUSLY APPROVED BY CHAIRMAN BRUCE CAGENELLO**

- a. Jennifer M. Wick
- b. La’Kicia L. Fuller
- c. Richard K. O’Neil
- d. Linda A. Crooks
- e. Raquel S. Colby
- f. Rosalie Ann Benvenuta
- g. Marie-Lynn Piscitelli
- h. Sergei Lemberg
- i. Alan Drinan (approve for salesperson after 60 hrs of P&P). He appeared before the commission to appeal the brokers denial. **Com. Kronen motion to approve. Com Ells 2nd, and the vote didn’t carry. Mr. Drinan’s request was denied.**

9. **EQUIVALENT CONTINUING EDUCATION CREDIT PREVIOUSLY APPROVED BY CHAIRMAN**

- a. Patricia House- 6 hours of Electives
- b. Neil Matthews- 12 hours including mandatory’s

10. **CONTINUING EDUCATION WAIVER PREVIOUSLY APPROVED BY CHAIRMAN**

- a. Frances K. Berry- 6 month extension for 5/31/06 or CE Exam
- b. Sandor A. Koos – 6 month extension effective 5/31/06
- c. Vivian F. Ferguson – 6 month extension effective 5/31/06 or CE Exam.
- d. Anita I Pereida – 6 month extension effective 5/31/06 or CE Exam.

11. **NEW BUSINESS**

- a. Commissioner's meeting report (Bruce, Ben & Joe). Brief discussion of the meeting.
- b. Arello Recap- **Laureen Rubino gave and overview of the conference. She felt everyone's corporation was good. CT had a great turn-out, and the Speaks were very good and maintained the audience attention. Bruce sent letters to all participants thanking them for their time.**
- c. Real Estate Guaranty Fund (Mthly Status Rpt, Funds for Education & ARELLO)
- d. Education Advisory Committee/Mandatory Continuing Education Courses – Katherine Pancak gave an overview of the Instructors' seminar that will be held in September 22, 2006. Katherine distributed the CE outline for the instructors to use in classes.
- e. Exam Services Update
- f. ARELLO conference report
- g. Courses that have expired. Can they be offered to real estate persons that have not taken their continuing education? Take the CE Exam.
- h. CT Real Estate Examination Statistics Summary
- h. CT Attorney General's Office Press Release
- i. Real Estate Instructors Seminar (CT Legislative Update)
- j. Review & Discussion of Courses previously submitted by
'The Professional Valuation & Real Estate School. **Com Kronen motioned due to clerical error the school's approval will be recognize up to 8/2/06. The school will resubmit a 30 hour course application, to replace the course. Com. Castonguay 2nd, and the vote carried unanimously. The Chairman would like a letter to go to the school disapprove the school.**
- k. Com Castonguay gave an overview of the Mobile Home Advisory Meeting. In addition he reported that the name has changed from Mobile Homes to Manufactured Homes.

12. **ADJOURNMENT**

Com. Thompson motioned to adjourn the meeting. Com. Keating 2nd, and the vote carried unanimously. Meeting Adjourn

Respectfully Submitted,
Salle Pinkney, Commission Secretary
Occupational Professional Licensing Division