

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION

November 1, 2006
165 CAPITOL AVENUE
HARTFORD, CT 06106

The Connecticut Real Estate Commission convened for a Meeting on Wednesday, November 1, 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 - 1st District)
 Joseph B. Castonguay, (Broker – 2nd District)
 Lana K. Ogrodnik (Broker – 5th District)
 Marilyn Keating (Salesperson – 4th District)
 Theodore F. Ells (Public Member- 3rd District)
 Joseph H. Kronen (Public Member – 1st District)

Commissioners Absent: Barbara Thompson (Salesperson – 3rd District)

Commission Vacancy: Public Member (1) 4th District

Attorney General:

DCP Staff present: Sallie Pinkney, Commission Secretary Occ/Pro Licensing Division
 Richard Hurlburt, Director Occ/Pro Licensing Division
 Elisa Nahas, Administrative Attorney Legal Division
 Tanya Washington, Paralegal Legal Division
 Joan Emmerick, RE Examiner Real Estate Unit
 Laureen Rubino, RE Supervisor Real Estate Unit

Public Present: John Sable
 Larry Hannafin
 Phil Knealt

The next Meeting of this Commission is schedule for Wednesday, January 2, 2007 at 9:15 a.m. in Room 126. 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.

1. **MINUTES:**

Minutes from September 6, 2006 was reviewed. **Com. Ogrodnik motioned to approved the minutes. Com. Keating 2nd, and the vote carried unanimously. Com. Ells abstained.**

2. **FORMAL HEARING**

- a. Upside Ventures, LLC – Docket No. 06-2717 – **Chairman Cagenello postponed until proof of service rendered.**
- b. Michael Anthony Young – Docket No. 06-2716 – **No action required**

3. **CONSENT AGREEMENTS**

- a. River West Properties, LLC- Roger P. Harwell, Designee – Engaging in the real estate business without a business license for 3 months. Signed a Consent Agreement & paid Civil Penalty of One Hundred Fifty Dollars (\$150.). **Com Kronen motioned to approve the agreement. Com. Ogrodnik 2nd, and the vote carried unanimously**
- b. ERA Covenant Realty Group, Inc. & Covenant Realty Group, Inc. Robin F. Perschel, designated Broker – Unlicensed corporation for approximately 16 years. Signed Consent Agreement & paid maximum fine of One Thousand Dollars (\$1,000.00). **Com Kronen motioned to approve the agreement. Com. Ogrodnik 2nd, and the vote carried unanimously.**
- c. SeeMore Real Estate Services, LLC Docket # 2006-7624 – Catherine Vander, designated Broker – Unlicensed corporation for seven years. . Signed Consent Agreement & paid maximum fine of One Thousand Dollars (\$1,000.00) **Com. Kronen motioned to add the respondent to the agenda. Com. Ogrodnik 2nd, and the vote carried unanimously. Com. Kronen motioned to approve the agreement. Com. Ogrodnik 2nd, and the vote carried unanimously.**

4. **TRADE PRACTICE ENFORCEMENT REPORT**

- a. Metrics Report from Michele Erling was distributed and reviewed.

5. **APPLICATIONS PREVIOUSLY REVIEWED/APPROVED BY CHAIRMAN**

- a. Bozelko, Ronald - approved for General and State Portions
- b. Cashen, Raymond - approved for General and State Portions
- c. Gaston, Louis – approved for State Portion
- d. Lewis Joseph – approved for General and State Portions
- e. Millenson, Jon – approved for State Portion

6. **EQUIVALENT CONTINUING EDUCATION CREDIT PREVIOUSLY APPROVED/DENIED BY CHAIRMAN**

- a. Doliner, Elinor – approved CE Waiver due to medical hardship
- b. Mitchell, James – Denied CE wavier due to lack of educational experience.
- c. Ozken, Tulay – approved for CE equivalency

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

- a. Jardine, Barbara Anne – Applying for Real Estate Salesperson. **Com. Kronen motioned to approve the application. Com. Keating 2nd, and the vote carried unanimously.**
- b. Reddington, Kevin – Applying to take Real Estate Salesperson Exam. **Com. Kronen motioned to approve the application. Com. Keating 2nd, and the vote carried unanimously.**
- c. Jacovino, Tom Email seeking to be able to sit for the Broker’s exam without any further educational requirements. Currently an instructor of Principles and Practices. **Com. Kronen motioned to approve his request. Com. Ogradnik 2nd, and the vote carried unanimously.**
- d. Marasiotis, Ioannis (John) - Request for extension of exam eligibility. Initial application was received in July 2005. Applicant received four authorizations to sit for the exam. In April 2006 applicant paid \$5.00 for an exam retake allowing four additional exam opportunities Applicant has used the additional four test opportunities and is seeking an extension of time and chances to test. **Com. Kronen motioned to postpone due to lack of information. Com Keating 2nd, and the vote carried unanimously.**
- e. Ciceri, Steven – requesting reinstatement of Broker License. **Com. Kronen motioned to postpone due to lack of information. Com Keating 2nd, and the vote carried unanimously.**

8. **OLD BUSINESS**

- a. Com. Kronen motioned to add the Instructors Seminar Update to the Agenda. Com. Ogradnik 2nd, and the vote carried unanimously. An overview of the seminar was presented. Several items were discussed
 - Chairman spoke of the success of the seminar.
 - The New Mandatory Courses were well received by the educators.
 - The Educators brought fourth some of the problems students are having with Promissor (the new testing center).
 - Chairman Cagenello stress some concern re the Exam question workshop, and the qualification of the Commission to produce the questions.

9. **NEW BUSINESS**

- a. **Com. Kronen motioned that the Commissioner’s Office distribute a Annual News Letter to all Real Estate Brokers regarding changes, updates, and/or Highlights of Real Estate Policies. Com. Castonguay 2nd, and the vote carried unanimously.** Lauren Rubino, will discuss this request with Tim West, and respond to the Chairman.
- b. Elisa Nahas will ask Rick Maloney to present an end-of-the-year report to the Commission at the next meeting.
- c. **Com. Ogradnik motioned to add the correspondence re: Change of Designated Broker, Matrix International Logistics question on the 51% ownership. Com. Keating 2nd, and the vote carried unanimously. Comm. Kronen motioned that in view of the legislative intent for the change, and in view of the technical amendments which will be submitted to the legislature for the next session to correct the unintended consequences, at this time we will allow the designated broker change. Comm. Castonguay 2nd, Comm. Els opposed, and the**

vote passed. This correspondence was presented by Chairman Cagenello, and not available for the minutes' packet.

Chairman Cagenello would like Alan Ponaniski to be advised that the Commission with regards to the designated Broker issue will allow Matrix and similar situated companies to renew their Brokers license in view of the legislative intent behind 20-312(b), the unintended consequences on Real Estate Brokers doing business in CT, and the proposed technical amendment that will be submitted by CAR in the next Legislative Session to correct the unintended consequences of the Public Act. Elisa Nahas will communicate with Matrix International Logistic, and ask counsel for GMAC to submit a letter for the next Commission meeting with their situation for Commission review.

- d. Correspondence from Crystal Soucy, Member Program Manager of CAR regarding the attendance policy was reviewed. **Com Kronen motioned to approve the request, Com. Keating 2nd, and the vote carried unanimously.**
- e. Correspondence from Crystal Soucy, Member Program Manager of CAR regarding clarification of several Real Estate Issues. i.e. Students Rights; CE Exam; Salesperson and Brokers requirements; and Rules & Regulations for schools on website. **Com. Kronen motioned to have Richard Hurlburt address these issues, and email the answers to the Commission by 11/21/06 so the Commission can respond to Crystal. Com. Ogrodnik 2nd, and the vote carried unanimously.**
- f. Correspondence regarding the changes to Real Estate Salesperson & Broker Requirements was review. **Com. Kronen motioned to have Richard Hurlburt address the correspondence regarding the Connecticut licensing requirements effective October 1, 2004 and how they apply to attorney applicants, out of state applicants as well as on line education for precicensing. Com. Ogrodnik 2nd, and the vote carried unanimously.**
- g. Appraisal I Student's Course Outline was reviewed. **Com. Kronen motioned that The Real Estate Commission will accept the 30 hours appraisal course. Com. Castonguay 2nd, and the vote carried unanimously.**
- h. **Com. Kronen motioned to have License Service Division provide an update of the Real Estate Audit. Com. Els 2nd, and the vote carried unanimously.**

10. COMMENTS/CONCERNS OF ANY PERSON PRESENT

- a. Chairman Cagenello stressed the concern of lack of DCP staff participation at the Real Estate Commission Meetings. The unit supervisor, and unit director had to attend a 10:00 a.m. meeting. However the real estate secretary was in attendance at the meeting. The Commission would like all staff that has items on the Agenda to be present. He would also like Richard Hurlburt at the entire meeting, and that DCP not schedule other meetings during the Commission regular scheduled meeting.
- b. John Sable (public attendee) stated that he was concern regarding the presentation of complaints that are on the DCP website.
- c. The Chairman would like a copy of the Trade Practice Complaint Flow chart that was handed out at a previous meeting by the Trade Practice Staff.

d. Com. Kronen motioned to hold a Holiday Party in the month of December. The vote carried unanimously.

11. **ADJOURNMENT**

Com. Ogrodnik motioned to adjourn the meeting. Com. Keating 2nd, and the vote carried unanimously. The Meeting adjourned at 11:55 a.m..

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