

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION

Minutes of Meeting

May 2 2007

The Connecticut Real Estate Commission convened for a Meeting on Wednesday, May 2 2007 at 9:30 a.m. in Room 126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present:	Barbara Thompson, Chairperson	(Salesperson – 3 rd District)
	Joseph B. Castonguay,	(Broker – 2 nd District)
	Lana K. Ogrodnik	(Broker – 5 th District)
	Marilyn Keating	(Salesperson – 4 th District)
	Theodore F. Ells	(Public Member- 3 rd District)
	Joseph H. Kronen	(Public Member – 1 st District)
	Morag L. Vance	(Public Member – 4 th District)
	James Hoffman	(Salesperson – 4 th District)

Commissioners Absent:

Commission Vacancy: None

Attorney General:

DCP Staff present:	Sallie Pinkney, Commission Secretary	Occ/Pro Licensing Division
	Laureen Rubino, Real Estate Supervisor	Real Estate Unit
	Elisa Nahas, Administrative Attorney	Legal Division
	Michele Erling, Real Estate Examiner	Trade Practices
	Vicky Bullock, Staff Attorney	Legal Division
	Jerry Farrell, DCP Commissioner	

Public Present:

The next Meeting of this Commission is schedule for Thursday, July 26, 2007 at 9:15 a.m. in Room 126. As called for by Chairperson Barbara Thompson.

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 Laureen M. Rubino, Real Estate Supervisor and Real Estate Commission Administrator, at **(860) 713-6150** or visit www.ct.gov/dcp.

1. **MEETING CALLED TO ORDER**

The meeting was called to order at 9:35 a.m. by Chairperson Barbara Thompson

2. **SWEARING IN OF CONNECTICUT REAL ESTATE COMMISSION MEMBER**

- a. Commissioner Jerry Farrell, Jr. swore in the Connecticut Real Estate Commission, and the new Chairperson.
- b. Barbara Thompson of the 3rd District was appointed Chairperson of the Connecticut Real Estate Commission.
- c. James Hoffman of the 4th District was appointed to the Connecticut Real Estate Commission as a Salesperson.
- d. Morag Vance of the 4th District was appointed to the Connecticut Real Estate Commission as a Public Member.
- e. Joseph B. Castonguay, Lana K. Ogrodnik, Marilyn Keating, Joseph H. Kronen and Theodore F. Ells, Esq. were all reappointed to the Connecticut Real Estate Commission.

3. **PRESENTATION TO BRUCE CAGENELLO**

DCP Commissioner Jerry Farrell, Jr. presented Former Chairman of the Connecticut Real Estate Commission with a Plaque. The Commissioner expressed gratitude to Mr. Cagenello for an outstanding job he had done as Chairman for the last 15 years. Commissioner Farrell stated “on behalf of the department Bruce has served under, Three Governors, and Four DCP Commissioners, and has had a great tenure. Bruce has brought a lot of issues to the forefront, and has advocated for professionalizing and improving the Real Estate profession”. Bruce received an award from the department for his time and dedication, and a Proclamation from the Honorable Governor Jodi Rell congratulating him for his dedication to the Real Estate Commission, and declaring May 2, 2007 Bruce Cagenello Day in the State of Connecticut.

4. **MINUTES:**

- a. The Minutes of Meeting from March 7, 2007 were reviewed. **Com. Kronen motioned to approve the March 7th Minutes as amended. Com. Vance 2nd, and the vote carried unanimously. Chairperson Thompson abstained.**
- b. The following changes were made to the Minutes:
 - i. Item 7d should read: Com. Joe Kronen questioned what the motivation for reciprocating with other states is. It was stated that applicants/Licensee make request, along with other states, and Larry Hanafin (general public) stated that the Federal Trade Commission suggested that states open their borders so we wouldn't be practicing unfair trades.
 - ii. Item 6h should read: Burlison, Mark, Salesperson applicant requesting to take the General Portion of the State exam again. He has taken the exam 8 times, and failed. **Com. Ogrodnik motioned to allow him to take the General Portion of the exam one (1) more time. However, he must take the exam before August, 2007.**
 - iii. Item 7e should read: Com. Keating questioned who handles CHRO Real Estate applications. Lauren Rubino informed her that she and Richard Hurlburt are currently reviewing the application and making recommendations. However, effectively immediately Ed McMahon and Lauren will be reviewing them and making

recommendations. The Commission would like to review all CHRO applications that are still on probation and/or parole (this was the previous practice).

5. APPLICATIONS FROM LICENSE SERVICE APPROVED BY CHAIRPERSON THOMPSON AFTER THE MEETING

- a. Aja, Johnson K. – Salesperson applicant currently license in the state of Maryland. DCP recommends he take the State portion of the exam only.
- b. Cunningham, Sachel- Salesperson applicant currently licensed in the state of Nevada. DCP recommends he take the State portion of the exam only.
- c. Feeney, John J. – Attorney Salesperson applicant, seeking Educational equivalency from University at Buffalo Law School. DCP recommends he take the General and State portion of the exam
- d. Lewis, Dean L. – Attorney Salesperson applicant, seeking Educational equivalency from Quinnipiac University School of Law. DCP recommends he take the General and State portion of the exam.
- e. Longo, Stephen A. – Attorney Salesperson applicant, seeking Educational equivalency from University of Bridgeport School of Law. DCP recommends he take the General and State portion of the exam.
- f. McLaughlin, Eileen M. – Salesperson applicant currently licensed in the state of Texas. DCP recommends she take the State portion of the exam only.
- g. Montanaro, Jeffrey – Broker Applicant, seeking approval of Basic Appraisal Procedures or Basic Appraisal Procedures as pre-licensing education equivalency for Appraisal I
- h. Morris, Sean – Salesperson applicant passed the State portion of the exam in 6/05, and was unable to take the General portion due to medical hardship. He is seeking a waiver from the Commission that would allow him to take the General portion without re-applying.
- i. Nieves, Gladys I. – Attorney Salesperson applicant, seeking Educational equivalency from New York University. DCP recommends she take the General and State portion of the exam.
- j. Richter, Laura L. – Salesperson applicant currently licensed in the state of Florida. DCP recommends she take the State portion of the exam only.
- k. Schulz, Andrew Leo. – Salesperson applicant currently licensed in the state of Pennsylvania. DCP recommends he take the State portion of the exam only.
- l. Sullivan, Lynn S. – Salesperson applicant currently licensed in the state of Florida. DCP recommends she take the State portion of the exam only.
- m. Vilinskis, Cathy B. – Attorney Salesperson applicant, seeking Educational Equivalency form University of Bridgeport School of Law. DCP recommends she take the General and State portion of the exam.

6. REAL ESTATE CONTINUING EDUCATION AUDIT

- a. Presented by Joan Emerick – Audit Enforcements

The state has Six Thousand, Six Hundred and Ninety (6,690) Licensed Real Estate Brokers in Connecticut. Ten percent (10%) of those Brokers were audited, of that percentage Forty Five (45) Brokers failed to take their Continuing Education Course.

The state has Twenty Thousand, Five Hundred and Seventy Two (20,572) Licensed Salespersons in Connecticut. Ten percent (10%) of those Salespersons were audited, of that percentage One Hundred and Ninety Salespersons failed to take their Continuing Education Course.

The Real Estate Brokers are being fined One Hundred Dollars (\$100.) per credit for each credit hour that was not taken.

The Real Estate Salespersons are being fined Fifty Dollars (\$50.) per credit for each credit hour that was not taken.

It was stated that if a Real Estate Broker didn't take his Continuing Education course, maybe the staff that work under his license should automatically be audited.

- b. Joan Emerick – presented a sample Settlement Agreement Letter for review by the Commission. **Com. Kronen motioned to approve the format of the Settlement Agreement Letter that will be sent to applicants. Com. Vance 2nd, and the vote carried unanimously.**

7. TRADE PRACTICE ENFORCEMENT REPORT

- a. The Trade Practice Complaint Report was reviewed. The Commission questioned why/what did the word unknown mean in the disposition category. Lauren Rubino, Real Estate Supervisor will clarify with the Trade Practice division to confirm the definition of UNKNOWN.
- b. The May, 2007 Metrics Report was reviewed.
- c. Lauren Rubino reported that Michele Erling, Real Estate Examiner will attend the CREC meetings on a quarterly basis.

8. LEGISLATIVE PROPOSAL UPDATE

Presented by Jerry Padula –

Presented by Attorney Jerry Padula, DCP Legislative Liaison –

- a. Bill 7288, Community Associated Managers, would create another commission that would assume authority for CAMs from the Conn. Real Estate Commission. This bill is now in the House. Upon passage, the Real Estate Commission would lose jurisdiction over Community Association Managers.
- b. Senate Bill 590 (Management & Accounting Balances), House Bill 5685 (Attorney Fees & Restitution), and House Bill 6052 (Act Concerning Community Association Managers) are all dead at this time.
- c. The Department's Real Estate Bill, HB 6992, is going forward. It would allow unlimited test taking, while eliminating the \$25.00 fee to generate a duplicate copy of a license.
- d. A DCP amendment to HB 6992 will provide a Grandfather Clause allowing all RE broker entities that were in existence as of Sept. 2005 to keep their status as a broker entity, regardless of 51% broker ownership.
- e. House Bill 6859, the gun club disclosure bill, (now File #672) is going to pass.

- f. Senate Bill 71, disclosure of sink holes, is dead.
- g. Senate Bill 772, new listing of require property disclosures, has died.
- h. Senate Bill 114, course application fees and school application, has died.
- i. Attorney Padula will update the Commission on the Conveyance Tax at the next meeting.
- j. One idea not yet raised as a bill would benefit persons who have been salespersons for 15 years: by allowing them to obtain a broker's license without taking a P&P course.
- k. House Bill 5344, Real Estate Brokers/Mortgage Brokers, (Rep. John Harkins) may pass this session.

9. REPORT FROM THE CHAIRPERSON

- a. Barbara Thompson, Chairperson thanked everyone for their support.
- b. Chairperson Thompson gave a brief report on the Instructor's Seminar. She stated that Katherine Pancek did a great job. She also met several of the Instructors.
- c. **Com. Ells motioned that Marilyn Keating be Vice Chairperson for the Connecticut Real Estate Commission. Com. Ogrodnik 2nd, and the vote carried unanimously.**

10. REQUEST FOR EQUIVALENT CONTINUING EDUCATION CREDIT

- a. Korfel, Douglas – Requesting 6 hours of elective Continuing Education credit for a 90 hour Home Inspection Program including exam. **Com. Kronen motioned to postpone this matter until the next meeting. Com. Hoffman 2nd, and the vote carried unanimously.**
- b. Andriso, Barbara – Requesting CE Credit for Principles and Practices Course. **Com. Kronen motioned that she takes the Continuing Education or take the continuing Education exam or take the 30 hours Principle & Practice test. Com. Ells 2nd, and the vote carried unanimously.**

11. CHRO APPPLICATIONS

- a. Notes from previous meeting regarding a decision made by the Commission regarding CHRO applications.
- b. Earley, Maurice – Earley Real Estate LLc **Com. Kronen motioned to postpone his application until next meeting. Com. Ogrodnik 2nd, and the vote carried unanimously.**
- c. Goodwin, Peter W. – Salesperson Applicant – postponed until next meeting.

12. NEW BUSINESS

- a. Review of content outline for Basic Appraisal Principles and Basic Appraisal Procedures for pre-licensing. Action by the Commission as to acceptance for either to meet the appraisal pre-licensing requirement for a Broker. Basic Appraisal Principles or Appraisal One will be acceptable for the Real Estate Pre-License course.
- b. Erling, Michele M. – Department of Consumer Protection, Real Estate Enforcement Unit Employee requesting to deactivate her Brokers License, and allow her to reinstate them at a later date (upon termination of employment) without additional education and/or examination. **Com. Castonguay motioned to allow her to activate her license after termination of employment**

with the Department of Consumer Protection, providing she activate her license within a 2year period, and pay the application/license fees. Com. Ogrodnik 2nd, and the motion carried unanimously.

- c. Augustin, Patrick – Salesperson in Active Military Duty requesting waiver of license renewal and continuing education. **Com. Kronen motioned to grant him a waiver of License renewal and continuing education. Com. Ells 2nd, and the motion carried unanimously.**
- d. Real Estate Guaranty Fund – Monthly Status Report was reviewed
- e. Joan Emerick reported that the State of Connecticut has reciprocity with the State of Florida. Applicants applying for a license in CT will have to take the state portion only of the Real Estate Exam.
- f. **Com. Ogrodnik motioned to add Ali Bigi to the agenda. Com. Kronen 2nd, and the motion carried unanimously.** Ali Bigi is a CT Salesperson applicant and was a Broker in the state of Florida until May of 2006. He would like to sit for the Brokers exam. His application will be forwarded to DCP.

13. OLDBUSINESS

- a. Stavens, Glenn – requesting review of Real Estate Commission’s decision at January’s meeting denying his request to waive the two (2) year experience requirement as a salesperson before submitting an application for Broker. **Com. Kronen motioned to have the final decision of the Commission stay. Com. Ogrodnik 2nd, and the motion carried unanimously. Chairperson Thompson would like a letter mailed to him from her outlining the final decision.**

14. APPEARING BEFORE THE COMMISSION

- a. Goulet, Robert – Real Estate Brokers license expired 3/31/04. He is seeking to reinstate his license without further pre-licensing education or examination. Medical Hardship. This item is Canceled.

15. COMMENTS AND CONCERNS OF PERSONS PRESENT

- a. Bunny Kyle of A Professional Valuation Real Estate School stressed that her name was not on the school list. Laureen will add her to the list.
- b. Larry Hanafin talked about the law regarding convicted felons. He stated, in the License Provocation section 314A was not brought up during the CHRO application review process. He further stated that under suspension and revocation of license, section 20-320A will address the issue of the question on the Real Estate application of convicted felons.
- c. Lana Ogrodnik stated she was approached at the Instructors Seminars by some of the Instructors. They questioned “how DCP look at companies that offer Continuing Educations free to their employees exclusively”. Laureen Rubino felt that this issue should be reviewed by the Commission and the department.
- d. Chairperson Thompson announced the dates of the ARELLO conference.

16. ADJOURNMENT

- a. **Com. Kronen motioned to adjourn the meeting. Com. Ogradnik 2nd, and the motion carried unanimously. Meeting adjourned at 12:45 p.m.**

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