

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION
Minutes of Meeting
June 6, 2012**

The Connecticut Real Estate Commission convened on Wednesday, June 6, 2012 at 9:15 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

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

Commissioners Absent:

Commission Vacancy: Salesperson (1)

Attorney General's Office: Alan Ponanski, Assistant Attorney General

DCP Staff Present: Vicky Bullock
Michele Erling
Kelly Harvey
Robin Washbond
Laura O'Malley - Intern
Matthew McCandless - Intern

Public Present: Ronald Procko
Judith Johannsen
Jared James
Jeffrey Mirman, Esq.
Larry Hannafin
Vincent Giuliano
Michael Cassello

The next meeting of this Commission is scheduled for Thursday, August 9, 2012 at 9:15 am in Rm-119

MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Vance, Commissioner Castonguay 2nd, and the motion carried to approve the minutes of the April 4, 2012 CT Real Estate Commission meeting.

COMMISSION MEMBER RESIGNATION

Commissioner Marilyn Keating announced the resignation of Chairperson Barbara Thompson from the CT Real Estate Commission. Commissioner Thompson was honored by the Commission for all her hard work and dedicated service while serving the Real Estate community and she will be missed by all. Commissioner Keating stated that she will assume the position of Acting Chairperson until a new Chairperson is appointed by the Governor.

PETITION FOR DECLARATORY RULING FROM TOLL BROTHERS, INC

It was moved by Commissioner Vance, Commissioner Castonguay 2nd, and the motion carried to reschedule the Petition for Declaratory Ruling from Toll Brothers, Inc. to the October 3, 2012 Commission meeting.

OLD BUSINESS

Docket #2010-987 / Michael Powers - It was moved by Commissioner Vance, Commissioner Castonguay 2nd, and the motion carried to accept a stipulation concerning this matter, consisting of the Commission allowing Mr. Powers to take the broker exam in accordance with Section 20-317(a). Upon successful completion of the exam, an unrestricted real estate broker license will be issued to him. The Commission will not require the 30-hours additional education in order to take the exam. That in settlement of the appeal, the parties are not entitled to any amount of damages, interest, costs, fees or attorney fees.

CHRO

Ronald J. Procko – Seeking a Real Estate Salesperson license - It was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried to allow Mr. Procko to sit for the Salesperson exam. Mr. Procko's sponsoring broker must submit reports quarterly for one year to the Department detailing Mr. Procko's progress as a Salesperson.

Conrad Covington – Seeking to retain his Real Estate Salesperson license - This matter was tabled.

NEW BUSINESS

1. **Michael E. Cassello / RES.0793456 – Request transfer to new sponsoring Broker** – It was moved by Commissioner Ells, Commissioner Kronen 2nd, and the motion carried to approve Mr. Cassello to transfer to a new sponsoring broker, Janice McCullough (McCullough Real Estate LLC), and to reappear before the Commission with his sponsor at the October 2012 meeting. He must also notify the Department of any change in employment within 5 days.

It was moved by Commissioner Ogrodnik, Commissioner Castonguay 2nd, and the motion carried to add Vincent C. Giuliano to the agenda.

2. **Vincent C. Giuliano – Seeking to reinstate expired Broker license and waive educational requirements due to hardship** - It was moved by Commissioner Ells, Commissioner Vance 2nd, and the motion carried to approve Mr. Giuliano to sit for the Broker examination contingent upon Mr. Giuliano completing a 30-hour Appraisal course.
3. **John Grabarz / REB.0789470 – Update** – Attorney Vicky Bullock reported to the Commission that Mr. Grabarz has provided his monthly update to the Department detailing his recent work activities and progress as a broker, as requested by the Commission at their December 2011 meeting.

CONSENT AGREEMENTS

Docket #2011-267 – It was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried to accept the Consent Agreement as presented by DCP.

REAL ESTATE APPLICATIONS/WAIVERS

Jared James / RES.0774621 – Broker applicant seeking waiver of 60-hour education requirement to take the broker exam- It was moved by Commissioner Castonguay, Commissioner Ells 2nd, and the motion carried to grant a waiver of the 30-hour elective course, however, Mr. James must take the 30-hour Appraisal Principles *or* Appraisal Practices course to sit for the broker exam.

COMMENTS

1. Examiner Michele Erling brought forth an issue concerning Retiree Status. A designated broker of a legal entity who does not hold an individual broker license is not eligible for Retiree Status. In order to obtain the Retiree Status, the designated broker must hold an individual license for one year before applying for the Retiree Status.
2. Examiner Michele Erling introduced Laura O'Malley and Matthew McCandless to the Commission. Laura and Matthew are Real Estate students at UCONN, and they will provide the Department with support in the Real Estate and Real Estate Appraisal areas. They are currently assisting with the continuing education audit, website design and other special projects.

3. The Commission unanimously decided to change the date of their next meeting from August 1st to August 9, 2012.
4. Commissioner Castonguay expressed concern about the mortgage brokers and bankers who are advising home buyers to hold off filing their mortgage applications until after the home inspections and negotiations are completed. Commissioner Castonguay said this practice jeopardizes the deposit of a buyer who has already entered into a contract with the seller, by not abiding by the contractual agreement and not making a 'diligent effort' to obtain a mortgage commitment as stated in the sales contract.

ADJOURNMENT

It was moved by Commissioner Ells, Commissioner Castonguay 2nd, and the motion carried to adjourn the meeting at 11:10 a.m.

Respectfully Submitted,

Robin Washbond
Commission Secretary

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 713-7230.

Agency Website: www.ct.gov/dcp

Division E-Mail: DCP.OccupationalProfessional@ct.gov