

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
REAL ESTATE COMMISSION
SPECIAL MEETING MINUTES
SEPTEMBER 22, 2022**

The meeting was called to order by Board Chair Castonguay at 12:35 a.m. via ZOOM Webinar.

Commission Members Present: Joseph B. Castonguay, Acting Chairman, Broker- 2nd District
Morag Vance, Public Member-4th District
Amy Bergquist, Broker- 1st District
Peter L. Gray, Broker- 4th District
Sharon Rinaldi, Salesperson- 1st District

Commission Members Absent: Linda C. Burnham, Salesperson- 2nd District
Theodore F. Ells, Public Member- 3rd District

Commission Vacancies: Public Member (1)

Commission Counsel Present: None

DCP Staff Present: Robert Kuzmich, License and Applications Specialist
Ben Paholke, Staff Attorney
Ryan Burns, Staff Attorney
Leslie O'Brien, Legislative Director
Paulette Annon, Assistant Legal Director
Julianne Avallone, DCP Legal Director
Jason Cohen, Director of Operations
Shannon Rivera, License and Applications Analyst

Public Present: Cindy Butts

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Investigations Division. For more information, refer to DCP Agency website: www.ct.gov/dcp

MINUTES OF PREVIOUS MEETING

Review of August 3, 2022 Meeting Minutes along with Special Meeting Minutes from September 8 and 22, 2022.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY

None

DCP INVESTIGATIONS DIVISION

None

DCP LEGAL DIVISION

None

OLD BUSINESS

None

NEW BUSINESS

Real Estate Legislation Review

1. Section 1. (*Effective April 1, 2024*) Section 20-311 of the general statutes is repealed and the following substituted in lieu thereof:

Sec. 20-311. Definitions

-(28)"Residential real property" means one to four-family residential real estate located in this state, including cooperatives and condominiums where the total number of units in the cooperative or condominium does not exceed four.

A discussion regarding clarification for the definition of "Residential Real Property" was initiated by Commissioner Bergquist. Revisions discussed will be made by the Legal Division for final review and approval.

2. Section 7. (NEW) (Effective April 1, 2024):

Sec. 20-312d. Agreement required for showing property.

Before a real estate broker or sales person may show a property for sale, such broker or salesperson shall either: (1) have a written buyer representation

agreement with the person to whom the property is being shown that empowers the broker or salesperson to act as their agent, or (2) have a written listing agreement with the seller of the property to be shown and provide the prospective purchaser with a written disclosure of representation pursuant section 20-325d of the general statutes.

A discussion regarding clarification for the definition of a “showing/ show” was initiated by Commissioner Bergquist as well as buyer agency agreements required when making offers for buyers. Cindy Butts and Commissioner Gray contributed concerns regarding this matter. Commissioner Bergquist also requested subsection (2) to include acting agents of brokers. Revisions discussed will be made by the Legal Division for final review and approval.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY

Chairman Castonguay confirmed all in attendance are satisfied with the clarification for the definition of “negotiate”. Cindy Butts requested clarification for the definition of “electronic” in relation to schools and courses to determine whether live- online, video, or PDF is acceptable. Clarification will be made by the Legal Division to allow future discussions of the matter.

ADJOURN

It was moved to adjourn the meeting by Chairman Castonguay at 1:15 p.m.

Respectfully submitted,

Shannon M. Rivera

License and Applications Analyst

Board Coordinator, DCP

2022 CURRENT BOARD MEETING SCHEDULE

November 2, 2022