

**Board of Registration of Real Estate Brokers and Salespersons
1000 Washington Street, Boston, MA 02118, Room 1C**

Public Minutes of January 24, 2017

Members Present:

Kevin Sears, Chair, Industry Member
Peter Ruffini, Industry Member
Kimberly Allard-Moccia, Industry Member
Neil St. Clair, Public Member
Stanley Zoll, Public Member

Administrative Staff Present:

John High, Associate Executive Director
Charles Kilb, Board Counsel

Public Present:

Justin Davidson, Massachusetts Association of Realtors
Bill Wendel
Marcus Williams

Meeting Called to Order - 11:36 am: Kevin Sears, Chair, opened the meeting at 10:30am.

Evacuation Procedures: John High reviewed the Evacuation Plan.

Vote on Minutes of November 14, 2016: A motion to approve the minutes was made by Peter Ruffini, seconded by Neil St. Clair, and adopted unanimously by the Board.

Next Meeting Date: The Board will next meeting on March 21, 2017.

Adjudicatory Matters (FYI only – no vote required):

- a. RE-14-428 (MD)
- b. 2015-001464-IT-ENF (HS)
- c. RE-15-052 (DA)
- d. 2015-0013898-IT-ENF (MW)
- e. RE-16-128 (SF)
- f. RE-16-075 (PS)

Office of Investigations Update: None.

Other Board Business:

- a. **Update on Agency Disclosure Form Working Group/Approval of New Massachusetts Mandatory Licensee-Consumer Relationship Disclosure Form (Peter Ruffini):** The Agency Disclosure Form Working Group met for the final time on

December 9, 2016 and finalized its recommended updates to the Massachusetts Mandatory Licensee-Consumer Relationship Disclosure Form. Following a review and discussion of the recommended updates, the Board adopted additional revisions to the text of the proposed form. A motion to approve the revised form was made by Kevin Sears, seconded by Kimberly Allard-Moccia, and adopted unanimously by the Board.

- b. Update on Education Subcommittee (Kimberly Allard-Moccia):** The Education Subcommittee approved the following new courses at its January 13, 2017 meeting: Commercial Real Estate Space: Methods to Measure Space and Impact on Tenant Rent (RE 100C17); The Evolution of Office Tenant Solutions (RE 101C17). The Education Subcommittee also approved updates to the following existing courses: Appraisal Process Revisited (RE26RC07); The New Era of Accounting for Real Estate Commercial Leases and Financial Statements (RE102C17); Subject Matter: Closing and Settlement – (RE07R13). The Education Subcommittee will next meet on March 17, 2017.

Executive Session - Closed Session under MGL ch. 30A, Section 21 - Good Moral

Character: A motion to enter into Executive Session - Closed Session under MGL ch. 30A, Section 21 - Good Moral Character (MW, BW), was made by Peter Ruffini, seconded by Kimberly Allard-Moccia, and adopted by a roll call vote of the Board. Kevin Sears, Peter Ruffini, Kimberly Allard-Moccia, Neil St. Clair, and Stanley Zoll voted in favor of the motion.

Quasi-Judicial - Closed Session under MGL ch. 30A, Section 18: A motion to enter into Quasi-Judicial - Closed Session under MGL ch. 30A, Section 18 (2015-0105-RE-222-IT-ENF (ET)), was made by Peter Ruffini, seconded by Neil St. Clair, and adopted by a roll call vote of the Board. Kevin Sears, Peter Ruffini, Kimberly Allard-Moccia, Neil St. Clair, and Stanley Zoll voted in favor of the motion. While in Quasi-Judicial Closed Session, the Board took the following action(s):

- a. 2015-0105-RE-222-IT-ENF (ET):** Kimberly Allard-Moccia recused herself from the discussion and left the room. The Board withdrew its previously imposed sanctions.

Investigative Conference – Closed Session under MGL ch. 112, section 65C - A motion to enter into Investigative Conference – Closed Session under MGL ch. 112, section 65C was made by Peter Ruffini, seconded by Kimberly Allard-Moccia, and adopted unanimously by the Board. While in Investigative Conference, the Board took the following action(s):

- a. Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Stephanie Bennett):** 2015-001501-IT-ENF (KD); RE-16-108 (GS): The Board provided the Prosecutor with guidance.
- b. Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Jenna Hentoff):** RE-15-418 (MM); 2015-200012-FI-ENF (AA); 2015-200007-FI-ENF (PH); 2015-200033-FI-ENF (VR); 2016-000437-IT-ENF (EH); 2016-000257-IT-ENF (BJ): The Board provided the Prosecutor with guidance.

- c. **Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Seth Henderson):** RE-16-258 (WQ): The Board provided the Prosecutor with guidance.
- d. **Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Fayette Mong):** RE-15-123 (FM): The Board provided the Prosecutor with guidance.
- e. **Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Stephanie Bennett):** 2015-001501-IT-ENF (KD); RE-16-108 (GS): The Board provided the Prosecutor with guidance.
- f. **Investigative Conference, Closed Session under MGL ch. 112, section 65C (Prosecutor Mary Pixley):** RE-16-043 (AA); RE-15-482/RE-15-483 (RV): The Board continued the matter(s) to the March 21, 2017 Board meeting.

A motion to enter Open Session was made by Peter Ruffini, seconded by Kimberly Allard-Moccia, and adopted unanimously by the Board.

Meeting Adjournment (3:30 pm): Peter Ruffini made a motion to adjourn the meeting, seconded by Kevin Sears, and adopted unanimously by the Board.

List of Documents:

1. Agenda dated January 24, 2017
2. Minutes dated November 14, 2016
3. Massachusetts Mandatory Licensee-Consumer Relationship Disclosure Form (Revised)

Kevin Sears, Chair
Board of Registration of Real Estate Brokers and Salespersons