

**Board of Registration of Real Estate Brokers and Salespersons
1000 Washington Street, Boston, MA 02118
Minutes of April 29, 2016**

Members Present:

Kevin Sears, Chair
Stanley Zoll, Public Member
Peter Ruffini, Industry Member
Kimberly Allard-Moccia, Industry Member

Administrative Staff Present:

Ann-Margarette Barry, Executive Director
Charles Kilb, Board Counsel

Public Present:

Alicia Vlachos - American Real Estate Academy
Matt Vlachos - American Real Estate Academy
Ashley Stolba - Massachusetts Association of Realtors

Kevin Sears, the Chair, opened the meeting at 10:30am.

Evacuation Procedures: Ann Barry reviewed the Evacuation Plan.

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 (EP, ST and IM) was made by Peter Ruffini, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

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 Kevin Sears, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

Investigative Conference – Prosecutor Jenna Hentoff – Closed Session under MGL ch. 112, section 65C – Mitra Ghobadi (RE-16-001) – The Board provided the Prosecutor with guidance.

Investigative Conference – Prosecutor Deborah Kravitz – Closed Session under MGL ch. 112, section 65C – Rimma Linkova (RE-14-269) – The Prosecutor requested that the matter be taken off the Agenda.

Investigative Conference – Prosecutor Seth Henderson – Closed Session under MGL ch. 112, section 65C – Barry D. Rabinovitz (RE-15-143 and RE-15-463) – The Board provided the Prosecutor with guidance.

Investigative Conference – Prosecutor Gerard Dolan – Closed Session under MGL ch. 112, section 65C – Michael Thomann (RE-14-235) – The Board provided the Prosecutor with guidance.

Investigative Conference – Closed Session under MGL ch. 112, section 65C

AnnMarie DiGiovanni (RE-16-122): The Complainant requested that the Board reconsider its dismissal of the case. A motion to affirm the Board's dismissal was made by Kevin Sears, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

Final Decision and Order – Quasi-Judicial: Closed Session under MGL ch. 30A, Section 18

Josephine Evans (RE-14-459) – Final Decision and Order: A motion to impose a fine of \$300.00, complete a classroom continuing education course in Disclosure and submit a copy of the disclosure notice was made by Kevin Sears, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

James Long (RE-15-020) – Final Decision and Order: A motion to revoke the Licensee's right to renew his license and allow the Licensee to reinstate his Attorney-Broker license upon re-obtaining an active Board of Bar Overseers (BBO) license was made by Kevin Sears, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

A motion to enter into Open Session was made by Peter Ruffini, seconded by Stanley Zoll and unanimously adopted by the Board.

James Read, Chief Prosecutor – Office of Prosecution – Attorney Read provided an overview of the Office of Prosecution and the prosecution of case.

Vote on Minutes of February 22, 2016: A motion to approve the minutes was made by Stanley Zoll, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

Adjudicatory Matters: Ratification: A motion to ratify the Adjudicatory Matter was made by Peter Ruffini, seconded by Stanley Zoll and unanimously adopted by the Board.

- a. Kamal Azzi RE-15-443
- b. Peter Barbagallo RE-15-268
- c. Carmelina Bergin RE-15-376
- d. Susan Darian RE-15-436
- e. Crystal Gendreu RE-15-295
- f. Dorota Gieza RE-15-449
- g. Kevin Shaughnessy RE-16-039
- h. Beverly Soares RE-15-265
- i. George Whaling RE-15-251

Agency Disclosure Form Working Group: A motion to establish an Agency Disclosure Working Group to review and revise the agency disclosure form consisting of the following individuals: Peter Ruffini as Chair, Ann Barry, Ashley Stolbe, Anita Hill, Jay Chaisson, Robert McCauley, William Mullen, Linda O'Connor, Linda Kody and Paula Savard was made by Stanley Zoll, seconded by Kevin Sears and unanimously adopted by the Board.

Chairperson Kevin Sears had to leave the meeting. Peter Ruffini served as the Chair in his absence.

Correspondence:

- a. **Jeffrey Olsen email, dated March 1, 2016 – out of country referrals:** The Board tabled the matter to allow for more research.
- b. **Cici Johnston email, dated February 16, 2016 – managing agent exemption:** The Board had follow up questions for Ms. Johnston which will be sent to Ms. Johnston
- c. **Cliff Nulman email, dated January 14, 2016 – agency disclosure and commercial properties:** The Board stated that there is no exemption for agency disclosure for commercial properties.

Office of Investigations Update: None

Executive Director, Ann Barry's Report to the Board:

- a. **Test Vendor:** As of April 1, 2016, the Board's new test vendor, PSI, began administering the real estate examination to the Board's applicants.

Chairperson Kevin Sears returned to the meeting.

Board Counsel, Charles Kilb Report to the Board:

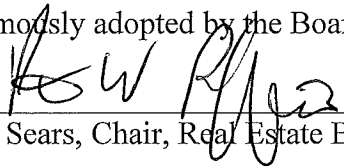
- a. **Regulation Review for Executive Order 562:** The Division of Professional Licensure (DPL) submitted the Board's proposed regulations to Office of Consumer Affairs, DPL's parent agency and various state agencies. The Board has been approved to hold a public hearing on its proposed regulations.

Next Meeting Date: June 13, 2016

List of Documents:

1. Agenda dated April 29, 2016
2. Minutes dated February 22, 2016
3. Correspondence:
 - a. Jeffrey Olsen email, dated March 1, 2016 – out of country referrals
 - b. Cici Johnston email, dated February 16, 2016 – managing agent exemption
 - c. Cliff Nulman email, dated January 14, 2016 – agency disclosure and commercial properties

Chair Kevin Sears made a motion to adjourn the meeting at 2pm, seconded by Stanley Zoll and unanimously adopted by the Board.

 AS ACTING CHAIR
Kevin Sears, Chair, Real Estate Brokers and Salespersons Board

**Board of Registration of Real Estate Brokers and Salespersons
1000 Washington Street, Boston, MA 02118
Minutes of February 22, 2016**

Members Present:

Kevin Sears, Chair
Stanley Zoll, Public Member
Peter Ruffini, Industry Member
Henry DiGiacomo, Industry Member

Members Not Present:

Rashid Shaikh, Public Member

Administrative Staff Present:

Ann-Margarette Barry, Executive Director
Charles Kilb, Board Counsel
Jennifer Romeo-Porcaro, Associate Executive Director

Public Present:

Anita Hill – Anita Hill Training
Karr Walters – Anita Hill Training
Trisha McCarthy – Trainer
Alicia Wigman – American Real Estate Academy
Matt Vlachos - American Real Estate Academy
Kristen Derkrikorian - American Real Estate Academy
Michael McDonagh – Massachusetts Association of Realtors
Ashley Stolba - Massachusetts Association of Realtors

Kevin Sears, the Chair, opened the meeting at 10:30am.

Evacuation Procedures: Ann Barry reviewed the Evacuation Plan.

Vote on Minutes of December 9, 2015 and December 21, 2015: A motion to approve the minutes was made by Peter Ruffini, seconded by Stanley Zoll and unanimously adopted by the Board.

Adjudicatory Matters: Ratification A motion to ratify the Adjudicatory Matter was made by Peter Ruffini, seconded by Stanley Zoll and unanimously adopted by the Board.

- a. Diane Barry RE-13-390
- b. Karen Everett RE-15-446
- c. Katherine Flynn RE-15-438
- d. Joanne Gallery RE-15-477
- e. Jennifer Polanco RE-15-321
- f. Joan Ruggiero 2015-001461-INT-ENF
- g. Lauren Scioletti RE-15-360

Office of Investigations Update: None

Executive Director, Ann Barry's Report to the Board:

- a. **Education Subcommittee Update:** The Education Subcommittee reviewed six (6) new proposed continuing education courses. The Subcommittee referred the courses back to the Submitters for follow-up.
- b. **Test Vendor:** The Division of Professional Licensure selected a new test vendor, PSI. The new vendor shall begin administrating the real estate examination test as of April 1, 2016. Ann Barry sent letters to all the Board approved Schools as to the new vendor and posted it on the Board's website.

A motion to enter into Executive Session – Closed Session under MGL ch. 30A, Section 21 - Good Moral Character (AC) was made by Henry DiGiacomo, seconded by Peter Ruffini and unanimously adopted by the Board.

Executive Session – Closed Session under MGL ch. 30A, Section 21 - Good Moral Character (AC)

A motion to enter into Open Session was made by Henry DiGiacomo, seconded by Peter Ruffini and unanimously adopted by the Board.

Investigative Conference – Prosecutor Gerard Dolan – Closed Session under MGL ch. 112, section 65C – William Janovitz (RE-16-036) and John Tse (RE-16-035) – Prosecutor requested that matter be removed from the Agenda.

Board Counsel, Charles Kilb Report to the Board:

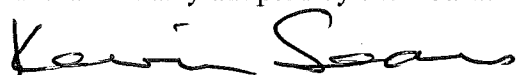
- a. **Regulation Review for Executive Order 562:** The Division of Professional Licensure (DPL) submitted the Board's proposed regulations to Office of Consumer Affairs, DPL's parent agency. The DPL is awaiting approval by OCA and other state agencies. Once approved, the Board shall conduct a public hearing on the proposed regulations. The Board shall place notice of the public hearing on the Board's website.

Next Meeting Date: April 29, 2016

List of Documents:

1. Agenda dated February 22, 2016
2. Minutes dated December 9, 2015 and December 21, 2015

Chair Kevin Sears made a motion to adjourn the meeting at 11:58pm, seconded by Stanley Zoll and unanimously adopted by the Board.


Kevin Sears, Chair, Real Estate Brokers and Salespersons Board