

**Board of Registration of Real Estate Brokers and Salespersons
1000 Washington Street, Boston, MA 02118
Minutes of June 13, 2016**

Members Present:

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

Board Member Not Present:

Kevin Sears, Chair, 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
Attorney Ashley Stolba - Massachusetts Association of Realtors
Will Hency - Freedom Trail Realty School

Peter Ruffini, the Acting Chair, opened the meeting at 10:45am.

Evacuation Procedures: Ann Barry reviewed the Evacuation Plan.

Public Hearing on Regulations – Executive Order 562 – The following individuals addressed the Board:

- (a) Alicia Vlachos - American Real Estate Academy – Ms. Vlachos discussed the proposed regulatory amendment of 254 CMR 4.00(8)(c)(3) and the potential financial impact on Real Estate Schools to offer online pre-licensure courses.
- (b) Attorney Ashley Stolba - Massachusetts Association of Realtors – Attorney Stolba discussed the proposed regulatory amendment of 254 CMR 7.00, Apartment Rentals, and the need for more clarification in the regulation as to when a Licensee shall provide the fee disclosure form.
- (c) Will Hency - Freedom Trail Realty School – Mr. Hency discussed the proposed regulatory amendment of 254 CMR 4.00(8)(c)(3) and stated that it would not be a financial harm on Real Estate Schools to offer online pre-licensure courses.

Vote on Minutes of April 29, 2016: A motion to approve the minutes was made by Stanley Zoll, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

Review Policy: Determination of Good Moral Character Compliance for Initial Broker or Salesperson Licensure by Examination, Reciprocity, Waiver of Educational Requirement or as an Attorney Broker – This was tabled for the September 2016 meeting.

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 (PP, DM, NR and TC) was made by Kimberly Allard-Moccia, seconded by Stanley Zoll 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 Kimberly Allard-Moccia, seconded by Stanley Zoll and unanimously adopted by the Board.

Investigative Conference – Prosecutor Gerard Dolan – Closed Session under MGL ch. 112, section 65C – Hong (Chris) Yang (2015-001500-IT-ENF) – The Board provided the Prosecutor with guidance.

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

Adjudicatory Matters (FYI only – no vote required):

- (a) Anthony Johnson RE-15-214
- (b) William Kelley Jr. RE-16-037
- (c) Hiram Pan RE-16-054
- (d) Harold Patton RE-15-246
- (e) Edward Sherman 2015-001453-IT-ENF

Correspondence:

- (a) **Jeffrey Olsen email, dated March 1, 2016 – out of country referrals:** The Board found that pursuant to MGL ch. 112, section 87AAA that a referral fee may be allowable in another country so long as the agent paying the referral fee is able to ensure that the agent receiving the referral fee is properly licensed by the licensing agency in that other country (i.e. copy of issued license).

Office of Investigations Update: None

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

- (a) **Agency Disclosure Form Working Group:** Peter Ruffini discussed the Group's meeting on May 6, 2016 where the Group reviewed the agency disclosure forms of other States. The Group shall next meet on June 24, 2016.
- (b) **Education Subcommittee and Reappointments:**
 - (i) The Board re-appointed the following current Subcommittee Members: Linda Kody, Jean Cannata, Robert Nahigian, Paul Yorkis, Anita Hill and Linda O'Connor. The Board also replaced Charles Burke with Paul Chase and

replaced Stanley Zoll with Kimberly Allard-Moccia. Also, Kimberly Allard-Moccia shall replace Jean Cannata as the Subcommittee's Chairperson.

- (ii) The Subcommittee shall next meet on May 6, 2016. It did not approve any courses as all the remitted courses required more information by the Submitters. The next meeting is September 16, 2016.

Board Counsel, Charles Kilb Report to the Board:

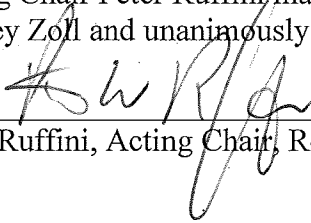
- (a) **Regulation Review for Executive Order 562:** The members of the public have till June 27, 2016 to remit public written comments.
- (b) **Compliance Monitoring:** The Board will discuss available options for case compliance monitoring on a case by case basis.

Next Meeting Date: September 12, 2016

List of Documents:

1. Agenda dated June 13, 2016
2. Minutes dated April 29, 2016
3. Correspondence:
 - a. Jeffrey Olsen email, dated March 1, 2016 – out of country referrals

Acting Chair Peter Ruffini made a motion to adjourn the meeting at 2:40pm, seconded by Stanley Zoll and unanimously adopted by the Board.



Peter Ruffini, Acting Chair, Real Estate Brokers and Salespersons Board