



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

**YVONNE HAO**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Real Estate Broker**  
**and Salesperson**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**EDWARD A. PALLESCHI**  
UNDERSECRETARY OF CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**LAYLA R. D'EMILIA**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**January 20, 2023**

**Public Minutes**

**Members in attendance:**

*Peter Ruffini, Chairman*

*Linda Kody, Member*

*Cliff Ponte, Member*

**Administrative Staff in attendance:**

*Peter Kelley, Board Counsel*

*Jenna Hentoff, Board Counsel*

*Kristin Mitchell, Executive Director*

*Colleen Cavanaugh, Associate Executive Director*

*Colleen Maloney, Associate Deputy Commissioner*

**Call to Order** – Peter Ruffini opened the meeting at 10:03 a.m.

**Vote on Minutes:**

November 18, 2022 Public minutes

November 18, 2022 Executive minutes

December 21, 2022 Public minutes

December 21, 2022 Executive minutes

A motion was made by Linda Kody and seconded by Cliff Ponte to approve the minutes as drafted and presented.

Voted: To unanimously approve the public and executive minutes listed above as presented.



## **Executive Director Report**

Kristin Mitchell informed the Board of the following information:

Since our last meeting (12/21/2022), the Board has received 453 applications for exam.

Since our last meeting, the Board has issued 370 licenses:

- 263 Salesperson by exam
- 32 Broker by exam
- 27 Businesses
- 19 Attorney Brokers
- 22 Reciprocal Salespersons
- 6 Reciprocal Brokers
- 1 Schools

In 2022, the Board received 7498 applications for exam.

In 2022 the Board issued 4761 licenses:

- 3553 Salesperson by exam
- 276 Broker by exam
- 260 Businesses
- 216 Attorney Brokers
- 106 Reciprocal Brokers
- 343 Reciprocal Salespersons
- 7 Schools

Schools will now be issued a physical license card upon receipt of renewals and new applications. School renewal notifications will be sent out via the online system. All current schools have had license cards mailed to them.

Since there is a new Board member, the Board will not be appointing new Board members or convening the educational subcommittee until the Board reviews and determines if a subcommittee is necessary. Linda Kody will forward anything pending to Kristen Mitchell for future Board agenda items.

## **Board Counsel Report**

Peter Kelley introduced Jenna Hentoff, Esq., who will be taking over as Board counsel. He is not leaving the agency and will be still available to assist.

## **Instructor Application Review**

Tammy Belanger – tabled due to quorum issue

Stacy Susi – tabled due to failure to appear

Zhi Chao Chen – Mr. Chen has been a licensed broker for less than 2 years, licensed on January 24, 2022. He received his salesperson's license in 2017 and has been working full time since 2018. He was promoted because he was doing so well, and he wants to continue to teach people so he can make sure they understand the rules and can show them the right thing to do. He also assists individuals who struggle with a language barrier.

A motion was made by Linda Kody and seconded by Cliff Ponte:

To deny exemption to hold a broker's license to be an instructor

Roll call vote.

Opposed: Linda Kody, Cliff Ponte, Peter Ruffini

## **Motion Fails**

The Board held further discussion on Mr. Chen's instructor application in regard to his ability to assist and teach those with a language barrier, specifically non-English speaking Chinese applicants, which fills a specific need in the Chinese community.

A motion was made by Linda Kody and seconded by Cliff Ponte:

To approve him to be issued an instructor certification

Roll call vote.

In Favor: Linda Kody, Cliff Ponte, Peter Ruffini

## **Discussion:**

The Board has scheduled the following meetings for the remainder of 2023:

April 19, 2023

May 24, 2023

June 28, 2023

July 19, 2023

August 23, 2023

September 20, 2023

October 25, 2023

November 29, 2023

December 20, 2023

At 10:58 a.m., a motion was made by Linda Kody and seconded by Cliff Ponte and it was so

Voted: To exit Open Session and enter Closed session pursuant to M.G.L. c. 30A, § 18, ¶ 5(d) and G. L. c. 112, § 65C for the purposes of conducting adjudicatory, settlement and investigatory conferences

Roll call vote. In favor: Peter Ruffini, Linda Kody, Cliff Ponte

At 12:21 p.m., a motion was made by Linda Kody and seconded by Cliff Ponte and it was so

Voted: To exit Closed session and enter Executive Session pursuant to M.G.L. c. 30A, §21(a)(1) to discuss individuals' character, rather than competence

Roll call vote. In favor: Peter Ruffini, Linda Kody, Cliff Ponte

The Board exited Executive Session and entered Closed Session pursuant to G.L. c. 112, § 65C for the purpose of conducting investigatory conferences at 12:47 p.m.

During closed session, the Board took the following actions:

2022-000082-IT-ENF- refer to Prosecutions/ open case against BOR  
2022-000099-IT-ENF- dismiss  
2022-000398-IT-ENF - dismiss  
2022-000690-IT-ENF- refer Prosecutions  
2022-000707-IT-ENF- dismiss  
2022-000723-IT-ENF- dismiss  
2022-000736-IT-ENF- dismiss  
2022-000743-IT-ENF- dismiss  
2022-000769-IT-ENF- dismiss  
2022-000796-IT-ENF- refer to Prosecutions  
2022-000814-IT-ENF- dismiss  
2022-000841-IT-ENF- dismiss  
2022-000844-IT-ENF- dismiss  
2022-000873-IT-ENF- dismiss with advisory  
2022-000923-IT-ENF- dismiss  
2022-000929-IT-ENF- dismiss  
2022-000276-IT-ENF- refer to Prosecutions  
2022-000277-IT-ENF- refer to Prosecutions  
2022-000452-IT-ENF-dismiss  
2022-000537-IT-ENF- interviewed Respondent; dismiss

At 2:03p.m., a motion was made by Linda Kody and seconded by Cliff Ponte and after roll call it was so

Voted: To exit closed session and enter open session for the purpose of adjourning the meeting

In favor: Peter Ruffini, Linda Kody, Cliff Ponte

Respectfully Submitted by:



Kristin Mitchell, Executive Director

2/22/23

Date

**List of documents used during the Public Meeting:**

- January 20, 2023 meeting agenda
- November 18, 2022 Public minutes
- November 18, 2022 Executive minutes
- December 21, 2022 Public minutes
- December 21, 2022 Executive minutes
- Chen instructor application documents