



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

**YVONNE HAO**  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Real Estate Brokers**  
**and Salespersons**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**LAYLA R. D'EMILIA**  
UNDERSECRETARY, CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**SARAH R. WILKINSON**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**February 21, 2024**

**Public Minutes**

**Members in attendance:**

*Peter Ruffini, Chairman*

*Kathy Condon, Member*

*Robert Jones, Member*

*Linda Kody, Member*

**Administrative Staff in attendance:**

*Jenna Hentoff, Board Counsel*

*Kristin Mitchell, Executive Director*

*Colleen Cavanaugh, Associate Executive Director*

**Call to Order** – Peter Ruffini opened the meeting at 10:06 a.m.

**Vote on Minutes:**

January 24, 2024 Public minutes

A motion was made by Kathy Condon and seconded by Robert Jones to approve the minutes as drafted and presented.

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

Roll Call vote.

In favor: Linda Kody, Kathy Condon, Robert Jones, Peter Ruffini

**Executive Director Report**

Kristin Mitchell informed the Board of the following information:



Since the Board's last meeting (1/24/24), the Board has received 547 applications for exam.

Since the Board's last meeting, the Board has issued 280 licenses:

- 191 Salesperson by exam
- 17 Broker by exam
- 14 Attorney Brokers
- 25 Businesses
- 8 Reciprocal Brokers
- 25 Reciprocal Salespersons
- 2 Instructors

### **Board Counsel Report**

Jenna Hentoff will hold her report until the topic of regulation review in regard to the agency disclosure requirement later in the meeting.

### **Application Review**

Otis Tat – He submitted an application to sit for the Brokers exam. He had discipline entered on his salesperson license in October 2023. He paid the fine and completed the required continuing education courses. All terms have been completed.

A motion was made by Linda Kody and seconded by Kathy Condon:

To allow the candidate to continue with the application process

Roll call vote.

In favor: Linda Kody, Robert Jones, Kathy Condon, Peter Ruffini

Ronald Kaplan – He submitted a request for reinstatement of his attorney broker license. He disclosed discipline pending against his Massachusetts bar license. The matter is currently pending a hearing. Mr. Ruffini would like to table this review until there is a final decision as that matter could have a significant effect on the Board's decision.

A motion was made by Robert Jones and seconded by Kathy Condon:

To table further review

Roll call vote.

In favor: Linda Kody, Robert Jones, Kathy Condon, Peter Ruffini

## **Discussion**

### **Regulation Review 254 CMR 3.00 & 7.00**

The Board reviewed language proposed for 254 CMR 3.00(13)(a) as to the requirement to provide the mandatory agency disclosure form. The Board further discussed clarifying that this requirement is in regard to “residential” property as it is not applicable to commercial. The Board stated that 254 CMR 7.00 can remain as is.

A motion was made by Linda Kody and seconded by Robert Jones:  
To approve drafts as amended

Roll call vote.

In favor: Linda Kody, Kathy Condon, Robert Jones, Peter Ruffini

### **Matters Not Anticipated by the Board**

Nothing to report.

At 10:33 a.m., a motion was made by Robert Jones and seconded by Linda Kody and it was so

Voted: To Exit Open Session and enter Closed Quasi-Judicial Session for the purpose of conducting adjudicatory conference pursuant to G. L. c. 30A, § 18, ¶ 5(d).

Roll call vote.

In favor: Linda Kody, Kathy Condon, Robert Jones, Peter Ruffini

At 10:42 a.m., a motion was made by Linda Kody and seconded by Robert Jones and it was so

Voted: To Exit Closed Quasi-Judicial Session and enter Closed Session pursuant to G.L. c. 112, § 65C for the purpose of conducting investigatory conferences.

Roll call vote.

In favor: Linda Kody, Robert Jones, Kathy Condon, Peter Ruffini

At 11:28 a.m., a motion was made by Linda Kody and seconded by Robert Jones and it was so

Voted: To Exit Closed Session and enter Closed Executive Session to discuss individuals' character rather than competence pursuant to G.L. c. 112, § 30A, § 21(a)(1).

Roll call vote.

In favor: Linda Kody, Robert Jones, Kathy Condon, Peter Ruffini

At 12:49 p.m., the Board exited Closed Executive Session and entered Closed Session pursuant to G.L. c. 112, § 65C for the purpose of conducting investigatory conferences.

During closed session, the Board took the following actions:

2022-000252-IT-ENF – dismiss  
2023-000300-IT-ENF – dismiss  
2023-000378-IT-ENF- invite Respondent  
2023-000394-IT-ENF- refer to Prosecutions  
2023-000490-IT-ENF- dismiss  
2023-000536-IT-ENF- dismiss  
2023-000550-IT-ENF- dismiss/ open new complaint  
2023-000600-IT-ENF- refer to Prosecutions  
2023-000612-IT-ENF- dismiss  
2023-000613-IT-ENF - dismiss  
2023-000624-IT-ENF- dismiss  
2023-000645-IT-ENF- refer to Prosecutions  
2023-000646-IT-ENF- refer to Prosecutions  
2023-000654-IT-ENF- dismiss  
2023-000659-IT-ENF- refer to Prosecutions  
2023-000661-IT-ENF- refer to Prosecutions  
2023-000663-IT-ENF- refer back to Investigations  
2023-000671-IT-ENF- dismiss  
2023-000677-IT-ENF- refer to Prosecutions  
2023-000685-IT-ENF- refer to Prosecutions/ open new complaint  
2023-000696-IT-ENF- dismiss/ open new complaint  
2023-000706-IT-ENF- refer back to Investigations  
2023-000709-IT-ENF- refer to Prosecutions  
2023-000713-IT-ENF- dismiss  
2023-000733-IT-ENF- dismiss  
2023-000737-IT-ENF- dismiss  
2023-000745-IT-ENF- refer back to Investigations  
2023-000758-IT-ENF - dismiss  
2023-000799-IT-ENF - refer back to Investigations  
2024-000069-IT-ENF – refer to Prosecutions

At 3:17 p.m., a motion was made by Linda Kody and seconded by Robert Jones and after roll call it was so

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

Roll call vote.

In favor: Robert Jones, Linda Kody, Kathy Condon, Peter Ruffini

Respectfully Submitted by:

A handwritten signature in dark ink that reads "Kristin Mitchell". The signature is written in a cursive, flowing style.

3/20/2024

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Kristin Mitchell, Executive Director

Date

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

- February 21, 2024 meeting agenda
- January 24, 2024 Public minutes
- Application and documents for Otis Tat
- Ronald Kaplan petition for reinstatement and related documents
- Draft Regulations 254 CMR 3.00 & 7.00