



**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**

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Boston, Massachusetts 02118

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

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

**February 22, 2023**

**Public Minutes**

**Members in attendance:**

*Peter Ruffini, Chairman*

*Linda Kody, Member*

*Cliff Ponte, Member*

*Robert Jones, Member*

**Administrative Staff in attendance:**

*Peter Kelley, Board Counsel*

*Jenna Hentoff, Board Counsel*

*Kristin Mitchell, Executive Director*

*Colleen Cavanaugh, Associate Executive Director*

**Call to Order** – Peter Ruffini opened the meeting at 10:18 a.m.

**Vote on Minutes:**

January 20, 2023 Public minutes

January 20, 2023 Executive minutes

A motion was made by Cliff Ponte and seconded by Robert Jones 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 (1/20/23), the Board has received 609 applications for exam.

Since our last meeting, the Board has issued 451 licenses:

341 Salesperson by exam

300 Broker by exam

22 Businesses

10 Attorney Brokers

35 Reciprocal Salespersons

10 Reciprocal Brokers

3 Schools

Kristin Mitchell informed the Board that there are two hearings coming up, one scheduled in May and one scheduled in June, for which the Hearing Officer is seeking Board member participation. Board staff will follow up with Board members able to participate via email.

## **Board Counsel Report**

Jenna Hentoff had nothing to report at this meeting.

## **Application Review**

Stacy Susi – tabled due to failure to appear

Tammy Belanger – Cliff Ponte was recused from this review. When asked, Ms. Belanger did not have a reason as to why she could not obtain her broker's license other than that she is not interested in opening her own brokerage. In addition to running the day-to-day operation in the brokerage, she currently coaches new agents in her office and assists with study groups for real estate classes. She has 17 years of real estate experience.

A motion was made by Robert Jones and seconded by Linda Kody:

To allow her to keep the exemption and keep the instructor certificate

Roll call vote.

Opposed: Linda Kody, Peter Ruffini

In favor: Robert Jones

Motion Fails.

A motion was made by Peter Ruffini and seconded by Linda Kody:

To deny the request for exemption of the instructor certificate

Roll call vote.

In favor: Linda Kody, Robert Jones, Peter Ruffini

Andrea Heil – When asked why she does not hold a broker's license, Ms. Heil stated that she is not eligible to sit for the brokers exam yet. Though she has been licensed since 1996, she only has two years of qualifying experience. At this time, her primary job is as an instructor for both the real estate company she works for and her local real estate board in addition to managing the day to day operations of the real estate office. She is working towards obtaining her broker's license and intends to sit for the broker's exam as soon as possible within one year.

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

To allow her to move forward with maintaining the exemption to hold an instructor certificate

Roll call vote.

In favor: Linda Kody, Cliff Ponte, Robert Jones, Peter Ruffini

Larry Medeiros – Cliff Ponte was recused from this review. Mr. Medeiros stated that he cannot obtain a broker's license due to his current obligations as a full-time teacher. He works part-time with real estate clients for about 6-15 hours/week rather than the required 25 hours/week. He is bilingual. He informed the Board that he currently teaches a course on flipping houses.

A motion was made by Robert Jones and seconded by Linda Kody:

To allow him to move forward with maintaining the exemption to hold an instructor certificate

The Board held further discussion. The Board members discussed that he qualifies in a certain area of expertise which does not require him to hold an instructor approval, which is only required to teach pre-licensure and continuing education courses, but as an instructor, he does not qualify.

Roll call vote.

Opposed: Linda Kody, Robert Jones, Peter Ruffini

Motion Fails.

A motion was made by Peter Ruffini and seconded by Linda Kody:

To deny the request for exemption of the instructor certificate

Roll call vote.

In favor: Linda Kody, Robert Jones, Peter Ruffini

Linda Palmieri – She was not aware that she needed a broker’s license in order to be a real estate instructor which she has been since 2006. At this time, she has obligations which would prevent her from working to obtain a broker’s license. She has an education degree. She is a salesperson and assists brokers. She instructs and mentors others at the real estate company she works for, both assisting individuals to pass the salesperson exam and on-boarding them into the firm. She has never taught a continuing education course. She does not need to be approved as an instructor to continue what she does.

A motion was made by Linda Kody and seconded by Cliff Ponte:  
To deny the request for exemption of the instructor certificate

Roll call vote.

Opposed: Robert Jones

In favor: Linda Kody, Cliff Ponte, Peter Ruffini

Lorna Rush – tabled due to failure to appear

It was noted that Sandra Carroll, who is also seeking to maintain her exemption to continue as an instructor, was in attendance but not on the meeting’s agenda. She was notified that she will be on the March agenda as long as the requested information for her request to maintain her exemption is received.

### **Educational Subcommittee**

The Chair announced the Board’s intent to reconstitute the education subcommittee to be comprised of 5 members of the public and 2 Board members. If individuals are interested, they should submit a resume to the Board along with a cover letter stating what qualifies them to sit on this subcommittee by April 30, 2023. The Board intends to make the appointments during its May 24, 2023 meeting. The Chair stated that the intended purpose of the education subcommittee would be to review new continuing education courses submitted for approval, review and update existing continuing education courses, and review the curriculum for pre-licensure for salespersons and brokers.

At 11:46 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 Executive Session pursuant to M.G.L. c. 30A, §21(a)(1) to discuss individuals’ character, rather than competence

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

The Board exited Executive Session and entered Closed Session pursuant to G.L. c. 30A, § 18, ¶ 5(d) and G.L. c. 112, § 65C for the purposes of conducting adjudicatory, settlement and investigatory conferences at 12:53 p.m.

During closed session, the Board took the following actions:

2022-000766-IT-ENF- dismiss  
2022-000635-IT-ENF- dismiss  
2022-000691-IT-ENF – refer to Prosecutions  
2022-000703-IT-ENF- refer to Prosecutions  
2022-000733-IT-ENF- dismiss  
2022-000734-IT-ENF- dismiss/ open complaint against BOR  
2022-000810-IT-ENF – dismiss  
2022-000815-IT-ENF- dismiss  
2022-000823-IT-ENF- refer to Prosecutions  
2022-000824-IT-ENF- invite Respondent for interview  
2022-000828-IT-ENF- dismiss  
2022-000839-IT-ENF- dismiss  
2022-000847-IT-ENF- refer to Prosecutions  
2022-000853-IT-ENF- dismiss  
2022-000908-IT-ENF – refer back to Investigations/ open complaint against licensee  
2022-000930-IT-ENF- dismiss  
2022-000941-IT-ENF- dismiss  
2022-000949-IT-ENF- dismiss  
2022-000957-IT-ENF- invite licensee for interview  
2022-000969-IT-ENF- refer back to Investigations  
2022-000970-IT-ENF- refer back to Investigations  
2022-000993-IT-ENF- dismiss  
2022-001000-IT-ENF- dismiss  
2022-000982-IT-ENF- dismiss  
2022-001090-IT-ENF- dismiss

At 4:39 p.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: Robert Jones, Linda Kody, Cliff Ponte, Peter Ruffini,

Respectfully Submitted by:

  
\_\_\_\_\_  
Kristin Mitchell, Executive Director

3/17/23  
\_\_\_\_\_  
Date

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

- March 22, 2023 meeting agenda
  - January 20, 2023 Public minutes
  - January 20, 2023 Executive minutes
  - Tammy Belanger – instructor application documents
  - Andrea Heil – instructor application documents
- Larry Medeiros – instructor application documents
- Linda Palmieri – instructor application documents