



MAURA HEALEY
GOVERNOR

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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**

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

SARAH R. WILKINSON
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

May 22, 2024

Public Minutes

Members in attendance:

Peter Ruffini, *Chairman*

Robert Jones, *Member*

Cliff Ponte, *Member*

Administrative Staff in attendance:

Jenna Hentoff, *Board Counsel*

Kristin Mitchell, *Executive Director*

Colleen Cavanaugh, *Associate Executive Director*

Colleen Maloney, *Associate Commissioner of Policy and Boards*

Sean Pierce, *Deputy Chief of Staff*

Call to Order – Peter Ruffini opened the meeting at 10:11 a.m.

Vote on Minutes:

April 17, 2024 Public minutes

April 17, 2024 Executive minutes

March 20, 2024 revised Public minutes

A motion was made by Cliff Ponte and seconded by Robert Jones to approve the public and executive minutes for April 17, 2024 and the revised public minutes for March 20, 2024 as drafted and presented.

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

Roll Call vote.

In favor: Cliff Ponte, Robert Jones, Peter Ruffini



Executive Director Report

Kristin Mitchell informed the Board of the following information:

Since the Board's last meeting (4/17/24), the Board has received 639 applications for exam.

Since the Board's last meeting, the Board has issued 436 licenses:

- 301 Salesperson by exam
- 41 Broker by exam
- 19 Attorney Brokers
- 39 Businesses
- 7 Reciprocal Brokers
- 29 Reciprocal Salespersons
- 1 Instructors
- 0 Schools

Ms. Mitchell also informed the Board that PSI continues to improve the application process. She also informed the Board that most of the incomplete applications received by PSI are missing items such as a notarized CORI form or schools are not stamping the required form or including the student's name.

Board Counsel Report

Jenna Hentoff wanted to notify the Board that she is still putting together paperwork to move the regulations along in the process.

Application Review

Katherine Schiavo – tabled due to failure to appear

Jose Morales- Mr. Morales appeared before the Board to discuss discipline which he disclosed on his application for a reciprocal broker license. He disclosed a consent agreement with the Board from December 2022. He paid a fine for unlicensed practice. He stated that he did view a property with a client in Massachusetts.

A motion was made by Robert Jones and seconded by Cliff Ponte:

To allow the candidate to continue with the application process

Roll call vote.

In favor: Cliff Ponte, Robert Jones, Peter Ruffini

Anthony Giglio – Mr. Giglio appeared before the Board to discuss discipline which he disclosed on an application for a business license for which he is the broker of record. He already holds a reciprocal broker license and two other business licenses. He disclosed discipline in Colorado from October 2023. He failed to maintain records and failed to fulfill the minimum duties of a broker. He paid a \$15,000 fine (in total it was \$17,250 with an added surcharge) and agreed to a 3 month suspension, a 2 year probation, a number of CEs, quarterly practice audits and a public censure. The only remaining active part of this discipline is the audit requirement. He will be audited every quarter for two years.

A motion was made by Cliff Ponte and seconded by Robert Jones:

To allow the candidate to continue with the application process

Roll call vote.

In favor: Robert Jones, Cliff Ponte, Peter Ruffini

Compliance Review

Howe Allen – tabled due to lack of quorum (Cliff Ponte recused)

Discussion

Education Subcommittee Report

Peter Ruffini provided the report for the Education Subcommittee's May meeting. The minutes from March 2024 as well as revised November 2023 and January 2024 minutes were approved. The Subcommittee reviewed a proposed course and asked staff to forward suggestions to the submitter for further review.

The Subcommittee also reviewed proposed Frequently Asked Questions for schools students which would be added to the existing FAQs.

A motion was made by Cliff Ponte and seconded by Robert Jones:

To approve the Education Subcommittee Report

Roll call vote.

In favor: Kathy Robert Jones, Cliff Ponte, Peter Ruffini

Correspondence

James McEvoy – Mr. McEvoy appeared before the Board seeking assistance regarding the broker certification for salespersons in the broker application. He stated that he has been a licensed salesperson for 28 years and has worked for the same company, including for the last three years. His broker is unable to sign off on his time as a salesperson in the employing broker certification.

A motion was made by Cliff Ponte and seconded by Robert Jones:
To allow him to move forward with the substitute information he provided in lieu of the standard employing broker form.

Roll call vote.

In favor: Robert Jones, Cliff Ponte, Peter Ruffini

Matters not reasonably anticipated 48 hours in advance of the meeting

The Board received a request from licensee Brian Johnson who is having trouble finding two courses (Disclosures...Disclosures...Disclosures and Federal Housing Administrative Loans) necessary for compliance with a Board Consent Agreement. This individual is seeking a 30-day extension.

A motion was made by Robert Jones and seconded by Cliff Ponte:
To approve the 30 day extension request and offer two additional course options.

Roll call vote.

In favor: Robert Jones, Cliff Ponte, Peter Ruffini

At 10:57 a.m., a motion was made by Robert Jones and seconded by Cliff Ponte and it was so

Voted: To Exit Open 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: Cliff Ponte, Robert Jones, Peter Ruffini

At 12:33 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:

2023-000663-IT ENF – tabled
2023-000752-IT-ENF – dismiss
2023-000842-IT-ENF – dismiss
2023-000849-IT-ENF – tabled
2024-000012-IT-ENF – refer to Prosecutions; open new complaint
2024-000027-IT-ENF – dismiss
2024-000044-IT-ENF – dismiss
2024-000058-IT-ENF – dismiss
2024-000064-IT-ENF – dismiss

2024-000068-IT-ENF – tabled
2024-000107-IT-ENF- dismiss
2024-000108-IT-ENF- dismiss
2024-000110-IT-ENF- refer to Prosecutions
2024-000111-IT-ENF- dismiss with advisory
2024-000113-IT-ENF- refer to Prosecutions
2024-000115-IT-ENF- dismiss
2024-000117-IT-ENF- refer to Prosecutions
2024-000118-IT-ENF-refer to Prosecutions
2024-000119-IT-ENF- refer to Prosecutions
2024-000145-IT-ENF- dismiss
2024-000172-IT-ENF- refer to Prosecutions
2024-000218-IT-ENF- return to Office of Investigations
2024-000220-IT-ENF - tabled
2024-000223-IT-ENF- tabled
2024-000232-IT-ENF- dismiss
2024-000248-IT-ENF – refer to Prosecutions

At 2:37 p.m., a motion was made by Cliff Ponte 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: Cliff Ponte, Robert Jones, Peter Ruffini

Respectfully Submitted by:



Kristin Mitchell, Executive Director

9/23/2024
Date

List of documents used during the Public Meeting:

- May 22, 2024 meeting agenda
- March 20, 2024 revised Public minutes
- April 17, 2024 Executive minutes
- April 17, 2024 Public minutes
- Jose Morales reciprocal broker application and related documents
- Anthony Giglio – business license application and related documents
- James McEvoy correspondence and related documents

- Brian Johnson request for extension