



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**

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

**June 26, 2024**

**Public Minutes**

**Members in attendance:**

Peter Ruffini, *Chairman*

Linda Kody, *Board Member*

Kathy Condon, *Board 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 10:11 a.m.

**Vote on Minutes:**

June 26, 2024 Public minutes

June 26, 2024 Executive minutes

A motion was made by Linda Kody and seconded by Kathy Condon to approve the public and executive minutes as drafted and presented.

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

Roll Call vote.

In favor: Linda Kody, Kathy Condon, Peter Ruffini

**Executive Director Report**

Kristin Mitchell informed the Board of the following information:

Since the Board's last meeting (5/22/24), the Board has received 636 applications for exam.



Since the Board's last meeting, the Board has issued 374 licenses:

- 277 Salesperson by exam
- 36 Broker by exam
- 14 Attorney Brokers
- 28 Businesses
- 8 Reciprocal Brokers
- 10 Reciprocal Salespersons
- 1 Instructors
- 1 Schools

Ms. Mitchell also informed the Board that PSI now has a three-week turnaround time for license applications. She also informed the Board that she sent out an email to all the schools we had email addresses for to notify them that the Candidate Information Bulletin was updated, and we received quite a few back as undeliverable.

### **Board Counsel Report**

Jenna Hentoff notified the Board that the draft regulations have been sent for review.

### **Application Review**

Francis Elliot – Mr. Elliott submitted a request for an exemption to the requirement for instructors to have a minimum of two years of work experience as a real estate broker. He was issued a broker license in May 2024. He appeared before the Board. The Board reviewed and discussed his request in order to determine whether there was a compelling need to allow the exemption as it was noted that he did not meet the regulatory requirements for instructor approval at this time. Mr. Elliot discussed his real estate experience as well as his teaching experience, noting that he only teaches the pre-licensure course.

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

To approve the request for an exemption from the requirements for instructor authorization

The Chair spoke during discussion of the motion and stated that he did not see that there was a compelling reason to allow his exemption request as it did not appear that he was filling a need that could not be met in another way.

Roll call vote.

In favor: Kathy Condon

Opposed: Linda Kody, Peter Ruffini

Motion failed.

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

To deny the request for an exemption from the requirement to hold a broker's license for two years

Roll call vote.

In favor: Linda Kody, Kathy Condon, Peter Ruffini

Todd Siegel – Mr. Siegel appeared before the Board to discuss discipline which he disclosed on an application for a reciprocal broker license. He disclosed that he received a cease and desist in Nebraska from 2012. Nebraska said he was practicing without a license by listing Nebraska properties in a Florida MLS. He was disciplined in Illinois based on the Nebraska discipline for which he entered a consent order and paid a fine. At the time it was easier to pay the fine and not fight the case. Now he wished he had fought these charges. He did obtain his license in Nebraska in 2021. He currently holds 39 real estate licenses in the United States and is in good standing with those states as well as with his law license in Ohio.

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

To allow the candidate to continue with the application process

Roll call vote.

In favor: Linda Kody, Kathy Condon, Peter Ruffini

## **Compliance Review**

Howe Allen – Mr. Allen sought assistance from the Board regarding his consent agreement. He is having trouble finding one of the continuing education courses required as part of the agreement. The Board stated he can substitute the Brokerage Relationships course if he can't find the Escrow Accounts course.

## **Discussion**

### **Education Subcommittee Report**

Linda Kody provided the report for the Education Subcommittee's June meeting. The minutes from the May 2024 Subcommittee meeting were approved. The Subcommittee reviewed a new Title 5 course and a new insurance course. The submitters were asked to make recommended amendments to their courses and resubmit them for further review. They also reviewed the Cannabis course which was originally presented during the May 2024 Subcommittee meeting and asked that staff invite the submitter to appear before the Subcommittee.

A motion was made by Kathy Condon and seconded by Peter Ruffini:  
To accept the Education Subcommittee Report

Roll call vote.

In favor: Kathy Condon, Linda Kody, Peter Ruffini

### **Matters not reasonably anticipated 48 hours in advance of the meeting**

Nothing to report.

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

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

Roll call vote.

In favor: Linda Kody, Kathy Condon, Peter Ruffini

At 11:14 a.m., a motion was made by Linda Kody and seconded by Kathy Condon and it was so

Voted: To Exit Closed Quasi-Judicial Session and enter Closed Executive Session to discuss individuals' character rather than competence pursuant to G.L. c. 112, § 30A, § 21(a)(1) and to comply with the public records law pursuant to G.L. c. 66, § 10 and G.L. c. 4, § 7, ¶ 26(c) to protect highly personal information relating to a named individual pursuant to G.L. c. 30A, § 21(a)(7).

Roll call vote.

In favor: Linda Kody, Kathy Condon, Peter Ruffini

At 12:12 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 – dismiss  
2023-000849-IT-ENF – refer to Prosecutions  
2023-000854-IT-ENF – refer to Prosecutions  
2024-000068-IT-ENF – dismiss

2024-000218-IT-ENF – dismiss with advisory, open new complaint  
2024-000220-IT-ENF – refer to Prosecutions, open new complaint  
2024-000223-IT-ENF – refer to Prosecutions, open new complaint  
2022-000420-IT-ENF – dismiss  
2022-000421-IT-ENF – dismiss  
2024-000114-IT-ENF – dismiss with advisory, open new complaint  
2024-000116-IT-ENF- dismiss  
2024-000134-IT-ENF- refer to Prosecutions  
2024-000158-IT-ENF- dismiss  
2024-000173-IT-ENF- dismiss, open new complaint  
2024-000174-IT-ENF- dismiss  
2024-000183-IT-ENF- dismiss, open new complaint  
2024-000187-IT-ENF- dismiss  
2024-000204-IT-ENF- dismiss  
2024-000211-IT-ENF- dismiss  
2024-000219-IT-ENF- dismiss  
2024-000221-IT-ENF- dismiss with advisory, open new complaint  
2024-000222-IT-ENF- dismiss with advisory, open new complaint  
2024-000224-IT-ENF – dismiss with advisory, open new complaint  
2024-000225-IT-ENF- dismiss with advisory, open new complaint  
2024-000226-IT-ENF- dismiss with advisory, open new complaint  
2024-000259-IT-ENF – refer back to Office of Investigations  
2024-000353-IT-ENF - dismiss

At 2:48 p.m., a motion was made by Linda Kody and seconded by Kathy Condon 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: Linda Kody, Kathy Condon, Peter Ruffini

Respectfully Submitted by:



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Kristin Mitchell, Executive Director	9/23/2024
	Date

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

- June 26, 2024 meeting agenda
- May 26, 2024 Executive minutes
- May 26, 2024 Public minutes

- Todd Siegel reciprocal broker application and related documents
- Howe Allen correspondence and related documents
- Francis Elliott request for waiver for Instructor authorization