



**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**

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

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

**September 15, 2023**

**Public Minutes**

**Members in attendance:**

*Peter Ruffini, Chairman*

*Linda Kody, Member*

*Cliff Ponte, 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 10:04 a.m.

**Vote on Minutes:**

August 23, 2023 Public minutes

August 23, 2023 Executive minutes

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

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

Roll Call vote.

In favor: Cliff Ponte, Linda Kody, Peter Ruffini

**Executive Director Report**

Kristin Mitchell informed the Board of the following information:



Since the Board's last meeting (8/23/23), the Board has received 258 applications for exam.

Since the Board's last meeting, the Board has issued 185 licenses:

- 111 Salesperson by exam
- 11 Broker by exam
- 15 Businesses
- 13 Attorney Brokers
- 30 Reciprocal Salespersons
- 5 Reciprocal Brokers

The Board members were updated regarding PSI's staffing shortage. Board members were notified that staff is working to close the gap in application approval on the Board side as quickly as possible.

### **Board Counsel Report**

Jenna Hentoff has nothing to report. She is continuing to work on the draft regulations.

### **Application Review**

Andrew Romano – He applied 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 February 2023. He was notified when he applied for approval as an Instructor that he did not meet the regulatory requirements, including the requirement to have worked as a broker for at least two years. He submitted a further request and appeared before the Board. The Board reviewed his submissions and held a brief discussion, noting that he did not meet the requirements to be an instructor at this time, nor did he meet an unmet need for instructors and further, that he would be permitted to teach but for pre-licensure and continuing education courses.

A motion was made by Linda Kody and seconded by Cliff Ponte:  
To approve the application for instructor certification

Roll call vote.

In favor: Linda Kody

Opposed: Cliff Ponte, Peter Ruffini

Motion failed.

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

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

Roll call vote.

In favor: Linda Kody, Cliff Ponte, Peter Ruffini

### **Education Subcommittee Report**

Linda Kody, the Chair of the Education Subcommittee, reviewed the subcommittee's first meeting on September 6, 2023. The subcommittee denied two new course applications, including "CE MA Real Estate Specializations State Licensure and Private Organization Certification for Real Estate Professionals" and "Financing Disasters." Discussion of the existing Buyer Agency course was tabled. A motion was made by Cliff Ponte and seconded by Peter Ruffini:

To approve the subcommittee report

Roll call vote.

In favor: Linda Kody, Cliff Ponte, Peter Ruffini

### **Discussion**

Nothing to report.

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

Nothing to report.

At 10:35 a.m., a motion was made by Cliff Ponte and seconded by Linda Kody and it was so

Voted: To Exit Open Session and enter Closed Executive Session for the following purposes: pursuant to M.G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation; pursuant to M.G.L. c. 30A, § 21(a)(7) to comply with the public record law pursuant to M.G.L. c. 66, § 10 and M.G.L. c. 4, § 7, ¶ 26(c) to protect highly personal information relating to a named individual; and pursuant to M.G.L. c. 30A, § 21(a)(1) to discuss individuals' character, rather than competence

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

At 11:21 a.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:

2020-000090-IT-ENF – refer to Prosecutions

2022-000969-IT-ENF – dismiss  
2022-001147-IT-ENF- invite in  
2022-001148-IT-ENF – invite in  
2022-001168-IT-ENF- invite in  
2022-001169-IT-ENF – invite in  
2022-001170-IT-ENF – invite in  
2023-000069-IT-ENF – dismiss with advisory / open new complaint  
2023-000184-IT-ENF- dismiss  
2023-000187-IT-ENF – refer to Prosecutions  
2023-000227-IT-ENF – dismiss/ open new complaint & refer to Prosecutions  
2023-000228-IT-ENF- dismiss with advisory  
2023-000234-IT-ENF- tabled  
2023-000235-IT-ENF – dismiss  
2023-000249-IT-ENF – dismiss with advisory  
2023-000259-IT-ENF – dismiss  
2023-000260-IT-ENF- dismiss  
2023-000273-IT-ENF- dismiss  
2023-000288-IT-ENF- refer to Prosecutions  
2023-000291-IT-ENF- dismiss  
2023-000320-IT-ENF- dismiss  
2023-000328-IT-ENF- dismiss / open new complaint & refer to Prosecutions  
2023-000345-IT-ENF – dismiss  
2023-000355-IT-ENF- tabled  
2023-000390-IT-ENF- dismiss with advisory

At 12:56 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: Cliff Ponte, Linda Kody, Peter Ruffini

Respectfully Submitted by:



10/25/23

Kristin Mitchell, Executive Director

Date

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

- September 15, 2023 meeting agenda
- August 23, 2023 Public minutes
- August 23, 2023 Executive minutes
- Application documents from Andrew Romano