



**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

**MIKE KENNEALY**  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Real Estate Broker**  
**and Salesperson**

1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

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

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

**September 26, 2022 10:00 am**

**Public Minutes**

**Members in attendance:**

*Peter Ruffini, Chairman*  
*Kimberly Allard, Member*  
*Linda Kody, Member*  
*Robert Jones, Member*

**Administrative Staff in attendance:**

*Peter Kelley, 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 29, 2022 Public minutes  
June 29, 2022 Executive minutes  
July 27, 2022 Public minutes  
August 18, 2022 Public minutes  
August 18, 2022 Executive minutes

A motion was made by Peter Ruffini and seconded by Kimberly Allard to approve the minutes as drafted and presented. There was discussion regarding changing the discussion in the 6/29/22 minutes.

Voted: To approve the public and executive minutes listed above as presented. All in favor but with Ms. Allard opposed.



## **Executive Director Report**

Kristin Mitchell informed the board that since the last meeting 406 applications have been received from PSI. She also gave the following information regarding licenses that have been issued in the last month and the breakdown is as follows:

355 licenses have been issued since last meeting until today.

265 Salespeople by exam

13 Broker by exam

14 Attorney Broker

29 Reciprocal Sales

23 Businesses

11 Reciprocal Broker

## **Board Counsel Report**

Peter Kelley informed the board the Huang v. RE/MAX, 101 Mass. App. Ct. 190 (2022) matter was being appealed to the SJC, currently under advisement. He will follow up with the board when a decision has been made.

## **Application Review**

Sergio Vespa – 2022-000124-RE-AB-APP applying for an attorney broker application. He informed the board he already held a license in MA. That license was revoked by default. He needs to apply for reinstatement, complete the terms, and then come back before the board

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

To have applicant apply for reinstatement with all proper documentation and then come back before the board

Roll call vote.

In favor: Peter Ruffini, Linda Kody, Kimberly Allard, Robert Jones

## **Discussion**

Board staff and board counsel with work on the letter to be sent to out to individuals who hold a salesperson license, but not a brokers, and who hold an instructors certificate. They will have six months to apply for the broker's license. If they do not obtain licensure in the six month window, they may petition the board for an exemption from the approved instructor regulation requirements, for which the board will make such a determination. May continue teaching during this timeframe.

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

To issue letter that gives the individuals who only hold a salesperson license 180 days to become licensed as a broker. If they do not, they may need to come petition the board.

Roll call vote.

In favor: Peter Ruffini, Linda Kody, Kimberly Allard, Robert Jones

**New Business:**

Kimberly Allard is looking for an update on the status of discipline tracking.

Kimberly Allard also had a question regarding the way the minutes are taken and the vote are recorded.

At 11:18 a.m. A motion was made by Linda Kody and seconded by Robert Jones and it was so

Voted: To exit Open Session and enter Closed session pursuant to M.G.L. c. 30A, § 18, ¶ 5(d) and G. L. c. 112, § 65C for the purposes of conducting adjudicatory and investigatory conferences

Roll call vote. In favor: Peter Ruffini, Kimberly Allard, Linda Kody, Robert Jones

During closed session the Board took the following actions:

2020-000078-IT-ENF- dismiss  
2020-000251-IT-ENF- refer to prosecutions  
2020-000333-IT-ENF- dismiss/open case for ceu's  
2020-000334-IT-ENF- dismiss  
2020-000352-IT-ENF- refer to OI / Ms. Allard recused  
2020-000353-IT-ENF- refer to prosecutions  
2020-000365-IT-ENF- dismiss  
2020-000386-IT-ENF- dismiss  
2020-000393-IT-ENF- dismiss  
2020-000399-IT-ENF- dismiss  
2020-000400-IT-ENF- refer to Prosecutions  
2020-000411-IT-ENF- dismiss  
2020-000422-IT-ENF- dismiss  
2020-000513-IT-ENF- dismiss  
2020-000427-IT-ENF- refer to Prosecutions  
2020-000446-IT-ENF- dismiss / Kim recused  
2020-000455-IT-ENF- dismiss  
2020-000479-IT-ENF- dismiss  
2020-000492-IT-ENF- dismiss/ open complaint ceu's  
2020-000514-IT-ENF – refer to prosecutions/ open case on broker  
2020-000517-IT-ENF-refer to prosecutions  
2020-000518-IT-ENF- dismiss  
2020-000531-IT-ENF – dismiss  
2020-000552-IT-ENF- dismiss

At 2:33 p.m. A motion was made by Robert Jones and seconded by Linda Kody and after roll call it was so

Voted: To exit closed session and enter open session for the purpose of adjourning the meeting and scheduling future board meetings

In favor: Peter Ruffini, Linda Kody, Kimberly Allard, Robert Jones

**Upcoming board meetings:**

November 18, 2022 10-3pm Board Meeting

December 9, 2022 10-12pm Regulation Meeting

December 21, 2022 10-3pm Board Meeting

Respectfully Submitted by:



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Kristin Mitchell, Executive Director

9/26/22

Date