

Board of Registration of Real Estate Brokers and Salespersons
1000 Washington Street, Boston, MA 02118
Minutes of May 22, 2018

Members Present:

Kevin Sears, Chair, Industry Member
Stanley Zoll, Public Member
Peter Ruffini, Industry Member
Kimberly Allard, Industry Member

Administrative Staff Present:

Ann-Margarette Barry, Executive Director
James O'Connor, Board Counsel
Kristin Mitchell, Program Coordinator

Public Present:

Michael McDonagh, General Counsel & Director of Government Affairs - Massachusetts
Association of REALTORS® (MAR)

Kevin Sears, Chair, opened the meeting at 12:08pm.

Evacuation Procedures: James O'Connor reviewed the Evacuation Plan.

Vote on Minutes of January 30, 2018: A motion to approve the minutes was made by Peter Ruffini, seconded by Kimberly Allard and unanimously adopted by the Board.

Executive Director's Report to the Board:

- (a) Record of Standing/Verification Requests: The Executive Director reported that the backlog has been removed and that Licensees may now request a verification / record of standing online.
- (b) Affiliations: Kristin Mitchell explained the Board's process to update a Notice of Affiliations and explained that the updates do not occur in real time on the public database. The agency's IT Department updates the database on a monthly basis.

New Items:

- a. Email questions from the Massachusetts Association of Realtors (MAR) dated April 9, 2018 – MAR remitted twelve (12) questions for the Board's review. The Board provided guidance to the Board's attorney who shall respond to the email inquires. The matter shall be tabled for further discussion at the next meeting.

Stanley Zoll arrived at the meeting at 1:45pm.

Board Counsel, Report to the Board:

- (a) Education Subcommittee FAQ – The Board’s attorney shall review the submitted FAQs.
- (b) Crumbling Concrete Foundations in Pioneer Valley area – The Board’s attorney reported that the agency met with the Pioneer Valley Real Estate association to discuss the matter of defective concrete found in homes in the Pioneer Valley area. The Agency’s General Counsel must follow up with the Office of Consumer Affairs, the DPL’s parent agency as to the response.

Executive Session – Closed Session under MGL ch. 30A, Section 21 - Good Moral Character

A motion to enter into Executive Session – Closed Session under MGL ch. 30A, Section 21 - Good Moral Character was made by Kevin Sears, seconded by Peter Ruffini and unanimously adopted by the Board.

Investigative Conference – Closed Session under MGL ch. 112, section 65C - A motion to enter into Investigative Conference – Closed Session under MGL ch. 112, section 65C was made by Peter Ruffini, seconded by Kimberly Allard-Moccia and unanimously adopted by the Board.

- a. 2017-000454-IT-ENF (DR) - The Board provided the Prosecutor with guidance.
- b. 2016-001131-IT-ENF (PL) - The Board provided the Prosecutor with guidance.
- c. 2018-000048-IT-ENF (DH) - The Board provided the Prosecutor with guidance.
- d. 2015-200005-IT-ENF, 2015-200025-FI-ENF, 2017-000009-IT-ENF - The Board provided the Prosecutor with guidance.
- e. 2018-00051-IT-ENF (EW) - The Board provided the Prosecutor with guidance.
- f. 2015-200010-IT-ENF (NT) - The Board provided the Prosecutor with guidance.
- g. 2015-200046-FI-ENF (SRV) - The Board provided the Prosecutor with guidance.

A motion to enter into Final Decision and Order – Quasi-Judicial: Closed Session under MGL ch. 30A, Section 18 was made by Kevin Sears, seconded by Peter Ruffini and unanimously adopted by the Board.

- a. 2016-000205-IT-ENF (BB) – The Board imposed discipline

A motion to enter Open Session was made by Peter Ruffini, seconded by Kimberly Allard and unanimously adopted by the Board.

Topics not reasonably anticipated by the Chair – The Chair updated the Board on the Board Member’s attendance at an ARELLO conference in Washington DC. He also advocated for the agency to continue to renew its ARELLO membership.

List of Documents:

1. Agenda dated May 22, 2018
2. Minutes dated January 30, 2018

Chair Kevin Sears made a motion to adjourn the meeting at 3:48pm, seconded by Peter Ruffini and unanimously adopted by the Board.

A handwritten signature in cursive script that reads "Kevin Sears". The signature is written in dark ink and is positioned above a horizontal line.

Kevin Sears, Chair, Real Estate Brokers and Salespersons Board