

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION

Minutes of Meeting

December 5, 2007

The Connecticut Real Estate Commission convened for a Meeting on Wednesday, **December 5, 2007** at 9:20 a.m. in Room 117 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Barbara Thompson, Chairperson (Salesperson – 3rd District)
 Joseph B. Castonguay, (Broker – 2nd District)
 Lana K. Ogrodnik (Broker – 5th District)
 Marilyn Keating (Salesperson – 4th District)
 Theodore F. Ells (Public Member- 3rd District)
 Joseph H. Kronen (Public Member – 1st District)
 Morag L. Vance (Public Member – 4th District)
 James Hoffman (Salesperson – 4th District)

Commissioners Absent: None

Commission Vacancy: None

Attorney General's Office: Alan Ponanski, Assistant Attorney General

DCP Staff present: Sallie Pinkney, Commission Secretary Occ/Pro Licensing Division
 Lauren Rubino, Real Estate Supervisor Real Estate Unit
 Vicky Bullock, Attorney Legal Division
 Michelle Erling, License Examiner Trade Practice Division

Public Present: Peter Poulos Larry Hannafin John Sable
 Bunny Kyle Joe Cooney Johvanny Lopez
 Felipe Mulero Jason Kemp Dion Piscioti
 Rob Ficcio Stefan Stoler John Morgan
 Walton Upchurch John Bradley John Troland
 Lauren Walters Lisa Silvestri

The next Meeting of this Commission is scheduled for Wednesday, February 6, 2008 at 9:15 a.m. in Room 117. As called for by Chairperson Barbara Thompson.

Note: The administrative functions of this Commission are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information please call Lauren M. Rubino, Real Estate Supervisor and Real Estate Commission Administrator, at (860) 713-6135 or visit www.ct.gov/dcp.

1. **MINUTES/AGENDA:**

- a. Review Minutes of Meeting from October 3, 2007. **Commission Member Vance moved to accept the Minutes as amended. Commission Member Kronen 2nd and the vote carried. Commission Members Castonguay, Ells, and Thompson abstained.**
- b. **Commission Member Vance moved to accept the 12/5/07 agenda as amended. Commission Member Ogrodnik 2nd and the vote carried unanimously.**

2. **CONSENT AGREEMENTS**

- a. Eileen Dellaselva – Engaging Unlicensed. **Commission Member Kronen moved to accept the agreement. Commission Member Ogrodnik 2nd, and the vote carried. Chairperson Thompson recused.**
- b. Weichert Realtors, Quinnipiac Properties Fred J. Gettner allowing an unlicensed broker to engage. **Fine paid, however he did not sign agreement. The agreement is placed on hold until he signs it.**
- c. James Bulson – Salesperson (affiliated with Home Services LLC) Requesting a payment schedule. **Commission Member Ogrodnik moved to accept the payment schedule. Commission Member Castonguay 2nd, and the vote carried unanimously.**
- d. Brian T. Hufnagel – Salesperson (affiliated with Robert J. Decosmo) Requesting a payment schedule. **Commission Member Ells moved to accept the payment schedule. Commission Member Kronen 2nd, and the vote carried unanimously.**
- e. Robert J. Descosmo – Sponsoring Broker for Brian T. Hufnagel. **Commission Member Keating moved to accept the payment schedule. Commission Member Ells 2nd, and the vote carried unanimously.**
- f. Prime Realty Group, LLc – Ronald F. Greytak, designated, unlicensed legal entity. **Civil Penalty paid \$500.**
- g. The Real Estate Market LLc – Kimberly Cocomo, designated broker – unlicensed legal entity. **Commission Member Keating moved to accept the payment schedule. Commission Member Castonguay 2nd, and the vote carried unanimously.**
- h. Richard S. Jowdy, Richard S. Jowdy, designated broker, paid \$500.
- i. Richard S. Jowdy, - Individual broker, paid \$ 1,000.
- j. CTRE, LLc – dba Prudential Connecticut Realty, Peter Helie, designated broker (sponsoring broker for Richard S. Jowdy, Inc.), paid \$1,000. **Commission Member Ells moved to accept the agreements of item 2: h, i & j. Commission member Kronen 2nd, and the vote carried unanimously.**

3. SETTLEMENT AGREEMENTS FOR THE 2006 REAL ESTATE CE AUDIT

- a. Caruso, Joseph R. Reb.750286, Civil Penalty of \$600.
- b. Coats, Ingrid C. Res 764555, Civil Penalty of \$400.
- c. Frisch, David Res, Civil Penalty of \$300.
- d. George Santos, Civil Penalty of \$600.
- e. Carol Sabestian, Civil Penalty of \$600. request payment schedule
- f. Vincent Gardinia, Civil Penalty of \$300.

Commission Member Ogrodnik moved to accept the above (3, a-f) settlement agreements. Commission Member Ells 2nd, and the vote carried unanimously.

4. APPEARING BEFORE THE COMMISSION

- a. 9:30 a.m. Joseph Cooney – 2006 Continuing Education Audit. **Commission Member Kronen moved to uphold the fine, and if he decides to keep his license he must make payment arrangement by 12/07/07. Commission Member Ogrodnik 2nd, and the vote carried unanimously.**

5. TRADE PRACTICE ENFORCEMENT REPORT

- a. McKinley vs Metling – settlement agreement Fine \$500. Licensee must take Appraisal 1 by 9/30/08. **Commission Castonguay moved to accept the agreement Commission Ells 2nd, and the vote carried unanimously.**

6. APPLICANTS APPEARING BEFORE COMMISSION

- a. 9:30 a.m. Christopher Hamer – Non resident Broker applicant
- b. 9:45 a.m. Jayson Kemp – Broker applicant/reinstatement of salesperson license. **Commission Member Kronen moved to postpone item 6, a & b until 2/6/07. Commission Member Keating 2nd, and the vote carried unanimously.**

7. CHRO APPLICATIONS APPEARING

- a. New Applicants:
 - i. 10:00 a.m. Dion J. Piscioti Salesperson applicant – **Commission Member Kronen moved to allow him to take his exam. However, a license can not be issued until Rehabilitation is completed and Probation is concluded on 5/25/08. Commission Member Vance 2nd, and the vote carried unanimously.**
 - ii. 10:15 a.m. Walton L. Upchurch Salesperson applicant – **Commission Member Vance moved to approve his application. Commission Member Ells 2nd, and the vote carried unanimously.**

- iii. 10:30 a.m. Johvanny Lopez-Rosado, Salesperson applicant – **Commission Member Vance moved to allow him to take his exam after 2/5/08. However, a license can not be issued until probation is concluded in 2/29/2010. Commission Member Kronen 2nd, and the vote carried unanimously.**

b. CHRO Renewal Licensees

- i. 10:45 a.m. John A. Troland Jr., Salesperson 0779831 (appearing) - **Commission Member Kronen moved to reinstate his license after all fees are paid, and letter of completion from his probation officer is received in 3/08. Commission Member Ogrodnik 2nd, Commission Member Keating opposed, and the vote carried.**
- ii. Joseph J. Russo Broker 0755027- **This item is postponed until further notified by applicant or legal counsel.**

8. **REQUEST FOR EQUIVALENT CONTINUING EDUCATION CREDIT**

- a. Donald S. McCue, Reb. 0558505 – Seeking credit for 2006 mandatory courses taken in May of 2006 for mandatory 2008 credit. **Commission Member Kronen moved to approve him for mandatory credit for 2008 for courses taken during the transition period. Commission Member Ogrodnik 2nd, and the vote carried unanimously.**
- b. John Vallerie, Res. 0756325 – Seeking elective credit for his 2008 renewal for course taken to maintain his Building Official license. **Commission Member Castonguay moved to grant him 3hours of CE credit toward his 2008 renewal. Commission Member Ogrodnik 2nd, and the vote carried unanimously.**
- c. Italia Christopher REB 332652 Seeking 6 hours of elective C.E. credit for 2008 courses taken through the Appraisal Institute. **Commission Member Ogrodnik moved to grant him 6 hours of CE credit towards his 2008 renewal. Commission Member Hoffman 2nd, and the vote carried unanimously.**
- d. Lemp Patrick A. REB. 0750600 Seeking 3 hours of elective credit. **Commission Member Ogrodnik moved to grant him 3 hours of CE credit towards his 2008 renewal. Commission Member Castonguay 2nd, and the vote carried unanimously.**
- e. Jackie Foster Res 0762244 Seeking 6 hours of elective C.E. credit for 2008 for completion of Appraisal I taken at Manchester Community College. **Commission Member Ogrodnik moved to grant her 6 hours of CE credit towards her 2008 renewal. Commission Member Castonguay 2nd, and the vote carried unanimously.**

9. **EDUCATION**

- a. GRI & ABR courses = 3 hours Electives
2 day ABR, SRES & GRI 1, 2 & 3 courses = 6 hour Electives
Commission Member Ogrodnik moved to approve the above courses for CE Credit. Commission Member Vance 2nd, and the vote carried unanimously.

- b. Discussion regarding educational equivalency, “blanket course approval, Rhode Island Mandatory Lead Paint Course, 60 hours of Principles & Practices, 30 hours of Principles & Practice. **Commission Member Hoffman moved to grant 3 hours elective for Rhode Island Mandatory Lead Paint Course, Commission Member Castonguay 2nd, and the vote carried unanimously. The 30 & 60 hour Principle & Practice will be discussed at the next meeting.**
- c. School/education update was discussed
- d. Mandatory continuing education for the 2010 license renewal online approval for Mandatory Continuing Education was reviewed and discussed.

10. NEW BUSINESS

- a. Laurence Hannafin, REB 0750480 – Seeking educational for 2008 renewal. **Commission Member Ogrodnik moved to grant him 12 hours of continuing education credit towards his 2008 renewal due to his experience. Commission Member Castonguay 2nd, and the vote carried unanimously.**
- b. Theresa Browning – Letter regarding Eastern Connecticut Association of Realtors Exclusive Listing Agreement. Similar discussion at REC meeting of November 5, 2003. **Lauren will send her a letter**
- c. Unlicensed Real Estate Activity at Colt-Gateway Project. Correspondence from Lisa Silvestri, Attorney at Law. Kee Borges & Silvestri. **Commission Member Ells moved to maintain the cease and desist order previously sent to the colt-Gateway Complex. Commission Ogrodnik 2nd, and the vote carried unanimously.**
- d. **Commission Member Vance moved to hold Real Estate Commission Meetings every other month starting with Feb, April, June, Aug, Oct & Dec. Commission Member Keating 2nd, and the vote carried unanimously.**

11. MISCELLANEOUS

- a. Monthly Status Report, Real Estate Guaranty Fund. N/A
- b. ARELLOGram Special Conference Issue (New York City Sept. 2007) was reviewed
- c. ARELLOGram Oklahoma Commissioner Training Scenarios Days In Our Lives; The Real Soap Opera was reviewed
- d. Legal Entity Task Force and Legislative Update – Attorney Jerry Padula, Legislative liaison. **Jerry is working on the report**

12. LEGISLATIVE UPDATE – PRESENTED BY Jerry Padula

- a. Course Renewal, 20-314a need to be address
- b. New Statue on Time Share Proposal
- c. Broker requirement will not change this year

13. COMMENTS OR CONCERNS OF ANY PERSON PRESENT

- a. Commission Member Joseph Kronen stated that he has not received his monthly mileage reimbursement.
- b. The Commission Members would like Laureen to check on their Business Cards order
- c. Commission Member James Hoffman stated he will not available for the meeting in February due to medical reasons.

14. LATE ADDITIONS TO AGENDA presented by Laureen Rubino

- a. Peter Polons – Attorney applicant seeking approval to sit for the Sales Brokers exam. **Commission Member Kronen moved to deny his application for the Brokers License. However, he can take the Salesperson exam providing he takes the two 6 hour mandatory courses (Current Issues in Real Estate 1 & 11). Commission Member Vance 2nd, and the vote carried unanimously.**
- b. Barbara Clancy – seeking credit. **Commission Member Castonguay moved to approve her for 3 hours of CE credit. Commission Member Ells 2nd, and the vote carried unanimously.**

15. ADJOURNMENT

- a. **Commission Member Ogrodnik moved to adjourn the meeting. Commission Member Ells 2nd, and the vote carried unanimously. Meeting adjourned at 2:05 p.m..**

Respectfully Submitted,
Salle Pinkney, Commission Secretary
Occupational Professional Licensing Division