

NEW HAMPSHIRE REAL ESTATE COMMISSION

COMMISSION MEETING

NOVEMBER 21, 2006

A meeting of the New Hampshire Real Estate Commission was held on Tuesday, November 21, 2006 at 8:30 a.m. in Room 425, State House Annex, 25 Capitol Street, Concord, New Hampshire 03301.

Meeting was called to order at 8:35 a.m. by Chairman Arthur Slattery
Present: Commissioners Arthur Slattery, Robert Stephen, Nancy LeRoy, Pauline Ikawa, Executive Director Beth Edes, and Investigator Ann Flanagan.

I. The Commission tabled the June 20, 2006, July 18, 2006, August 22, 2006, September 19, 2006 and October 17, 2006 Minutes due to a lack of a quorum of members present to approve or disapprove.

II. APPOINTMENTS

Equivalency Appointments – None.

8:40 a.m. THOMAS MCANDREW appeared before the Commission to discuss a previous legal incident prior to applying for an original salesperson's license. After review and discussion, the Commission, on motion by Commissioner Stephen, seconded by Commissioner Ikawa decided to allow Mr. McAndrew to apply for his original salesperson's license.

9:00 a.m. THERESA GELO appeared before the Commission to discuss a previous legal incident prior to applying for an original salesperson's license. After review and discussion, the Commission, on motion by Commissioner LeRoy, seconded by Commissioner Stephen decided to allow Ms. Gelo to apply for her original salesperson's license, upon receipt of a letter from her broker for which she will be employed or under contract by, notifying the Commission that the broker is aware of Ms. Gelo's previous legal incident and additional documentation which was requested by the Commission.

9:15 a.m. DAWN READ appeared before the Commission to discuss her real estate transaction experience requirement to apply for an original broker's license. After review and discussion, the Commission, on motion by Commissioner LeRoy, seconded by Commissioner Ikawa, approved Ms. Read's transactional experience as equivalent experience, pursuant to RSA 331-A:10, II (g).

9:30 a.m. MICHELLE D'INDIA appeared before the Commission to request reinstatement of her license pursuant to RSA 331-A:18, II. After review and discussion, the Commission on motion by Commissioner Stephen, seconded by Commissioner Ikawa, decided to reinstate Ms. D'India's license based on good cause shown.

9:40 a.m. CHRISTOPHER T. POIRIER appeared before the Commission to discuss a previous legal incident prior to applying for an original salesperson's license. After review and discussion, the Commission, on motion by Commissioner LeRoy, seconded by Commissioner Stephen decided

to allow Mr. Poirier to apply for his original salesperson's license.

III. **DISCUSSION**

RECIPROCITY – The Commission's Executive Director explained the current educational and experience requirements for a New Hampshire licensee applying for a license under reciprocity with the Vermont Real Estate Commission. Vermont no longer requires a licensee from another state to show proof of completion of a 40 hour pre-licensing course for a salesperson or broker's license if the other state has pre-licensing educational requirements equal to 40 hours or more. Vermont no longer requires licensees from another state to complete the Vermont 8 hour law class. The only requirement for licensees from another state that they must have at least 2 years of real estate experience to apply for a broker's license in Vermont. The Executive Director explained that she was waiting for a return call from a representative of the Vermont Real Estate Commission to verify whether a New Hampshire licensee who obtained a license prior to the 40 hour pre-licensing requirement in New Hampshire would have to show proof of completion of the pre-licensing course in Vermont for licensure.

2006 INSTRUCTORS' WORKSHOP ABSENTEE LIST – The 2006 Instructor's Workshop Absentee List was presented to the Commission, along with the reasons submitted by the instructors for not attending the mandatory Annual Instructor's Workshop held in November. The following instructor's reasons for non-attendance at the Annual Instructor's Workshop was accepted and his accreditation remains in effect:

MATTHEW WEEGAR

IV. **FINAL APPROVAL OF RULEMAKING PROPOSALS**

After review and discussion of oral and written testimony received from the public, the Commission decided to table the approval of the proposed rulemaking for further consideration of the testimony provided.

V. **HEARING 10:27 PM**

FILE NO. 2005-011 LAWRENCE W. MILLS & BEVERLY J. MILLS & NEW HAMPSHIRE
REAL ESTATE COMMISSION VS LAWRENCE J. DUPONT

The following persons were present at the hearing:

Commission: Commissioners Arthur Slattery, Robert Stephen, Nancy LeRoy, and Pauline Ikawa

Stenographer: Camille M. Palladino-Duffy

Nolin, McKenna & Duffy Reporting Associates
P.O. Box 1658
Dover, NH 03821-1658

Evaluator: Commissioner Heath evaluated the above matter and abstained from participation in the discussion and resulting decisions.

Appearances:

Complainants: Lawrence & Beverly Mills 28 Great Brooks Drive
Belmont, NH 03220

&

Investigator Ann Flanagan on behalf of the NH Real Estate Commission

Attorney representing Lawrence & Beverly Mills:

Paul C. Borbeau Paul C. Bordeau, PLLC
25 Country Club Road, Suite 502
Gilford, NH 03249

Witnesses: None

Respondent: Lawrence J. Dupont 21 Dupont Road
Winnisquam, NH 03289

Attorney: Pro Se

Witnesses: Betty Seavy
Joseph Dupont

DECISION: Pending – subject to review of transcripts and exhibits.

VI. **OTHER BUSINESS**

1. The Commission unanimously approved December 19, 2006 as the next regularly scheduled meeting.

2. CASE EVALUATIONS

(a) **FILE NO. 2006-011**

Evaluator: Commissioner Ikawa

Determination: No violation, no hearing necessary.

(b) **FILE NO. 2005-031**

Evaluator: Commissioner Slattery


Determination: No violation, no hearing necessary.

The above determinations were unanimously approved by the Commission.

VII. **ADJOURNMENT**

Motion by Commissioner LeRoy, seconded by Commissioner Ikawa to adjourn the meeting. Commissioner Slattery adjourned the meeting at 3:45 p.m.

Respectfully submitted,



Pauline A. Ikawa
Acting Clerk