

**MINUTES OF THE RHODE ISLAND
REAL ESTATE COMMISSION**

DATE: December 9, 2009

TIME: 3:00 P.M.

LOCATION: Department of Business Regulation

John O. Pastore Center

1511 Pontiac Ave. Bldg. 69-1

Cranston, RI 02920-0942

Members Present:

David Iannuccilli, Chairperson, John Silvia Vice-Chairperson, Laura Marasco, Special Assistant Attorney General, Robert Recchia, Pamela Kobrock, Thomas Foley, Brenda Marchwicki and William J. DeLuca, Acting Real Estate Administrator for the Department of Business Regulation.

Others Present:

Ellen Balasco, Deputy Chief Legal Counsel, Dept. of Business Regulation, Leslie Pratt, Licensing Aide, Department of Business Regulation

Chairperson David Iannuccilli called the meeting to order at 3:11 PM.

Agenda

Chairperson asked for a motion to accept the minutes of the last meeting. Brenda Marchwicki made the motion to accept the minutes of the last meeting. John Silvia seconded the motion. All were in favor.

The Chairperson began general discussion on the completion of the revision work for RIGL 5-20-5, Real Estate Brokers and Salespersons and 5-20.6 Agency Relationships in Residential Real Estate Transactions. The specific nature of the conversation was when the changes would be submitted to the General Assembly for approval. Ellen Balasco advised the Board that the Department's deadline to submit legislative changes was in two weeks. She advised that these current revisions and changes will probable be submitted for the 2011 session.

Chairperson opened discussion on review of Chapter 5-20.5 Real Estate Brokers and Salesperson.

General discussion occurred on the following areas of Chapter 5-20.5:

Chapter 5-20.5-14 Revocation, suspension of license – Probationary period – Penalties – (18) Lotteries – No changes.

Chapter 5-20.5-15 Hearings before revocation or suspension of license. – No changes.

Chapter 5-20.5-16 Appeals – No changes.

Chapter 5-20.5-17 Penalties for violations – No changes.

Chapter 5-20.5-18 Department assistance in educational programs – No changes.

Chapter 5-20.5-19 Real Estate courses and schools – Regulation – Issue and revocation of permits – Exceptions – No changes.

Chapter 5-20.5-20 Real estate school permit – Fees – Penalty for operation without permit prohibited. – Review to determine if placing a \$25.00 fee per course is warranted.

Chapter 5-20.5-21 Actions for recovery of fee or commission – No changes.

Chapter 5-20.5-22 Severability – No changes.

Chapter 5-20.5-23 (Repealed)

Chapter 5-20.5-24 Name change – No changes.

Chapter 5-20.5-25 Errors and omissions insurance required of real estate licensees. – No changes.

Chapter 5-20.5-26 Escrows – Ellen Balasco asked the Chairman if the Board could postpone review of this statute until next week. Ms. Balasco wanted to make several extensive comments on this statute.

Chapter 5-20.5-27 License required for ownership – No changes.

Chapter 5-20.5-28 Order to cease unsafe practices – Appeal – No changes.

General discussion was held on the mandatory Agency Disclosure form and its lack of use by individuals in the real estate field. John Silva suggested that the Department include this check for the form when conducting compliance checks.

John Silva asked of Ellen Balasco if Board members could audit approved courses to verify if the course is actually being taught in the manner and with the materials submitted to the board. Ms. Balasco advised that they could audit course for no fee and no credit.

Chairperson Iannuccilli advised that the next meeting would be held on Wednesday, January 13, 2010 at 3:00 PM.

Chairperson Iannuccilli asked for a motion to adjourn. Motion made by John Silvia. Brenda Marchwicki seconded the motion. All in favor.

Meeting adjourned at 4:31 P.M.

Respectfully submitted,

William J. DeLuca

Acting Real Estate Administrator