

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

DATE: January 9, 2014

TIME: 9:15 A.M.

LOCATION: Department of Business Regulation

Real Estate Section

John O. Pastore Center

1511 Pontiac Ave. Bldg. 69-1

Cranston, RI 02920-0942

Members Present:

Brenda L. Marchwicki: Chairperson, Gilbert P. Bricault: Vice-Chairperson, Thomas Foley, Gregory M. Dantas, Deborah Cordeiro, Olivia K. Byron, Esq., Ronald R. Baccala, Jr., Lisa A. Pinsonneault: Special Assistant Attorney General and William J. DeLuca: Real Estate Administrator DBR.

Non Members Present:

Norma M. Mousseau: Education Director, The Rhode Island Association of REALTORS, Monica Staaf: Legal Counsel, Statewide MLS & RIAR, Ellen Balasco: Legal Counsel, DBR and Lisa J. Crenca:

Real Estate, DBR

Administrator DeLuca opens up the meeting by introducing himself to the newly appointed Commission Members. Then moves forward to nominate Brenda L. Marchwicki as the new Chairperson of the Real Estate Commission, Olivia K. Byron, Esq. seconds his motion.

Chairperson Marchwicki thanks the Commission and then moves forward to nominate Gilbert P. Bricault as Vice-Chairperson, William J. DeLuca seconds her motion.

Chairperson Marchwicki then asks both members and non-members to introduce themselves around the table.

Chairperson Marchwicki asks for a motion to accept the January Minutes as presented, Thomas Foley makes the first motion and it's seconded by William J. DeLuca.

The following continuing education courses were reviewed:

Chairperson Marchwicki and Olivia K. Byron, Esq. both reviewed the education submitted for course approval on January 7th. Ms. Byron presented the recommendations to the Board for review.

ACCESS AMERICA REAL ESTATE SCHOOL:

Approved pending the revision of Agency:

- Salesperson Pre-Licensing**

45 Hours

Access America Real Estate School revised the Agency portion of their pre-licensing course for review. Chairperson Marchwicki asks for a motion to accept as submitted, Ms. Byron makes the first motion and Thomas Foley seconds the motion. Chairperson Marchwicki asks if there is any discussion, there is none. Motion passes.

CARMA REAL ESTATE EDUCATION CENTER:

- Buying, Selling, & Financing Properties, that Require Rehab/Repair
3 CEU**
- Understanding Condominium Financing
3 CEU**

Chairperson Marchwicki asks for a motion to accept Carma Real Estate Education Center's two courses. Motion made by Olivia K. Byron, Esq. and seconded by Lisa A. Pinsonneault. Motion carries.

CENTURY 21 FAST TRACK REAL ESTATE SCHOOL:

- Sales Pre-Licensing 45
Hours**

Chairperson Marchwicki asks for a motion to approve Century 21's

sales pre-licensing course, Olivia makes the first motion and it is seconded by Tom. Motion carries.

COLDWELL BANKER RESIDENTIAL BROKERAGE:

- Sales Pre-Licensing 45
Hours**

Chairperson Marchwicki asks for a motion to accept Coldwell Banker's pre-licensing course, Olivia makes the first motion and it is seconded by Tom. Motion carries.

D'ELLENA LAW CENTER FOR EDUCATION:

- 103 The Foreclosure Experience 3
CEU**
- 104 Understanding the Contract 3
Core**

Chairperson Marchwicki asks for a motion to accept the two courses as submitted by Melissa K D'Ellena, Esq. Attorney/Instructor. Motion made by Olivia and seconded by Tom. Motion carries.

EXCEL REALTY SCHOOL:

Online courses:

- **607 Intro to Commercial Real Estate Sales** **6 CEU**
- **608 Investment Property Practice & Management** **12 CEU**
reduced to 8 CEU
- **609 Know the Code: Real Estate Ethics** **6 Core**
reduced to 3 Core
- **610 Mortgage Fraud & Predatory Lending** **7 CEU**
reduced to 6 CEU
- **611 Property Management & Managing Risk** **6 CEU**
reduced to 3 CEU
- **612 Real Estate & Taxes: What Every Agent Should Know** **6 CEU**
reduced to 3 CEU

Chairperson Marchwicki asks for a motion to approve Excel Realty's courses with the following changes: Course # 607 as is, at 6 CEU, course # 608 for 8 CEU, # 609 for 3 Core, # 610 for 6 CEU, course # 611, for 3 CEU and course # 612 for 3 CEU, Olivia makes the first motion and Tom seconds her motion. Motion will carry.

MARTINELLI CAPUTI, LTD:

- **Stay Afloat on Flood Insurance** **2**
Core

Chairperson Marchwicki asks for a motion to accept Jennifer Caputi, Esq. course, Stay Afloat on Flood Insurance for 2 Core hours. Motion made by Olivia and seconded by Tom. Motion will carry.

MCKISSOCK, LP:

- **4314 Lead Paint Mitigation in Rhode Island** **3**
Core

Looking for a motion to accept McKissock's lead course as submitted. Olivia makes the motion and Tom seconds her motion. Motion will carry.

NBI, INC. D/B/A NATIONAL BUSINESS INSTITUTE:

- **Practical Guide to Zoning and Land Use Law** **6**
Core

Chairperson Marchwicki asks for a motion to accept NBI's course as submitted. Olivia makes the first motion and Tom seconds her motion.

THE RHODE ISLAND ASSOCIATION OF REALTORS:

- **Sales Pre-Licensing** **45**
Hours
- **Broker Pre-Licensing~**

Combination of Electives for a total of:

90 Hours

Chairperson Marchwicki asks for a motion to accept RIAR's two courses as submitted.

Olivia makes the first motion and Tom seconds her motion. Motion made and seconded, motion carries.

Old Business:

Chairperson Marchwicki discusses an online course that was voted on at the December Commission Meeting from McKissock, LP. "A Day and the Life of a Buyer Agent" but after careful consideration the course was rejected, because McKissock could not make it specific to the State of Rhode Island and it's revised laws.

New Business:

Chairperson Marchwicki asks the Commission if there are any questions or thoughts they might have for the next agenda, there is none.

Ellen Balasco DBR Legal Division explains the importance of both Regulation 11 and

Title 5-20.5 and 5-20.6, to the new members of the Board. She asks that they each review the laws and at any point, any of them have any suggestions or input regarding legislation, that the monthly Commission Meeting is the forum where it is discussed. The Commission as a whole can lobby for legislation.

Chairperson Marchwicki suggests that the new members talk to their local boards and presidents, for any suggestions, and to let them know that the meetings are always open to the public.

There will be a rotating schedule for all board members to view the education at the monthly committee meetings.

Opportunity for Public Comment:

Monica Staaf: Legal Counsel, Statewide MLS & RIAR, Welcomes all new members of the Board.

During the holiday season, Attorney Staaf wrote an article on advertising and proper signage which featured some mock signs, so all agents can understand Regulation 11, Section 25, Advertising. She will be forwarding Administrator DeLuca a copy.

Attorney Staaf, has been bombarded with calls from members trying to decide whether they should renew their license. They're asking if they can put their license on hold with the DBR, so they don't have to pay their board dues. She explains, there is no inactive status with the Department of Business Regulation in Real Estate. They can disaffiliate from an office with their Principal Broker, not pay the

board fees, but at renewal, if they haven't sent in their transfer to DBR, and paid their fees to the board, then their license will expire. Attorney Balasco from DBR explains, if anyone expires on 04/30/2014 and continues to work without a valid renewal of 04/30/2016, they are then working with an expired license and they are in violation of our regulations and state law and it is criminally punishable by law. They will also be cited for unlicensed activity.

Chairperson Marchwicki explains that it is the Boards responsibility to notify the DBR, if a member is not in good standing with the association.

Chairperson Marchwicki informs the Board that the next Continuing Education Committee Meeting will be on Tuesday, 02/11/2014 at 09:15 A.M., and that Thomas Foley and Gregory Dantas will review all the courses submitted.

Chairperson Marchwicki asks for a motion to adjourn. Ronald R. Baccala, Jr. makes the first motion and it is seconded by Thomas Foley. Motion is made and seconded, meeting is now adjourned at 10:03 A.M.

Respectfully submitted,

William J. DeLuca

Real Estate Administrator