

MARYLAND REAL ESTATE COMMISSION
500 North Calvert Street
Baltimore, MD 21202

Mission: Protecting the health, safety, and welfare of the public
through examination, licensing, and regulatory activities regarding real estate

BUSINESS MEETING MINUTES
November 20, 2019 10:30 a.m.

PRESENT:

Commissioner Marla Johnson (Industry)
Commissioner Karen Baker (Consumer)
Commissioner Anne Cooke (Industry)
Commissioner Jeff Wright (Industry)
Commissioner J. Nicholas D'Ambrosia, Chair (Industry)
Commissioner Demetria Scott (Industry)
Charlene Faison, Education Director, Session Recorder
Michael Kasnic, Executive Director
Jillian Lord, Asst. Executive Director
Matthew Lawrence, AAG

ABSENT:

Commissioner Kambon Williams (Consumer)

PUBLIC IN ATTENDANCE:

Susan Mitchell, MR
Jason Brand, AACAR
Kathie Connelly, Broker
Al Cooke, Agent

CALL TO ORDER:

J. Nicholas D'Ambrosia, Chair, called the meeting to order at 10:40 AM

REPORT OF COMPLAINTS/ADMINISTRATIVE DISMISSALS:

Motion (made by Karen Baker, seconded by Marla Johnson) **To approve the Administrative Dismissals for the month of November 2019. Motion carried.**

APPROVAL OF MINUTES:

Motion (made by Jeff Wright, seconded by Marla Johnson) **To approve the minutes, of the October 16, 2019 business meeting.**

COMMITTEE REPORTS:

- Education
 - For the month of October 2019 PSI administered 967 salesperson and 43 broker exams, compared to 926 salesperson and 48 broker exams in October 2018.

- PSI test rewrite question session will be held April 1-3, 2020.
- Broker supervision task force is being formed.
- Meeting with Maryland Realtors was requested for December to gather questions/concerns they have regarding the supervision class; goal is to offer training sessions in February 2020.
- Chair D'Ambrosia – NAR has code of ethics; Maryland is unique in that it has its own code of ethics. Effective January 1, 2020, NAR ethics has to be taken every three years. NAR has added topics which must be covered in the course. Additionally, they have also made a requirement that only Realtor® Associations may offer course that meets the NAR requirement. Lastly, no online version of the course will be offered, except NAR's Commitment to Excellence designation course.
- Electronic devices – Education Director, Charlene Faison, put out a request through ARELLO Listserv to query how other states addressed electronic devices in the classroom; results were shared in a spreadsheet. Former Education Committee Chair, Commissioner Wright, finds devices in the classroom are a distraction; other Commissioners agreed. Commissioner Scott is not opposed to electronic devices in the classroom.

Motion (made by Jeff Wright, seconded by Marla Johnson) **That after discussion of devices in the classroom, the Commission has decided not to move forward with any changes to allow electronic devices in the classroom. Motion carried.**

- Legislative – Marla Johnson, Legislative Chair
 - Commissioner Johnson has no comments.
 - Susan Mitchell, MR – Public policy committee wants to make modification to SB25 to include covenants; Commercial committee brought to public policy committee the desire to discuss agents that make a single commercial transaction to take MREC Agency Commercial; lastly, MR is seeking legislation for auctioneers.
 - Michael Kasnic reminded all that previously Commissioners were precluded from speaking on legislation. Policy has been relaxed, a little. Commissioners are now able to mention being on a Board or Commission but must be clear comment is their individual position and not that of the Board or Commission they sit on.

COMMENTS FROM EXECUTIVE DIRECTOR: Michael Kasnic

- Current license count totals 46,243, of which 4,353 are brokers, 3,079 are associate brokers and 38,210 are salespersons, 137 are reciprocal brokers, 59 are reciprocal associate brokers, and 405 are reciprocal salesperson. Inactive total was not reported. There are 712 branch offices.
- Guaranty fund balance as of October 30, 2019 is \$1,043,950.48.
- Enovational is moving along well on implementation of new system; meeting deadlines as set out.
- RFP for test vendor will be put out soon.
- Inspection issues brought up by Chair. Counsel refers back to opinion made back in June 2018. Counsel does not find specific language in law and believes Commission may take a position on the subject. Chair asks Mr. Kasnic to put on ARELLO listserv the question of an agent's obligation to be present at a home inspection.
- Board members invited to a training week of January 13, 2020.

- Two issues being deferred include wholesaling and MHEC representative being a guest at a future meeting.

COMMENTS FROM COUNSEL: Matthew Lawrence, AAG

- Jessica Praley will return in December.
- Regulatory process and regulatory moratorium runs December 9, 2019 to February 10, 2020.
- Regulations in process
 - Disclosure/Disclaimer should be published in December 20, 2019 issue of the Maryland Register.
 - One-click rule is still in process.
- Change in law that took effect October 1, 2019 – Criminal convictions
 - Does not apply to crimes of violent nature.
 - Need to be direct relation between crime and type of license being sought.
 - Sex offenses are also off the table.

COMMENTS FROM CHAIR: J. Nicholas D’Ambrosia

- Chair had meeting with Secretary of Labor.
- Big topic at San Francisco meeting was Bright MLS is the company that does most of the listing in the area. New rule issued in October stating any listing exposed to public in any manner must go MLS within one business day. Vote taken and passed that effective January 1, 2020, all MLS across the country do the same.

UNFINISHED BUSINESS:

- None.

NEW BUSINESS:

- CE audits

Motion (made by Demetria Scott, seconded by Anne Cooke) **To allow Executive Director, Michael Kasnic, to move forward with opening CE complaints. Motion carried.**
- Jessica Kauffman’s last day with Labor is December 3, 2019. She is moving to Consumer Protection Division in a newly formed housing unit.

ADJOURNMENT:

There being no further business, the meeting adjourned at 11:52 A.M. The next monthly business meeting is Wednesday, December 18, 2019.

APPROVED AS PRESENTED _____
 J. Nicholas D’Ambrosia, Chairperson

APPROVED AS AMENDED _____
 J. Nicholas D’Ambrosia, Chairperson