

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
October 17, 2018 10:30 a.m.

Highlights from the meeting:

- Guaranty fund balance for August is \$1,127,667.86

PRESENT:

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

ABSENT:

PUBLIC IN ATTENDANCE:

Kathie Connelly, Broker
Jason Brand, AACAR
Susan Mitchell, MR
David Politzer, Keller Williams Legacy

CALL TO ORDER:

J. Nicholas D'Ambrosia, Chair, called the meeting to order at 10:32 AM

PLEDGE OF ALLEGIANCE

Chair announces Commissioner Owen Taylor has resigned; thanks him for his service.

REPORT OF COMPLAINTS/ADMINISTRATIVE DISMISSALS:

Motion (made by Marla Johnson, seconded by Karen Baker) **To approve the Administrative Dismissals for the month of October 2018. Motion carried.**

Commissioner Scott petitions to remove a case and return it for panel review. Commissioner Baker gave her comments directly to Michael Kasnic.

COMMITTEE REPORTS:

1. Education – Jeff Wright

- For the month of September 2018 PSI administered 959 salesperson and 54 broker exams, compared to 895 salesperson and 55 broker exams in September 2017.

2. Legislative – Marla Johnson, Legislative Chair

- No comment from Commissioner Johnson.

COMMENTS FROM EXECUTIVE DIRECTOR: Michael Kasnic

1. Current license count totals 45,084, of which 4,342 are brokers, 3,091 are associate brokers and 37,143 are salespersons, 121 are reciprocal brokers, 52 are reciprocal associate brokers, and 325 are reciprocal salesperson. Inactive total was not reported. There are 733 branch offices.
2. Guaranty fund balance for August is \$1,127,667.86
3. Three investigators will leave on Monday for ARELLO Investigator Workshop.
4. Mr. Kasnic attended several Realtor® meetings in the last month.
5. Announced that agency’s AS400 database system is going away. One feature being sought with new system is to allow agents to renew but if all CE is not completed, record will go in to a pending file to allow schools time to upload CE. Chair D’Ambrosia points out that some states require, by law, CE to be completed sixty (60) days prior to renewal.
6. Michael Kasnic distributed two postcards for review and advertising compliance. Commissioner Scott recommends opening a complaint to determine connection between the advertised LLC and the real estate company; Mr. Kasnic will contact agents and company for more information.
7. Education Data Online – A spreadsheet has been created that will calculate and populate a consolidated table that will be uploaded to the site each month. Working to have completed by Nov. 1.
8. Letter from law firm received – Mr. Lawrence, AAG, states law very specific to dual agency.

COMMENTS FROM COUNSEL: Matthew Lawrence, AAG

- Draft of COMAR 09.11.02.01 Code of Ethics presented which should clarify one-click rule and what “directly connected to” means.

COMMENTS FROM CHAIR: J. Nicholas D’Ambrosia

- Chair recognized Commissioner Baker for having completed Commissioner’s College.
- Commissioner Baker had comments/questions after attending ARELLO conference. They are:
 - She was appalled Maryland does not require a high school diploma or GED
 - Is there attendance tracking for commissioners?
 - Is there liability insurance for commissioners?
 - What is a broker only state?
 - Sunset Review – Is that in place?
- Commissioner Wright voted in as a Director of District One at latest ARELLO meeting and Commissioner Cooke becomes a District Vice President.
- Workplace housing is an issue in places like Hawaii.
- Chair D’Ambrosia will be chair of ARELLO’s Case Law Committee next year.
- ARELLO is pretty close to getting Commissioner College online.

UNFINISHED BUSINESS:

- None.

NEW BUSINESS:

Motion (made by Karen Baker, seconded by Marla Johnson) **To cease pledge of allegiance at start of meeting. All in favor:** Commissioners Cooke, Johnson, Baker, Wright. **Opposed:** Commissioners Scott and Reeder. **Abstain:** Commissioner Williams. **Motion carried.**

Commissioner Scott raises question about cases involving unlicensed contractors and suggests we have a representative from the Maryland Home Improvement Commission attend the next meeting and offer comment.

APPROVAL OF MINUTES:

Motion (made by Marla Johnson, seconded by Karen Baker) **To approve the minutes of the September 19, 2018 business meeting.** Commission Owen Taylor opposes. **Minutes are approved.**

ADJOURNMENT:

There being no further business, the meeting adjourned at 11:50 A.M. The next monthly business meeting is Wednesday, November 21, 2018.

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

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