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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE REAL ESTATE COMMISSION**

TIME: 11:03 A.M.

BOARD ROOM B  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

Tuesday, January 30, 2018

1                                    State Real Estate Commission  
2                                    January 30, 2018

3  
4 BOARD MEMBERS:

5  
6 Alexis L. Barbieri, Esquire, Chair, Public Member  
7 Joseph Tarantino, Vice Chair, Industry Member  
8 Anne Rubin, Secretary, Industry Member  
9 Ian J. Harlow, Commissioner of Professional  
10        and Occupational Affairs - Absent  
11 Armand Ferrara, Industry Member  
12 Sara Manzano-Diaz, Esquire, Attorney General  
13        designee - Absent  
14 Jennifer A. Thomson, Esquire, Attorney General  
15        designee (alternate)  
16 Annie Hanna Cestra, Industry Member  
17 Vincent Galko, Public Member  
18 Joseph McGettigan, Industry Member - Absent  
19 Edward L. Seebeck, Secretary, Cemetery Member  
20

21  
22 COMMISSION PERSONNEL:

23  
24 Juan A. Ruiz, Esquire, Commission Counsel  
25 Ray Michalowski, Esquire, Commission Prosecution  
26        Liaison  
27 Timothy A. Fritsch, Esquire, Commission Prosecutor  
28 Timothy Smith, Esquire, Commission Prosecutor  
29 Krista Linsenbach, Commission Administrator  
30  
31 Kimberly A. Mattis, Director, Bureau of Finance and  
32        Operations  
33 Kimberly Adams, Chief of Fiscal Management, Bureau of  
34        Finance and Revenue  
35 Julie Snader, Deputy Director, Bureau of Finance and  
36        Operations  
37

38  
39 MEMBERS OF THE PUBLIC

40  
41 Henry (Hank) Lerner, Esquire, Director of Law  
42        & Policy, PA Association of Realtors  
43 Thomas L. McCreary Jr., Commercial Property Manager,  
44        Duke Realty Corporation  
45 William E. Vinsko Jr., Esquire, Vinsko  
46        & Associates, P.C.  
47 Brett M. Woodburn, Esquire, Tucker/Arensburg, P.C.  
48 John W. Rosselli Sr., Real Estate Agent  
49  
50

1 \*\*\*

2 State Real Estate Commission

3 January 30, 2018

4 \*\*\*

5 The regularly scheduled meeting of the State Real  
6 Estate Commission was held on Tuesday, January 30,  
7 2018. Alexis L. Barbieri, Chair, Public Member,  
8 officially called the meeting to order at 11:03 a.m.  
9 A roll call was taken. The Pledge of Allegiance was  
10 recited.

11 \*\*\*

12 Approval of Minutes of the December 5, 2017 meeting

13 CHAIR BARBIERI:

14 The first matter on the agenda is the  
15 approval of the draft minutes of the  
16 December 5 meeting. Do I have a motion?

17 MR. GALKO:

18 So moved.

19 MS. RUBIN:

20 Second.

21 CHAIR BARBIERI:

22 All in favor? All opposed?

23 [The motion carried unanimously.]

24 \*\*\*

25 Report of Prosecutorial Division

1 [Timothy A. Fritsch, Esquire, Prosecuting Attorney,  
2 presented a Consent Agreement for File No. 16-56-  
3 06590.]

4 \*\*\*

5 [Timothy Smith, Esquire, Prosecuting Attorney,  
6 presented a Consent Agreement for File No. 14-56-  
7 09207, Docket No. 0208-56-17.]

8 \*\*\*

9 [Ray Michalowski, Esquire, Commission Prosecution  
10 Liaison, on behalf of J. Karl Geschwindt, Esquire,  
11 Prosecuting Attorney, presented a Consent Agreement  
12 for File No. 15-56-01902.]

13 \*\*\*

14 Report of Commission Counsel

15 [Juan A. Ruiz, Esquire, Commission Counsel, noted a  
16 Proposed Adjudication and Order, Final Adjudication  
17 and Order, and a Motion to Enter Default and Deem  
18 Facts Admitted for discussion during Executive  
19 Session.

20 Mr. Ruiz also noted two Formal Hearings scheduled  
21 for later in the meeting.

22 Mr. Ruiz mentioned two Commonwealth Court appeal  
23 cases and offers for settlement to be discussed during  
24 Executive Session.]

25 \*\*\*

1 Rules & Regulations Committee Report

2 [Armand Ferrara, Industry Member, stated the Committee  
3 discussed Section 35.291 and Section 35.309.]

4 \*\*\*

5 Report of Commissioner - No Report

6 \*\*\*

7 Report of Commission Administrator

8 [Krista Linsenbach, Commission Administrator,  
9 discussed travel reimbursement and requested  
10 Commission members to check their Commonwealth emails  
11 for issues.

12 Ms. Linsenbach requested a Google Map printout or  
13 documentation for Commission members providing exact  
14 mileage from home, to the hotel, to the meeting site,  
15 back to the hotel, and back to home.

16 Ms. Linsenbach also updated members on the new  
17 Pennsylvania Licensing System (PALS). 70 percent of  
18 cemetery company renewals were completed and 80  
19 percent of promotional properties renewed online.

20 Ms. Linsenbach discussed full license renewals on  
21 PALS with notices in early March.]

22 \*\*\*

23 Report of Commission Chair

24 [Alexis L. Barbieri, Esquire, Chair, Public Member,  
25 thanked Armand Ferrara for his service as the past

1 Commission Chair.]

2

\*\*\*

3 [Juan A. Ruiz, Esquire, Commission Counsel, discussed  
4 the PA Department of Banking & Securities and Elder  
5 Financial Abuse Toolkit Information. Mr. Ruiz noted a  
6 video link and contact information.]

7

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8 [The Board recessed from 11:29 a.m. until 11:32 a.m.]

9

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10 Appointment

11 Real Estate Budget Review

12 [Kimberly Adams, Chief of Fiscal Management, and  
13 Kimberly A. Mattis, Director, Bureau of Finance and  
14 Operations, provided information on the Board's  
15 license population with 56,345 license renewals in  
16 Fiscal Year 2017-2018. She noted an increase of 4,629  
17 compared to 2015-2016.

18 Ms. Adams referred to the revenue source category  
19 breakdown. She noted 2015-2016 and 2016-2017 and the  
20 biennial total. Ms. Adams noted the fee increases in  
21 2005.

22 Ms. Adams explained expenses occur from a direct  
23 charge, timesheet charge, and a license-based charge.  
24 She also reviewed administrative and legal cost  
25 categories, 2015-2016 expenses, 2017-2018 budget, and

1 2017-2018 expenses as of January 12, 2018.

2 Ms. Mattis noted the Commission would be under  
3 budget.]

4 \*\*\*  
5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 11:46 a.m. the Board entered into Executive Session  
7 with Juan A. Ruiz, Esquire, for the purpose of  
8 conducting quasi-judicial deliberations and to receive  
9 advice of Counsel. The Commission returned to open  
10 session at 2:04 p.m.]

11 \*\*\*  
12 [Edward L. Seebeck, Secretary, Cemetery member, exited  
13 the meeting during Executive Session at 1:30 p.m.]

14 \*\*\*  
15 [A Formal Hearing was held from 2:11 p.m. until  
16 2:44 p.m. In the Matter of the Application for a  
17 Broker's License of Michael D. Mayro; File No. 17-56-  
18 12033, Docket No. 2368-56-17.]

19 \*\*\*  
20 [A Formal Hearing was held from 2:48 p.m. until  
21 3:31 p.m. In the Matter of the Application to Sit for  
22 the Broker's Examination of Mark Sterling Anderson;  
23 File No. 17-56-12653, Docket No. 2369-56-17.]

24 \*\*\*  
25 Appointment

1 Pennsylvania Association of Realtors Presidential  
2 Advisory Group on Teams Report

3 [Juan A. Ruiz, Esquire, Commission Counsel, discussed  
4 the proposal from the Pennsylvania Association of  
5 Realtors (PAR) Presidential Advisory Group on Teams.

6 Mr. Ruiz noted concerns related to a salesperson  
7 having managerial supervision and being a team member  
8 in only certain transactions.

9 Mr. Ruiz discussed the need for advertising  
10 verbiage to comply with the Real Estate Commission's  
11 regulations on advertising.

12 Mr. Lerner referred to the proposal regarding the  
13 team administrator, noting dropping the theoretical  
14 responsibilities to below the line of actual  
15 management was due to qualification concerns.

16 The Commission members discussed wording to  
17 define the team administrator, as well as required  
18 criteria and courses. The current licensing bill in  
19 front of the legislature was noted as well as moving  
20 forward on a formal legislative proposal.]

21 \*\*\*

22 [Jennifer A. Thomson, Esquire, Attorney General  
23 designee (alternate), exited the meeting at 3:54 p.m.]

24 \*\*\*

25 [Pursuant to Section 708(a)(5) of the Sunshine Act, at



1 3:54 p.m. the Board entered into Executive Session  
2 with Juan A. Ruiz, Esquire, for the purpose of  
3 conducting quasi-judicial deliberations and to receive  
4 advice of Counsel. The Commission returned to open  
5 session at 4:08 p.m.]

6

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7 MOTIONS

8 MR. RUIZ:

9 The Commission was just in Executive  
10 Session conducting quasi-judicial  
11 deliberations on a number of matters  
12 currently pending before the Commission.

13 Is there a motion to accept the  
14 Consent Agreement at File No. 15-56-  
15 01902 and File No. 14-56-09207?

16 MS. RUBIN:

17 So moved.

18 MR. GALKO:

19 Second.

20 CHAIR BARBIERI:

21 All in favor? All opposed?

22 [The motion carried unanimously. The Respondent's  
23 name for File No. 15-56-01902 is Scott A. Carslaw.  
24 The Respondent's name for File No. 14-56-09207 is  
25 Holly A. Guinette.]

1 \*\*\*

2 MR. RUIZ:

3 Is there a motion to reject the Consent  
4 Agreement at File No. 16-56-06590 as  
5 being too harsh?

6 MS. CESTRA:

7 So moved.

8 MR. FERRERA:

9 Second.

10 CHAIR BARBIERI:

11 All in favor? Any opposed?

12 [The motion carried unanimously.]

13 \*\*\*

14 MR. RUIZ:

15 Is there a motion to adopt and accept  
16 the proposed Adjudication and Order in  
17 the case of the Commonwealth of  
18 Pennsylvania vs. Christopher L. Schwartz  
19 at File No. 15-56-13479?

20 MS. CESTRA:

21 So moved.

22 MR. TARANTINO:

23 Second.

24 CHAIR BARBIERI:

25 All in favor? All opposed?

1 [The motion carried unanimously.]

2

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3 MR. RUIZ:

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Is there a motion to approve the final  
Adjudication and Order in the case of  
Commonwealth of Pennsylvania vs. Vernon  
J. Vereen, File No. 15-56-08950?

8 MR. FERRARA:

9

So moved.

10 MR. GALKO:

11

Second.

12 CHAIR BARBIERI:

13

All in favor? All opposed?

14 [The motion carried unanimously.]

15

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16 MR. RUIZ:

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Is there a motion to grant the Motion to  
Enter Default and Deem Facts Admitted in  
the case of James P. Watson Sr. at File  
No. 15-56-04445?

21 MR. TARANTIO:

22

So moved.

23 MR. FERRARA:

24

Second.

25 CHAIR BARBIERI:

1 All in favor? All opposed?

2 [The motion carried unanimously.]

3 \*\*\*

4 MR. RUIZ:

5 Is there a motion to grant the  
6 Application for a Broker's License for  
7 Michael D. Mayro?

8 MS. CESTRA:

9 So moved.

10 MS. RUBIN:

11 Second.

12 CHAIR BARBIERI:

13 All in favor? All opposed?

14 [The motion carried unanimously.]

15 \*\*\*

16 MR. RUIZ:

17 Is there a motion to grant Counsel  
18 settlement authority in the cases of  
19 Dorothy Grilli, Grilli Real Estate,  
20 Inc., & John H. Uhl and the case of  
21 George Semian as discussed in Executive  
22 Session?

23 MS. RUBIN:

24 So moved.

25 MR. TARANTINO:

1 Second.

2 CHAIR BARBIERI:

3 All in favor? Galko, abstained. All  
4 opposed?

5 [The motion carried. Vincent Galko abstained from  
6 voting on the motion.]

7 \*\*\*

8 Education/Examination

9 MS. CESTRA:

10 We had asked for additional information  
11 for two different parties, and we'd like  
12 to make the motion that the Application  
13 for Broker's License be preliminarily  
14 denied for Thomas McCreary and Dmitri  
15 Smirnov.

16 MR. FERRARA:

17 Second.

18 CHAIR BARBIERI:

19 All in favor? Opposed?

20 [The motion carried unanimously.]

21 \*\*\*

22 MS. CESTRA:

23 We had two informal conferences  
24 scheduled. One, William Ryan Neumyer,  
25 was not able to attend or I'm not sure,

1 not able, just didn't attend. We did  
2 have an informal conference with John M.  
3 Peruto Jr.

4 I'd like to make a motion that John  
5 M. Peruto Jr.'s Application for a  
6 Broker's exam be approved.

7 CHAIR BARBIERI:

8 Second?

9 MR. TARANTINO:

10 Second.

11 CHAIR BARBIERI:

12 All in favor? Opposed?

13 [The motion carried unanimously.]

14 \*\*\*

15 \*\*\*

16 MS. CESTRA:

17 We would like to make the motion that  
18 the CE course, After the Crash and the  
19 CE course, the National USPAP, be  
20 approved.

21 MS. RUBIN:

22 Second.

23 CHAIR BARBIERI:

24 All in favor? Opposed?

25 [The motion carried unanimously.]

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2 MS. CESTRA:

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7 MS. RUBIN:

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9 CHAIR BARBIERI:

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I'd like to make the motion that two CE courses that were presented to us be denied, and they are Generating Buyer and Leads and Marijuana in Real Estate.

Second.

All in favor? Opposed?

[The motion carried unanimously.]

\*\*\*

13 MS. CESTRA:

Joe Tarantino is recused for a CE waiver request, and we'd like to make the motion that Leon Slobodzian Jr. be denied the request. The motion is that the Request for CE Waiver be denied.

19 CHAIR BARBIERI:

Second?

21 MR. FERRARA:

Second.

23 CHAIR BARBIERI:

All in favor? Opposed?

[The motion carried. Joseph Tarantino recused from

1 deliberations and voting on the motion.]

2 \*\*\*

3 Enforcement

4 MR. TARANTINO:

5 I make a motion that we approve the  
6 Application for Samuel R. Santiago Jr.  
7 with no restrictions.

8 MR. FERRARA:

9 Second.

10 CHAIR BARBIERI:

11 All in favor? Opposed?

12 [The motion carried unanimously.]

13 \*\*\*

14 MR. TARANTINO:

15 I make a motion that we approve the  
16 Applications of Herbert K. Sudfeld Jr.  
17 and Sarah Catherine Iliff, and we place  
18 their license on probation through their  
19 criminal probation.

20 CHAIR BARBIERI:

21 Second?

22 MR. FERRARA:

23 Second.

24 CHAIR BARBIERI:

25 All in favor? Opposed?



1 [The motion carried unanimously.]

2 \*\*\*

3 MR. TARANTINO:

4 I make a motion that we approve the  
5 license of Chris Carter and place his  
6 license on probation through his payment  
7 of restitution.

8 MR. FERRARA:

9 Second.

10 CHAIR BARBIERI:

11 All in favor? Opposed?

12 [The motion carried unanimously.]

13 \*\*\*

14 MR. TARANTINO:

15 I make a motion that we preliminarily  
16 deny the application of Daniel Quinones  
17 and advise him of his right to an  
18 informal conference.

19 MS. CESTRA:

20 Second.

21 CHAIR BARBIERI:

22 All in favor? Opposed?

23 [The motion carried unanimously.]

24 \*\*\*

25 MR. TARANTINO:

1 I make a motion that we approve the  
2 application of Valen Tasser with no  
3 barrier to his licensure.

4 MS. CESTRA:

5 Second.

6 CHAIR BARBIERI:

7 Second, Cestra. All in favor? Opposed?

8 [The motion carried unanimously.]

9 \*\*\*

10 [Gaetano Antenello Panuccio was tabled, and Jillian  
11 Marie Pawlak was a no show. John William Fell and  
12 Matthew D. Davis were also unable to attend.]

13 \*\*\*

14 [Hawaii's Real Estate Commission Newsletter was noted  
15 for the Board's review.]

16 \*\*\*

17 Adjournment

18 MS. RUBIN:

19 I make a motion to adjourn.

20 CHAIR BARBIERI:

21 Second?

22 MS. CESTRA:

23 Second.

24 CHAIR BARBIERI:

25 All in favor?

1 [The motion carried unanimously.]

2 \*\*\*

3 [There being no further business, the State Real  
4 Estate Commission Meeting adjourned at 4:17 p.m.]

5 \*\*\*

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CERTIFICATE

9

10 I hereby certify that the foregoing summary  
11 minutes of the State Real Estate Commission meeting,  
12 was reduced to writing by me or under my supervision,  
13 and that the minutes accurately summarize the  
14 substance of the State Real Estate Commission meeting.

15

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18

Amy L. Warehime,

19

Minute Clerk

20

Sargent's Court Reporting

21

Service, Inc.

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STATE REAL ESTATE COMMISSION  
REFERENCE INDEX

January 30, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	11:03	Official Call to Order/Roll Call
9		
10	11:03	Pledge of Allegiance
11		
12	11:04	Approval of Minutes
13		
14	11:04	Report of Prosecutorial Division
15		
16	11:16	Report of Commission Counsel
17		
18	11:18	Report of Commission Administrator
19		
20	11:23	Report of Commission Chair
21		
22	11:29	Recess
23	11:32	Return to Open Session
24		
25	11:32	Appointment - Real Estate Budget Review
26		
27	11:46	Executive Session
28	2:04	Return to Open Session
29		
30	2:11	Formal Hearing - Michael D. Mayro
31	2:44	
32		
33	2:48	Formal Hearing - Mark Sterling Anderson
34	3:31	
35		
36	3:32	Appointment - PAR Presidential Advisory Group on Teams Report
37		
38		
39	3:54	Executive Session
40	4:08	Return to Open Session
41		
42	4:09	Motions
43		
44	4:17	Adjournment
45		
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