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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
VIA VIDEOCONFERENCE**

TIME: 10:38 A.M.

February 19, 2021

State Real Estate Commission
February 19, 2021

COMMISSION MEMBERS:

Joseph J. McGettigan, Chair, Industry Member
Armand N. Ferrara Jr., Vice Chair, Industry Member
Joseph Tarantino, Secretary Industry Member
Anne M. Rubin, Industry Member
Jeffrey J. Johnson, Industry Member - Absent
Jennifer Thomson, Esquire, Attorney General Designee
Edward L. Seebeck, Cemetery Member
Gaetano P. Piccirilli, Esquire, Public Member - Absent
K. Kalonji Johnson, Commissioner, Bureau of
Professional and Occupational Affairs

COMMISSION PERSONNEL:

Juan A. Ruiz, Esquire, Commission Counsel
Jason E. McMurry, Esquire, Commission Counsel
Ray Michalowski, Esquire, Senior Commission
Prosecutor
Timothy A. Fritsch, Esquire, Commission Prosecution
Liaison
Alice Glasser, Esquire, Commission Prosecutor
Caroline A. Bailey, Esquire, Commission Prosecutor
Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
Division
Krista Linsenbach, Commission Administrator
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Christopher G. Raad, President, Pennsylvania
Association of Realtors
Doug K. Marsico, Esquire, Caldwell & Kerns, P.C.
Jen Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Jerry J. Livingston, Democratic Executive Director,
Senate Consumer Protection & Professional Licensure
Committee
Lauren McMillan, Compliance Administrator, The CE Shop

State Real Estate Commission
February 19, 2021

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ALSO PRESENT: (cont.)

Lisa Aaron, Professional Standards and Education
Director, Pennsylvania Association of Realtors
Mark Cumberland, Director/Owner, Philadelphia Real
Estate Classes
Michael McGee, CAE, Chief Executive Officer,
Pennsylvania Association of Realtors
Wayne C. Crawford, Esquire, Public Policy Manager,
Pennsylvania Association of Realtors

1 ***

2 State Real Estate Commission

3 February 19, 2021

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Commission entered into Executive
7 Session with Juan A. Ruiz, Esquire, Commission
8 Counsel, and Jason E. McMurry, Esquire, Commission
9 Counsel, for the purpose of conducting quasi-judicial
10 deliberations on matters currently pending before the
11 commission that are listed on the agenda. The
12 commission returned to open session at 10:35 a.m.]

13 ***

14 [Theodore Stauffer, Executive Secretary, Bureau of
15 Professional and Occupational Affairs, noted the
16 meeting was being recorded, and those who remained on
17 the line were giving their consent to be recorded.]

18 ***

19 The regularly scheduled meeting of the State Real
20 Estate Commission was held on Friday, February 19,
21 2021. Joseph J. McGettigan, Chairman, Industry
22 Member, officially called the meeting to order at
23 10:38 a.m.

24 ***

25 Roll Call

1 [Roll Call of Commission Members]

2 ***

3 Pledge of Allegiance

4 [The Pledge of Allegiance was recited.]

5 ***

6 Introduction of Public Members

7 [Chairman McGettigan requested the introduction of
8 public members.]

9 ***

10 Approval of minutes of the January 13, 2021 meeting

11 CHAIR MCGETTIGAN:

12 I will entertain a motion to approve the
13 draft minutes of January 13.

14 MR. SEEBECK:

15 So moved.

16 MR. FERRARA:

17 Second.

18 CHAIR MCGETTIGAN:

19 Discussion? All in favor? Against?

20 [The motion carried unanimously.]

21 ***

22 Report of Prosecutorial Division

23 [Alice Glasser, Esquire, Commission Prosecutor,

24 presented the Consent Agreement for Case No. 19-56-

25 002636.]

1 ***
2 [Timothy A. Fritsch, Esquire, Commission Prosecution
3 Liaison, on behalf of Angela B. Lucci, Esquire,
4 Commission Prosecutor, presented the Consent Agreement
5 for Case No. 19-56-006776.]

6 ***
7 [Caroline A. Bailey, Esquire, Commission Prosecutor,
8 presented the Consent Agreement for Case No. 15-56-
9 01972.]

10 ***
11 [Timothy A. Fritsch, Esquire, Commission Prosecution
12 Liaison, presented the Consent Agreement for Case Nos.
13 20-56-002877 & 20-56-008025.]

14 ***
15 Report of Commission Chairman - No Report

16 ***
17 Report of Commissioner - No Report

18 ***
19 Report of Commission Administrator

20 [Krista Linsenbach, Commission Administrator, informed
21 the commission that there is currently about a 3-week
22 processing time on all applications and about a 6-week
23 backlog on support tickets.

24 Ms. Linsenbach mentioned having great success
25 with the rollout of the change of employer and

1 reactivation applications online. She noted paper
2 applications for change of employer and reactivations
3 were being accepted. However, once the paper form was
4 processed, licensees would be informed via email of
5 the online process and that additional paper forms
6 would not be accepted. She was hopeful everyone would
7 be in the Pennsylvania Licensing System (PALS) within
8 the next couple of months.

9 Ms. Linsenbach informed the Commissioners that a
10 detailed letter would soon be sent with specific
11 directions on how to file annual financial filings
12 online.]

13 ***

14 Report of Commission Counsel
15 [Juan A. Ruiz, Esquire, Commission Counsel, questioned
16 whether there was any need to go back into Executive
17 Session regarding the prosecutorial division's consent
18 agreements, and the commission declined.]

19 MR. RUIZ:

20 Is there a motion to approve the Consent
21 Agreement at Case No. 19-56-002636?

22 MR. FERRARA:

23 So moved.

24 MR. SEEBECK:

25 Second.

1 CHAIR MCGETTIGAN:

2 Discussion? All in favor? Against?

3 [The motion carried unanimously. The Respondent's
4 name is Joanne E. Transue.]

5 ***

6 MR. RUIZ:

7 Is there a motion to approve the Consent
8 Agreement at Case No. 19-56-006776?

9 MR. TARANTINO:

10 So moved.

11 [The Commission discussed the motion.]

12 ***

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
14 11:00 a.m. the Commission entered into Executive
15 Session with Juan A. Ruiz, Esquire, Commission
16 Counsel, and Jason E. McMurry, Esquire, Commission
17 Counsel, to conduct further deliberations on consent
18 agreements that were presented. The commission
19 returned to open session at 11:14 a.m.]

20 ***

21 MR. RUIZ:

22 Is there a motion to approve the Consent
23 Agreement at Case No. 19-56-006776?

24 MR. SEEBECK:

25 So moved.

1 COMMISSIONER JOHNSON:

2 Second.

3 CHAIR MCGETTIGAN:

4 All in favor? Against?

5 [The motion carried unanimously. The Respondent's
6 name is Michelle. L. Vandemark.]

7 ***

8 MR. RUIZ:

9 Is there a motion to approve the Consent
10 Agreement at Case No. 15-56-01972?

11 MR. FERRARA:

12 So moved.

13 MS. RUBIN:

14 Second.

15 CHAIR MCGETTIGAN:

16 Discussion? All in favor? Against?

17 [The motion carried unanimously. The Respondent's
18 name is Justin V. Reeves.]

19 ***

20 MR. RUIZ:

21 Is there a motion to approve the Consent
22 Agreement at Case Nos. 20-56-002877 &
23 20-56-008025?

24 MR. TARANTINO:

25 So moved.

1 MR. FERRARA:

2 Second.

3 CHAIR MCGETTIGAN:

4 Discussion? All in favor? Against?

5 [The motion carried unanimously. The Respondent's
6 name is Kelly Coryea & KMC Property Management LLC.]

7 ***

8 Report of Commission Counsel - Proposed Adjudications
9 and Orders

10 MR. RUIZ:

11 Also during the prior Executive Session,
12 the commission deliberated on four
13 proposed adjudications and orders that
14 were presented to the commission.

15 Is there a motion to direct
16 commission counsel to draft final
17 Adjudications and Orders consistent with
18 discussions in Executive Session in the
19 following cases: Calvin L. Sheffield
20 Financial Services, Inc., t/d/b/a Union
21 Cemetery, Case No 19-56-003207; David
22 Michael Fink, Case No. 17-56-04719; Ryan
23 J. Rich, Case No. 20-56-008721; Satish
24 K. Suri, Case No. 20-56-005777.

25 MR. FERRARA:

1 So moved.

2 MR. SEEBECK:

3 Second.

4 CHAIR MCGETTIGAN:

5 Discussion? All in favor? Against?

6 [The motion carried unanimously.]

7 ***

8 Report of Committees - Education/Examination

9 MS. RUBIN:

10 We had a Broker Exam Application

11 presented to us by Dean Vassor, and I

12 make a motion that we approve that.

13 CHAIR MCGETTIGAN:

14 Do I have a second?

15 MR. SEEBECK:

16 Second.

17 CHAIR MCGETTIGAN:

18 Discussion? All in favor? Against?

19 [The motion carried unanimously.]

20 ***

21 Enforcement (Application Reviews)

22 MR. TARANTINO:

23 We had three initial applications for

24 review and I conferred with my

25 committee. I would like to make a

1 motion that we approve with no barrier
2 toward licensure the Applications of
3 Dana Bosak and Shana Rimby.

4 MR. FERRARA:

5 Second.

6 CHAIR MCGETTIGAN:

7 Discussion? All in favor? Against?

8 [The motion carried unanimously.]

9 ***

10 MR. TARANTINO:

11 I make a motion that we preliminarily
12 deny the Application of Keith A. Ruffins
13 and advise the applicant of the right to
14 an informal conference.

15 MR. FERRARA:

16 Second.

17 CHAIR MCGETTIGAN:

18 Discussion? All in favor? Against?

19 [The motion carried unanimously.]

20 ***

21 Old/New Business

22 [Mark Cumberland, Director/Owner, Philadelphia Real
23 Estate Classes, addressed difficulties students were
24 having searching for a school in Pennsylvania. He
25 mentioned the Real Estate Commission used to have a

1 link providing all of the approved schools, but the
2 information now is in PALS. Students are confused
3 when seeking a provider.

4 Mr. Cumberland addressed an issue regarding the
5 Pennsylvania Association of Realtors (PAR) listing
6 only 6 schools owned by boards. He noted speaking
7 with a PAR's attorney who said that is their policy.
8 He stated PAR should be sending individuals to the
9 PALS site.

10 Chairman McGettigan advised Mr. Cumberland to put
11 that in the form of a complaint and submit it to the
12 commission to be sent through the proper channels.

13 Ms. Linsenbach noted she is working actively with
14 information technology (IT) developers to build out
15 PALS for education providers, which would include the
16 component of finding approved schools more easily.

17 Ms. Linsenbach suggested Mr. Cumberland provide
18 individuals with the approval number for his school or
19 the course satellite location for those asking about a
20 specific course or school. She will also provide
21 greater direction on the dos.pa.gov/estate website on
22 how to navigate PALS.

23 Mr. Tarantino congratulated Mr. Raad on his
24 presidency. He reported Commissioners were receiving
25 complaints from brokers and salespeople concerning

1 misleading and wrong advertising of teams and
2 salespeople, where they were not including the
3 broker's name and phone number. He questioned what
4 steps PAR was taking to indoctrinate all PAR members
5 and brokers to what they should be teaching their
6 sales agents regarding basic policy.

7 Michael McGee, CAE, Chief Executive Officer,
8 Pennsylvania Association of Realtors, mentioned the
9 need for greater enforcement of the Commission and
10 Department of State on people violating the statutes
11 to send a message to brokers to provide greater
12 oversight for what their agents were or were not
13 doing. He offered to work together with the
14 commission and the Bureau of Professional and
15 Occupational Affairs (BPOA) to make that happen, not
16 only on enforcement but on licensing and other issues.

17 Ms. Rubin expressed a concern regarding members
18 who file complaints that were not being acted on. She
19 suggested PAR could help by talking about best
20 practices for broker supervision with advertising and
21 sharing what constitutes advertising. She noted the
22 Commission could assist with what falls under those
23 guidelines, including websites and email.

24 Christopher G. Raad, President, Pennsylvania
25 Association of Realtors, mentioned many brokers in the

1 state have a detailed action plan and working together
2 to provide that information for best practices would
3 benefit everyone, most importantly the consumer. He
4 noted the importance of putting this in front of a new
5 member orientation-type process to make it a priority
6 for an individual coming into the business.

7 Ms. Rubin clarified that her discussion was
8 focused on advertising and not teams. She noted the
9 importance of the broker ensuring the agent is
10 following Pennsylvania guidelines to avoid any
11 violations.

12 Chair McGettigan noted being a member of PAR for
13 over 50 years, stating that PAR and the Commission
14 wanted the same things, more professionalism and
15 consumer protection.

16 Mr. Raad noted his previous discussion responding
17 directly to education concerning teams and expanded
18 that to working with the Commission on broader
19 licensing and practicing issues.

20 Mr. Raad thanked the Commission and BPOA for
21 making the necessary COVID restrictions and changes to
22 allow distance learning, so all real estate licensees
23 were able to continue to earn continuing education
24 (CE). PAR urged the Commission and BPOA to make this
25 a permanent change as organizations like PAR, local

1 association schools, and private schools outline plans
2 to move forward. He mentioned the difficulties with
3 making critical decisions due to the uncertainty of
4 whether distance learning would still be in place in
5 the upcoming months.

6 Mr. Raad addressed the Triple Play Convention,
7 stating that Pennsylvania licensees may not be able to
8 take these classes for continuing education credit if
9 the groups decide to hold the classes virtually and
10 restrictions are lifted prior to December. He noted
11 appreciation that the Commission and BPOA have a plan
12 in case that happens but urged them to address this
13 matter as quickly as possible.

14 Mr. Raad commented that PAR was looking forward
15 to reviewing and providing guidance on the
16 Commission's draft of general provisions to the
17 regulations.

18 Mr. Raad addressed excessive wait and response
19 time from BPOA regarding licensing issues. He stated
20 PAR was a point of contact for many licensees with
21 issues and was open to suggestions as to how PAR could
22 help improve the situation to better serve real estate
23 professionals and consumers.]

24 ***

25 Adjournment

1 CHAIR MCGETTIGAN:

2 I'll entertain a motion to adjourn.

3 MR. FERRARA:

4 So moved.

5 MR. TARANTINO:

6 Second.

7 CHAIR MCGETTIGAN:

8 We are adjourned.

9 [The motion carried unanimously.]

10 ***

11 [There being no further business, the State Real
12 Estate Commission Meeting adjourned at 11:47 a.m.]

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CERTIFICATE

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



Kelly Gallick,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE REAL ESTATE COMMISSION
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:38	Official Call to Order
10:39	Roll Call
10:41	Pledge of Allegiance
10:42	Introduction of Public Members
10:44	Approval of Minutes
10:45	Report of Prosecutorial Division
10:55	Report of Commission Administrator
10:58	Report of Commission Counsel
11:00	Executive Session
11:14	Return to Open Session
11:18	Report of Committees
11:20	Old/New Business
11:47	Adjournment