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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: 10:30 A.M.

April 9, 2021

State Real Estate CommissionApril 9, 2021COMMISSION 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 - Absent
Jeffrey J. Johnson, Industry Member - Absent
Jennifer Thomson, Esquire, Attorney General Designee
Edward L. Seebeck, Cemetery Member
Gaetano P. Piccirilli, Esquire, Public Member
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
Angela B. Lucci, Esquire, Commission Prosecutor
Krista Linsenbach, Commission Administrator
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs
Marc Farrell, Deputy Policy Director, Department of
State
Amanda Richards, Fiscal Management Specialist 2,
Bureau of Finance and Operations, Department of
State
Michelle Witmer, Bureau of Finance and Operations,
Department of State
Shannon Boop, Fiscal Management Specialist 1, Bureau
of Finance and Operations, Department of State
Kimberly Adams, Chief of Fiscal Management, Bureau of
Finance and Operations, Department of State

State Real Estate Commission

April 9, 2021

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ALSO PRESENT:

- Christopher G. Raad, President, Pennsylvania Association of Realtors
- Daniel Moscovitz
- Deb Rand
- Jacqueline Talpa, Century 21 Advantage Gold
- Jen Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Michael McGee, CAE, Chief Executive Officer, Pennsylvania Association of Realtors
- Jesse Tashlik, Real Estate Broker, Tashlik Real Estate
- Jerry J. Livingston, Democratic Executive Director, Senate Consumer Protection & Professional Licensure Committee
- Lauren McMillan, Compliance Administrator, The CE Shop
- Lisa Aaron, Professional Standards and Education Manager, Pennsylvania Association of Realtors
- Wayne C. Crawford, Esquire, Public Policy Manager, Pennsylvania Association of Realtors

1 ***

2 State Real Estate Commission

3 April 9, 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 Commissioner Anne Rubin attended Executive
14 Session but was absent for the public meeting.]

15 ***

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

20 ***

21 The regularly scheduled meeting of the State Real
22 Estate Commission was held on Friday, April 9, 2021.
23 Joseph J. McGettigan, Chairman, Industry Member,
24 officially called the meeting to order at 10:30 a.m.

25 K. Kalonji Johnson, Commissioner, Bureau of

1 Professional and Occupational Affairs, was not present
2 during the commencement of the meeting.

3 ***

4 Roll Call

5 [Roll Call of Commission Members]

6 ***

7 Pledge of Allegiance

8 [The Pledge of Allegiance was recited.]

9 ***

10 Introduction of Public Members

11 [Chairman McGettigan requested the introduction of
12 public members.]

13 ***

14 Approval of minutes of the February 19, 2021 meeting

15 CHAIR MCGETTIGAN:

16 I will entertain a motion to approve the
17 February 19 Real Estate Commission
18 minutes.

19 MR. FERRARA:

20 So moved.

21 MR. SEEBECK:

22 Second.

23 CHAIR MCGETTIGAN:

24 Discussion? All in favor? Against?

25 [The motion carried unanimously.]

1 ***
2 Report of Prosecutorial Division
3 [Alice Glasser, Esquire, Commission Prosecutor,
4 presented the Consent Agreements for Case No. 18-56-
5 009903 and Case No. 20-56-009700.]

6 ***
7 [K. Kalonji Johnson, Commissioner, Bureau of
8 Professional and Occupational Affairs, entered the
9 meeting at 10:40 a.m.]

10 ***
11 [Angela B. Lucci, Esquire, Commission Prosecutor,
12 presented the Consent Agreement for Case No. 18-56-
13 009537.]

14 ***
15 Report of Commission Counsel
16 [Juan A. Ruiz, Esquire, Commission Counsel, informed
17 everyone that the Bureau of Professional and
18 Occupational Affairs (BPOA) received reports of
19 persons pretending to be from a health-related board
20 contacting licensees by phone and mail about the
21 status of their licenses. He stated the scammers are
22 altering their information that reflect their caller
23 ID as being from the Commonwealth of Pennsylvania.
24 Mr. Ruiz also noted the scammers are threatening
25 license suspension for failure to act and falsely

1 claiming involvement with the Federal Bureau of
2 Investigation (FBI) and the Drug Enforcement
3 Administration (DEA). He provided reminders from BPOA
4 concerning contact and personal information for
5 licensees and applicants to follow.

6 Mr. Ruiz mentioned that those who are the subject
7 of an investigation or disciplinary action will
8 receive notice by certified mail and/or personal
9 service and are provided with a contact name and phone
10 number. He informed everyone to contact their local
11 police department or the state police if they have
12 been a victim of the scam. He stated the alert was
13 posted on the professional licensing website for
14 review.]

15 Mr. Ruiz noted two proposed adjudications and
16 orders, one final adjudication and order, and a motion
17 to enter default were discussed during Executive
18 Session. He mentioned rules and regulations will be
19 discussed later in the meeting.]

20 MR. RUIZ:

21 Is there a motion to approve the Consent
22 Agreement at Case No. 18-56-009903?

23 MR. TARANTINO:

24 So moved.

25 MR. FERRARA:

1 Second.

2 CHAIR MCGETTIGAN:

3 Discussion? All in favor? Against?

4 [The motion carried unanimously. The Respondent's

5 name is Heather A. Chase.]

6 ***

7 MR. RUIZ:

8 Is there a motion to approve the Consent

9 Agreement at Case No. 20-56-009700?

10 MR. FERRARA:

11 So moved.

12 MR. SEEBECK:

13 Second.

14 CHAIR MCGETTIGAN:

15 Discussion on the motion? All in favor?

16 Against?

17 [The motion carried unanimously. The Respondent's

18 name is John Wesley Harris.]

19 ***

20 MR. RUIZ:

21 Is there a motion to approve the Consent

22 Agreement at Case No. 18-56-009537?

23 CHAIR MCGETTIGAN:

24 Is there a motion?

25 MR. SEEBECK:

1 So moved.

2 CHAIR MCGETTIGAN:

3 Second?

4 COMMISSIONER JOHNSON:

5 Second.

6 CHAIR MCGETTIGAN:

7 Discussion? All in favor? Against?

8 [The motion carried unanimously. The Respondent's
9 name is Samuel P. Rudegair.]

10 ***

11 MR. RUIZ:

12 Is there a motion to approve the
13 proposed Adjudication and Order in the
14 Case of the Commonwealth of Pennsylvania
15 v. Donna Chronister at Case Nos. 20-56-
16 004499 & 20-56-002007?

17 MR. TARANTINO:

18 So moved.

19 COMMISSIONER JOHNSON:

20 Second.

21 CHAIR MCGETTIGAN:

22 Discussion? All in favor? Against?

23 [The motion carried unanimously.]

24 ***

25 MR. RUIZ:

1 Is there a motion to direct Commission
2 counsel to draft a Final Adjudication
3 and Order consistent with the
4 discussions in Executive Session
5 concerning the case of the Commonwealth
6 of Pennsylvania v. Wendell I. Huyard at
7 Case No. 17-56-04031?

8 MR. FERRARA:

9 So moved.

10 MR. SEEBECK:

11 Second.

12 CHAIR MCGETTIGAN:

13 Any discussion? All in favor? Against?

14 [The motion carried unanimously.]

15 ***

16 MR. RUIZ:

17 Is there a motion to approve the Final
18 Adjudication and Order in the case of
19 the Commonwealth of Pennsylvania v.
20 Angel J. Mercado at Case No. 19-56-
21 008356?

22 MR. TARANTINO:

23 So moved.

24 CHAIR MCGETTIGAN:

25 Do I have a second?

1 MR. FERRARA:

2 Second.

3 CHAIR MCGETTIGAN:

4 Discussion? All in favor? Against?

5 [The motion carried unanimously.]

6 ***

7 MR. RUIZ:

8 Is there a motion to grant the Motion to
9 Enter Default in the case of the
10 Commonwealth of Pennsylvania v. Victor
11 Trub at Case No. 20-56-001929?

12 MR. FERRARA:

13 So moved.

14 MR. SEEBACK:

15 Second.

16 CHAIR MCGETTIGAN:

17 Discussion? All in favor? Against?

18 [The motion carried unanimously.]

19 ***

20 Report of Commission Chairman - No Report

21 ***

22 Report of Commissioner

23 [K. Kalonji Johnson, Commissioner, Bureau of
24 Professional and Occupational Affairs, informed the
25 Commission of a productive discussion with members of

1 the Pennsylvania Association of Realtors that resulted
2 in some collaborative projects in terms of developing
3 additional intuitive tutorials for licensees as they
4 navigate through licensure.

5 Commissioner Johnson noted Ms. Linsenbach already
6 started working on a few for the discussion in the
7 hopes of mitigating some of the concerns and confusion
8 licensees may have around the process, especially the
9 supplemental applications.]

10

11

Report of Commission Administrator

12

[Krista Linsenbach, Commission Administrator,

13

addressed working with the Pennsylvania Association of

14

Realtors (PAR) to develop a series of short video

15

tutorials that demonstrate common processes within the

16

Pennsylvania Licensing System (PALS). She mentioned

17

working with Lisa Aaron to discuss her ideas and was

18

awaiting feedback from PAR.

19

Ms. Linsenbach mentioned that some of the common

20

sticking points were being addressed to be better

21

explained or demonstrated by a video. She hoped to be

22

able to coordinate with information technology (IT)

23

developers to get that posted directly to the PALS

24

website. She would like to post those on the Real

25

Estate Commission's main website and hoped to roll

1 this out for the entire Bureau so all has access to
2 streamline information.

3 Ms. Linsenbach mentioned there has been an
4 increasing number of complaints and concerns from exam
5 candidates regarding PSI. She stated the issues were
6 being addressed directly with PSI and hoped to quickly
7 resolve those.

8 Ms. Linsenbach addressed applications, noting
9 about a 4- to 6-week processing time. She mentioned
10 staff is working through a large volume of phone calls
11 and support tickets. She informed everyone that all
12 paper applications for initial, reactivation, and
13 changes were being returned at this time with a form
14 letter directing the applicant to go on to PALS to
15 access the online application.

16 Ms. Linsenbach encouraged members to advise those
17 still mailing in paper applications that it is no
18 longer acceptable, and the application will be
19 returned in full with no other response until their
20 information is entered into PALS.

21 Ms. Linsenbach reminded Commission members to
22 complete the Statement of Financial Interests and Code
23 of Conduct forms. She mentioned the State Ethics
24 Commission is really pushing for everyone to complete
25 the application online, noting all should have

1 received detailed instructions. She mentioned that
2 once an application is completed online, the
3 information will be preloaded for the years
4 thereafter.

5 Ms. Linsenbach encouraged anyone having
6 difficulty with the online process to contact her, so
7 she can get them in touch with the State Ethics
8 Commission staff.

9 Commissioner Johnson mentioned being in the
10 process of reaching out to PSI to find out if there
11 was a way to assist in terms of messaging, similar to
12 being asked to create some FAQs or tutorials around
13 the process. He commented that many contract states
14 are going to an online process, and PSI has been
15 inundated with licensees. He stated the Bureau is
16 reaching out to PSI to assist with the clear
17 understanding that they do not control testing.

18 Commissioner Johnson also mentioned that
19 individuals are having difficulty on the testing side
20 similar to difficulty maintaining their PALS
21 information and not keeping it updated to where it
22 becomes problematic with either renewing or
23 reapplying.

24 Commissioner Johnson noted the bureau can
25 encourage licensees to stay abreast of new

1 developments and make sure their information is
2 updated but that it is limited and encouraged
3 stakeholders and members of the public to read those
4 instructions and keep themselves abreast of all of the
5 instructions and updates because one simple oversight
6 could set them back.

7 Chair McGettigan thanked Ms. Linsenbach for all
8 of her hard work.]

9

10 Appointment - Bureau of Finance and Operations Annual
11 Budget Presentation

12 [Michelle Witmer, Bureau of Finance and Operations,
13 Department of State, addressed licensee population
14 from a revenue standpoint. She noted 58,216 licensees
15 when the report was created with an increase of
16 licensees as of this morning to 58,519 licensees. She
17 noted an increase of 4,454 licensees from FY 2015-2016
18 to FY 2017-2018 and an increase of 3,400 licensees FY
19 2017-2018 to FY 2019-2020.

20 Ms. Witmer addressed revenue by category for a
21 biennial total of \$4,870,134.98, stating 94% of
22 revenue is coming from renewals and applications.

23 Ms. Witmer provided a categorical breakdown of
24 expenses. She noted FY 2018-2019 and FY 2019-2020
25 actual expenses. She reported the current budget is

1 \$3,923,000 and expenses as of this morning at
2 \$2,690,993.80, noting the current budget is adequate.

3 Ms. Witmer reviewed revenue and expenses for FY
4 2020-2021, noting a balance of \$5,465,495.78 and
5 adequate growth throughout the next three years.

6 Mr. Ferrara requested information concerning all
7 of the extra money.

8 Ms. Witmer stated the money will roll back into
9 the restricted revenue fund.

10 Commissioner Johnson commented that the statutory
11 requirement is revenue matches expenses. He stated
12 the policy and fiscal offices remain in contact with
13 the commissioners at the Independent Regulatory Review
14 Commission (IRRC) with regard to overall financial
15 structure.

16 Commissioner Johnson noted the system forecasts
17 roughly three biennial periods to better gauge and be
18 more proactive in terms of structure in the budgets
19 and is what the Bureau of Finance and Operations (BFO)
20 is looking at down the road to keep it revenue
21 neutral.

22 Commissioner Johnson also noted the budget
23 encompasses all of the operational and program duties
24 and obligations that the bureau has to support as well
25 as licensees.

1 Ms. Witmer reviewed Commission member expenses,
2 noting a breakdown of expenses by expense type. She
3 reported a budget of \$35,000 for FY 2020-2021 and
4 actual expenses of only \$4,564.31 and will carry the
5 \$35,000 budget forward to FY 2021-2022. She mentioned
6 the past year has been different, where normal
7 expenses for travel did not occur and BFO is doing a
8 wait and see approach.

9 Commissioner Johnson stated the number of
10 licensees is a phenomenal number because there are
11 plenty of other boards seeing their number drop due to
12 last year. He also noticed expense numbers dropped
13 slightly for the legal costs but increased with regard
14 to administration due to technology upgrades. He
15 commented that the numbers show improvements are being
16 made and paying off incrementally.]

17

18 Report of Committees - Education/Examination

19 MR. PICCIRILLI:

20 We have an application to approve a
21 course in Digital Marketing:
22 Establishing a Social Media Brand to
23 Benefit the Consumer.

24 Is there a motion to reject this
25 application because it does not meet the

1 Real Estate Commission's content
2 requirements?

3 MR. FERRARA:

4 Second.

5 CHAIR MCGETTIGAN:

6 Discussion? All in favor? Against?

7 [The motion carried unanimously.]

8 ***

9 MR. PICCIRILLI:

10 We were presented with a Salesperson
11 Education Review packet for Angela Curry
12 who has a master's degree with
13 specialization in real estate as well as
14 finance from Villanova University. She
15 has taken and passed the real estate
16 licensing test and is seeking waiver of
17 the 75-hour course requirement.

18 Motion to approve the Application
19 of Angela Curry.

20 CHAIR MCGETTIGAN:

21 Do I have a second?

22 MR. SEEBECK:

23 Second.

24 CHAIR MCGETTIGAN:

25 Discussion? All in favor? Against?

1 [The motion carried unanimously.]

2 ***

3 Enforcement (Application Reviews)

4 MR. TARANTINO:

5 I would like to make the motion that we
6 approve the Application of Kenisha
7 Bradford and Kenneth Price with no
8 barrier toward licensure.

9 MR. FERRARA:

10 Second.

11 CHAIR MCGETTIGAN:

12 Discussion? All in favor? Against?

13 [The motion carried unanimously.]

14 ***

15 MR. TARANTINO:

16 I would like to make a motion on the
17 Application of Katelyn Mayer, that there
18 is no barrier toward licensure unless
19 she still owes the fines to be paid,
20 which we will find out after Krista
21 makes her phone calls. If she still
22 owes the fines, then she will have to
23 come in for an informal conference.

24 MR. FERRARA:

25 Second.

1 CHAIR MCGETTIGAN:

2 Discussion? All in favor? Against?

3 [The motion carried unanimously.]

4 ***

5 Public Session

6 [Jesse Tashlik, Real Estate Broker, Tashlik Real
7 Estate, addressed broker supervision of agents, where
8 huge companies have 200 agents with 1 broker. He
9 stated realtors had been advised for years from the
10 Association of Realtors to recommend multiple mortgage
11 companies, title companies, and inspectors and to not
12 steer them toward any particular one.

13 Mr. Tashlik commented that the law now states
14 that the consumer can be steered directly to a
15 particular company and believed that was a conflict of
16 interest. He stated many agents exclusively send all
17 of their buyers to their own companies.

18 Mr. Tashlik commented that filing a complaint
19 could take a minimum of a year before the issue is
20 addressed. He stated the Commission has leaned way
21 too much on the Association of Realtors, who only
22 protects the realtor, not the buyer or seller.

23 Commissioner Johnson explained that the
24 Commission works in collaboration with the Bureau of
25 Enforcement and Investigation but are closed off from

1 investigations because of a conflict of interest. He
2 stated the Commission has to rely on the public and
3 licensees to report because the Commissioners cannot
4 possibly be responsible for policing thousands of
5 licenses in Pennsylvania.

6 Commissioner Johnson addressed the length of
7 investigations, noting they rely on cooperation of the
8 complainant and whatever witnesses arise in the course
9 of that investigation.

10 Mr. Tashlik stated the quality of the realtors
11 and professionalism had gotten worse due to the length
12 of time to investigate a matter. He also mentioned
13 that people filed complaints and have not heard
14 anything after a year, which leads the individuals to
15 believe it was a waste of time filing a complaint when
16 nothing happens.

17 Commissioner Johnson stated the Commission could
18 help with a policy point of argument with respect to
19 existing regulations or existing legislation and
20 whether or not there are blind spots in the regulatory
21 requirements as they exist, but legislative changes
22 would need to be presented to either a representative
23 or state senator.

24 Mr. Tashlik commented that part of the law states
25 that the broker has to be supervising his agents, but

1 a decision was made that having 300 agents below a
2 broker was acceptable, probably from interpreting
3 information incorrectly and not the intention 15 or 20
4 years ago.

5 Mr. Piccirilli noted speaking with Mr. Tashlik
6 before the meeting and encouraging him to make a
7 formal complaint if he had concerns about conduct or
8 behavior of other brokers or agents. He also advised
9 him that the Commission is not able to "police"
10 conduct of agents on a proactive basis.

11 Mr. Piccirilli stated a concern over the number
12 of agents a specific broker is supervising is a
13 legislative question. He noted not being aware of a
14 law that allows the Commission to put a number on the
15 number of agents a broker can supervise.

16 Mr. Tashlik noted that the law says a broker has
17 to supervise them, so if the Real Estate Commission
18 decides that having 250 agents in 4 locations is not
19 possible, then the Commission has the right to address
20 it and does not have to be a specific number. He
21 mentioned there is a statute in the law that states
22 the broker has to supervise the agents, so the
23 Commission has the power to do oversee it.

24 Mr. Tashlik addressed the Real Estate Settlement
25 Procedures Act (RESPA), where the Commission has the

1 power to say it does not make sense when someone owns
2 the title company and throws a piece of paper in front
3 of the consumer and then get paid. He commented that
4 the Commission is supposed to be protecting the
5 consumers, but these things are occurring and it takes
6 1 or 2 years to resolve the issue.

7 Mr. Tashlik stated the Commission counting on the
8 Association of Realtors is a conflict of interest. He
9 questioned why there was only one public commissioner
10 when there should be three.

11 Mr. Ruiz explained that the Governor's Office
12 appoints the members and the Senate approves those
13 individuals. He noted Mr. Tashlik would need to speak
14 with the Governor's office concerning appointments.

15 Mr. Tashlik requested to speak to the head of
16 occupational affairs as to why a complaint takes over
17 a year.

18 Mr. Ruiz stated Commissioner Johnson is the
19 Commissioner of the Bureau of Professional and
20 Occupational Affairs and can speak as to the Bureau's
21 activities and actions, but the disciplinary process
22 is handled by the legal office. He offered to put Mr.
23 Tashlik in touch with the prosecution liaison to speak
24 with them personally.

25 Mr. Tashlik questioned what the average time is

1 from the start of an investigation to when the person
2 investigates.

3 Commissioner Johnson stated the Bureau of
4 Enforcement and Investigation is a separate entity.
5 He informed Mr. Tashlik that he sits as an ex-officio
6 member on the Commission and is not part of the
7 investigatory process by virtue of a conflict of
8 interest. He has no effect upon the complaint
9 process, investigatory process, or enforcement process
10 and could not answer his questions.

11 Mr. Tashlik spoke to many agents that never heard
12 an answer after filing a complaint, noting that the
13 Commission counts on the public but nothing occurs
14 when the public has a complaint.

15 Mr. Michalowski stated many individuals do not
16 wish to be a part of the investigation other than
17 behind the scenes, and it is a very different system
18 with real estate than any of the other boards or
19 commissions because the individual are cooperating and
20 competing at the same time with the people being
21 investigated.

22 Mr. Michalowski stated the mechanics make it
23 impossible to reply to an individual who files an
24 anonymous complaint or if they identify that they do
25 not wish to be identified, which is a choice on the

1 complaint. He noted that individuals will not receive
2 any response from prosecution to protect their
3 identity, because an individual may file a Right-to-
4 Know Request on their complaint, and records that
5 leave their office can be found in a Right-to-Know
6 Request.

7 Mr. Tashlik commented that there are issues with
8 the entire system and suggested the Real Estate
9 Commission discuss the problems with the Governor's
10 Office. He believed it would be more effective than
11 him mentioning a problem to the Governor.

12 Mr. Michalowski stated Real Estate Commission
13 cases are some of the most complex cases to
14 investigate because the investigator must talk to a
15 large number of people and often an attorney once it
16 gets to the desk of prosecution.

17 Mr. Tashlik agreed that real estate cases are
18 very complicated, stating it may not be the Real
19 Estate Commission's responsibility but felt that the
20 Real Estate Commission should realize when a situation
21 is not working very well and speak to the Governor
22 about making changes because they have more leverage.

23 Mr. Michalowski addressed RESPA and title
24 agencies. He stated there is a required set of
25 disclaimers and disclosures enforced on a State Real

1 Estate Commission level; however, beyond the
2 disclosure/disclaimer section of that issue, the rest
3 of the enforcement of RESPA is a federal issue, not a
4 state issue. He noted disclosures/disclaimers are
5 provided in a timely fashion and many cases are
6 referred to the Department of Housing and Urban
7 Development.

8 Mr. Tashlik commented that there is more to the
9 law than just saying that is what it has to be. He
10 mentioned if somebody was utilizing that for a way to
11 send 98% of their agents/buyers to them, then the
12 state could also come in and say, no, and have an
13 additional requirement of what is going on there.

14 Mr. Michalowski stated that would become a
15 legislative issue, and the Commission cannot pass
16 legislation or even initiate legislation.

17 Mr. Tashlik suggested the Commission also
18 recommend this as an issue to be presented to the
19 Governor. He commented that the Real Estate
20 Commission would be the people who would be most aware
21 of issues that are arising.

22 Chairman McGettigan thanked Mr. Tashlik for
23 sharing those issues, noting the Commission will take
24 those under advisement.

25 Michael McGee, CAE, Chief Executive Officer,

1 Pennsylvania Association of Realtors, thanked
2 Commissioner Johnson for working collaboratively with
3 him and his staff concerning resources for people
4 utilizing PALS.]

5

6 Report of Commission Counsel - Rules and Regulations
7 [Juan A. Ruiz, Esquire, Commission Counsel, provided a
8 General Revisions package for the Commission's review.
9 He noted prior discussion regarding whether to include
10 a definition in the regulations for advertisements.
11 He stated Mr. Ferrara was asked to contact the
12 Association of Real Estate License Law Officials
13 (ARELLO) to see what other states are doing as far as
14 a definition for advertisement and marketing.

15 Mr. Ruiz referred to the list of advertisement
16 definitions from other states and provided a
17 definition of advertisement from Nevada and Kansas.

18 Mr. Ruiz also mentioned prior discussions
19 regarding Internet advertising and what had to be on
20 each website. He referred to the State of Louisiana
21 regarding Internet advertising and provided a summary
22 of everything the state requires to be on the
23 webpages.

24 Mr. Ruiz thanked Mr. Ferrara for reaching out to
25 ARELLO and providing those definitions. He requested

1 comments from the Commission, so he could apply those
2 to the General Revisions.

3 Mr. Ruiz noted prior discussion regarding the
4 ability to livestream education courses, stating the
5 only thing prohibiting it was the definition of
6 distance education. He referred to § 35.201, where he
7 altered the definition of distance education by
8 removing the word "sometimes" for it to read, real
9 estate instruction delivered in an independent or
10 instructor-led format during which the student and the
11 instruction are separated by distance and time.

12 Chairman McGettigan requested everything be place
13 on the agenda for next month.]

14 ***

15 Adjournment

16 CHAIR MCGETTIGAN:

17 I'll entertain a motion to end the
18 meeting.

19 MR. SEEBECK:

20 So moved.

21 MR. TARANTINO:

22 Second.

23 CHAIR MCGETTIGAN:

24 Be safe out there everybody. Thanks for
25 your time.

1 [The motion carried unanimously.]

2

3 [There being no further business, the State Real
4 Estate Commission Meeting adjourned at 12:05 p.m.]

5

6

7

CERTIFICATE

8

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

14

15

16



17

Kelly Gallick,

18

Minute Clerk

19

Sargent's Court Reporting

20

Service, Inc.

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STATE REAL ESTATE COMMISSION
REFERENCE INDEX

April 9, 2021

	TIME	AGENDA
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8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:30	Official Call to Order
13		
14	10:31	Roll Call
15		
16	10:31	Pledge of Allegiance
17		
18	10:32	Introduction of Public Members
19		
20	10:32	Approval of Minutes
21		
22	10:38	Report of Prosecutorial Division
23		
24	10:43	Report of Commission Counsel
25		
26	10:50	Report of Commissioner
27		
28	10:52	Report of Commission Administrator
29		
30	11:00	Appointment - Bureau of Finance and
31		Operations Annual Budget Presentation
32		
33	11:14	Report of Committees
34		
35	11:18	Public Session
36		
37	11:55	Report of Commission Counsel (Continued)
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39	12:05	Adjournment
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