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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: 11:12 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

May 22, 2024

State Real Estate Commission
May 22, 2024

COMMISSION MEMBERS:

Gaetano P. Piccirilli, Esquire, Chair, Public
Member - Absent
Kyle Sampson, Vice Chair, Public Member
Annie Hanna Cestra, Secretary, Industry Member
Joseph Tarantino, Industry Member
Jeffrey J. Johnson, Industry Member
Anne M. Rubin, Industry Member
Guy Saxton, Cemetery Member
Mark W. Wolfe, Deputy Attorney General, Office of
Attorney General, on behalf of Jennifer Thomson,
Esquire, Attorney General designee
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs

COMMISSION PERSONNEL:

Dean F. Picarella, Esquire, Commission Counsel
Timothy A. Fritsch, Esquire, Commission Prosecution
Liaison
Caroline A. Bailey, Esquire, Commission Prosecutor
Angela L. Solomon, Esquire, Commission Prosecutor
Tyesha C. Miley, Esquire, Commission Prosecutor
Deon Bowers, Commission Administrator
Jessica Zukoski, Senior Legal Analyst, Department of
State

ALSO PRESENT:

Preston Moore, President, Pennsylvania Association of
Realtors
Lisa Ginsburg, Director of Education, Bucks County
Real Estate Institute
Tracy Matroni, Education & Member Services at
Lancaster County Association of Realtors/Keystone
Chapter of the Appraisal Institute
Lisa Frey, Licensed Realtor at Berkshire Hathaway
HomeServices Fox & Roach Realtors
Francesca Tracy
Anne Marie
Nicole Murray, RCE, Association Executive, Pocono
Mountains Association of Realtors

State Real Estate Commission
May 22, 2024

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ALSO PRESENT: (cont.)

Ryan Berridge, Published Owner/Photographer, Berridge Media, LLC
Michael McGee, CAE, RCE, Chief Executive Officer, Pennsylvania Association of Realtors
Marcus Huertas, Advocacy Manager, Pennsylvania Association of Realtors
Lisa Aaron, Professional Standards & Education Manager, Pennsylvania Association of Realtors
Henry (Hank) Lerner, Esquire, Chief Legal Officer, Pennsylvania Association of Realtors
Emme Reiser, Political Programs Manager, Pennsylvania Association of Realtors
Rachel Wilbur-Adams, Sargent's Court Reporting Service, Inc.

1 ***

2 State Real Estate Commission

3 May 22, 2024

4 ***

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

12 ***

13 The regularly scheduled meeting of the State Real
14 Estate Commission was held on Wednesday, May 22,
15 2024. Kyle Sampson, Vice Chair, Public Member,
16 officially called the meeting to order at 11:12 a.m.

17 ***

18 [Dean F. Picarella, Esquire, Commission Counsel,
19 informed everyone that the meeting was being
20 recorded, and voluntary participation constituted
21 consent to be recorded.

22 Mr. Picarella also noted the Commission entered
23 into Executive Session for the purpose of conducting
24 quasi-judicial deliberations on a number of matters
25 currently pending before the Commission and to

1 receive the advice of counsel.]

2 ***

3 Roll Call

4 [Kyle Sampson, Vice Chair, Public Member, requested a
5 roll call of Commission members. A quorum was
6 present.]

7 ***

8 Introduction of Attendees

9 [Kyle Sampson, Vice Chair, Public Member, also
10 requested an introduction of attendees.]

11 ***

12 Pledge of Allegiance

13 [The Pledge of Allegiance was recited.]

14 ***

15 Approval of minutes of the April 9, 2024 meeting

16 VICE CHAIR SAMPSON:

17 Is there a motion to approve the draft
18 meeting minutes from the last meeting?

19 Is there a motion?

20 MS. RUBIN:

21 So moved.

22 VICE CHAIR SAMPSON:

23 Second?

24 MR. SAXTON:

25 Second.

1 VICE CHAIR SAMPSON:

2 Any discussion? Roll call.

3

4 Kyle Sampson, aye; Annie Hanna Cestra,
5 aye; Joseph Tarantino, abstain; Jeffrey
6 Johnson, aye; Anne Rubin, aye; Guy
7 Saxton, yes; Mark Wolfe, abstain; Arion
8 Claggett, aye.

9 [The motion carried. Joseph Tarantino and Mark Wolfe
10 abstained from voting on the motion.]

11 ***

12 Report of Prosecutorial Division

13 [Caroline A. Bailey, Esquire, Commission Prosecutor,
14 presented the Consent Agreements for Case No. 24-56-
15 001658 and Case No. 23-56-011055.

16 Ms. Rubin asked how many transactions occurred
17 during the time the person was not licensed for Case
18 No. 23-56-011055.

19 Ms. Bailey stated the respondent listed 13
20 properties and engaged in 25 sales transactions, both
21 as a listing buyer's agent or dual agent.

22 Ms. Bailey presented the Consent Agreement for
23 Case No. 23-56-012680 and Case No. 23-56-001642.]

24 ***

25 [Angela L. Solomon, Esquire, Commission Prosecutor,

1 presented the Consent Agreements for Case No. 24-56-
2 001370 and Case Nos. 21-56-011645 & 21-56-011646.]

3

4 [Timothy A. Fritsch, Esquire, Commission Prosecution
5 Liaison, presented the Consent Agreements for Case
6 No. 22-56-002357, Case No. 22-56-018434, Case No. 22-
7 56-018352, Case No. 22-56-008222, and Case No. 24-56-
8 002783.

9 Mr. Picarella asked whether any Commission
10 members wished to go back into Executive Session, and
11 Ms. Rubin noted she would like to return to Executive
12 Session.

13 Ray J. Michalowski, Esquire, Senior Commission
14 Prosecutor, believed Ms. Rubin was questioning the
15 case that involved a lapsed license as well as an
16 additional charge. He stated the lapsed license was
17 for a year and two months, which would typically be
18 on their schedule of civil penalties and be handled
19 via citation. He explained that the citation is
20 time-based rather than transaction-based. One month
21 is \$250, two months is \$500, three months is \$750,
22 and four months to two years is \$1,000.

23 Mr. Michalowski stated the case was brought as an
24 order to show cause, because there was an additional
25 violation relating to advertising, so for

1 consistency-sake, the lapse would be treated as any
2 other lapse being time-based and worth \$1,000 as
3 opposed to transaction-based. He mentioned also
4 having an issue with transaction-based things in the
5 past, because they had a respondent with five
6 transactions that were multitenant mall leases being
7 worked on day and night.

8 Mr. Michalowski explained that the respondent was
9 doing small properties in an area with a low margin
10 and very busy doing that, so they were doing the same
11 amount of work, despite the fact that the number of
12 transactions and believed that was the wisdom in the
13 time allotment being done back when the civil penalty
14 was originally created.

15 Ms. Rubin thanked Mr. Michalowski for the
16 explanation and withdrew her request to return to
17 Executive Session.]

18 MR. PICARELLA:

19 With the withdrawal of the request to
20 go back into Executive Session, based
21 upon the discussions in Executive
22 Session, I believe the Commission Chair
23 would entertain a motion to approve the
24 Consent Agreement at agenda item 2,
25 agenda item 3, agenda item 4, agenda

1 item 5, agenda item 6, agenda item 7,
2 agenda item 8, agenda item 9, agenda
3 item 10, agenda item 11, and agenda
4 item 12.

5 VICE CHAIR SAMPSON:

6 Is there a motion?

7 MS. RUBIN:

8 So moved.

9 MR. TARANTINO:

10 Second.

11 VICE CHAIR SAMPSON:

12 Any discussion? Madam administrator,
13 call the roll, please.

14

15 Kyle Sampson, aye; Annie Hanna Cestra,
16 aye; Joseph Tarantino, aye; Jeffrey
17 Johnson, aye; Anne Rubin, aye; Guy
18 Saxton, aye; Mark Wolfe, aye; Arion
19 Claggett, aye.

20 [The motion carried unanimously. The Respondent's
21 name at item 2, Case No. 24-56-001658, is Thomas F.
22 Citro; item 3, Case No. 23-56-011055, Reda Akbil;
23 item 4, Case No. 23-56-012680, Abdul Basit; item 5,
24 Case No. 23-56-001642, Blake Rezabek; item 6, Case
25 No. 24-56-001370, Craig T. Edwards; item 7, Case Nos.

1 21-56-011645 & 21-56-011646, Oxford Realty Services,
2 Inc. & Jeffrey A. Deitrick; item 8, Case No. 22-56-
3 002357, Patsy J. Alfano; item 9, Case No. 22-56-
4 018434, Heather Ann Bell; item 10, Case No. 22-56-
5 018352, York H-G Properties LLC; item 11, Case No.
6 22-56-008222, Alia Asanova; and item 12, Case No. 24-
7 56-002783, Ruth Dirienzo Whitehead.]

8

9 Report of Commission Counsel - Final Adjudication and
10 Order

11 MR. PICARELLA:

12 Based upon discussions in Executive
13 Session, I believe the Chair would
14 entertain a motion to adopt the
15 Adjudication and Order in this matter
16 at agenda item 13, Scott Barnes, Case
17 No. 20-56-005242, and direct counsel to
18 issue it as the Final Order of the
19 Commission.

20 VICE CHAIR SAMPSON:

21 Is there a motion?

22 MR. TARANTINO:

23 So moved.

24 VICE CHAIR SAMPSON:

25 Is there a second?

1 MR. SAXTON:

2 Second.

3 VICE CHAIR SAMPSON:

4 Any discussion? Madam administrator,
5 please call the roll.

6

7 Kyle Sampson, aye; Annie Hanna Cestra,
8 aye; Joseph Tarantino, aye; Jeffrey
9 Johnson, aye; Anne Rubin, aye; Guy
10 Saxton, aye; Mark Wolfe, aye; Arion
11 Claggett, aye.

12 [The motion carried unanimously.]

13

14 MR. PICARELLA:

15 Item 14, Paul J. Bauder, Case No. 22-
16 56-002397.

17 Based upon discussions in Executive
18 Session, I believe the Chair would
19 entertain a motion to adopt the
20 Adjudication and Order in this matter
21 and direct counsel to issue it as the
22 Final Order of the Commission.

23 VICE CHAIR SAMPSON:

24 Is there a motion?

25 MR. TARANTINO:

1 So moved.

2 VICE CHAIR SAMPSON:

3 Is there a second?

4 MS. RUBIN:

5 Second.

6 VICE CHAIR SAMPSON:

7 Any discussion? Madam administrator,
8 please call the roll.

9

10 Kyle Sampson, aye; Annie Hanna Cestra,
11 aye; Joseph Tarantino, aye; Jeffrey
12 Johnson, aye; Anne Rubin, aye; Guy
13 Saxton, aye; Mark Wolfe, aye; Arion
14 Claggett, aye.

15 [The motion carried unanimously.]

16

17 MR. PICARELLA:

18 Item 15, Rebecca Dailey & PMSPA LLC,
19 Case Nos. 23-56-002423 & 23-56-002265.

20 Based upon discussions in Executive
21 Session, I believe the Chair would
22 entertain a motion to adopt the
23 Adjudication and Order in this matter
24 and direct counsel to issue it as the
25 Final Order of the Commission.

1 VICE CHAIR SAMPSON:

2 Is there a motion?

3 MS. RUBIN:

4 So moved.

5 VICE CHAIR SAMPSON:

6 Is there a second?

7 MR. SAXTON:

8 Second.

9 VICE CHAIR SAMPSON:

10 Any discussion? Madam administrator,
11 please call the roll.

12

13 Kyle Sampson, aye; Annie Hanna Cestra,
14 aye; Joseph Tarantino, aye; Jeffrey
15 Johnson, aye; Anne Rubin, aye; Guy
16 Saxton, aye; Mark Wolfe, aye; Arion
17 Claggett, aye.

18 [The motion carried unanimously.]

19

20 MR. PICARELLA:

21 Item 16, Christine Hussar, Case No. 22-
22 56-016487.

23 Based upon discussions in Executive
24 Session, I believe the Chair would
25 entertain a motion to adopt the

1 Adjudication and Order in this matter
2 and direct counsel to issue it as the
3 Final Order of the Commission.

4 VICE CHAIR SAMPSON:

5 Is there a motion?

6 MS. RUBIN:

7 So moved.

8 VICE CHAIR SAMPSON:

9 Is there a second?

10 MR. TARANTINO:

11 Second.

12 VICE CHAIR SAMPSON:

13 Any discussion? Madam administrator,
14 please call the roll.

15

16 Kyle Sampson, aye; Annie Hanna Cestra,
17 aye; Joseph Tarantino, aye; Jeffrey
18 Johnson, aye; Anne Rubin, aye; Guy
19 Saxton, aye; Mark Wolfe, aye; Arion
20 Claggett, aye.

21 [The motion carried unanimously.]

22

23 MR. PICARELLA:

24 Item 17, John J. Katzbeck, Case Nos.
25 21-56-018852, 23-56-002685, & 23-56-

1 005952.

2 Based upon discussions in Executive
3 Session, I believe the Chair would
4 entertain a motion to adopt the
5 Adjudication and Order in this matter
6 and direct counsel to issue it as the
7 Final Order of the Commission.

8 VICE CHAIR SAMPSON:

9 Is there a motion?

10 MS. RUBIN:

11 So moved.

12 VICE CHAIR SAMPSON:

13 Is there a second?

14 MR. SAXTON:

15 Second.

16 VICE CHAIR SAMPSON:

17 Any discussion? Madam administrator,
18 please call the roll.

19

20 Kyle Sampson, aye; Annie Hanna Cestra,
21 aye; Joseph Tarantino, aye; Jeffrey
22 Johnson, aye; Anne Rubin, aye; Guy
23 Saxton, aye; Mark Wolfe, aye; Arion
24 Claggett, aye.

25 [The motion carried unanimously.]

1
2 MR. PICARELLA:

3 Item 18, Steven P. Levensgood, Case No.
4 23-56-003272.

5 Based upon discussions in Executive
6 Session, I believe the Chair would
7 entertain a motion to adopt the
8 Adjudication and Order in this matter
9 and direct counsel to issue it as the
10 Final Order of the Commission.

11 VICE CHAIR SAMPSON:

12 Is there a motion?

13 MR. TARANTINO:

14 So moved.

15 VICE CHAIR SAMPSON:

16 Is there a second?

17 MR. JOHNSON:

18 Second.

19 VICE CHAIR SAMPSON:

20 Any discussion? Madam administrator,
21 please call the roll.

22
23 Kyle Sampson, aye; Annie Hanna Cestra,
24 aye; Joseph Tarantino, aye; Jeffrey
25 Johnson, aye; Anne Rubin, aye; Guy

1 Saxton, aye; Mark Wolfe, aye; Arion
2 Claggett, aye.

3 [The motion carried unanimously.]

4 ***

5 MR. PICARELLA:

6 Item 19, Nydeeah Miller, Case No. 23-
7 56-016539.

8 Based upon discussions in Executive
9 Session, I believe the Chair would
10 entertain a motion to adopt the
11 Adjudication and Order in this matter
12 and direct counsel to issue it as the
13 Final Order of the Commission.

14 VICE CHAIR SAMPSON:

15 Is there a motion?

16 MS. RUBIN:

17 So moved.

18 VICE CHAIR SAMPSON:

19 Is there a second?

20 MR. TARANTINO:

21 Second.

22 VICE CHAIR SAMPSON:

23 Any discussion? Madam administrator,
24 please call the roll.

25

1 Kyle Sampson, no; Annie Hanna Cestra,
2 aye; Joseph Tarantino, aye; Jeffrey
3 Johnson, aye; Anne Rubin, aye; Guy
4 Saxton, aye; Mark Wolfe, no; Arion
5 Claggett, aye.

6 [The motion carried. Kyle Sampson and Mark Wolfe
7 opposed the motion.]

8 ***

9 MR. PICARELLA:

10 Item 20, Robert K. Vogely, Case No. 23-
11 56-005123.

12 Based upon discussions in Executive
13 Session, I believe the Chair would
14 entertain a motion to adopt the
15 Adjudication and Order in this matter
16 and direct counsel to issue it as the
17 Final Order of the Commission.

18 VICE CHAIR SAMPSON:

19 Is there a motion?

20 MS. RUBIN:

21 So moved.

22 VICE CHAIR SAMPSON:

23 Is there a second?

24 MR. TARANTINO:

25 Second.

1 VICE CHAIR SAMPSON:

2 Any discussion? Madam administrator,
3 please call the roll.

4

5 Kyle Sampson, aye; Annie Hanna Cestra,
6 aye; Joseph Tarantino, aye; Jeffrey
7 Johnson, aye; Anne Rubin, aye; Guy
8 Saxton, aye; Mark Wolfe, aye; Arion
9 Claggett, aye.

10 [The motion carried unanimously.]

11

12 Report of Commission Counsel - Motions

13 MR. PICARELLA:

14 Item 21, Thomas F. Citro. This is the
15 same matter that was at item 2 of the
16 agenda, Case No. 24-56-001568. Due to
17 the acceptance of the Consent Agreement
18 in that matter, I believe the Chair
19 would entertain a motion directing
20 counsel to enter an order denying the
21 Motion to Deem Facts Admitted as moot.

22 MR. MICHALOWSKI:

23 It makes it easier if prosecution would
24 make a motion to withdraw.

25 MR. PICARELLA:

1 Would the Chair entertain a motion to
2 accept the withdraw of that motion?

3 VICE CHAIR SAMPSON:

4 Is there a motion to accept?

5 MS. RUBIN:

6 So moved.

7 VICE CHAIR SAMPSON:

8 Second?

9 MR. SAXTON:

10 Second.

11 VICE CHAIR SAMPSON:

12 Any discussion? Madam administrator,
13 please call the roll.

14

15 Kyle Sampson, aye; Annie Hanna Cestra,
16 aye; Joseph Tarantino, aye; Jeffrey
17 Johnson, nay; Anne Rubin, aye; Guy
18 Saxton, aye; Mark Wolfe, aye; Arion
19 Claggett, aye.

20 [The motion carried. Jeffrey Johnson opposed the
21 motion.]

22

23 MR. PICARELLA:

24 Item 22, Gregory P. Rosato, Case No.
25 22-56-009331.

1 Based upon deliberations in
2 Executive Session, I believe the Chair
3 would entertain a motion to grant the
4 Commonwealth's Motion to Deem Facts
5 Admitted and direct the Commission to
6 draft the Final Adjudication and Order
7 in accordance with discussions in
8 Executive Session.

9 VICE CHAIR SAMPSON:

10 Is there a motion?

11 MS. RUBIN:

12 So moved.

13 VICE CHAIR SAMPSON:

14 Second?

15 MR. TARANTINO:

16 Second.

17 VICE CHAIR SAMPSON:

18 Any discussion? Madam administrator,
19 please call the roll.

20
21 Kyle Sampson, aye; Annie Hanna Cestra,
22 aye; Joseph Tarantino, aye; Jeffrey
23 Johnson, aye; Anne Rubin, aye; Guy
24 Saxton, aye; Mark Wolfe, aye; Arion
25 Claggett, aye.

1 [The motion carried unanimously.]

2 ***

3 Report of Commission Counsel - Other

4 MR. PICARELLA:

5 Item 23 on the agenda was an appeal
6 from a citation conviction, Erik
7 Booher, Case No. 23-56-008089.

8 Based upon deliberations in
9 Executive Session, I believe the
10 Commission Chair would entertain a
11 motion to uphold the citation and
12 direct counsel to issue an order
13 upholding the citation as filed.

14 VICE CHAIR SAMPSON:

15 Is there a motion?

16 MS. RUBIN:

17 So moved.

18 VICE CHAIR SAMPSON:

19 Second?

20 MR. JOHNSON:

21 Second.

22 VICE CHAIR SAMPSON:

23 Any discussion? Madam administrator,
24 please call the roll.

25

1 Kyle Sampson, aye; Annie Hanna Cestra,
2 aye; Joseph Tarantino, aye; Jeffrey
3 Johnson, aye; Anne Rubin, aye; Guy
4 Saxton, aye; Mark Wolfe, aye; Arion
5 Claggett, aye.

6 [The motion carried unanimously.]

7 ***

8 MR. PICARELLA:

9 Item 24, Jason A. DiDomenico, Case No.
10 22-56-008802. The Commission has
11 decided totable that matter in order to
12 get more information.

13 ***

14 Report of Commission Counsel - Other - BPOA Recusal
15 Guidelines

16 [Dean F. Picarella, Esquire, Commission Counsel,
17 reviewed the Bureau of Professional and Occupational
18 Affairs (BPOA) Recusal Guidelines. He explained that
19 recusal is mandatory when a Commission member has a
20 prosecutorial role in the matter or a direct personal
21 financial interest in the outcome of the matter.

22 Mr. Picarella noted it is strongly suggested to
23 recuse if a Commission member has a personal
24 affection for someone directly involved but simply
25 knowing a person is not necessarily enough to warrant

1 recusal. He noted it is also strongly suggested to
2 recuse if they have outside knowledge of a case and
3 cannot set it aside in order to make a fair and
4 unbiased determination.

5 Mr. Picarella addressed discretionary recusal,
6 where Commission members should recuse themselves if
7 they cannot decide on a subject fairly without
8 prejudice. He encouraged Commission members to
9 contact Commission Counsel privately in advance if
10 they are uncertain whether to recuse.]

11

12 Report of Commission Counsel - Other - Pennsylvania
13 Sunshine Act

14 [Dean F. Picarella, Esquire, Commission Counsel,
15 provided a copy of the Pennsylvania Sunshine Act for
16 the Commission's review. He addressed the importance
17 of all Commission business being held in the open and
18 sunshined for the public to have knowledge without
19 any behind-the-scenes deal-making.

20 Mr. Picarella addressed exceptions, including
21 Executive Session, which are matters of deliberations
22 or matters of advice of counsel on how to proceed.
23 He noted those are executive decisions the Commission
24 must make after deliberations and not included in the
25 Sunshine Act. He noted all votes must be broadcasted

1 publicly, and no matters or policy decisions that
2 would need deliberation can be discussed outside the
3 umbrella of a Commission meeting or Executive
4 Session.

5 Mr. Picarella noted the agenda must be published
6 before the meeting to give the public notice of what
7 is on the agenda and to provide the opportunity for
8 comment. He encouraged Commission members to read
9 the actual statute.]

10 ***

11 Report of Commission Counsel - Other - Real Estate
12 Commission 2023 Annual Report

13 [Dean F. Picarella, Esquire, Commission Counsel,
14 addressed the 2023 Annual Report. He noted the
15 Commission currently has 74,675 active licensees. He
16 reported 1,232 cases have been opened in 2024 with
17 917 cases currently open. He noted 1,471 cases were
18 closed in 2023 with the average age to close a case
19 of 259 days.]

20 ***

21 Report of Regulatory Counsel

22 [Dean F. Picarella, Esquire, Commission Counsel, on
23 behalf of Marc Farrell, Esquire, Regulatory Counsel,
24 Office of Chief Counsel, informed Commission members
25 that the Office of Attorney General approved the

1 broker price opinions regulation and was published in
2 the May 18 Edition of the *Pennsylvania Bulletin*.

3 Mr. Picarella noted that a 30-day public comment
4 period will end on June 17, 2024, and the Independent
5 Regulatory Review Commission will have until July 17,
6 2024, to provide comments. He stated the process of
7 addressing the comments and submission of the
8 regulation for final rulemaking will begin at the
9 close of the comment period. He encouraged
10 Commission members to forward any comments received
11 to Commission Counsel or regulatory counsel so that
12 they could be addressed in the final rulemaking.

13 Mr. Picarella also noted Mr. Farrell is focused
14 on the real estate general revisions package and will
15 provide an update on the progress at the next
16 meeting.

17 Ms. Rubin requested a breakdown of the 74,000
18 licensees.

19 Acting Commissioner Claggett offered to provide
20 the Commission a breakdown of licensees.]

21 ***

22 Report of Commission Chairperson - No Report

23 ***

24 Report of Acting Commissioner

25 [Arion R. Claggett, Acting Commissioner, Bureau of

1 Professional and Occupational Affairs, informed
2 Commission members that e-licensure would be enabled
3 in the Pennsylvania Licensing System (PALS) on May 31
4 for licensees to be able to print their own license.
5 He mentioned the license will have a quick response
6 (QR) code that can connect with the database showing
7 the status of their license. He noted they will
8 continue to mail licenses but will not be printing
9 licenses once they move into the new licensing
10 system.]

11

12 Report of Commission Administrator

13 [Deon Bowers, Commission Administrator, provided an
14 update regarding renewals. She noted there are nine
15 days left in the renewal period and reported almost
16 half of the licensees have renewed.]

17

18 Report of Committees - Education/Examination

19 MR. PICARELLA:

20

At item 28 on the agenda, based upon
21 discussions in Executive Session, I
22 believe the Commission Chair would
23 entertain a motion to provisionally
24 deny the Application for a Broker
25 Examination of Richard F. Wolf and

1 direct counsel to inform the Applicant
2 of the reasons for that decision.

3 VICE CHAIR SAMPSON:

4 Is there a motion?

5 MR. SAXTON:

6 So moved.

7 VICE CHAIR SAMPSON:

8 Is there a second?

9 MR. JOHNSON:

10 Second.

11 VICE CHAIR SAMPSON:

12 Any discussion? Madam administrator,
13 please call the roll.

14

15 Kyle Sampson, aye; Annie Hanna Cestra,
16 aye; Joseph Tarantino, aye; Jeffrey
17 Johnson, aye; Anne Rubin, aye; Guy
18 Saxton, aye; Mark Wolfe, aye; Arion
19 Claggett, aye.

20 [The motion carried unanimously.]

21

22 MR. PICARELLA:

23 Item 29 on the agenda, the Broker

24 Examination of Alexander M. Brunelle.

25 Based upon discussions in Executive

1 Session, I believe the Commission Chair
2 would entertain a motion to
3 provisionally deny the Application and
4 direct Commission Counsel to inform the
5 Applicant of the reasons for the
6 decision.

7 VICE CHAIR SAMPSON:

8 Is there a motion?

9 MR. SAXTON:

10 So moved.

11 VICE CHAIR SAMPSON:

12 Is there a second?

13 MR. TARANTINO:

14 Second.

15 VICE CHAIR SAMPSON:

16 Any discussion? Madam administrator,
17 please call the roll.

18
19 Kyle Sampson, aye; Annie Hanna Cestra,
20 aye; Joseph Tarantino, aye; Jeffrey
21 Johnson, aye; Anne Rubin, aye; Guy
22 Saxton, aye; Mark Wolfe, aye; Arion
23 Claggett, nay.

24 [The motion carried. Arion Claggett opposed the
25 motion.]

1 ***

2 MR. PICARELLA:

3 Item 30 on the agenda, the CE Course
4 for Marketing Strategy & Lead
5 Generation.

6 Based upon discussions in Executive
7 Session, I believe the Commission Chair
8 would accept a motion to provisionally
9 deny the Application and direct
10 Commission Counsel to inform the
11 Applicant of the reasons for the
12 decision.

13 VICE CHAIR SAMPSON:

14 Is there a motion?

15 MR. JOHNSON:

16 So moved.

17 VICE CHAIR SAMPSON:

18 Is there a second?

19 MR. TARANTINO:

20 Second.

21 VICE CHAIR SAMPSON:

22 Any discussion? Madam administrator,
23 please call the roll.

24
25 Kyle Sampson, aye; Annie Hanna Cestra,

1 aye; Joseph Tarantino, aye; Jeffrey
2 Johnson, aye; Anne Rubin, aye; Guy
3 Saxton, aye; Mark Wolfe, aye; Arion
4 Claggett, nay.

5 [The motion carried. Arion Claggett opposed the
6 motion.]

7 ***

8 MR. PICARELLA:

9 Item 31 on the agenda, the Application
10 for an Education Provider Director of
11 Kim Wallace.

12 Based upon discussions in Executive
13 Session, I believe the Commission Chair
14 would entertain a motion to approve the
15 Application of Kim Wallace.

16 VICE CHAIR SAMPSON:

17 Is there a motion?

18 MR. JOHNSON:

19 So moved.

20 MS. RUBIN:

21 Second.

22 VICE CHAIR SAMPSON:

23 Any discussion? Madam administrator,
24 please call the roll.

25

1 Kyle Sampson, aye; Annie Hanna Cestra,
2 aye; Joseph Tarantino, aye; Jeffrey
3 Johnson, aye; Anne Rubin, aye; Guy
4 Saxton, aye; Mark Wolfe, aye; Arion
5 Claggett, aye.

6 [The motion carried unanimously.]

7 ***

8 Report of Committees - Application Review

9 MR. PICARELLA:

10 Agenda item 32, the Application of
11 Tyrone Robert Taylor.

12 Based upon discussions in Executive
13 Session, I believe the Commission Chair
14 would entertain a motion to
15 provisionally deny the Application and
16 direct counsel to draft a letter to the
17 Applicant in accordance with the
18 discussions in Executive Session.

19 VICE CHAIR SAMPSON:

20 Is there a motion?

21 MR. TARANTINO:

22 So moved.

23 VICE CHAIR SAMPSON:

24 Is there a second?

25 MS. RUBIN:

1 Second.

2 VICE CHAIR SAMPSON:

3 Any discussion? Madam administrator,
4 please call the roll.

5

6 Kyle Sampson, aye; Annie Hanna Cestra,
7 aye; Joseph Tarantino, aye; Jeffrey
8 Johnson, aye; Anne Rubin, aye; Guy
9 Saxton, aye; Mark Wolfe, aye; Arion
10 Claggett, aye.

11 [The motion carried unanimously.]

12

13 MR. PICARELLA:

14 Item 33 on the agenda. The Commission
15 is going to table that for collection
16 of more information, for which the
17 Commission administrator will reach out
18 to the Applicant on.

19

20 MR. PICARELLA:

21 Agenda item 34, the Application of
22 Susan Rachelle McClard.

23

24 Based upon discussions in Executive
25 Session, I believe the Commission Chair
would entertain a motion to

1 provisionally deny the Application and
2 direct counsel to draft a letter to the
3 Applicant in accordance with
4 discussions in Executive Session.

5 VICE CHAIR SAMPSON:

6 Is there a motion?

7 MR. TARANTINO:

8 So moved.

9 VICE CHAIR SAMPSON:

10 Is there a second?

11 MS. RUBIN:

12 Second.

13 VICE CHAIR SAMPSON:

14 Any discussion? Madam administrator,
15 please call the roll.

16
17 Kyle Sampson, aye; Annie Hanna Cestra,
18 aye; Joseph Tarantino, aye; Jeffrey
19 Johnson, aye; Anne Rubin, aye; Guy
20 Saxton, aye; Mark Wolfe, aye; Arion
21 Claggett, aye.

22 [The motion carried unanimously.]

23 ***

24 Report of Committees - Informal Conference

25 MR. PICARELLA:

1 Agenda item 35, Jay Ronald Steffy.

2 Based upon discussions in Executive
3 Session, I believe the Commission Chair
4 would entertain a motion to direct
5 counsel to draft correspondence to
6 respondent in accordance with
7 discussions in Executive Session.

8 VICE CHAIR SAMPSON:

9 Is there a motion?

10 MR. TARANTINO:

11 So moved.

12 VICE CHAIR SAMPSON:

13 Is there a second?

14 MS. RUBIN:

15 Second.

16 VICE CHAIR SAMPSON:

17 Any discussion? Madam administrator,
18 please call the roll.

19

20 Kyle Sampson, aye; Annie Hanna Cestra,
21 aye; Joseph Tarantino, aye; Jeffrey
22 Johnson, aye; Anne Rubin, aye; Guy
23 Saxton, aye; Mark Wolfe, aye; Arion
24 Claggett, aye.

25 [The motion carried unanimously.]

1 Old/New Business

2 [Michael McGee, CAE, Chief Executive Officer,
3 Pennsylvania Association of Realtors, noted prior
4 Commission discussion at the last meeting regarding
5 mandatory continuing education (CE) topics and asked
6 whether the Commission had any additional guidance on
7 course objectives for schools.
8

9 Mr. Picarella stated the Commission had not been
10 able to reach a decision because of new information
11 and will be placed on the next agenda for discussion.
12

13 Preston Moore, President, Pennsylvania
14 Association of Realtors, informed Commission members
15 that the Pennsylvania Association of Realtors (PAR)
16 and its advocacy team have been working with Senator
17 Patrick Stefano to introduce Senate Bill 1173, which
18 would amend the Real Estate Licensing and
19 Registration Act to define wholesale transactions and
20 require those who conduct the transactions to obtain
21 a real estate salesperson's license.

22 Mr. Moore explained that the legislation also
23 requires specific disclosures in wholesale
24 transactions. He noted the legislation seeks to
25 create uniformity and transparency of residential
property transfers in the Commonwealth while

1 establishing accountability for wholesalers.

2 Mr. Moore stated PAR believes residential
3 wholesaling is fundamentally facilitating a transfer
4 of property from one owner to another, and
5 facilitating property transfers is a licensed
6 activity in Pennsylvania. He noted the legislation
7 will ensure that individuals engaged in residential
8 wholesaling complete a pre-licensing education
9 requirement and be associated with a broker who will
10 provide oversight and bear responsibility for the
11 wholesaler's actions.

12 Ms. Rubin thanked PAR for addressing this issue
13 and asked whether they see any real opposition to
14 this legislation.

15 Mr. McGee stated the bill came out of the Senate
16 Consumer Protection and Professional Licensure
17 Committee with a positive political response and only
18 one negative vote. He mentioned that Mr. Huertas and
19 Mr. Lerner have been working on some technical
20 amendments with the Pennsylvania Bar Association.

21 Marcus Huertas, Advocacy Manager, Pennsylvania
22 Association of Realtors, added that the bill was also
23 voted unanimously out of the Appropriations Committee
24 in addition to the bill getting voted out of the
25 Senate Consumer Protection and Professional Licensure

1 Committee. He reported having good feedback and
2 feeling confident that the bill will get some sort of
3 movement. He also mentioned PAR will continue to
4 work with the legislature to make that happen.

5 Mr. Moore informed Commission members that the
6 National Association of Realtors (NAR) settlement has
7 received a lot of media attention. He noted
8 mentioning last month that the National Association
9 of Realtors announced a settlement agreement that
10 would end litigation and claims brought on behalf of
11 home sellers related to broker commission. He
12 mentioned that the deadline for implementation of the
13 new policy changes to the Multiple Listing Service
14 (MLS) is August 17 as part of that settlement
15 agreement.

16 Mr. Moore explained that the major change will be
17 eliminating and prohibiting any requirement of offers
18 of compensation in the multiple listing between
19 listing brokers or sellers to buyer brokers or other
20 buyer representatives. He noted offers of
21 compensation may still occur, but the MLS may not
22 facilitate it. He mentioned that the Real Estate
23 Licensing and Registration Act (RELRA) is already
24 recognized the buyer agency in Pennsylvania, and real
25 estate licensees are familiar with buyer

1 representation.

2 Mr. Moore noted PAR's Standard Forms Committee
3 has already begun meetings to determine what changes
4 will need to be made to their standard form in order
5 to comply with the new changes.

6 Mr. Moore reminded everyone that the license
7 deadline is next week, and PAR has reached out to
8 both brokers and licensees through emails, their
9 blog, and social media posts to remind their members
10 of the May 31 deadline.]

11 ***

12 Miscellaneous

13 [Kyle Sampson, Vice Chair, Public Member, informed
14 everyone that Temple University in Philadelphia has
15 agreed to host a meeting.

16 Acting Commissioner Claggett noted the Commission
17 only needs to have one offsite visit per year now
18 because meetings are hybrid, and Commission members
19 agreed to have the October 1, 2024, meeting at Temple
20 University in Philadelphia.]

21 ***

22 Adjournment

23 VICE CHAIR SAMPSON:

24 This meeting is adjourned.

25 ***

1 [There being no further business, the State Real
2 Estate Commission Meeting adjourned at 12:22 p.m.]

3

4

CERTIFICATE

5

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

12

13

14



15

Rachel Wilbur-Adams,

16

Minute Clerk

17

Sargent's Court Reporting

18

Service, Inc.

19

20

21

22

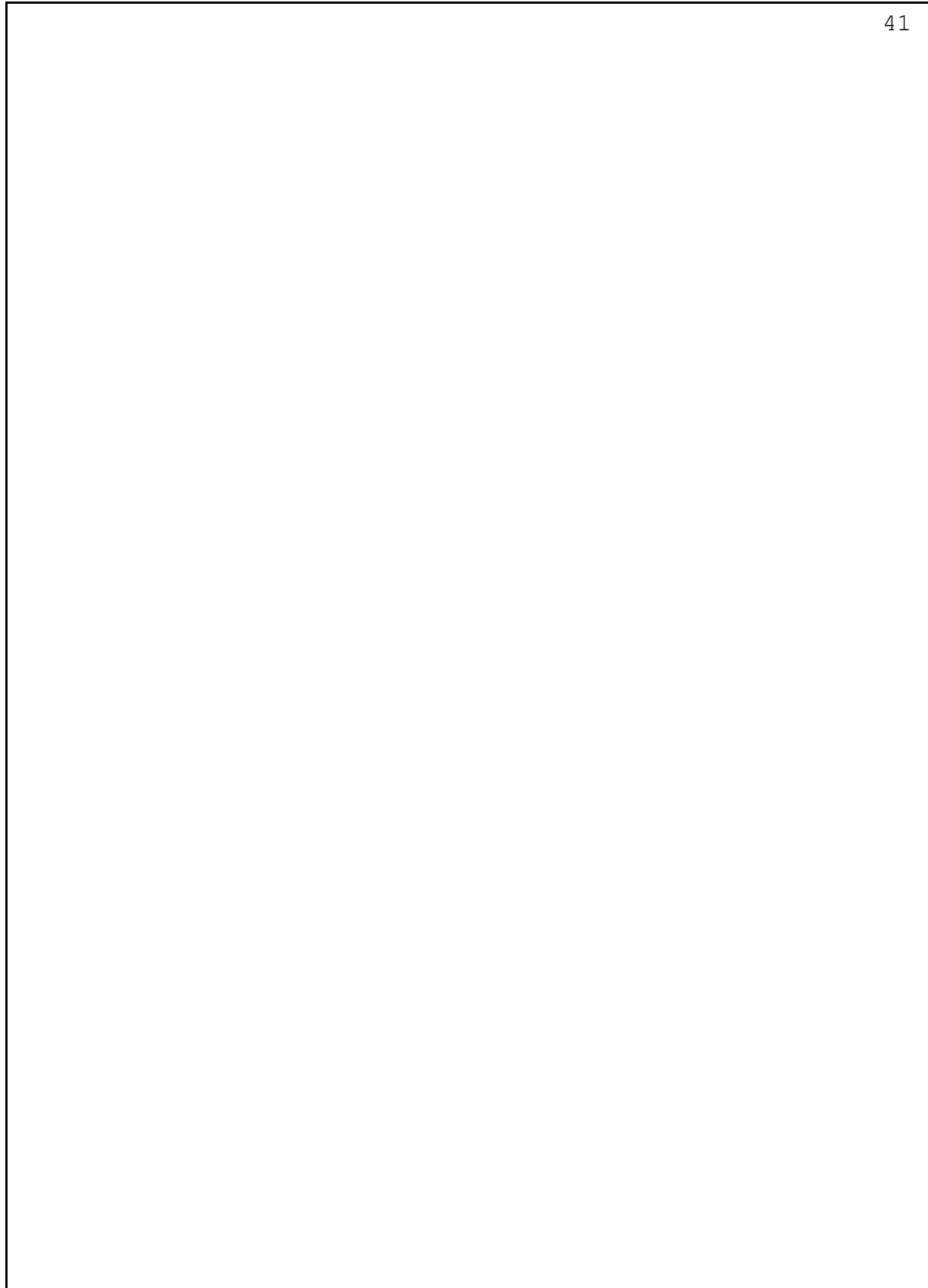
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STATE REAL ESTATE COMMISSION
REFERENCE INDEX

May 22, 2024

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:00	Executive Session
10	11:00	Return to Open Session
11		
12	11:12	Official Call to Order
13		
14	11:13	Roll Call
15		
16	11:13	Introduction of Attendees
17		
18	11:14	Pledge of Allegiance
19		
20	11:14	Approval of Minutes
21		
22	11:15	Report of Prosecutorial Division
23		
24	11:21	Report of Commission Counsel
25		
26	11:25	Report of Regulatory Counsel
27		
28	12:01	Report of Acting Commissioner
29		
30	12:02	Report of Commission Administrator
31		
32	12:04	Report of Committees
33		
34	12:11	Old/New Business
35		
36	12:18	Miscellaneous
37		
38	12:22	Adjournment
39		
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41		
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