

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION
Minutes of Meeting
December 4, 2013**

The Connecticut Real Estate Commission convened on Wednesday, December 4, 2013 at 9:15 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Marilyn L. Keating, Acting Chairperson (Salesperson – 4th District)
Joseph B. Castonguay (Broker – 2nd District)
Lana K. Ogrodnik (Broker – 5th District)
Amy Bergquist (Broker – 1st District)
Linda C. Burnham (Salesperson – 2nd District)
Morag L. Vance (Public Member – 4th District)
Joseph H. Kronen (Public Member – 1st District)
Theodore F. Ells, Esq. (Public Member- 3rd District)

Commissioners Absent: None

Commission Vacancy: None

Attorney General's Office: Alan N. Ponanski, Assistant Attorney General

DCP Staff Present: Michele Erling Richard Maloney
Kelly Harvey William Zenga
Vicky Bullock
Robin Washbond

Public Present: Laurence Hannafin Erin Boatman
Sally Carr Patrick Boatman, Esq.
Albert Coppola Anna McElaney
Angelo Coppola Jon Magnotta
Patrick McCaughey Alan Cortez
Lucy Michaud Maurice Earley

The next meeting of this Commission is scheduled for Wednesday, February 5, 2014 at 9:15 am in Rm-126

MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried to approve the minutes of the October 2, 2013 CT Real Estate Commission.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY

None

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2013-314 - Anna McElaney

It was moved by Commissioner Kronen to approve Ms. McElaney's application. Commissioner Vance seconded the motion.

After further discussion, it was moved by Commissioner Kronen, Commissioner Ogrodnik 2nd and the motion carried to withdraw the original motion and postpone this matter until the February 5, 2014 Commission meeting.

FORMAL ADMINISTRATIVE HEARING

Maurice Earley – REB.0758307 - Earley Real Estate LLC

It was moved by Commissioner Burnham, Commissioner Vance 2nd, and the motion carried to revoke Mr. Earley's Broker license on the following Counts:

The Complaint (Docket No. 2013-788) was read into the record by Commissioner Keating:

Count One:

Paragraph One, the findings of fact; Paragraph Two, the findings of fact; Paragraph Three, the findings of fact, Paragraph Four, the findings of fact; Paragraph Five, the findings of fact; Paragraph Six, the findings of fact; Paragraph Seven, the findings of fact; Paragraph Eight, the findings of fact; Paragraph Nine, the findings of fact; Paragraph Ten, the findings of fact and Paragraph Eleven, the findings of fact. The circumstances cited in Paragraph Three through Paragraph Ten inclusive, constitute a violation of §20-328-3a, §20-328-6a, and §20-328-7a and are grounds for revocation.

Count Two:

Paragraph Twelve, the findings of fact; Paragraph Thirteen, the findings of fact; Paragraph Fourteen, the findings of fact; Paragraph Fifteen, the findings of fact; Paragraph Sixteen, the findings of fact; Paragraph Seventeen, the findings of fact; Paragraph Eighteen, the findings of fact; Paragraph Nineteen, the findings of fact; Paragraph Twenty, the findings of fact; Paragraph Twenty One, the findings of fact; Paragraph Twenty Two, the findings of fact; Paragraph Twenty Three, the findings of fact; Paragraph Twenty Four, the findings of fact; Paragraph Twenty Five, the findings of fact; Paragraph Twenty Six, the findings of fact and Paragraph Twenty Seven which states the circumstances cited in Paragraph Nine through Paragraph Twenty Six inclusive, constitute a violation of the Connecticut General Statutes, Sections 20-320; and 20-324k and Sections §20-328-3a, §20-328-6a, and §20-328-7a of the Regulations of Connecticut State Agencies.

REAL ESTATE GUARANTY FUND APPLICATIONS

2013-267- Albert Coppola vs. Dean Petruzzi

This matter was postponed until the February 5, 2014 Commission meeting.

2013-268- Angelo Coppola vs. Dean Petruzzi

It was moved by Commissioner Kronen to approve the Guaranty Fund application and authorize payment to Angelo Coppola and Albert Coppola in the amount of \$25,000 each. Commissioner Burnham seconded the motion.

Commissioners Ogrodnik, Bergquist, Burnham, Ells, Castonguay, Keating, Vance and Kronen opposed. The motion failed.

After discussion, it was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried to approve the Guaranty Fund application of Angelo Coppola and authorize payment to him in the amount of \$25,000.00. Commissioner Burnham opposed.

2013-317 – Alan Cortez vs. Mitch Rivers

It was moved by Commissioner Vance, Commissioner Ells 2nd, and the motion carried to approve the Guaranty Fund application of Mr. Cortez and authorize payment to him in the amount of \$25,000.00.

2013-275 - Debra Perez vs. Earley Real Estate LLC

It was moved by Commissioner Ells, Commissioner Vance 2nd, and the motion carried to approve the Guaranty Fund application of Ms. Perez and authorize payment to her in the amount of \$550.00.

Commissioner Keating called for a brief recess at 10:30 a.m. and the meeting reconvened at 10:47 a.m.

CONTINUATION OF 2012 CE HEARINGS

Docket #2013-496 - Patrick McCaughey, REB.0757647

It was moved by Commissioner Ells, Commissioner Vance 2nd, and the motion carried to accept Mr. McCaughey's completed 2012 continuing education course certificates and that he must pay a civil penalty in the amount of \$250.00.

The following Broker licensees failed to comply with the October 2, 2013 Commission decision that proof of completion of the required 2012 continuing education courses must be provided along with payment of the civil penalty no later than December 4, 2013.

Docket # 2013-472 – Kathy Battacharia, REB.0757649

Docket # 2013-473 – Frank Boccanfuso, REB.0060678

Docket # 2013-479 – Philip Goldfarb, REB.0267251

Docket # 2013-483 – Thomas Heaslip, REB.0788261

Docket # 2013-488 – John Lemarier, REB.0754434
Docket # 2013-489 – Helen Liistro, REB.0404650
Docket # 2013-494 – Sheelagh Masterson, REB.0440525
Docket # 2013-495 – Sidney McCartney, REB.0757647
Docket # 2013-503 – Jerry Olson, REB.0510300
Docket # 2013-510 – Anthony Raccio, REB.0558450
Docket # 2013-514 – Neil Schwartz, REB.0612768
Docket # 2013-517 – Amy Smith-Sroka, REB.0789065
Docket # 2013-518 – Louise Sunshine, REB.0758212
Docket # 2013-519 – Raymond Tramont, REB.0686470
Docket # 2013-520 – Proctor Wong, REB.0758088
Docket # 2013-480 – Linda Grosch, REB.0282115

It was moved by Commissioner Ogradnik, Commissioner Vance 2nd, and the motion carried to immediately revoke the above-listed Broker licenses.

The following Broker licensees are now in compliance:

Docket # 2013-478 – Daniel Ginnel, REB.0261216
Docket # 2013-481 – Louelin Groth, REB.0756746
Docket # 2013-484 – T. Donald Hirschfield, REB.0311950
Docket # 2013-487 – Charles Lawrence, REB.0754434
Docket # 2013-490 – Andre Livingston, REB.0788343
Docket # 2013-501 – Miroslaw Mruczek, REB.0788104
Docket # 2013-504 – Kenneth Olson, REB.0749949
Docket # 2013-506 – Jayesh Patel, REB.0788766
Docket # 2013-507 – Guido Picarazzi, REB.0539050
Docket # 2013-521 – Kathleen Zaccagnino, REB.0758623

It was moved by Commissioner Vance, Commissioner Ogradnik 2nd, and the motion carried to lift the suspension on the above-listed Broker licenses.

The following individual voluntarily surrendered his Broker license until such time that he completes the required 2012 CE and pays the civil penalty:

Docket # 2013-508 – Leroy Pittman, REB.0543700

The Commission took no action.

The following non-compliant Broker licenses expired 3/31/13 and are now inactive licenses. These individuals will be required to come into compliance should they wish to reinstate in the future:

Docket # 2013-471 – Robert Arnone, REB.0757259
Docket # 2013-474 – Christine Bochicchio, REB.0756431
Docket # 2013-477 – George Fuchs, REB.0789506

Docket # 2013-497 – Joseph Melycher, REB.0460100
Docket # 2013-499 – David Montross, REB.0758338
Docket # 2013-502 – John Nann, REB.0492084
Docket # 2013-508 – Leroy Pittman, REB.0543700
Docket # 2013-512 – Oscar Santana, REB.0788835
Docket # 2013-516 – Beverly Slater, REB.0635085

The Commission took no action.

REQUEST FOR CONTINUING EDUCATION EQUIVALENCY/WAIVER

Laurence Hannafin, REB.0750480 – Seeking waiver of 2014 CE requirements

It was moved by Commissioner Kronen, Commissioner Vance 2nd, and the motion carried to grant a waiver of the 2014 CE requirements.

William Alberti, REB.0754652 – Seeking equivalency credit

It was moved by Commissioner Ogrodnik, Commissioner Vance 2nd, and the motion carried to grant three (3) hours equivalency credit towards his continuing education. Commissioner Bergquist opposed.

Danielle Fineman, RES.0792475 – Seeking equivalency credit

It was moved by Commissioner Castonguay, Commissioner Vance 2nd, and the motion carried to grant three (3) hours equivalency credit towards her continuing education.

It was moved by Commissioner Vance, Commissioner Kronen 2nd, and the motion carried to add the following item to the agenda:

Waiver of 2014 CE requirements for licensed Commission members

It was moved by Commissioner Vance, Commissioner Ells 2nd, and the motion carried that licensed members serving on the Real Estate Commission for at least one year have the continuing education requirement waived for the 2014 cycle. Commissioner Bergquist opposed.

CONSENT AGREEMENT

2013-393

It was moved by Commissioner Ells, Commissioner Ogrodnik 2nd, and the motion carried to accept the consent agreement as presented by DCP.

NEW BUSINESS

2014 CT Real Estate Commission Meeting Dates

February 5, April 2, June 4, August 6, October 1, December 3

It was moved by Commissioner Ogrodnik, Commissioner Vance 2nd, and the motion carried to approve the 2014 meeting dates.

COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY

- Commissioner Keating and the members of the Real Estate Commission honored James Hoffman for all his hard work and years of dedicated service while serving the Real Estate community on behalf of the State of Connecticut.
- Laurence Hannafin addressed the Commission on behalf of CAR, seeking clarification and guidelines concerning assignment of listing agreements when a Real Estate agency is sold to another agency.

ADJOURNMENT

It was moved by Commissioner Vance, Commissioner Ogradnik 2nd, and the motion carried to adjourn the meeting at 12:50 p.m.

Respectfully Submitted,

Robin Washbond
Commission Secretary

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 713-7230.

Agency Website: www.ct.gov/dcp

Division E-Mail: DCP.OccupationalProfessional@ct.gov