

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
CONNECTICUT REAL ESTATE COMMISSION
Minutes of Meeting
February 4, 2015**

The Connecticut Real Estate Commission convened on Wednesday, February 4, 2015 at 9:33 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 Ponanski, Assistant Attorney General

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

Public Present: Carlos Torres Michael Romano
John Zubretsky Allen Grover
Joseph Ganim Beth Mecteau
Georgina Arias

The next meeting of this Commission is scheduled for Wednesday, April 1, 2015 at 9:15 am in Rm-126

MINUTES OF PREVIOUS MEETINGS

It was moved by Commissioner Ogrodnik, Commissioner Vance 2nd, and the motion carried unanimously to approve the minutes of the December 3, 2014 Connecticut Real Estate Commission meeting as amended. Commissioner Burnham was not present for this motion.

CHRO

It was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried unanimously to add Richard Kaplan to the agenda.

Richard Kaplan – Salesperson Application

Mr. Kaplan did not appear today.

Attorney Bullock advised the Commission that there has been no communication from Mr. Kaplan relative to this matter. The Commission took no action.

Carlos Torres – Seeking reconsideration of his Salesperson Application

Mr. Torres appeared before the Commission with his broker, Georgina Arias.

It was moved by Commissioner Vance that Mr. Torres be allowed to sit for the Real Estate Salesperson examination. Commissioner Ogrodnik seconded the motion. Commissioners Keating, Bergquist, Kronen, Ells, Castonguay, Ogrodnik and Vance opposed. Commissioner Burnham abstained. The motion failed.

Commissioner Keating advised Mr. Torres that he may request to appear before the Commission after one year for reconsideration of his Real Estate Salesperson application.

The following was read into the record by Commissioner Marilyn Keating:

Connecticut General Statutes

Sec. 20-314. License Qualifications

(a) Licenses shall be granted only to persons who bear a good reputation for honesty, truthfulness and fair dealing and who are competent to transact the business of a real estate salesperson in such a way as to safeguard the interest of the public.

(b) The commission may require information with regard to an applicant as the commission deems desirable, with due regard to the paramount interest of the public, as to the honesty, truthfulness, integrity and competency of the applicant.

(c) In order to determine the competency of any applicant for a real estate salesperson's license, the commission shall subject such applicant to personal written examination as to the applicant's competency to act as a real estate salesperson.

Sec. 20-316. Grounds for Refusal of License

(a) No license shall be denied by the commission to any applicant who has been convicted of forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud or other like offenses, or to any association or partnership of which such person is a member, or to any corporation of which

such person is an officer or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly.

Sec. 46a-80 Denial of employment based on prior conviction of crime. Inquiry re prospective employee's past convictions. Dissemination arrest record prohibited.

(a) Except as provided in subsection (c) of this section, subsection (b) of section 46a-81 and section 36a-489, and notwithstanding any other provision of law to the contrary, a person shall not be disqualified from employment by the state or any of its agencies, nor shall a person be disqualified to practice, pursue or engage in an occupation, trade, vocation, profession or business for which a license, permit, certificate or registration is required to be issued by the state or any of its agencies solely because of a prior conviction of a crime.

(c) A person may be denied employment by the state or any of its agencies, or a person may be denied a license, permit, certificate or registration to pursue, practice or engage in an occupation, trade, vocation, profession or business by reason of the prior conviction of a crime if, after considering (1) the nature of the crime and its relationship to the job which the person has applied; (2) information pertaining to the degree of rehabilitation of the convicted person; and (3) the time elapsed since the conviction or release, the state, or any of its agencies determines that the applicant is not suitable for the position of employment sought or the specific occupation, trade, vocation, profession or business for which the license, permit, certificate or registration is sought. In making a determination under this subsection, the state or any of its agencies shall give consideration to a provisional pardon issued pursuant to section 54-130e, or a certificate of rehabilitation issued pursuant to section 54-108f or 54-130e, and such provisional pardon or certificate of rehabilitation shall establish a presumption that such applicant has been rehabilitated. If an application is denied based on a conviction for which the applicant has received a provisional pardon or certificate of rehabilitation, the state or any of its agencies, as the case may be, shall provide a written statement to the applicant for its reasons for such denial.

CHRO

Joseph Ganim – Real Estate Salesperson Application

This matter was postponed to the April 1, 2015 meeting.

CONSENT AGREEMENT

Real Estate School of New England / John Zubretsky Jr

Mr. Zubretsky appeared before the Commission with Attorney Michael Romano and course instructor Allen Grover.

It was moved by Commissioner Vance, Commissioner Ogrodnik 2nd, and the motion carried unanimously to accept the consent agreement as modified by the Commission.

WAIVER OF EDUCATION REQUEST

Irene Sorial – Seeking waiver of additional P & P for purposes of applying for Broker license

It was moved by Commissioner Burnham, Commissioner Ogrodnik 2nd, and the motion carried unanimously to approve a waiver of the 60-hour Principles and Practices course.

REAL ESTATE SCHOOL APPLICATION

Dick Mellon Real Estate and Appraisal School

The Commission requested that Mr. Mellon appear before them at the April 1, 2015 meeting.

ADJOURNMENT

It was moved by Commissioner Keating, Commissioner Ogrodnik 2nd, and the motion carried unanimously to adjourn the meeting at 10:57 a.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.

Department of Consumer Protection Website: www.ct.gov/dcp
Division E-Mail: DCP.OccupationalProfessional@ct.gov