

NEW YORK STATE REAL ESTATE BOARD
MEETING SUMMARY
March 11, 2021

The meeting was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting was held to comply with COVID-19 social distancing directives. Due to the fact the meeting of the NYS Real Estate Board was held remotely, the public hearing section was held in abeyance.

I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE

The meeting was called to order at 1:05 p.m. A. Penzabene performed roll call and D. Mossberg announced there was a quorum. The official attendance was as follows:

BOARD MEMBERS

Edwin Clark
David Dworkin
Sandra Erickson
Neil Garfinkel
Diane Ramirez
Gregory Weston

Excused:

Dherminder Bhasin
Dale Burnett
Duncan MacKenzie
Trisha Ocona

DEPARTMENT OF STATE STAFF

Amy Penzabene, representing Secretary of State
Jodi DeLollo
David Mossberg
John Goldman
Emily Lupe
Marcy Rose
Shannon Maguire
Denise Tidings

VISITORS

RoseAnn Farrow
*Other online public members

- A. Approval of 12-14-20 Meeting Summary – A. Penzabene asked for a motion to approve the 12-14-20 meeting summary. N. Garfinkel made a motion to approve the 12-14-20 meeting summary. D. Ramirez seconded the motion. All members were in favor. A. Penzabene announced that the meeting summary was approved.

II. ACTION ITEMS

- A. Enforcement Report – J. Goldman provided an enforcement update. He mentioned that his reporting would contain a follow-up on the alleged pattern of discriminatory behavior with minority homebuyers that was reported by Newsday in Fall 2019. He stated that Enforcement has been actively engaged in addressing this situation and that a total of 80 licensees have been identified; to date, 5 hearings have taken place and 10 hearings have been scheduled. He added that enforcement is about 25 percent through the process; however, the numbers of cases are likely to increase. J. Goldman stated that with regards to complying with Executive Orders pertaining to limitations on practice, the industry appears to be doing well with self-regulating. Lastly, J. Goldman provided an overview on how the Department communicates the outcome of investigations and reported that the Enforcement Unit has put steps into place to help ensure that the Department is effectively communicating the outcome of cases to those involved.

- B. Processing Report – E. Lupe stated that the license statistical information from February 2020 and February 2021 was provided to board members. She explained that the total number of licensees are listed by county and that the figures only include active licensees as EO 202.11 allows individuals to extend their license term during the current State of Emergency.
- C. Education/Examination Report- M. Rose reported that to date, 27 schools have submitted continuing education course applications and have been approved to offer the 2.5 hours of Ethical Business Practices topic. She added that 23 schools have submitted continuing education course applications and been approved to offer the 1 hour of Recent Legal Matters topic. She stated that these courses allow licensees the ability to satisfy the continuing education requirement which go into effect on July 1, 2021. M. Rose mentioned that 17 of those schools have applied and received approval to offer these courses via live distance education, which allows licensees flexibility in obtaining their continuing education requirements.
- D. Examination Report- S. Maguire provided the examination pass rates for 2020 licensing examinations, reporting that 59 percent passed the real estate salespersons exam and 65 percent passed the broker exam. She reported that 17,643 individuals took the real estate salespersons exam and 1,464 individuals took the broker exam, adding that these figures had decreased from the previous year due to the pandemic. She mentioned that all exam sites are following safety precautions including mandatory wearing of face coverings (masks), social distancing guidelines, etc.

III. NEW BUSINESS

- A. Executive Order Update – D. Mossberg provided an update on two Executive Orders that were mentioned at the last meeting: 202.11 which extends the expiration date of licenses and 202.47 which permits the electronic notarization for closings and any other documents that need to be executed. He reported that both these Executive Orders have been extended to March 28, 2021, and that information pertaining to extensions may be found on the Department’s website.
- B. Next Meeting Date – D. Tidings announced that the next meeting of the NYS Board of Real Estate is scheduled for Thursday, July 22, 2021, at 1 p.m. She mentioned that Board members should submit potential agenda items or topics of discussion for the next meeting.

IV. ADJOURNMENT

A. Penzabene asked for a motion to adjourn the meeting. D. Ramirez made a motion to adjourn the meeting and the motion was seconded by S. Erickson; all were in favor. The meeting was adjourned at 1:18 p.m.