

1 STATE OF NEW YORK
2 DIVISION OF LICENSING SERVICES

3 Public Meeting of the New York State Real Estate
4 Board

5
6 DATE: April 19, 2022
7 TIME: 1:02 p.m. to 2:05 p.m.
8 BEFORE: DAVID DWORKIN, Chairman
9 VENUE: Webex

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Reported by Howard Hubbard

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APPEARANCES :

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NEIL GARFINKEL, SECRETARY

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DENISE TIDINGS, DEPARTMENT OF STATE

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MICHAEL SHANNON, DEPARTMENT OF STATE

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TRISHA OCONA

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JODI DELOLLO

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JOHN GOLDMAN

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SARAH HENKIND

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ANTHONY GATTO

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EDWARD BEDNOTTI

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LIN FIELDS

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JENNIFER VUCETIC

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1 (The meeting commenced at 1:02 p.m.)

2 MR. MACKENZIE: Well, it's one o'clock, but
3 we are expecting a few more people, so we'll wait
4 a minute before we begin. All right, well, it's
5 1:02, and in respect of everybody's time, we do
6 not have a quorum. But we do not have any action
7 items other than approving the minutes, which we
8 won't be able to do, but you've all been provided
9 the minutes from February 17. Does anyone have
10 any corrections to those minutes.

11 All right. Not hearing any corrections,
12 we'll move on to the department reports. The
13 first report is the enforcement report.

14 MR. GOLDMAN: Thank you. So we only met like
15 two months ago, am I correct? So it's been kind
16 of a short gap in-between, so obviously the sta-
17 tistics I'm going to give you will reflect that.
18 Actually, I think we met literally two months to
19 the day ago, in February, right, or the 17th, give
20 or take a day.

21 In that two-month or eight-week period of
22 time, we received ninety-five real estate com-
23 plaints from consumers, and/or cases that were in-
24 itiated by the State's own action. And during
25

1 that same period of time, seventy-one investiga-
2 tions were completed, dispositions came out of en-
3 forcement. And when I say completed, it go in a
4 couple of different directions.

5 So of those seventy-one, fourteen were re-
6 ferred to our legal folks for hearing considera-
7 tion. Fifty-seven -- the balance of that -- were
8 closed within enforcement. I do have some numbers
9 for the breakdown. Of those fifty-seven, twenty-
10 one were closed. No jurisdiction, no merit, no
11 violation, insufficient evidence. They kind of
12 all fall under the same heading of -- you know,
13 the decision was made it was not worthy of any
14 further action for one or more of those reasons.

15 Another twenty-one, coincidentally enough,
16 were -- the disposition on the file was instruct,
17 warning, settled or otherwise resolved. Through
18 supervision, our enforcement folks decide whether
19 or not -- even though there may be a violation, it
20 doesn't rise to the level of referral to our legal
21 folks, and we issue that as a warning instruction.
22 Compliance statements are obtained, et cetera.

23 Two of the fifty-seven were deemed to be
24 civil in nature. Three were closed with a hold.
25 And I've said this before, but some folks may not

1 have been there. When we close a file with a
2 hold, it generally means the license -- it's a mi-
3 nor issue. The licensee could not be contacted.
4 They have -- their license has already expired, or
5 they're about to expire, and rather -- because we
6 can't communicate with the licensee for any number
7 of reasons, we simply put a hold on their record,
8 which gives us an opportunity to address that is-
9 sue which has not been resolved, when and if they
10 attempt to renew their license.

11 Five were deemed abandoned or withdrawn, one
12 was a duplicate, and four were otherwise closed.
13 We have a whole variety of different disposition
14 labels. So otherwise, you know, it could mean any
15 number of different things, but the other disposi-
16 tion labels did not apply. I know the director of
17 licensing, Jodi DeLollo, is going to talk a little
18 bit about the standard operating procedure, new
19 regulation -- is it regulation or a statute? It
20 goes into effect next week, I think. but anyway,
21 I just wanted to mention that the enforcement
22 staff has been briefed on it. There's still a
23 couple of wrinkles to iron out, just in terms of
24 our full understanding of what's expected of the
25 industry, and then in turn our ability to enforce

1 it. So our enforcement staff have been briefed on
2 it, and are prepared to implement that into our
3 normal enforcement procedure. But as I said, I
4 think Jodi is going to talk -- or maybe Dave is
5 going to talk a little bit about that as well.
6 That's the end of my report.

7 MR. MACKENZIE: Thank you John. Do any of
8 the board members have questions for John?

9 MS. OCONA: Morning. When they are not -- no
10 follow-up, has the consumer been referred to an-
11 other agency -- respected agency that could proba-
12 bly help them -- whether it's a district attor-
13 ney's office, or just another agency, since you
14 stated that D.O.S. cannot do anything because the
15 person is not licensed? And my second question
16 is, with the new surcharge for the license, under-
17 standing that that new surcharge is for testing,
18 is testing being implemented so we can have, you
19 know, less enforcement issues?

20 MR. GOLDMAN: Well, as far as the first ques-
21 tion goes, yes, that's -- you know, we get lots of
22 complaints where someone maybe filed a complaint
23 against a dentist or physician, someone who's li-
24 censed by another agency. It may involve locali-
25 ties, contractors and so forth. So yes, we make

1 an effort to -- if we have that information avail-
2 able, to inform the consumer what regulatory body
3 they can go to, since it's not within our juris-
4 diction.

5 So that's the answer to your first question.
6 Very often they're complaining about things that
7 are not a regulated issue, and the answer would be
8 the same. If we're not aware of who can help
9 them, and that probably would fall in the category
10 where we feel something in civil in nature, where
11 it's a civil dispute, that their best recourse is
12 to consult with attorneys, and/or perhaps pursue
13 it in the civil realm.

14 As far as the testing goes, I am familiar
15 with what you're talking about. We have not been,
16 at the enforcement level, briefed much beyond the
17 surcharge, and that that money -- I was under the
18 impression that money was to be diverted. I don't
19 know what -- that sounds like a negative
20 word -- but diverted through the attorney gen-
21 eral's office, for them to administer a testing
22 process. Perhaps Dave can talk about that.

23 MS. OCONA: Okay.

24 MR. GOLDMAN: But it's really in its infancy,
25 and I don't really know more about it, other than

1 that.

2 MS. OCONA: Thank you.

3 MR. GOLDMAN: And I think the whole thing is
4 designed to detect, you know, discriminatory prac-
5 tice within the industry, and yes, hopefully, like
6 any enforcement program, prevent further occur-
7 rence. So, yeah.

8 MALE SPEAKER: So I can provide a little bit
9 more background on that. So part of the fair
10 housing bills that I had discussed at the last
11 board meeting, I believe I had mentioned that
12 fifty percent of fines imposed, pursuant to R.P.L.
13 441-c, as well as an additional surcharge on new
14 and renewals, licenses, are, as John said, being
15 diverted to a special fund that was enacted under
16 those laws, pursuant to State Finance Law section
17 80-a. So once those funds are deposited by the
18 department into that account, as John had men-
19 tioned, other agencies are responsible for actu-
20 ally getting access to those funds, and to admin-
21 ister it for testing. The department, we don't
22 have access directly to use any of those funds.
23 We just transfer it over, pursuant to the State
24 Finance Law.

25 MS. OCONA: Understood. Thank you.

1 MR. MACKENZIE: Thank you. I see we've been
2 joined by folks in Rochester. I'm sorry, the im-
3 age is very small. Whose attendance in Rochester,
4 please?

5 MR. DWORKIN: David Dworkin. Hi, Duncan and
6 others. Hello, everyone. Sorry, I was out in the
7 cold. The door was locked.

8 MR. MACKENZIE: No problem. We only heard
9 you say something. Is somebody with you?

10 MS. CLARK: So it's David, and Eddie Clark.

11 MR. MACKENZIE: Eddie Clark, okay.

12 MS. CLARK: And we're from Rochester. So we
13 have six present physically, and then David Moss-
14 berg. I don't know if he counts. If he does, and
15 he makes seven, then we would have a quorum.

16 MR. MACKENZIE: Well, we have seven. We have
17 Sandhya, Trisha, Diane.

18 MS. CLARK: ... attendance for anyone who's
19 virtual.

20 MR. DWORKIN: Wait. So I was going to jump
21 into this, in sort of the new business, to give a
22 very brief update on recent legislation regarding
23 the open meeting laws. Just to avoid any sort of
24 confusion, Sandhya, who's appearing virtually, she
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1 can count towards appearance today, and quorum to-
2 day, so that's not a problem. In terms of a board
3 representative, on behalf of the Secretary of
4 State, that would actually be Director Jodi
5 DeLollo. I believe she is the appointed designee,
6 so it wouldn't be me. So for the purposes of
7 quorum, it could be all of those present, you
8 know, at a D.O.S. office currently, plus Director
9 DeLollo, as well as the other member, Espitia, ap-
10 pearing virtually.

11 MR. MACKENZIE: Great, Dave. Thank you.

12 Since we do not have quorum, we'll move back to --

13 MS. CLARK: We do now, don't we?

14 MR. MACKENZIE: We do. We have a quorum now.

15 MS. CLARK: Okay. Can we approve the meeting
16 summary?

17 MR. MACKENZIE: Yes, we're going to go back.

18 So we're going to go back to item one, which would
19 be approval of the February 17th meetings. Could I
20 have a motion, please?

21 FEMALE SPEAKER: I'm happy to.

22 MR. MACKENZIE: All right. A second, please.
23 All right, all those in favor? Any in opposition?

24 MALE SPEAKER: Aye.

25 MR. MACKENZIE: Okay, thank you. The minutes

1 are approved as presented. Going back to item 2b,
2 the processing report from Emily -- is it Lupe or
3 Lupy?

4 MS. LUPE: Lupe.

5 MR. MACKENZIE: Lupe, thank you.

6 MS. LUPE: Good afternoon. Included in the
7 material you were provided is a report of the num-
8 ber of current real estate licensees for March of
9 2021, and February of 2022. The report groups li-
10 censees into broker and branch office licenses,
11 and salesperson licenses. The totals are listed
12 by accounting.

13 Please note that the 2021 numbers include any
14 licensees, and do not include those licensees
15 whose licenses may have expired, but were covered
16 by Executive Order 20611, 10.20 individuals li-
17 censed by the Department of State, to extend to
18 the expiration of that license during the state of
19 emergency. And that concludes the processing re-
20 port.

21 MR. MACKENZIE: Does anyone have any ques-
22 tions for Emily? I'm not seeing any. Thank you,
23 Emily. The education report, Alison Lacy.

24 MS. LACY: Good afternoon. Legislation re-
25 vising the real estate property law, regarding the

1 continuing education requirements for real estate
2 salespersons and brokers, was recently adopted.
3 The law adds two hours on cultural competency, and
4 two hours on the subject of implicit bias, for the
5 required topics for renewal, effective September
6 21st, 2022, as part of the twenty-two point five
7 hours of continuing education, not in addition
8 to -- as part of the hours.

9 Both real estate salespersons and brokers
10 will be required to complete at least two hours of
11 instructions pertaining to an implicit bias aware-
12 ness, and at least two hours of cultural compe-
13 tency training. Implicit bias is defined as the
14 attitudes or stereotypes that affect an individ-
15 ual's understanding, actions and decisions, in an
16 unconscious manner.

17 Cultural competency is defined as understand-
18 ing cultural norms, preferences and challenges
19 within our diverse communities. The requirements
20 are based on license expiration date, rather than
21 the date the renewal application is submitted for
22 processing. Schools have already begun submitting
23 applications for approval of these new topics.

24 Are there any questions?

25 MR. MACKENZIE: All right, I'm not see any.

1 Thank you very much, Alison. Okay, examination
2 report, Shannon Maguire.

3 MS. MAGUIRE: Thank you. During the first
4 part of 2022, the real estate salesperson examina-
5 tion ... six thousand three hundred and sixteen
6 individuals ... In that same timeframe, the real
7 estate broker exam was administered to five hun-
8 dred and fifty-nine individuals, with a pass rate
9 of fifty-three percent. In March 2022, we began
10 increasing capacities at our exam sites, with the
11 goal of being back to one hundred percent capacity
12 by July of 2022. The average current wait time
13 for an exam statewide is approximately a few days.
14 In February of 2022, the average wait time was six
15 weeks. The current wait time in those regions is
16 now three weeks, and we expect that continue to
17 improve as we increase capacity. Thank you.

18 MR. MACKENZIE: Great. Does anybody have any
19 questions for Shannon? Thank you very much.
20 Okay, we'll move to new business. Jodi, the com-
21 munications to real estate licensees.

22 MS. DELOLLO: Hi, good afternoon. As John
23 Goldman mentioned in his enforcement report, ef-
24 fective April 20th, which is tomorrow, real estate
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1 brokers are required to institute standardized op-
2 erating procedures. I just wanted to let the
3 board know that emails were sent to the state li-
4 censees, you know, informing them of this new re-
5 quirement, and the email provided highlights of
6 the new law.

7 An email blast was sent to real estate licen-
8 sees on March 18th, and then a reminder was sent on
9 April 5th, again on April 12th, and then just this
10 morning, April 19th, the last of the weekly emails
11 have been sent, just to inform real estate licen-
12 sees that there's a new requirement. So if peo-
13 ple, you know, are getting inundated with emails,
14 that was on purpose. And then Alison mentioned
15 the new continuing education requirement that will
16 be coming effective in September, on September
17 21st.

18 So the email blast was sent on March 22nd,
19 letting real estate licensees know about that new
20 requirement. And as Alison stated, some of our
21 real estate schools have already received approval
22 for continuing education courses to meet the new
23 criteria. As we get closer -- you know, as you
24 know, at the end of this meeting, there's a public
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1 hearing about the curriculum that will become ef-
2 fective in December.

3 Once we get closer to that date, and have
4 more concrete information about the impact, you
5 know, what the requirements will be, we'll send
6 that information out to real estate licensees as
7 well. And this information, obviously, will be
8 posted on our website. That's it. Any questions?

9 MR. MACKENZIE: Thank you, Jodi. And I be-
10 lieve you're on for item B, which is the education
11 subcommittee, or did you combine those two there?
12 They're both combined?

13 MS. DELOLLO: Okay, yes. So good. Right,
14 so, you know, also, you know, this public hearing
15 that is going to take place at the conclusion of
16 the board meeting. Once we hear comments from
17 those in attendance that choose to speak, you
18 know, the department will take that information.
19 And also, we sent an email out to the real estate
20 board members, to see who would be interested in
21 volunteering to serve on a subcommittee of the
22 board, to specifically discuss the new curriculum.

23 So I know we have three individuals so far
24 that have volunteered. I'm going to ask Denise to
25 reach out, maybe even within the next week, to

1 schedule a meeting for the subcommittee to have
2 their first discussion on this topic. If anyone
3 else on the board is interested in serving on that
4 subcommittee, just send an email to Denise.

5 MR. MACKENZIE: Thank you. Are there any
6 questions for Jodi on either item? Thank you,
7 Jodi. The next item -- our next meeting is sched-
8 uled for July 21st, at one p.m.

9 MR. DWORKIN: Duncan?

10 MR. MACKENZIE: Yes. I'm sorry?

11 MR. DWORKIN: Sorry. I thought, if it's all
12 right with the board, I would provide a little up-
13 date on the governor's executive order that was
14 signed on Friday, that relates in part to the open
15 meeting laws, which may help the board in schedul-
16 ing the next meeting, if that's all right.

17 MR. MACKENZIE: Yes, of course. Yes, please.

18 MR. DWORKIN: So as we all know, since the
19 start of the pandemic, we had been operating under
20 various executive orders, which allowed not only
21 this board, but other bodies, subject to the open
22 meeting laws, to meet virtually. Those orders had
23 been continued then early in 2020 -- actually
24 chapter one of the Laws of 2022. There was a

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1 change in the open meeting laws to effectively al-
2 low virtual meetings for as long as there is an
3 executive order that's signed by the governor.

4 The executive order that was scheduled to ex-
5 pire right before this meeting, happened to have
6 been extended, pursuant to Executive Order 11.5,
7 which occurred last week Friday. So before Fri-
8 day, there was sort of a question as to whether or
9 not that would have been extended, which is why
10 some board members are appearing virtually, and
11 could still count for a quorum, and why others are
12 here. Related to that -- and so that executive
13 order is only going to be valid for another thirty
14 days, and so we'll have to sort of see what hap-
15 pens, and if that gets extended again by the gov-
16 ernor.

17 Related to that is, on April 9th, the governor
18 approved chapter fifty-six of the Laws of 2022,
19 which is sort of a permanent law to address the
20 quote-unquote "extraordinary circumstances". So
21 at some point, you know, we all hope that these
22 executive orders are --

23 MALE SPEAKER: ...

24 MR. DWORKIN: Apologies for that. So as I

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1 was saying, at some point, you know, all these ex-
2 ecutive orders are going to end, and what will
3 take its place is the new laws I had mentioned,
4 signed -- chapter fifty-six, the Laws of
5 2022 -- which will allow public bodies to have
6 some virtual component, going forward. The thing
7 that I wanted to mention to the board about that
8 in particular, is that it is not for every board
9 meeting. And the laws ... we're still sort of
10 waiting for guidance and opinions from the Commit-
11 tee on Open Government, on how that law is going
12 to be applied. But the very broad or high-level
13 sort of view is that the boards are going to be
14 allowed to create written policies and procedures
15 that will allow specific board members to basi-
16 cally appear virtually, under established extraor-
17 dinary circumstances.

18 And so the current statute, for example,
19 lists like illness, and some other extraordinary
20 circumstances that would exempt that particular
21 individual board member from having to appear in
22 person. But the rest of the board would still
23 have to appear at a public location, and the ma-
24 jority of the quorum would have to be available at
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1 that public location. And so prior to anyone be-
2 ing able to take advantage of, or to claim an ex-
3 traordinary circumstance, the public body has to
4 meet at a public meeting.

5 There has to be a formal vote and resolution
6 on, for example, saying, you know, this public
7 body will, you know, institute a procedure or a
8 policy to define extraordinary circumstances, and
9 here's the public policy, and here's those written
10 procedures, and that also has to then be posted on
11 the public body's website. And so that law is go-
12 ing to go into effect on June 8th, or that's when
13 these requirements are going to take place. So,
14 you know, it's unclear, and I don't think anyone
15 at the department is in a position to predict
16 whether or not these executive orders are going to
17 continue past June 8th.

18 If they do not, after June 8th, it would ap-
19 pear under this new law. All public members -- or
20 all of the members would have to appear at a pub-
21 lic location. You could not appear virtually, un-
22 less it was an extraordinary circumstance, which
23 has to be defined and voted on by the board, you
24 know, at a different public hearing. So for
25 scheduling purposes, I'll leave it up to the

1 board. But if the next scheduled board meeting is
2 July 21st, that's obviously after, you know, June
3 8th, and so if the board were to adopt a resolution
4 defining extraordinary circumstances, if it was on
5 July 21st and there was no executive order, it
6 would have to be in person at one of -- you know,
7 a regular location -- Rochester, Albany, or New
8 York.

9 So I just wanted to explain that to the
10 board, you know. If there are any questions, I'll
11 do my best to answer them now, or certainly at our
12 next board meeting. But as I said, we are waiting
13 for additional information from the Committee on
14 Open Government on how to apply the new statute.
15 So I don't know if anyone has any questions.

16 FEMALE SPEAKER: I have a question pertaining
17 to something else, but ...

18 MR. DWORKIN: Okay. Did anyone have a ques-
19 tion about what I just mentioned on the O.M.L.?

20 MR. MACKENZIE: I guess we're just going to
21 wait and see. We get the meeting dates from the
22 department, so we don't really vet them among the
23 members too frequently. So I would say we would
24 be flexible as a board, for the most part -- what-
25 ever makes the most sense in creating the most

1 flexible participation.

2 So I guess we would leave it to the depart-
3 ment for you, David, to let us know when we can
4 take some action to create the greatest participa-
5 tion. I suppose that would be to create a system
6 that would allow people to appear virtually, under
7 those extraordinary circumstances.

8 MR. DWORKIN: Right. So, I mean, the board
9 would have to appear at this point -- you know, at
10 some point before June 8th, virtually, if they were
11 going to propose a resolution and establish a
12 written procedure, so that for future board meet-
13 ings, if there's no executive order, you know, if
14 one board member, for example, is ill, or, you
15 know, subject to an extraordinary circumstance,
16 that one board member would be able to appear vir-
17 tually, whereas everyone else would then have to
18 go to the public location.

19 MR. MACKENZIE: So I guess I would say unless
20 there's an objection from anyone from the board,
21 why doesn't the D.O.S. come up with a few dates
22 for us to meet before June 8th, so we can take care
23 of this bit of business? Does anyone on the board
24 have any concern about that, or any comment? All
25 right, so we'll address that housekeeping at some

1 that I am hearing it from my members, and I be-
2 lieve it will impact your businesses, or many of
3 your businesses, along the way. So with that,
4 I'll conclude, and, Neil, if it's all right, I'll
5 take the chair back, and is there any other new
6 business to come before the board?

7 MS. OCONA: I had a few questions, but I
8 don't know if it's new business. It's just a few
9 questions.

10 MR. MACKENZIE: Sure, go ahead.

11 MS. OCONA: Thank you. So the standards and
12 procedures, is there any type of enforcement that
13 the Department of State is going to be doing to
14 make sure that all the brokers have it on their
15 website going forward, or is it only going to be
16 if there's a problem, then it's checked?

17 MR. MACKENZIE: I think that's probably a
18 question for John.

19 MR. GOLDMAN: Yeah. Well, it's going to kind
20 of become part of our investigative process. I'll
21 just use the example of, for example, agency dis-
22 closure whenever we are investigating a transac-
23 tion, auditing a transaction that's part of a com-
24 plaint -- a transactional complaint. There's a
25 laundry list of things that we look for, as you

1 would imagine. Amongst those, are the practition-
2 ers licensed? Are they associated? If agency
3 forms are required, are they in place and cor-
4 rectly completed?

5 And so, some of these new things that have,
6 you know, come within the regulatory scheme of how
7 practitioners have to operate, are just being
8 added on to the list, such as fair housing disclo-
9 sure. A few years ago, we revamped -- Dave worked
10 very hard on revamping the advertising regula-
11 tions, which very clearly specified things such as
12 the use of proper license titles, and how aliases
13 or nicknames are to be represented in marketing.
14 So we look at that, and so this is just an add-on
15 to those types of things. We're going to
16 be -- any time we are investigating a complaint,
17 we're going to be looking at is the S.O.P availa-
18 ble, is it posted on websites, and so forth and so
19 on.

20 Ironically enough, I did have a conversation
21 this morning that it's been discussed about per-
22 haps having a targeted enforcement action, where
23 we have folks that are dedicated to look at web-
24 sites, and to ensure that these things are in
25 place. That's something that's being discussed,

1 meaning that those folks -- the enforcement folks,
2 that is their assignment, is to look at websites
3 through -- you know, randomly, through sources, to
4 see whether or not these things are being complied
5 with. And if not, of course we would potentially
6 institute some sort of disciplinary action, or at
7 least compliance action, to ensure that it's reme-
8 died.

9 MS. OCONA: Thank you. I have another ques-
10 tion. So the new login is supposed to, if I'm
11 correct, replace the e-access. Is that what's
12 happening?

13 MR. MACKENZIE: I'm not sure -

14 MS. OCONA: The Department of State put out
15 that there's going to be a new New York City gov-
16 ernment I.D. I got this email, and I looked fur-
17 ther into it. So I just want to know if e-access
18 was going to be upgraded. Is that part of it? I
19 guess not because no one knows about it, all
20 right. So I have the email -- I've got an email.

21 MS. DELOLLO: Not at the moment, no.

22 MS. OCONA: Not at the moment, okay. And my
23 last question is regarding the office manager. So
24 when an associate broker becomes an associate bro-
25 ker, and they want to be an office manager, they

1 have to be an office manager for two years. Am I
2 correct? So how did that -- how is that different
3 from someone deciding not to be an associate bro-
4 ker, and becoming a broker without having those
5 same two years? I'm just trying to understand the
6 new guidelines.

7 MR. GOLDMAN: I think Dave is probably best
8 to --

9 MR. MACKENZIE: Yeah. Dave, can you answer
10 that, by any chance?

11 MR. DWORKIN: Yeah. I guess I'm not under-
12 standing the question.

13 MS. OCONA: So the new law states that anyone
14 who becomes an office manager has to act as an of-
15 fice manager for two years, which is a little con-
16 fusing because if -- however, if you become a bro-
17 ker, I guess you bypass that, if you don't want to
18 become an office manager and go straight to be a
19 broker. I'm just trying to understand --

20 MR. DWORKIN: So, well, the associate broker
21 has already qualified, and has met the require-
22 ments to be a broker of record.

23 MS. OCONA: Correct.

24 MR. DWORKIN: So it would be any sort of mis-
25 conduct potentially rests on the broker.

1 MS. OCONA: Broker, right.

2 MR. DWORKIN: So what the law seems to want
3 to do is to say that if you're going to be an of-
4 fice manager, who wouldn't necessarily or ordinar-
5 ily be expected to have the same level of supervi-
6 sion of everyone else in that office.

7 MS. OCONA: You have to be an office -- you
8 have to be an associate broker to be an office
9 manager?

10 MR. DWORKIN: Correct.

11 MS. OCONA: Correct, okay.

12 MR. DWORKIN: But what it wants to do is it
13 requires them before they assume their responsi-
14 bility of being the office manager for that
15 branch, to have training, whereas if they just be-
16 came a broker of record, they would automatically
17 potentially be -

18 MS. OCONA: Be responsible.

19 MR. DWORKIN: Because they're the broker of
20 record.

21 MS. OCONA: So that's a requirement of De-
22 partment of State and not the broker of record?

23 MR. DWORKIN: Well, it's a statutory change,
24 so the law has changed to say that if you're going
25 to be a new office manager, you have to have at

1 least two years of -- two of the four prior years
2 of appointment as an office manager of experience.

3 MS. OCONA: But then you don't need that re-
4 quirement if you just want to go straight and be a
5 broker. If you want to bypass that --

6 MR. DWORKIN: If you want to be your
7 own -- right, because at that point it's assumed
8 that you're going to be responsible for everything
9 anyway because you're the broker of record.

10 MS. OCONA: But you just don't need that
11 training?

12 MR. DWORKIN: You would have to satisfy the
13 regular requirements, like the exam, the --

14 MS. OCONA: Well, everyone does.

15 MR. DWORKIN: Right.

16 MS. OCONA: Essentially a broker does.

17 MR. DWORKIN: Yes, yes.

18 MS. OCONA: Okay. It doesn't really make
19 sense, but it's okay. Because, one, you could
20 just say I want to bypass the two years, and just
21 become a broker.

22 MR. DWORKIN: But then you're responsible for
23 the entire sort of operation and duties because
24 you're the broker of record.

25 MS. OCONA: But you still miss that two years

1 of training, but I get it.

2 MR. DWORKIN: You miss the two years' experi-
3 ence as a supervisor, effectively as an office
4 manager, but you have that other experience. The
5 law wasn't, I don't think, designed to stop people
6 from being able to become new brokers if they were
7 qualified because they're assuming the responsi-
8 bility of everything that goes on. But if you're
9 assuming the responsibility as an office manager,
10 who then reports up to the broker, they wanted
11 those individuals to have more experience.

12 MS. OCONA: Right. But if I take the option
13 of becoming a broker, I'm not getting that same
14 training that I think --

15 MR. DWORKIN: Correct. You're --

16 MS. OCONA: Essentially, that's what they're
17 trying to do, is say you need more training. So
18 if I know I have to go for that training, I may
19 skip that and go for a broker, and still could
20 cause the same liability because I don't have the
21 training as the office manager. I see what you're
22 saying, but it just doesn't make any sense. I get
23 it.

24 MR. DWORKIN: Yeah.

25 MS. OCONA: Okay, thank you. I understand.

1 MR. MACKENZIE: All right, thank you. Is
2 there any other business to come before the board?

3 MS. OCONA: Nope.

4 MR. MACKENZIE: All right, not seeing any,
5 thank you everyone for coming. Our meeting is ad-
6 journed. And, Dave, I'll turn it over to you.

7 MR. DWORKIN: All right, thank you. So I
8 apologize to everyone here. So the purpose of the
9 public hearing section, which is apart from the
10 regularly scheduled board meeting that was just
11 adjourned, is required by New York Real Property
12 Law, section 442-i, paragraph six, which requires
13 that the board meet no fewer than three times per
14 year, at various locations -- one in New York
15 City, Buffalo, Albany. The purpose of the hear-
16 ings is to elicit from members of the public sug-
17 gestions, comments and observations about real es-
18 tate practice in New York.

19 Additional notice was provided by the depart-
20 ment, in relation to the public hearing, that we
21 would be soliciting from members of the public
22 comments, feedback and input, with respect to a
23 provision that was recently enacted under chapter
24 697 of the Laws of 2021, also known as Senate Bill
25 2132B. That legislation states in relevant part

1 that the Secretary of State shall, upon notice in
2 a public hearing -- so this is the public hearing
3 for that -- promulgate rules establishing the con-
4 tent of an instruction pertaining to fair housing
5 and/or discrimination in the sale or rental of
6 real property, or an interest in real property as
7 required by paragraph A of the subdivision -- the
8 subdivision being three of section 441.

9 The statute goes on to state, quote, "Such
10 instructions shall include, but not be limited to,
11 courses on, one, the legacy of segregation, une-
12 qual treatment and historic lack of access to op-
13 portunity in housing, two, unequal access to amen-
14 ities and resources on the basis of race, disabili-
15 ty and other protected characteristics, three,
16 federal, state and local fair housing laws and,
17 four, anti-bias training."

18 The notice that went out requested that those
19 members of the public that wish to speak, prereg-
20 ister. I know that, from looking at the Webex,
21 there are members of the public here. So I'm go-
22 ing to ask that if there's any members of the pub-
23 lic that haven't preregistered, or aren't sure if
24 they did, to please raise your hand using the We-
25 bex feature, and we'll call on you to speak, to

1 provide information. Before we go to the public
2 members, I'm going to ask if there are any members
3 of the board that would like to speak, or provide
4 comment on the educational requirements that I had
5 just described. Any members of the board from Al-
6 bany that would like to say anything?

7 MR. MACKENZIE: There's nobody here, Dave.

8 MR. DWORKIN: Okay. Rochester?

9 MALE SPEAKER: No one here.

10 MR. DWORKIN: New York? I know that there
11 are some people that have preregistered, but I'm
12 asking --

13 MR. GOLDMAN: I volunteered to be on the sub-
14 committee, and I look forward to working with eve-
15 ryone to create a curriculum that is appropriate
16 towards these measures.

17 MR. DWORKIN: Oh, okay. Thank you. So if
18 there are no members of the State Statutory Board,
19 I do have a list of two individuals that had pre-
20 registered. So if we could please unmute Sarah
21 Henkind, if you're there.

22 MS. HENKIND: I'm here. Can you hear me?

23 MR. DWORKIN: We can hear you.

24 MS. HENKIND: Okay. Hello, everyone. My
25

1 name is Sarah Henkind. I'm the Director of Indus-
2 try Education at REBNY. I'm just echoing what
3 Neil had to say. I want to say that we are in fa-
4 vor of enhancing our fair housing training, and we
5 ... with the D.O.S., as they provide guidance on
6 the content of the mandatory classes that are new.
7 We would also welcome the opportunity to work with
8 the State Board and NYSAR to develop a curriculum
9 that lead to the objectives for the cultural com-
10 petency and implicit bias courses. So we are here
11 to support fair housing laws, and we want to be
12 part of the solution, and please let us know how
13 we can help. And feel free to contact me at S-H-
14 E-N-K-I-N-D@REBNY.com, or my telephone is 212-616-
15 5299. Thank you all.

16 MR. DWORKIN: All right, thank you. Did you
17 have, I guess, anything specific that you wanted
18 to add at this opportunity, on the four topics
19 that I had just described? Ms. Henkind?

20 MS. HENKIND: Oh, no. No, thank you.

21 MR. DWORKIN: Okay, thank you. So the next
22 speaker that had preregistered is Anthony Gatto,
23 if we can just unmute Mr. Gatto's microphone. Mr.
24 Gatto, are you there?

25 MR. GATTO: Yes, Dave. Thank you, and good

1 afternoon, everyone. My name is Anthony Gatto.
2 I'm general counsel with the New York State Asso-
3 ciation of Realtors. Like REBNY, NYSAR represents
4 their licensees throughout New York State, and
5 would like to provide comment regarding the six
6 hours of fair housing training for the salesperson
7 qualification course. NYSAR had a meeting of a
8 number of instructors that were members, and what
9 should be contained within the six hours.

10 During the meeting, we took into considera-
11 tion the new requirements for C.E., including cul-
12 tural competency and implicit bias training, and
13 that should also be included within those six
14 hours, although we realized that that six hours is
15 limited as far as how much content we can actually
16 fit into those six hours. We didn't feel that a
17 licensee should not have that training in the
18 first six hours during the qualification course,
19 and only be exposed to it during their continuing
20 education cycle.

21 The salesperson qualification course would be
22 the foundation of the education that these indi-
23 viduals will receive, before they go out practic-
24 ing and interacting with consumers. So under-
25

1 standing the full range of fair housing and dis-
2 crimination, in the sale or rental of real prop-
3 erty, is important at this first step of their
4 hopefully successful career. So taking into con-
5 sideration the four items that were contained
6 within the statute, NYSAR has assigned hourly re-
7 quirements for each, just as a suggestion. So the
8 legacy of segregation or unequal treatment, and
9 the lack of access ... housing, approximately one
10 hour of that six should be dedicated to that.

11 Number two and three, regarding unequal ac-
12 cess to amenities and resources, on the basis of
13 race, disability and other protected characteris-
14 tics, as well as federal, state and local fair
15 housing laws, we felt that those two would work
16 together. They really wouldn't be separate sec-
17 tions, so to speak. So dedicating half of those
18 six hours -- so three hours -- to those matters,
19 it's extremely important for licensees to under-
20 stand the fair housing laws as, again, this is
21 their first instance as far as being exposed to
22 the real estate industry is concerned.

23 The anti-bias training -- number four -- we
24 interpreted that to mean implicit bias. So we
25 should have the licensees, again, be educated in

1 the same manner they would be when they go to take
2 their continuing education course, so that one
3 hour would be related to implicit bias, and for
4 the last -- again, for cultural competency, an-
5 other hour for cultural competency. We're not
6 necessarily saying that these would be blocked up
7 one hour for the first section, three hours for
8 the second. A lot of them are intertwined because
9 there is some overlap in there, but these are just
10 suggested times for those required subjects, Da-
11 vid, so thank you.

12 MR. DWORKIN: Thank you very much. Are there
13 any other members of the public that would like to
14 say something with respect to the educational pro-
15 visions? If there is anyone, please -- oh, so we
16 have -- I'm sorry?

17 MS. OCONA: I would like to say something.

18 MR. DWORKIN: Oh, okay. So board member Tri-
19 sha Ocona would like to say something.

20 MS. OCONA: I'm an instructor, and I've taken
21 many fair housing courses. I know there's a
22 standard, but every time I've taken a fair hous-
23 ing, it's always been different. Every single
24 time I've taken fair housing continued education,
25 every instructor teaches it different, and I think

1 we need to come up with a way to have a little
2 more standard because you can have a curriculum.
3 You can have a syllabus, and everyone is giving it
4 different. They're omitting some stuff. They're
5 putting their own stuff. And, like I said, I've
6 been instructor for many, many years -- over a
7 decade -- and I've sat in many continuing educa-
8 tion, and it's taught differently every single
9 time.

10 So that's something that we really need to
11 look at, and have more of a standard, at least for
12 this particular type of course, to make sure
13 whether we're from Albany, all the way downstate,
14 that everyone is being -- everyone is teaching it
15 the same way, and being taught the same way. Cur-
16 riculum is not enough because you can still go off
17 how everyone chooses to teach it.

18 MR. DWORKIN: Thank you. I think we could
19 certainly --

20 MS. DELOLLO: Dave, Dave --

21 MR. DWORKIN: Hello?

22 MS. DELOLLO: Oh, I'm sorry. Dave, it's
23 Jodi. I just wanted to mention to you that I do
24 have someone that reached out to me, who is not on
25 Webex, so they dialed in so cannot raise their

1 hand. So when you're ready for that person, I'll
2 let you know who that is, unless you want me to
3 let you know now.

4 MR. DWORKIN: I don't believe there's anyone
5 else that has preregistered, or has advised that
6 they wish to speak, so certainly, if you can iden-
7 tify them, we can unmute them and have that person
8 speak.

9 MS. DELOLLO: Okay. The name is Ed Bedi-
10 notti.

11 MR. DWORKIN: I'm sorry, you said Ed?

12 MS. DELOLLO: Bedinotti.

13 MR. DWORKIN: Dunati?

14 MS. DELOLLO: Bedinotti. B.E. --

15 MR. SHANNON: I'm not seeing an Ed Bedinotti.
16 Did he call under a phone number?

17 MS. DELOLLO: Yes.

18 MR. SHANNON: Okay. Would you know the last
19 two digits by any chance?

20 MS. DELOLLO: I will ask the person that con-
21 tacted me -- 5544, or sorry, 5545.

22 MR. SHANNON: Okay, and they're unmuted.

23 FEMALE SPEAKER: Jodi, could you repeat the
24 spelling of the last name?

25 MS. DELOLLO: It is B-E-D-I-N-O-T-T-I.

1 FEMALE SPEAKER: B, as in boy?

2 MR. SHANNON: Yes, E-D.

3 FEMALE SPEAKER: Bedinotti. Okay, great.

4 Thank you.

5 MR. BEDINOTTI: Hello?

6 MR. SHANNON: Yeah, that phone number is un-

7 muted.

8 MR. BEDINOTTI: Okay. Can you hear me?

9 MS. DELOLLO: Yes.

10 MR. SHANNON: Yes, we can hear you.

11 MR. BEDINOTTI: Okay, hi. Good afternoon.

12 My name is Ed Bedinotti. I am a real estate ap-

13 praiser, and I am the chair of the NYSAR Appraisal

14 Committee, and I would like just to comment on the

15 new ANSI Standard that went into effect April 1st .

16 I'm sorry?

17 MR. DWORKIN: So can we -- we were opening up

18 for conversations now on the education require-

19 ment. If you'd like to speak about the ANSI re-

20 quirement -- just so that we have some order

21 here -- can we call on you when we get to the open

22 discussion? We thought you wanted to discuss the

23 educational components under the new statute.

24 MR. BEDINOTTI: No, that's okay.

25

1 MR. DWORKIN: Okay. So we'll call on you af-
2 ter all the other public speakers are called on
3 for the educational component, so sorry about
4 that. The next person that wished to speak was
5 Lin Fields. Can we please unmute Lin Fields?

6 MR. SHANNON: She's unmuted.

7 MS. FIELDS: -- the opportunity to address
8 you today. My name is Lin Fields, or Linda
9 Fields. I have been a licensed real estate broker
10 since 1979. I have been an instructor since 1983,
11 and I am also an instructor for the New York State
12 Association of Realtors. I would like to speak in
13 support of the changes that are happening with
14 this. I kind of pride myself on teaching fair
15 housing courses, and I find it very difficult to
16 get the information in, in just simply three
17 hours.

18 I think what is going on out in the real
19 world is outrageous, and I think this will cer-
20 tainly help new people coming into the business.
21 They need to know more about fair housing, anti-
22 bias, implicit bias, cultural competency, and this
23 addition will do very well for them. It's a step-
24 ping stone that I think is fantastic, so I just
25 want to speak in support of that.

1 MR. DWORKIN: Thank you for your comment. Do
2 you have anything in terms of a specific comment
3 or recommendation that the department should con-
4 sider when developing the regulations to enact the
5 statute?

6 MS. FIELDS: Not at this point. I find,
7 quite honestly, that if it would have been more
8 than six hours, I would have been very happy be-
9 cause they need the education. To speak to one of
10 the members who said that the classes need to have
11 some sort of continuity, I agree with that be-
12 cause, as you've said, there are so many classes,
13 and so many different ways of teaching. I think
14 this will be a big help.

15 MR. DWORKIN: Okay. Thank you for your com-
16 ment.

17 MS. FIELDS: Thank you for your time.

18 MR. DWORKIN: So I'm going to just ask if any
19 of the public participants are there, just give
20 you an opportunity that if there is anyone that
21 would like to speak publicly regarding the educa-
22 tional requirement, please raise your hand.

23 Please note that what will happen next is, as Di-
24 rector DeLollo mentioned, that the department will

25

1 work on the coursework. We are required to de-
2 velop regulations pursuant to the new statute. So
3 when the regulations are published, there will be
4 another opportunity for members of the public to
5 submit comments to the department, that will be
6 considered as part of the rulemaking process under
7 the State Administrative Procedure Act.

8 So I'm being advised that there are no other
9 public comments, with respect to the education. I
10 thank everyone who preregistered, who spoke, and
11 volunteered their time. And now, if we could
12 please go back to Mr. Bedinotti, who wanted to
13 provide public comment on the ANSI requirements.
14 So can we please unmute Mr. Bedinotti?

15 MR. SHANNON: He is unmuted.

16 MR. BEDINOTTI: Again, my name is Ed Bedi-
17 notti. I'm a real estate appraiser, and I am the
18 current chair of the NYSAR Appraisal Committee,
19 and I would just like to speak publicly in regards
20 to the ANSI measuring standard, which just went
21 into effect April 1st for all loans to be delivered
22 to Fannie Mae. Most people -- most agents and
23 brokers -- are not even aware that there is such a
24 thing that's called the ANSI measuring standard,
25 and a lot of appraisers, to be honest with you,

1 especially in New York State, are not aware of it
2 either.

3 ... ANSI measuring standards is a way of cal-
4 culating square footage for a single-family resi-
5 dential property. It differs vastly from the way
6 square footage is typically measured and calcu-
7 lated within New York State. There is no uniform
8 measuring standard nationwide. There never has
9 been. They've always tried to implement one, but
10 the problem is each individual state, as far as
11 appraisal goes, has their own department which en-
12 forces and regulates USPAP. So basically there
13 can be different rules in different states.

14 In New York State, the agents and bro-
15 kers -- as far as I know, there's no law that re-
16 quires them to measure a house or a property, when
17 they list it for sale. Typically they go by the
18 recorded or reported assessor records, or if there
19 is a difficult house, we'll get a call, and ap-
20 praiser to go out and measure a property for them.
21 And as an appraiser, we will typically measure a
22 house -- knowing the market area that we're
23 in -- in ways that we know other houses have been
24 measured in the past, typically gained from expe-
25 rience over time, and we will be comparing the

1 houses to apples to apples, and making adjustments
2 accordingly.

3 With this ANSI Standard, if the client im-
4 posed measuring standard that the general public
5 is not aware of, and as an appraiser we are sup-
6 posed to follow. We interpret the market. We
7 don't dictate or make the market. In this case,
8 we are being told that we have to actually dictate
9 the market -- dictate the way the square footage
10 of a house is calculated and reported -- which
11 goes against the definition of market value.

12 For real estate licensees and brokers, this
13 creates a very big problem because if they have a
14 cape with ceiling heights that don't meet this
15 ANSI requirement, they could be marketing a house
16 as they always did, as say a fifteen hundred
17 square foot house, but the appraiser for loans to
18 be delivered to Fannie Mae is going to be measur-
19 ing and delivering a thousand square foot house.
20 And you can imagine where the confusion is going
21 to be in trying to explain to a seller or buyer
22 that your house is technically only a thousand
23 square feet.

24 They've come up with vast ways that the ap-
25 praiser can account for the difference, and try to

1 make up for it. But again, by doing that, and
2 trying to do that, the appraiser is put in a situ-
3 ation where they can be violating USPAP because
4 they are not following what's common and typical
5 in the market. And I would just like to point out
6 a couple of things really quick, and not take too
7 much time, but there is a frequently asked ques-
8 tion within USPAP that says do appraisers have to
9 follow ANSI. The general answer was no. But it
10 said it could be an additional assignment condi-
11 tion.

12 What the A.S.B. did not add after that was
13 the definition of value used can determine whether
14 or not the measuring to the ANSI standard is an
15 acceptable assignment condition, and they have an
16 advisory opinion number twenty-two, which is al-
17 most six pages long, that deals specifically with
18 the scope of work an appraiser follows for a mar-
19 ket value appraisal for real property. And it
20 clearly states within that advisory opinion that
21 market value appraisals are distinct from ap-
22 praisal using other types of value because market
23 value appraisals are based on the market perspec-
24 tive, and on a normal or typical premise.

25

1 So what happens is the relevant characteris-
2 tic of a property -- understanding how buyers and
3 sellers are most likely to respond to a subject
4 property under the conditions stated, hence spe-
5 cific value definition. And a market value as-
6 signment, the relevant characteristics are those
7 that have a significant impact on the property's
8 marketability, and that the market perspective re-
9 places the buyer/seller/lender/agent's perspective
10 that might apply in other appraisals.

11 So basically the market perspective would di-
12 rectly affect our scope of work, and the public's
13 expectation that a market value appraisal reflects
14 only the perspectives of the marketplace, and is
15 not affected by such other criteria as an ...
16 user's objectives. USPAP clearly states out that
17 the market dictates it, and takes the presence of
18 any lender requirement. And Fannie Mae is now
19 dictating a lender requirement that goes against
20 the market perspective in the State of New York.

21 So again, in the State of New York, the De-
22 partment of State is the department that is tasked
23 with interpreting and enforcing USPAP. We feel
24 that the Department of State should revisit USPAP,
25 especially advisory opinion number twenty-two,

1 which I just read many excerpts from. Instead,
2 rule 1-2 of USPAP also dictates that the appraiser
3 determines the relevant characteristics of the
4 property. That's very important. The appraiser
5 makes that determination based on the market that
6 they live in, not the client.

7 So if this is only Fannie Mae, which sixty-
8 two percent of loans are delivered to Fannie
9 Mae -- but a lot of A.M.C.s, management companies,
10 are requiring appraisers to measure this way
11 across the board -- they won't know if it's going
12 conventional, or to Freddie Mac. But you can
13 see -- you know, as far as fair housing goes, are
14 you going to have a disparate impact. Are you go-
15 ing to have smaller type houses in a certain value
16 range, in a certain area?

17 The appraiser does not take into the ethical
18 makeup of the residents at all, when we're doing
19 the value. We just certainly look at numbers.
20 But, you know, one could say, well, what are the
21 typical occupants in that value range, and does it
22 create a disparate impact. So there's a lot of
23 implications that could arise. And from a real
24 estate licensees perspective, you know, they're
25 listing a house. Are they listing it as fifteen

1 hundred square feet, three bedrooms, two baths, or
2 are they listing it as a thousand square feet? It
3 can create all types of problems.

4 So I just wanted to put it out there, of
5 things that are occurring right now. Most people
6 are not aware of it, and I think the Department of
7 State really needs to look back at what was al-
8 ready advised, within advisory opinion twenty-two
9 in USPAP, to see that, no, this is clearly not
10 following the market value. So if the appraiser
11 in New York State were to follow these guidelines,
12 they would have to alter their definition of value
13 because it would not equal the definition of mar-
14 ket value, which one of the key components is that
15 both buyer and seller are well-aware.

16 Well, buyer and seller are not well-aware in
17 New York State because properties are not listed
18 bought and sold, based on an ANSI measurement
19 square footage. So I just wanted to make every-
20 body aware of that. It is a great concern that's
21 going on right now, and I think that it's some-
22 thing that needs to be addressed and looked into.
23 And I just wanted to put that on record in the
24 public comment, that it is, you know, a grave con-
25 cern, and something, if we can look into it, that

1 would be great. Thank you.

2 MR. DWORKIN: Thank you for your comment.
3 I've been advised by staff that a public member,
4 Jennifer -- and I apologize -- Vucetic, would like
5 to provide public comment on the educational
6 course requirement. So can we please unmute her?

7 MS. VUCETIC: I actually -- you pronounced my
8 name correctly. I am Jennifer Vucetic, and I am
9 the current president of the New York State Asso-
10 ciation of Realtors. I would like to comment
11 about the ... requirement for the ... if that's
12 okay.

13 MR. DWORKIN: Okay. So just to be clear,
14 it's not about the educational requirement?

15 MS. VUCETIC: Correct.

16 MR. DWORKIN: Okay, sure. Absolutely.

17 MS. VUCETIC: I'm not an appraiser, and Ed
18 did a very eloquent job of explaining the troubles
19 from his point of view. I'm making an effort to
20 educate our membership that this was passed, ef-
21 fective April 1st. We've been met with numerous
22 questions. There seems to be a lot of confusion,
23 and a lot of realtors don't even know that this
24 was put into effect. It will directly affect af-
25

1 fordable housing. Many of the homes that are go-
2 ing to be affected by this new standard of meas-
3 urement are over a hundred years old, may have
4 been sold ten times and always were, you know,
5 recorded as having eighteen hundred square feet.

6 Now, the second floor may have a knee-high
7 wall of two feet, and the center of the room is
8 six and a half feet, and only that square footage
9 can be recorded. So now you may have a home
10 that's now in fact only a thousand square feet.
11 This is usually the lower end of the market, and
12 will directly affect affordable housing. So we
13 just wanted to go on the record and let you know
14 that, and we really must work proactively to ad-
15 dress this, and not reactively. Thank you very
16 much.

17 MR. DWORKIN: Thank you for your comment. So
18 I'm not being informed that there is any other
19 members of the public that wish to provide public
20 comment on the education component, or any other
21 public comments with respect to any observations
22 about real estate practice in New York, but I'll
23 just double-check to make sure that there's no one
24 else who wishes to speak. Okay, with no volun-
25 teers, I thank everyone for your time. And the

1 public hearing, pursuant to R.P.L. 442-i paragraph
2 six, as well as the public hearing, with respect
3 to the requirements of the public hearing, pursu-
4 ant to chapter 697 of the Laws of 2021, are now
5 closed. Thank you everybody for your time.

6 (The meeting concluded at 2:05 p.m.)

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STATE OF NEW YORK

I, HOWARD HUBBARD, do hereby certify that the foregoing was reported by me, in the cause, at the time and place, as stated in the caption hereto, at Page 1 hereof; that the foregoing typewritten transcription consisting of pages 1 through 51, is a true record of all proceedings had at the hearing.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 28th day of April, 2022.


HOWARD HUBBARD, Reporter