

**NEW YORK STATE REAL ESTATE BOARD**  
**MEETING SUMMARY**  
**May 18, 2022**

The meeting/hearing was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting/hearing was held to comply with COVID-19 social distancing directives.

**I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE**

The meeting/hearing was called to order at 11:00 a.m. D. MacKenzie announced that this is an open meeting of the New York State Board of Real Estate that is being held remotely and that this remote meeting is conducted in accordance with the governor's EO relating to the COVID pandemic and as authorized by Chapter 417 of the Laws of 2021, Chapter 1 of the Laws of 2022 and Part WW of Chapter 56 of the Laws of 2022. D. MacKenzie welcomed members and performed roll call; a quorum was declared. The official attendance was as follows:

**BOARD MEMBERS**

Duncan MacKenzie, Vice Chair  
Neil Garfinkel, Secretary  
Dale Burnett  
Edwin Clark  
David Dworkin  
Sandra Erickson  
Sandhya Espitia

**Excused:**

Dherminder Bhasin  
Trisha Ocona  
Diane Ramirez  
Gregory Weston

**DEPARTMENT OF STATE STAFF**

Jodi DeLollo  
David Mossberg  
Ernita Gantt  
Emily Lupe  
Shannon Maguire  
Marcella Rose  
Alison Lacy  
Denise Tidings  
Michael Shannon  
Lisa Helmar

**VISITORS**

None

**II. Public Hearing Pursuant to Part WW of Chapter 56 of the Laws of 2022 –proposed resolution authorizing the use of videoconferencing and written procedures governing member and public attendance – Discussion by David Mossberg**

D. Mossberg led a discussion and explained that the purpose of the public hearing is for public comment on a proposed resolution and written procedure by the Board regarding Part WW of Chapter 56 of the Laws of 2022, which will allow its members to participate remotely in meetings under extraordinary circumstances as long as there is a quorum of members gathered at a physical location or locations that are open to the public. He explained that if the resolution and written procedure are adopted, Real Estate Board members would be authorized to appear by video, from a private location (not accessible to the public), based upon extraordinary circumstances. He invited public comment; no comments were received by the public. The hearing commenced at 11:03 a.m. and was declared closed at 11:15 a.m. since no public members appeared to provide comment.

D. Mossberg stated that once adopted, the resolution and written procedures would be posted on the Department's website.

### III. ACTION ITEMS

#### A. **Assessment of Public Comments and Consideration of Motion to Adopt Resolution and Written Procedures** – Discussion by David Mossberg

A discussion was led by David Mossberg, Licensing Counsel, to assess public comments and consider adopting the resolution and written procedures pertaining to the authorization of videoconferencing for members with extraordinary circumstance, to participate in future open meetings from a location not available to the public. D. Mossberg clarified the proposed resolution and written procedures. D. MacKenzie made a motion to adopt the proposed resolution. The motion was seconded by S. Espitia. All were in favor, and the proposed resolution was passed. D. MacKenzie asked for a motion to adopt the written procedures. N. Garfinkel made a motion to adopt; the motion was seconded by D. Burnett. All were in favor of adopting the proposed written procedures.

Both votes passed and D. Mossberg announced that the adopted resolution and written procedures would be posted on the NYS Board of Real Estate webpage.

### IV. NEW BUSINESS

#### A. **Next Meeting Date** – D. Tidings announced that the next meeting date is scheduled for Thursday, July 21, at 1 p.m.

**V. ADJOURNMENT** - D. MacKenzie asked for any other business to come before the Board. Since there was no further business, D. MacKenzie called the meeting adjourned at 11:16 a.m.