

NEW YORK STATE REAL ESTATE BOARD
MEETING SUMMARY
June 29, 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 1:00 p.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
Trisha Ocona
Diane Ramirez
Jodi DeLollo, representing
Robert J. Rodriguez, Secretary of
State, Board Chair

Excused:

Sandhya Espitia

DEPARTMENT OF STATE STAFF

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

Visitors:

Call – In Numbers

- A. Approval of 4-19-22 & 5-18-22 Meeting Summaries – The motion was approved.

II. ACTION ITEMS

- A. Enforcement Report – J. Goldman reported on the April – June 2022 enforcement statistics. J. Goldman stated that the Department of State received 90 new cases and completed 155 investigations. 29 of the cases were referred to hearing and 126 cases were closed. J. Goldman informed the board of new enforcement initiatives: School compliance relating to the recording of fair housing instruction, compliance with the advertisement regulations, and

compliance with the newly approved regulations concerning SOPs.

- B. Processing Report – E. Lupe provided the Processing Report including the number of current real estate licensees for May 2021 and May 2022. E. Lupe stated that the 2021 numbers include only licensees, and do not include those licensees whose licenses may have expired but were covered by EO 202.11, which allowed individuals licensed by DOS to extend the expiration of their license during the State of Emergency.
- C. Education Report – A. Lacy reported that recent legislation amended the qualifying education for both salespersons and brokers. Effective September 21, 2022, real estate broker applicants must complete training in cultural competency to become licensed. Effective December 21, 2022, the sales course will increase from 75 to 77 hours. Effective December 21, 2022, the broker course will increase from 45 to 75 hours and requires instruction pertaining to the following specific topics: the legacy of segregation, unequal treatment and historic lack of access to opportunity in housing; unequal access to amenities and resources on the basis of race, disability and other protected characteristics; federal, state and local fair housing laws; and anti-bias training.
- D. Examination Report – S. Maguire reported that from January – May 2022, the Real Estate Salesperson examination was administered to 11,921 individuals with a pass rate of 51%. In that same timeframe, the Real Estate Broker examination was administered to 1,039 individuals with a pass rate of 54%. Exam capacity will be back to 100% capacity starting July 1, 2022. Lastly, S. Maguire reported that the average current wait time statewide for an exam appointment is now one week.

III. NEW BUSINESS

- A. Executive Order Update – D. Mossberg reported that the executive order concerning in-person meetings was extended until 7/14/2022.
- B. Discussion on regulatory changes relating to fair housing legislation – D. Mossberg summarized the new education regulations effective 9/21/2022 and 12/21/2022 affecting salespeople and broker licensing applicants. D. Mossberg also discussed the new regulatory change pertaining to schools electronically submitting instructor affirmations. D. Mossberg informed the board that the changes should be published in the State Register by 7/20/2022.
- C. Proposal and vote on regulatory changes – D. MacKenzie set forth a motion to approve the new documents pertaining to the proposed regulation changes. The motion was approved and there were no questions about the proposed changes.

D. Next meeting date – D. Tidings stated the next meeting date is July 21, 2022, at 1 p.m. J. DeLollo informed the board that the above meeting was not necessary and proposed a cancellation. D. Mossberg agreed as did the board members. The July 21 meeting was cancelled.

IV. ADJOURNMENT - D. MacKenzie called the meeting adjourned at 1:26 p.m.

V. PUBLIC HEARING SESSION – D. Mossberg asked if any person from the public wanted to participate or to comment. There was no public participation. D. Mossberg ended the session at 1:28 p.m.

NON-FINAL/UNOFFICIAL