

NEW YORK STATE REAL ESTATE BOARD
MEETING SUMMARY
November 17, 2022

The meeting/hearing was held by the Department of State, Division of Licensing Services, in person and via WebEx conferencing between DOS offices.

I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE

The meeting/hearing was called to order at 1:00 p.m. D. MacKenzie welcomed members and performed roll call; a quorum was not declared. The official attendance was as follows:

BOARD MEMBERS

Duncan MacKenzie, Vice Chair
Neil Garfinkel, Secretary
David Dworkin
Diane Ramirez
Jodi DeLollo, representing
Robert J. Rodriguez, Secretary of
State, Board Chair

DEPARTMENT OF STATE STAFF

David Mossberg
Ernita Gantt
Jack Bilello
Emily Lupe
Shannon Maguire
Alison Lacy
Heidi Hicks

- A. Approval of 6-29-22 Meeting Summary – D. MacKenzie announced that approval would be tabled until the next meeting due to lack of quorum.

II. DEPARTMENT REPORTS

- A. Enforcement Report – J. Bilello reported on the July 2022 – November 2022 enforcement statistics. J. Bilello stated that the Department of State received 137 new cases and completed 298 investigations. 28 of the cases were referred to general counsel and 270 cases were closed.
- B. Processing Report – E. Lupe provided the Processing Report including the number of current real estate licensees for November 2021 and November 2022.
- C. Education Report – A. Lacy stated that recent legislation has amended the qualifying education in respect to the continuing education to renew for both salespersons and brokers. A. Lacy also stated that Department of State has approximately 50 approved cultural competency and 60 implicit bias continuing education courses.
- D. Examination Report – S. Maguire reported that from January – September 2022, the

Real Estate Salesperson examination was administered to 21,021 individuals with a pass rate of 54%. In that same timeframe, the Real Estate Broker examination was administered to 1,043 individuals with a pass rate of 54%.

III. NEW BUSINESS

- A. Discussion on regulatory changes relating to fair housing legislation – D. Mossberg reported that since the last meeting of June 29th, the Department of State proposed the rule in the State Register as notice and held a public hearing on September 21st. D. Mossberg wanted to bring attention to a nonsubstantive change to that rule to say that the courses have to be devoted to fair housing **and/or** antibias training.
- B. Discussion on regulatory update – D. Mossberg mentioned that due to a bill that was passed by the legislature in 2021, the Secretary of State was required to conduct one or more hearings and conduct an investigation into solicitations with respect to Brooklyn. The Department did establish a cease-and-desist zone in a small part of Brooklyn. This information can be found in the November 23rd edition of the state register.
- C. Next meeting date – H. Hicks will send out a list of proposed 2023 dates.

IV. ADJOURNMENT - D. MacKenzie called the meeting adjourned at 1:14 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 1:15 p.m.