

MARYLAND REAL ESTATE COMMISSION
500 North Calvert Street
Baltimore, MD 21202

Mission: Protecting the health, safety, and welfare of the public
through examination, licensing, and regulatory activities regarding real estate

BUSINESS MEETING MINUTES
November 18, 2020 10:30 a.m.

PRESENT:

Commissioner Marla Johnson (Industry)
Commissioner Karen Baker (Consumer)
Commissioner Anne Cooke (Industry)
Commissioner Jeff Wright (Industry)
Commissioner J. Nicholas D'Ambrosia, Chair (Industry)
Commissioner Demetria Scott (Industry)
Commissioner Michelle Wilson (Consumer)
Commissioner Michael Lord (Consumer)
Charlene Faison, Education Director, Session Recorder
Michael Kasnic, Executive Director
Jillian Lord, Asst. Executive Director
Jessica Praley, AAG
Gregory Morgan, Labor Commissioner

ABSENT:

Commissioner Kambon Williams (Consumer)

PUBLIC IN ATTENDANCE:

Susan Mitchell, MR
Jason Brand, AACAR
Kathie Connelly, Broker
David Politzer, Keller Williams Legacy
Ona Beares
Barbara Maloney

CALL TO ORDER:

J. Nicholas D'Ambrosia, Chair, called the meeting to order at 10:31 AM

REPORT OF COMPLAINTS/ADMINISTRATIVE DISMISSALS:

Motion (made by Jeff Wright, seconded by Karen Baker) **To approve the Administrative Dismissals for the month of November 2020. Motion carried.**

APPROVAL OF MINUTES:

Motion (made by Michael Lord, seconded by Jeff Wright) **To approve the minutes, of the October 21, 2020 business meeting.**

COMMITTEE REPORTS:

- **Education**
 - For the month of October 2020 PSI administered 1417 salesperson and 133 broker exams, compared to 967 salesperson and 43 broker exams in October 2019.
 - MREEA would like an update on the progress on the revisions to the MREC Req'd Supervision course. Commissioner Scott seeks comment from other commissioners on whether to proceed with the course review. Some would like to proceed, only if it can be done safely. Mr. Kasnic reminds all that MREC staff is busy with meetings with Enovational team and redesign of the department's current database.
 - Industry professionals have voiced desire to continue virtual classes. Commissioner Scott would like to wait until pandemic is over to make a decision on the continuation of virtual classes.
 - There has been requests from industry professionals to continue offering the monthly business meeting virtually. This will be looked at, later.
 - Instructors would like to know the process of continuing virtual classes, after the pandemic. This will be evaluated for necessity and a decision made at a later time. The Commission is committed to working with schools to ensure courses continue with as little interruption as possible.
 - NAR REALTORS® approved a proposal to address hate speech. The goal is to hold members to a higher standard of ethics. Members found to have engaged in hate speech or discriminatory conduct even outside of their real estate practice could face disciplinary action under the Code of Ethics.

- **Legislative** – Marla Johnson, Legislative Chair
 - Commissioner Johnson has no comments.
 - Susan Mitchell, Maryland Realtors (MR) made the following comments:
 - Virtual CE classes has been met with rave reviews; MR is hopeful it may be able to continue after the pandemic. MR will be drafting a letter in support of its continuation.
 - Public Policy Committee will bring up request to extend virtual CE offering.
 - MR had a meeting with Senator Griffith (D-MD). There was a lot of discussion about racial disparities and wealth gap. They're looking at continuing to work together.

COMMENTS FROM EXECUTIVE DIRECTOR: Michael Kasnic

- Current license count totals 49,386, of which 4,448 are brokers, 3,162 are associate brokers and 41,094 are salespersons, 154 are reciprocal brokers, 66 are reciprocal associate brokers, and 462 are reciprocal salesperson. Inactive total was not reported. There are 704 branch offices.
- Guaranty fund balance as of September 30, 2020 is \$1,087,410.16.
- Complaints – looking at receiving the most complaints we've ever received in a year since 2010; anticipated to receive 800 complaints by the end of the year.
- There will be a new employee starting in the licensing department this month.

- Interviews for a new investigator were held; interviews for the final licensing position will be held on Friday.
- Enovational meetings continue with staff participating in about four meetings per week.
- Commission Check newsletter was sent out.
- Customer service center is back in the office and answering calls and emails in real-time.
- Requested a closed session at the end of the regular meeting.

COMMENTS FROM COUNSEL: Jessica Praley, AAG

- Application needs to be discussed in closed session.
- Memorandum about settlements also to be discussed in closed session.

COMMENTS FROM CHAIR: J. Nicholas D'Ambrosia

- Last week was the ARELLO/NAR liaison meeting
 - NAR is going to look at offering pre-licensing courses and racial disparities.
 - NAR Code of Ethics was changed. It is a fluid document and changes occur as warranted. Changes to Article 10 of the Code of Ethics take effect immediately.
- Fair Housing
 - Commissioner Scott believes Commission's choice to not hear fair housing cases contributes to the problem and thinks MREC should hear such cases rather than referring them out.
 - Commissioner Johnson, along with other Commissioners, agree more should be done but do not feel knowledgeable enough to make a decision on fair housing cases. Chair reminds them they are only required to look at violations of Title 17.
 - Susan Mitchell, MR, believes NAR's recent change to its Code of Ethics puts it more in line with Maryland's Code of Ethics.
 - Chair suggests putting together a task force. Commissioner Scott suggests looking at fair housing cases and after one year determining if a task force is warranted. Chair is interested in knowing how many fair housing cases MREC receives and how they are currently handled.
 - Commissioner Johnson would like to see all in the industry to step up and speak out against discrimination and make it known it is not allowed and will not be tolerated.
 - Commissioner Baker suggests fair housing cases be heard for a trial period.

Motion (made by Marla Johnson, seconded by Anne Cooke) **To create a task force to into MREC taking on fair housing cases and bring a recommendation back to the rest of the commissioners.** Members in favor: Jeff Wright, Marla Johnson, Anne Cooke, J. Nicholas D'Ambrosia an, Michelle Wilson, Michael Lord and Karen Baker; Opposed: Demetria Scott; Abstaining: NONE; Absent: Kambon Williams. **Motion carried.**

UNFINISHED BUSINESS:

- None

NEW BUSINESS:

- None

COMMENTS FROM CHAIR: J. Nicholas D'Ambrosia

Chair calls for closed meeting.

CLOSED SESSION started at 11:55AM and ended at 12:29 P.M. The purpose of the closed meeting was to consult with counsel, pursuant to Md. Code Annotated, General Provisions Article, § 3-305(b)(7), to (1) seek legal advice from counsel regarding a specific application and (2) to seek legal advice from counsel regarding enforcement issues. **Motion** (made by Marla Johnson, seconded by Jeff Wright) **To close meeting.** Members in favor: Jeff Wright, Marla Johnson, Demetria Scott, Anne Cooke, J. Nicholas D'Ambrosia, Michelle Wilson, Michael Lord and Karen Baker; Opposed: NONE; Abstaining: NONE; Absent: Kambon Williams.

Regular session resumed at 12:29 P.M.

ADJOURNMENT:

There being no further business, the meeting adjourned at 12:31 P.M. The next monthly business meeting is Wednesday, December 16, 2020.

APPROVED AS PRESENTED _____
J. Nicholas D'Ambrosia, Chairperson

APPROVED AS AMENDED _____
J. Nicholas D'Ambrosia, Chairperson