

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

REAL ESTATE COMMISSION

CONDENSED MINUTES OF THE MEETING HELD **MARCH 10, 2022**

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Real Estate Commission was held March 10, 2022 teleconference, at the State of Alaska Atwood Building, 550 W. 7th Avenue, Suite 1550, via Zoom, Anchorage, Alaska.

Date:	March 10, 2022
Time:	9:00 am
Location:	Atwood Building, 550 W 7 th Ave Ste 1500, Anchorage, AK
Attending:	<p>Commission Members: Cheryl Markwood- Broker/Broker at Large/Chairperson; Elizabeth Schok- Associate Broker. 4th Judicial District; Traci Heaton- Associate Broker/1st Judicial District; Devon Doran- Broker/ 3rd Judicial District; Jaime Matthews- Public Member/Vice Chairperson; Jesse Sumner-Public Member</p> <p>Staff: Nancy Harris- Executive Administrator; Sara Sather- Licensing Examiner APR (training); Anna Gabriel, CBPL REC Investigator; Melissa Dumas- CBPL Administrative Operations Manager</p> <p>Public/Industry Members: Errol Champion-Liaison for AAR, and Broker/Coldwell Banker Race Realty, Juneau; Anita Bates-Educator and Associate Broker/Berkshire, Hathaway, Homeservices, Alaska Realty, Anchorage, and Educator; Lonnie Logan-Broker/Realty One Group Aurora, and Educator; snauzer (not identified) Jennifer Seeley-AAG -DOL/Environmental Section; Steven Hoke- Environmental Program Specialist 3, DOA.</p>
Absent:	<p>Commission Member: Chad Stigen, Associate Broker, Broker at Large</p>

Agenda Item 1(a) - Call to Order – Roll Call

Brief Discussion:	Chairperson Cheryl Markwood called the meeting to order at 9:10 a.m., roll call was taken at which time a quorum was established.
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Agenda Item 1(b) - Approval of Agenda

Brief Discussion:	Ms. Markwood added to “Temporary Broker Office Status” to the agenda under, Tab 6(d), Old Business.
Motion:	On a motion made by Matthews, seconded by Schok, and passed unanimously, it was, Resolved to approve the March 10, 2022 meeting agenda as amended.

Agenda Item 1(b) – Statements of Conflict

Brief Discussion:	There were no statements of conflicts
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Agenda Item 1(c) – Ethics Violations to Report

Brief Discussion:	There were no violations to report
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Agenda Item 2 – Public Comments

Brief Discussion:	Errol Champion, Broker and liaison for AAR, updated the Commission on the real estate industry hill visits and bills in the legislature to watch. He said there are currently no bills or legislation that directly impacts the real estate industry. However, they continue to monitor and track housekeeping bills and HB 159 regarding consumer privacy.
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9:18 am	Commission member Jesse Sumner joined the meeting.
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**Agenda Item 3 – Meeting Minutes
 Agenda Item 3(a) – December 15, 2021**

Brief Discussion:	None
Motion:	On a motion made by Heaton, seconded by Sumner, and passed unanimously, it was, Resolved to approve the meeting minutes for December 15, 2021 as presented.
Action Items:	Meeting minutes will be signed by Chair and placed on REC website.

Agenda Item 3(b) – December 27, 2021	
Brief Discussion:	<i>None</i>
Motion:	<p>On a motion made by Heaton, seconded by Matthews, and passed unanimously, it was</p> <p>Resolved to approve the December 27, 2021 teleconference meeting minutes as presented.</p>
Action Items:	Meeting minutes will be signed by Chair and placed on REC website.

Agenda Item 3(c) – January 27, 2022	
Brief Discussion:	None
Motion:	<p>On a motion made by Heaton, seconded by Schok, and passed unanimously, it was,</p> <p>Resolved to approve the January 27, 2021 teleconference meeting minutes as presented.</p>
Action Items:	Meeting minutes will be signed by Chair and placed on REC website

Agenda Item 5 – Investigative Report	
Brief Discussion:	<p>Senior Investigator Erika Prieksat presented the investigation statistics for the reporting period of December 2, 2021 through February 23, 2022. There are 49 open cases and 26 closed were closed from the last report.</p> <p>Ms. Markwood asked what “monitor” meant with regards to the investigative report. Ms. Prieksat said monitor means there is no further investigative activity that can be accomplished due to delays from outside sources; not within the investigative unit.</p>

Agenda Item 6 – Old Business Agenda Item 6(a) – Team Disclosure Committee - Update	
Brief Discussion:	Ms. Schok said that the Team Disclosure Committee had their second meeting on March 8th and they had a good discussion. The

	committee members decided the next committee meeting would be an in-person work session on April 7, 2022. The committee members are Traci Heaton, Ed Walden and Gina Pelaia.
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Agenda Item 6(b) – Strategic Plan review/update

Brief Discussion:	Commission members reviewed and updated their strategic plan.
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Agenda Item 6(c) –Residential Real Property Transfer Disclosure Statement - Update

Brief Discussion:	Ms. Harris said that she still needs to make edits to the disclosure statement but will get that done after the meeting and send to the Publication Team for their updates and then on to Jun Maiquis for the final steps in the regulation process.
Action Items:	Complete the Commission’s edits to the Residential Real Property Transfer Disclosure Statement, send to Publication Team for final edits and on to Jun Maiquis for final processing.

Agenda Item 6(d) – Temporary Broker Update

Brief Discussion:	Ms. Markwood referenced the letter in the meeting packet from Margaret Nelson regarding the completion of her Temporary Broker status for J. Riley Realty, LLC and behalf of Roberta Reily and the estate of broker James Riley. Ms. Nelson has officially completed the office affairs of J. Riley Realty LLC on behalf of Roberta Riley and the estate of broker James Riley.
Action Items:	None

Agenda Item 7 – New Business
Agenda Item 7(a) – Woodstoves & Public Health, Jennifer Seely, AAG DOL

Brief Discussion:	Ms. Jennifer Seely, AAG with the Department of Law, Environmental Section, on behalf of the Air Quality Division of Environmental Conservation (DEC), presented her proposed changes to SOA Residential Real Property Transfer Disclosure Statement and short disclosure/acknowledge form regarding woodstoves disclosure to increase awareness and compliance with the Commission for their consideration. Mr. Steven Hoke, Environmental Program Specialist 3
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	<p>with the Department of Administration, also answered Commission members questions regarding the proposed changes.</p> <p>The Commission reviewed and discussed Ms. Seely's proposed changes to the Residential Real Property Transfer Disclosure Statement and form presented.</p> <p>The Commission agreed to no additions to the Residential Real Property Transfer Disclosure Statement form and to move forward with the regulation project that was approved in December.</p> <p>Ms. Markwood said we could place links on the REC website under Consumer Resources with statutes and regulations to inform the consumer regarding this issue. The Commission was not ready to decide of the one-page Solid Fuel-Heating Device Disclosure form and will need to do more research on how to implement and at whose authority.</p>
Motion:	none
Action Items:	Ms. Harris to speak to Ms. Seely and look at what links can be placed on the REC website under Consumer Resources regarding disclosure of woodstoves.

**Agenda Item 5 – Division Update
 Agenda Item 5(a) – Financials**

Brief Discussion:	Ms. Dumas presented the Revenue and Expenditures report for the FY2022 2nd quarter - through December 2021. She stated the current revenue was \$240,965. Expenditures totals were as follows: There were non-investigative expenditures of \$49,551 and investigative expenditures of \$44,389, for a total of \$93,940 in direct expenditures. There were indirect expenditures of \$85,131, place holder, (this includes internal administration, department, and statewide costs), leaving the total expenditures at \$179,071. There was a total ending cumulative surplus of \$1,005,533.
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Agenda Item 5(b) – Fee Changes – Regulation Project

Brief Discussion:	Ms. Dumas presented and discussed the Division's proposed fee changes with the Commission. The Division proposed a decrease in
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	fees for initial, renewal, transfer, and reinstatement applications, and no fees for duplicate and name change requests.	
	Ms. Dumas also spoke to the Commission regarding the Recovery Fund fees. She stated that at the last REC meeting the Division had proposed to increase the Recovery Fund fee; however, the Governor has mandated no increase in fees for the time being. Therefore, Ms. Dumas has requested a one-time general fund off set to make sure the fund does not go below the required \$250,000 minimum threshold. She said the REC was included in a supplemental budget for approval with the legislature. That will be the cushion used to increase the amount so that it will not go below the \$250,000 threshold.	
Motion:	On a motion made by Matthews, seconded by Sumner, it was, Resolved to approve the fee changes as proposed by the Division.	
Recorded Votes:	<i>Doran - Y</i>	<i>Heaton-Y</i>
	<i>Schok - Y</i>	<i>Sumner - Y</i>
	<i>Matthews - Y</i>	<i>Markwood - Y</i>
Action Items:	Ms. Dumas will start the regulation process for the REC fee changes.	
	Ms. Harris will revisit, with the Publication Team, the process to put the transfer form online and what that may look like. Also, to	

**Agenda Item 7 – New Business, continued
 Agenda Item 7(b) – Create Guidelines for 2022-2024 DCE Topics**

Brief Discussion:	The Commission members reviewed the 2022-2024 DCE topics and discussed possible guidelines.
	Ms. Markwood asked that a committee be created to look at creating the 2022-2024 DCE guidelines.

Motion:	<p>On a motion duly made by Ms. Schok, seconded by Ms. Doran, it was,</p> <p>Resolved to create a committee to create DCE guidelines for the 2022-2024 DCE topics to include Devon Doran, Anita Bates and Lonnie Logan.</p>	
Recorded Votes:	<i>Doran - Y</i>	<i>Heaton-Y</i>
	<i>Schok - Y</i>	<i>Sumner - Y</i>
	<i>Matthews - Y</i>	<i>Markwood - Y</i>
Action Items:	<p>Ms. Harris to reach out to Ms. Doran and committee members for the set-up, to secure date, and public notice DCE guideline committee.</p> <p>Ms. Harris will place a ballot in OnBoard of the Committees' recommendations for the 2022-2024 DCE guidelines for the Commission's consideration.</p>	

Agenda Item 7(c) – Request for Education Extension – S Stricklin

Brief Discussion:	<p>Ms. Harris stated Sentiera Stricklin has requested an extension of her real estate pre-licensing education certificate. Ms. Stricklin is in the military and has been deployed and will returned to AK no later than November 30, 2022. She did try to pass her exam before she was deployed. Her pre-licensing certificate will expire before she returns.</p>	
Motion:	<p>On a motion duly made by Ms. Schok, seconded by Ms. Matthews, it was,</p> <p>Resolved to issue an extension for Sentiera Stricklin's real estate pre-licensing education certificate through December 31, 2022.</p>	
Recorded Votes:	<i>Doran - Y</i>	<i>Heaton-Y</i>
	<i>Schok - Y</i>	<i>Sumner - Y</i>

	<i>Matthews - Y</i>	<i>Markwood - Y</i>
Action Items:	Ms. Harris to notify Ms. Stricklin of her extension.	

Agenda Item 7(d) – Offices – Virtual- Physical location

Brief Discussion:	Ms. Harris brought to Commission for future clarification of office requirements. Ms. Harris said that she is seeing more so called “virtual” office and/or board room/corporate work space for real estate offices.
	Commission members discussed the different scenarios of offices and marketing/advertising of offices.
	Ms. Markwood said maybe the Commission would like to add this issue of offices and physical location required on the strategic plan.
Action Items:	Commission to consider adding this issue to their strategic plan.

Agenda Item 7(e) – Legislative Information

Brief Discussion:	Commission members received an information sheet on 2022 Legislative Guidance for Professional Licensing Board & Commission members for their review.
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**Agenda Item 8 – Executive Administrator’s Report
 Agenda Item 8(a) – Licensing/Education Statistics**

Brief Discussion:	Ms. Harris presented the licensing statistics and education report to the Commission.
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Agenda Item 8(b) – Recovery Fund Balance Report

Brief Discussion:	Ms. Harris presented the Recovery Fund Report ending December 31, 2021. The Commission received a total of \$32,810 for license fees processed October through December with a current total fund balance at \$236,438 and the end of year fund balance of 258,071. The projected balance for the end of the next fiscal year is \$317,018.
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Agenda Item 8(c) – REC Meeting – in person discussion

Brief Discussion:	Commission members discussed and agreed they would request travel approval for the September 8, 2022 REC meeting be an in-person meeting.
Action Items:	Staff to request travel approval for the September 8, 2022 REC meeting be in-person.

Agenda Item 9 – Commission Members Comments and Questions

Brief Discussion:	Ms. Matthews said it was a great meeting and she appreciated all the hard work in getting the meeting all lined up. She thanked Ms. Markwood for her leadership and running an efficient meeting.
	Ms. Schok said she was excited to have an in-person committee meeting and be in the same room with everyone. Thank you for a great meeting.
	Ms. Heaton echoed Ms. Matthews comments and thanked Ms. Markwood on her leadership and running of an efficient meeting. She thanked Ms. Harris for sending out all meeting information. She said she is also looking forward to the in-person meeting and getting to connect in-person.
	Ms. Markwood thanked all the Commission members for all their hard work at the meeting as well as with investigations. She also thanked those Commission and industry members that are working on the committees for all their hard work. She said she is also looking forward to the in-person meeting.

Next Meeting:	The next meeting will be held on June 9, 2022 via Zoom.
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Agenda Item 10 – Adjournment

Brief Discussion:	None
Motion:	On a motion duly made by Mr. Sumner, seconded by Ms. Duran, and approved unanimously, it was, Resolved to adjourn the meeting.
Action Items:	Meeting was adjourned at 12:12 pm.

Prepared and submitted by:

Nancy Harris

Nancy Harris
Executive Administrator

Approved:

Cheryl Markwood

Cheryl Markwood, Chair
Alaska Real Estate Commission

Date: 6.13.2022