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2 STATE OF ALASKA  
3 DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT  
4 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
5

6 REAL ESTATE COMMISSION  
7 MEETING MINUTES  
8

9 September 25, 2019  
10

11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS  
12 44.62, Article 6, a scheduled meeting of the Real Estate Commission was held  
13 September 25, 2019, at the State of Alaska Atwood Building ACC 106, 550 W. 7<sup>th</sup>  
14 Avenue, Anchorage, Alaska.  
15

16 **September 25, 2019**

17 **Agenda Item 1 - Call to Order**

18 Chairperson PeggyAnn McConnochie called the meeting to order at 10:30 a.m. at  
19 which time a quorum was established.  
20

21 Roll Call – 1(a)

22 Members present:

23 PeggyAnn McConnochie, 1<sup>st</sup> Judicial District, Chairperson  
24 Margaret Nelson, Broker, Broker at Large, Vice Chairperson  
25 Jamie Matthews, Public Member  
26 Cheryl Markwood, Broker at Large  
27 David Pruhs, Broker, 4<sup>th</sup> Judicial District  
28 Jerry Royse, Broker, 3<sup>rd</sup> Judicial District, Education Liaison  
29 Jesse Sumner, Public Member  
30

31 Staff Present:

32 Sharon Walsh, Executive Administrator  
33 Nancy Harris, Project Assistant  
34 Shyla Consalo, Investigator for REC  
35 Greg Francois, Chief Investigator, CBPL  
36 Sara Chambers, Director of CBPL  
37

38 Guests Present:

39 Larry Imm, Salesperson, Jack White Real Estate, Anchorage  
40 Errol Champion, Liaison for AAR, Juneau  
41 Lonnie Logan, Associate Broker, Herrington and Company, Anchorage  
42 Cassandra Taggart, Broker, Real Property Management Last Frontier, Anchorage  
43 Irina V. Sklipilova, Hoffman & Associates  
44 Paddy Coan, Associate Broker, Keller Williams Realty, Anchorage  
45 Jerod McClure, Salesperson, Northern Trust Real Estate, Anchorage  
46 Anita Bates, Associate Broker, Dwell Realty, Anchorage  
47 Marilyn Pokupec, Herrington and Company, Anchorage  
48 Renea Miller, Broker, Marc Realty, LLC, Anchorage-  
49 Marianne Murry, Executive Administrator, Board of Nursing



50 Deborah Brollini, Public attendee, via teleconference

51

52 Approval of Agenda-1(b)

53 Commission members reviewed the meeting agenda.

54

55 **On a motion duly made by Ms. Markwood, seconded by Mr. Sumner, it**  
56 **was,**

57

58 **RESOLVED to approve the meeting agenda for September 25,**  
59 **2019 as amended.**

60

61 Ms. Nelson asked about the discussion of Right Touch Regulations.

62

63 Ms. Harris said that will be covered under Division Update, agenda item number 3.

64

65 Ms. Nelson asked Ms. Walsh for clarification on the two different times for public  
66 comments; regular public comments and public comments on proposed  
67 regulations. In the Boards and Commission packet it states that our agenda is  
68 supposed to have two areas of public comments, one on non-regulatory items and  
69 one on regulatory items. Does the REC deviate from this as opposed to what the  
70 guide is outlining? Can the public give oral comments on the proposed regulations  
71 at this meeting and why not?

72

73 Ms. Walsh said that this is up to the Commission when they proposed regulations.  
74 The Commission sends to the regulation specialist in Juneau that you want both  
75 written and oral comments. if that is not indicated at the time the regulation is  
76 proposed there will only be written comments. She said she believed that when the  
77 last Commission proposed regulations they only indicated written comments. They  
78 did not indicate oral comments or both. Going forward, when this Commission  
79 proposes regulations you can indicate if you want oral or written comments or both  
80 and then at the next meeting you will be allowed to receive comments according to  
81 what you indicated at them time you propose those regulations.

82

83 Ms. Nelson asked that if someone wanted to give oral testimony isn't it in the  
84 public's best interest to accept oral testimony if they wanted to and not restrict it?

85

86 Ms. Walsh said no, not after the public comment closed. If the Commission did not  
87 indicate oral comment when the public notice was sent out then you could not  
88 allow oral comment at the meeting only written comments. The type of comment  
89 the Commission indicated when the regulation was proposed it what will comments  
90 will be allowable.

91

92 Ms. Nelson asked if once a decision has been made by the prior Commission we  
93 are bound by that and nobody can give oral comment today?

94

95 Ms. Walsh said no you cannot but you can withdraw the regulation project and  
96 then open it up for another 30 days and indicate what type of comments you will  
97 accept, oral or written comments or both.

98  
99 Mr. Pruhs asked if there was a time limit on oral testimony?

100  
101 Ms. Walsh said it is up to the Commission.

102  
103 Mr. Royse asked when the Commission is looking at a regulation project and  
104 indicates what type of comments we will accept. Do we do this on a per regulation  
105 basis or can we do a unilateral blanket on what this Commission will accept?

106  
107 Ms. Walsh said it would be a per regulation project because when it is public  
108 noticed, the public need to know their options.

109  
110 Ms. Markwood asked if that meant the Commission would need to schedule  
111 another meeting for public comments?

112  
113 Ms. Walsh said that would be up to the Commission.

114  
115 Mr. Royse asked that some additional items be added to the agenda. Clean up  
116 regulations, added as agenda item 7(e), fine matrix, added as agenda item 7(f),  
117 and add conversation regarding December meeting date, added as agenda item  
118 7(g).

119  
120 **All in favor; Motion to passed.**

121  
122  
123 Statements of Conflicts of Interest-1(c)

124 Mr. Sumner, Ms. Nelson and Ms. Matthews had no conflict of interest to disclose.

125  
126 Mr. Royse stated that one of the proposed regulations with the movement to  
127 approve designated continuing education for 4 years as opposed to 2 years, as a  
128 training provider he has a conflict of interest with that.

129  
130 Ms. Markwood said she had no conflicts of interest to disclose. However, she  
131 wanted to acknowledge that there is currently property management revision of  
132 regulations on the agenda under old business and she has a property  
133 management company, therefore there are may be regulations that may be a  
134 conflict of interest in the future.

135  
136 Mr. Pruhs said there is a conflict of interest as a trainer with the proposed  
137 regulation as Mr. Royse has indicated but he believes that the Commission  
138 member would need to recuse themselves from the vote at that time.

139

140 Ms. McConnochie said she is also an education director not only in Alaska but also  
141 the lower 48 and other countries.

142  
143 Ms. McConnochie asked if there was any interest for those who do education to  
144 recuse themselves from the discussion on the designated education?  
145

146 No comments were heard.  
147

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149

**Agenda Item 2 – Public Comments**

150 Ms. Harris read into the record an email received from licensee Hugh Wade  
151 regarding continuing education.

152

153 Sharon,  
154

155

156 I'm a big believer in ongoing professional education and I also think that the  
157 mandatory courses are unnecessary in a lot of ways and for a lot of reasons.

158

159 Basically, I don't learn a lot and feel like, after 13 or so years in the business with  
160 no real complaints, I know what a contract is, what is legal and isn't, and how to  
161 conduct real estate business in an ethical, efficient way that adds value for my  
162 clients.

163

164 Taking those required classes could be replaced with taking more substantial  
165 classes, if allowed.

166

167 If a person wanted to try and get it so that, say, after 10 years as a real estate  
168 practitioner, if a broker had no complaints, and the mandatory classes could be  
169 waived as long as the broker took elective classes from any of a number of quality  
170 organizations (NAR, CCIM, IREM, NAIOP, etc.), how would you advise I raise this  
171 issue with the Commission? What would be the most likely route to getting it  
172 approved? Any advice you have would be great, and would be great to discuss on  
173 the phone, no need for a formal written response.

174

175 Hugh

176

177 Hugh J. Wade, CCIM

178 Spire Commercial

179

180 There were no other public comments.  
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**Agenda Item 3 – Division Update**

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184 Sara Chambers, Director of the Division of Corporations, Business and  
185 Professional License provided Board member training to the Commission  
members.

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Break at 12:50 p.m.  
Reconvened at 1:00 p.m.

Ms. Chambers presented Right Touch Regulation training to the Commission members.

**Agenda Item 4 - Approval of Meeting Minutes**  
**May 23, 2019 meeting minutes.**

**On a motion duly made by Ms. Nelson seconded by Mr. Royse, it was,**

**RESOLVED to approve the May 23, 2019 meeting minutes.**

Ms. Nelson had some corrections. On page one under Roll Call it indicates Ms. Nelson attended the meeting via teleconferenced but she attended in person, page 3, Ms. Harp's group meets once a week not month, page 11- there is a question from Mr. Pruhs regarding teams that needs to be addressed at the next meeting, Page 12 there is confusion of which Commission members were reviewing, it was Ms. Nelson and Mr. Pruhs looking at Property Management regulations and Ms. Nelson and Mr. Royse looking at Consumer Disclosure and Waiver of Right to be Represented and Ms. Nelson and Mr. Pruhs will be looking at the Property Transfer form for the December meeting.

Mr. Royse had a few changes. Page 6, there was a motion on who was working on disclosure, line 246, motion for Ms. Nelson and Mr. Royse to work on Disclosure and AREC form, and page 11, line 487- it is a 2 day train the trainer not a 3 day.

All in favor. Motion passed.

**July 24, 2019 teleconference meeting minutes**

**On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,**

**RESOLVED to approve the July 24, 2019 meeting minutes.**

Ms. Matthews asked that the meeting date be confirmed if it was either July 24, 2019 or July 25, 2019 per the agenda. The meeting was on July 24, 2019.

**All in favor. Motion passed.**

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**Agenda Item 5 – Investigative Report**

**Statistical Report – 5(a)**

REC Investigator, Shyla Consalo, presented the investigation statistics for the reporting period of 05/09/19 through 09/09/19. There are 34 opened matters, 37 matters were closed from the last report. A total of 19 matters remain open and ongoing or under active investigation or pending litigation. At this present time there in only one case pending litigation.

**Probation Report – 5(c)**

Investigator, Shyla Consalo, presented the probation report to the Commission on the behalf of Ms. Medina. Ms. Consalo stated that there six individuals currently on probation being monitored. Two individuals were released from probation. All are in compliance with their agreements except Mr. Sheldon and Ms. Collison. Mr. Sheldon did complete his CE hours and is on track to be released from probation on his probation release date next November. Ms. Collison was offered a license surrender, which she is considering. Her probation was on hold because her license lapsed.

**Investigative Process -Clarification & Questions – 5(a)**

Ms. Consalo gave the Commission a quick review of the investigative process.

Commission members directed questions to Ms. Consalo regarding that process.

**Agenda Item 6 – Old Business**

**Changes to AREC Consumer Disclosure & Waiver of Rights form-6(a)**

Mr. Royse said he has secret information from people of what they thought about of the new draft form and asked the Commission what they wanted him to do with it?

**On a motion duly made by Mr. Royse, seconded by Mr. Pruhs, it was,**

**RESOLVED to postpone discussion of the current draft form, AREC Consumer Disclosure and Waiver of Right to be Represented until the December meeting.**

**All opposed. Motion failed.**

**On a motion duly made by Mr. Royse, seconded by Mr. Pruhs, it was,**

**RESOLVED to distribute, to the Commission, the 2 pages of feedback Mr. Royse received from the industry answering the question “How do you like the new form?” (new draft form of the**

278 **AREC Consumer Disclosure and Waiver of Right to be**  
279 **Represented).**

280  
281 **All in favor. Motion passed.**

282  
283  
284 Commission members discussed the Consumer Disclosure and Waiver of Right to  
285 be Represented.

286  
287  
288 **On a motion duly made by Mr. Pruhs, seconded by Mr. Royse, it was,**

289  
290 **RESOLVED to put the draft forms of the Consumer Disclosure**  
291 **and Wavier of Right to be Represented as presented by Ms.**  
292 **Nelson and Mr. Royse out for public comment.**

293  
294  
295 Ms. Chambers spoke to the Commission about a Scoping Notice that is a  
296 preliminary notice, similar to a regulation project, to get comments and feedback  
297 from the public and then look at those comments and put out a regulation project.

298  
299  
300 **On a motion duly made by Mr. Pruhs, seconded by Mr. Royse, it was,**

301  
302 **RESOLVED to amend the previous motion to put forms out as a**  
303 **scoping project to be processed for 30 days for written and oral**  
304 **comments.**

305  
306 **All in favor. Motion passed.**

307  
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309 Commission members voted on the original motion.

310  
311 **All in favor. Motion passed.**

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313  
314 Property Management revised regulations-6(b)

315 Ms. Nelson said she did not have anything at this time regarding property  
316 management regulations. She said that as a committee they did have a really  
317 good session with the investigator with help from a licensee that practices property  
318 management to clarify some of the problems regarding security deposits. One of  
319 the things that came out of this discussion was that security deposit issues are not  
320 necessarily just contractual but there can also be violations of statutes and  
321 regulations on how trust accounts are handled.

322



323 Ms. Nelson asked that Ms. Markwood, and her role as a property manager, to join  
324 this committee and perhaps have a public work session to look at the property  
325 management regulations.

326  
327 The Chair asked Ms. Nelson, Mr. Pruhs and Ms. Markwood to work on the property  
328 management regulation revisions as a public work session and bring back to the  
329 next meeting in December.

330  
331 The Commission members were in agreement.

332  
333 The property management meeting will be public noticed and Ms. Nelson will work  
334 with Ms. Harris to get that noticed.

335  
336 Proposed Regulations-6(c)

337  
338 **On a motion duly made by Ms. Nelson, seconded by Mr. Pruhs, it was,**

339  
340 **RESOLVED to divide the question starting with Errors and**  
341 **Omissions Insurance regulations being one set and the**  
342 **regulations regarding course certification being the second set.**

343  
344 **All in favor; Motion passed.**

345  
346 12 AAC 64.02.530- Standards of Equivalent Coverage

347  
348 **On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it**  
349 **was,**

350  
351 **RESOLVED to recommend the Department adopt regulation 12**  
352 **AAC 02.530 as proposed.**

353  
354 **All in favor; Motion passed.**

355  
356  
357 12 AAC 64.420 – Application for Course Certification

358  
359 **On a motion duly made by Mr. Pruhs, seconded by Mr. Sumner, it was,**

360  
361 **RESOLVED to adopt regulation 12 AAC 64.420 as proposed.**

362  
363 **All opposed; Motion failed.**

364  
365  
366 12 AAC 64.440 – Instructor Approval

367  
368 **On a motion duly made by Mr. Royse, seconded by Mr. Pruhs, it was,**

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**RESOLVED to adopt regulation 12 AAC 64.440 as proposed.**

**All opposed; Motion failed.**

12 AAC 64.460 – Withdrawal or Denial of Instructor Approval

**On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,**

**RESOLVED to adopt regulation 12 AAC 64.460 as proposed.**

**All opposed; Motion failed.**

12 AAC 02.360- Real Estate Commission - Fees

**On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,**

**RESOLVED to recommend the Department adopt regulation 12 AAC 02.360 as proposed.**

**All in favor; Motion passed.**

12 AAC 64.073 – Recovery Fund Fee

**On a motion duly made by Mr. Royse, seconded by Ms. Nelson, it was,**

**RESOLVED to adopt regulation 12 AAC 64.073 as proposed.**

**All in favor. Motion passed.**

3:38 p.m. Commission members recessed for break

3:48 p.m. Commission members reconvened

**Agenda Item 7 – New Business**

**Recovery Fund Claims – Owens and Ostendorf – 7(a)**

**On a motion duly made by Ms. Nelson, seconded by Mr. Royse, it was,**

414                   **RESOLVED with the provision of AS 44.62.310(c) to go into**  
415                   **executive session for the purpose of discussing matters which**  
416                   **by law, municipal charter or ordinance are required to be**  
417                   **confidential.**

418  
419                   **All in favor. Motion passed.**

420  
421  
422 In executive session at 3:50 pm

423  
424                   **On a motion duly made by Mr. Royse, seconded by Ms. Matthews, it**  
425                   **was,**

426  
427                   **RESOLVED to come out of executive session.**

428  
429                   **All in favor; Motion passed.**

430  
431 Out of executive session at 3:59 p.m.

432  
433  
434                   **On a motion duly made by Ms. Nelson, seconded by Mr. Pruhs, it was,**

435  
436                   **RESOLVED that the Real Estate Commission pay out of the**  
437                   **recovery fund the claims before us, to Laura Owens and Todd**  
438                   **Ostendorf the amount of \$12,400 each.**

439  
440                   **All in favor. Motion passed.**

441  
442  
443 DCE Survey Results/presentation/select DCE topics/hours for 2020-2022 – 7(b)  
444 Commission members discussed the results of the DCE survey and DCE topics for  
445 2020-2022.

446  
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448                   **On a motion duly made by Mr. Royse, seconded by Ms. Nelson, it was,**

449  
450                   **RESOLVED to have 4 – 2 hour courses; 2 hours - Broker**  
451                   **Supervision/Management, 2 hours - Ethics, 2 hours - Prohibited**  
452                   **Conduct and 2 hours - Advertising and Social Media.**

453  
454                   **All in favor. Motion passed.**

455  
456  
457 Online Application – Salesperson by Exam – outreach – 7(c)  
458 Ms. Harris spoke about the Salesperson by Exam online application that is now  
459 available. She said she is aware that applicants are required to mail in the Notary

460 Signature Page is problematic and will work on the revision of the regulation with  
461 the Commission to make that change.  
462

463 E & O -RISC Report – 7(d)

464 Ms. Harris presented the E & O RISC Report to the Commission. The report  
465 provided was for the Second Quarter 2019 and Fourth Quarter 2019. She said this  
466 is the first report because before there were no claims. There is currently one  
467 claim.  
468

469 Clean up Regulations – 7(e)

470 Mr. Royse presented regulations 12 AAC 64.059(d)(1)(B) and (d)(5) that need to  
471 be cleaned up.  
472

473 Ms. Markwood recommended looking at the clean-up regulations Mr. Royse  
474 presented when the Commission reviews the real estate regulations for their  
475 effectiveness as a group as mandated by the Governor.  
476

477 The Commission agreed to go through/work on the regulation workbook  
478 individually and review the real estate regulations. Then have a 2-hour publicly  
479 noticed ZOOM work session in February 2020, prior to first meeting of the year,  
480 and review and discuss the real estate regulations as a group with a possible  
481 second meeting.  
482

483 Fine Matrix – 7(f)

484 Mr. Royse spoke to the Commission regarding the Fine Matrix adopted by the  
485 Commission February 26, 2010. He said he would like to revisit it.  
486

487 **On a motion duly made by Ms. Markwood, seconded by Ms. Nelson, it**  
488 **was,**  
489

490 **RESOLVED to postponed discussion on the Fine Matrix until the**  
491 **December meeting.**  
492

493 **All in favor. Motion passed.**  
494

495  
496 Conversation of December meeting date – 7(g)  
497

498 **On a motion duly made by Mr. Royse, seconded by Ms. Nelson, it was,**  
499

500 **RESOLVED to move the December 11, 2019 meeting to**  
501 **December 18, 2019.**  
502

503 **All in favor. Motion passed.**  
504  
505

506 **Agenda Item 8 – Executive Administrator’s Report**

507 **Licensing and Education Report – 8(a)**

508 The Commission reviewed the Licensing and Education Report as presented.  
509 There were no comments or questions.

510

511 **Status of processing applications**

512 Ms. Harris stated that Ms. Nelson had a question regarding the status of  
513 processing of applications.

514

515 Ms. Nelson said Ms. Chambers’ presentation answered her question with the  
516 standards that are in place with the Division and that is what she was looking for.

517

518 **Recovery Fund Balance Report – 8(b)**

519 The Commission reviewed the Recovery Fund Balance Report as presented.

520

521 Mr. Royse stated he had an observation that the Commission should be putting the  
522 budget items for personnel where they belong in the cost of running the  
523 Commission and not hiding it in the Recovery Fund.

524

525 **ARELLO Conference Report – 8(c)**

526 Ms. Harris gave her ARELLO conference report to the Commission. She said  
527 some of the highlights were: there is a national regulation reform movement, virtual  
528 offices-a lot of jurisdictions are reducing requirements for a brick or mortar  
529 requirement, and advertising of teams is a big issue. She said it was a great  
530 conference and she appreciates the opportunity to attend. She also said that there  
531 is also a Commissioner College that looked very interesting if one the  
532 Commissioners would like to attend.

533

534

535 **Agenda Item 9 – Discuss and Adopt Job Descriptions for Vice-Chair and**  
536 **Education Liaison**

537 **Job Description for Chair provided**

538 The Commission members reviewed the job descriptions recommended for the  
539 Chair, Vice Chair and Education Liaison.

540

541 **Vice-Chair and Education Liaison job descriptions for discussion and adoption**

542 Mr. Royse stated some ideals for Education Liaison job description.

543

544 Ms. Nelson asked what the Chair what her intention were for the job descriptions,  
545 for general knowledge or are we going to vote.

546

547 The Chair stated her intention is to discuss and adopt job descriptions or if there  
548 are any changes to the job descriptions now is the time to do that.

549

550 Ms. Nelson said that on page 38 of the Board and Commission Board Training  
551 guide there is already a description for Chair.

552

553 **Role of the Chair in Board and Commission Meetings**

554 Board and commission members, staff, and the public look to the chairperson to  
555 provide leadership during the meeting. The chair should understand the issues  
556 before the board or commission, know and understand the philosophies of the  
557 fellow members of the board or commission, and be able to bring the board or  
558 commission to decisions on difficult or complicated issues. The chairperson should  
559 be able to do all of the following effectively:

560

561 **Run a Meeting:** The chair is responsible for running an orderly meeting and  
562 conducting public business in a fair and timely manner. Everyone looks to the  
563 chairperson for leadership. The chair grants or denies members, staff, and the  
564 public the floor to speak.

565

566 **Maintain Order:** The chairperson should not allow cheering, hissing, booing, or  
567 other demonstrations from the audience. Nor should he or she permit board or  
568 commission members to become rude, confrontational, or argumentative with one  
569 another or the audience. Members should not cut off one another or staff when  
570 they are speaking, nor monopolize the floor when granted by the chair.

571

572 **Keep Business Moving:** It is the chairperson's job to keep business moving by  
573 bringing matters to a vote.

574

575 **Manage Public Testimony:** By using a sign-up list, the chairperson will know who  
576 wants to speak on items before the board or commission. If a large number of  
577 people wish to speak to the chairperson should set a time limit per speaker  
578 (usually three minutes). Rambling, irrelevant testimony should be discouraged, as  
579 should commentary from the public during board deliberation of an issue.

580

581 **Maintain Relevance:** Discussion between board or commission members and  
582 members of the public who are testifying should be limited to fact gathering that  
583 helps the board or commission make informed decisions.

584

585 **Use Parliamentary Procedure:** The chairperson needs to know enough  
586 parliamentary procedure to run the meeting. Someone else may serve as the  
587 parliamentarian, but the chairperson must have a working knowledge of  
588 parliamentary procedure.

589

590 **Tie Things Together:** The chairperson should have the ability to take into account  
591 public testimony, board or commission deliberations, and an understanding of the  
592 issues at hand when guiding the board or commission toward a decision.

593

594 **Implement Approved Actions:** The chairperson should have the ability to create  
595 an action plan and follow through with staff or other entities on the actions decided  
596 at the meeting.

597

598 **Uphold the Law:** The chairperson should guide the board to prevent decisions  
599 that are contrary to law or legal advice. The chairperson should minimize the  
600 board's exposure to legal risk and seek its attorney's advice through staff as the  
601 need becomes apparent, checking the agenda to schedule the attorney's presence  
602 or tabling votes until the next meeting if needed. The chairperson may recess the  
603 meeting for a few minutes to confer with the board executive or division  
604 management regarding securing an attorney during a board meeting.  
605  
606

607 **On a motion duly made by Mr. Royse, seconded by Mr. Pruhs, it was,**  
608

609 **RESOLVED to establish an education committee to address**  
610 **curriculum for broker and salesperson pre and post licensing**  
611 **education.**  
612

613 **All in favor. Motion passed.**  
614  
615

616 **On a motion duly made by Ms. Nelson, seconded by Mr. Pruhs, it was,**  
617

618 **RESOLVED that the position descriptions be approved.**  
619  
620

621 **On a motion duly made by Ms. Nelson, seconded by Ms. Markwood, it**  
622 **was,**  
623

624 **RESOLVED that the role of the Chair position description be the**  
625 **one as outlined on page 38 of the State Board and Commission**  
626 **Member Guide.**  
627

628 **All in favor. Motion passed.**  
629  
630

631 Commission members voted on the original motion to approve the position  
632 descriptions.  
633

634 **All in favor. Motion passed.**  
635  
636

637 **Agenda Item 10 – Elections for Vice Chairman & Educational Liaison**  
638 **Election of Education Liaison**  
639

640 **On a motion duly made by Ms. Markwood, seconded by Ms. Matthews,**  
641 **it was,**  
642

643 **RESOLVED to nominate Mr. Royse as Education Liaison.**

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**All in favor. Motion passed.**

Election of Vice-Chair

**On a motion duly made by Mr. Royse, seconded by Ms. Markwood, it was,**

**RESOLVED to nominate Ms. Nelson as Vice-Chair.**

**All in favor. Motion passed.**

**Agenda Item 11 – Commission Members Comments**

Ms. Markwood said this meeting was very productive. She said she was very concerned that the Commission was not going to get through the agenda. She said she was very happy to see that the Commission was able to address all issues. The training provided by Director Chambers was very informative. She is looking forward to working with everyone in the work session in regards to the regulation review. She said there is an undertone in this Commission. She knows the Commission is still new and she is getting used to how everything works. She appreciates the ability to work closely with all members and have good communications skills and get along as we work through this because we are here to represent the public. She said she sees the position as a real estate commission member as an honorable position and she wants to do the very best that she can and she respects everyone who has been appointed in these positions. She wants the Commission to remember that they are here for the public and the Governor.

Mr. Pruhs stated that Ms. Chambers said the Commission should look their goals strategically and that is what he is trying to do. He said with property management he believes a lot of the issues are with education. Can we have a property management endorsement on the license from our education hours we already require? Two years down the road think about our licensing education criteria. Think about having a licensing endorsement if you practice property management. If you want to be a broker for property management, the broker and the licensee who is signing contracts should have a property management endorsement. Also, in education, should we have specific hours for a broker and associate broker? What education must a broker/associate broker have? His final thought was to have one of the Commission meetings meet in Juneau. He said the Commission has issues that come up and we should be talking to the legislators. Have the one in person meeting in Juneau.

Mr. Royse said that many years ago the Commission meeting coincided with the Realtor convention and met in Juneau and he said there is a value in that. He also spoke about 18 years ago the Commission considered endorsing different areas of



690 specialization but it came down to restriction of trade. He said the Commission  
691 needs to do a better job with brokers. We need to get some team training. Another  
692 thing the Commission should be doing relative to some of the other problems, like  
693 property management, would be to do white papers and best practices in these  
694 areas. There could be a tool to get that information out there. Mr. Royse said  
695 another outreach would be to do some best practices in terms of correcting some  
696 of these mistakes that are out there. Another issue that the Commission should be  
697 looking into in unlicensed activity. Zillow and out of state entities are coming into  
698 the state and misrepresenting what they do and we do not do a great job in this  
699 area for consumer protection. Also, someone should attend those get rich  
700 seminars that are giving wrong information and start looking at unlicensed activity  
701 because of the nature of the way this industry is evolving. Everything to remote  
702 brokerages and start addressing what the issues are and some of this out of state  
703 intrusion of licensed entities. He said all consumers lose and we should look at this  
704 for next year.

705  
706 Ms. Matthews wanted to thank Director Chambers on the excellent training and the  
707 very good feedback. She also wanted to thank staff as well. She said as a public  
708 member it is really nice to receive all the background that was provided and the  
709 availability to ask questions, she really appreciates it. She said the Commission is  
710 very fortunate to have staff as well as Shyla. Shyla has made great progress on  
711 the claims and seeing that consistency is definitely good. She said thank you and  
712 she looks forward to diving into the regulations.

713  
714 Ms. Nelson said one of the key things the Commission said they were going to do  
715 this cycle was teams. She wanted to remind staff to give the Commission a  
716 number of the current teams that Mr. Pruhs has asked for from the last meeting,  
717 not that you have any numbers but to give what you have. She said at some point  
718 the Commission will have to address the E & O Insurance issue. She said there  
719 were a number of non-realtors, despite the realtors being in favor, that were not in  
720 favor of E & O. She thinks the numbers are really showing that it is not a good use  
721 of money. Maybe there will be a burst of claims that are going out but spending  
722 close to \$8,000 of money going out of state and we are only paying \$2,000 out in  
723 claims? That company is doing well. We could use that money for education or to  
724 reimburse the recovery fund. She said that Nancy needs more support from a  
725 Committee, specifically for communication, which was not covered at this meeting.  
726 She also encouraged the Commission to support and push for digital notary which  
727 will make a big difference for the real estate industry and thanked the Commission  
728 for a great meeting.

729  
730 Mr. Sumner also wanted to thank Ms. Chambers for the training today. He said he  
731 also looks forward to reviewing the regulations in 2020.

732  
733 Ms. Chambers made the Commission members aware of the regulation  
734 questionnaire that is required to be completed by Commission members when  
735 there is a proposed regulation so we can provide this to the public. Ms. Chambers

736 thanked the Commission members for their time and if they have any questions  
737 regarding their responsibilities or staff's responsibilities, just send her an email any  
738 time.

739  
740 Ms. McConnochie thanked Ms. Walsh, and Ms. Harris for their hard work. She also  
741 thanked Ms. Chambers for the huge amount of time she took out of her schedule  
742 to give the Commission training. She said she believed that it was important to  
743 receive the information from Ms. Chambers on how the Commission should work.  
744 She stated that the Commission needs to figure out a way to work together. She is  
745 not the enemy. She said we need to relax a little but also understand we are here  
746 for 2 major purposes. One, to protect the public and two, to give good information  
747 to licensees so they can make good decisions with correct information. She would  
748 like the next meeting to work a bit smoother and looks forward to seeing everybody  
749 on December 18, 2019.

750  
751 **On a motion duly made by Mr. Pruhs, seconded by Mr. Royse, it was,**

752  
753 **RESOLVED to adjourn.**

754  
755 **All in favor. Motion passed.**

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758 Meeting adjourned at 4:51 p.m.

759 The next meeting will be held December 18, 2019 in Anchorage.

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764 Prepared and submitted by:  
765 Real Estate Commission Staff

766  
767 Approved:

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771 REC Chairperson  
772 Alaska Real Estate Commission

773 Date: 12/18/2019