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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 March 17, 2021
10

11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article
12 6, a scheduled meeting of the Real Estate Commission was held March 17, 2021, at the
13 State of Alaska Atwood Building, 550 W. 7th Avenue, Suite 1550, via Zoom, Anchorage,
14 Alaska.
15

16
17 **Wednesday, March 17, 2021**

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

19 Chairperson Cheryl Markwood called the meeting to order at 9:11 a.m., at which time a
20 quorum was established.
21

22 Roll Call – 1(a)

23 Members Present via Zoom

24 Cheryl Markwood, Broker, Broker at Large, Chairperson
25 Elizabeth Schok, Associate Broker, 4th Judicial District
26 Traci Heaton, Associate Broker, 1st Judicial District
27 Jaime Matthews, Public Member, Vice Chairperson
28 Jesse Sumner, Public Member
29

30 Staff Present:

31 Shyla Consalo, Executive Administrator
32 Nancy Harris, Project Assistant
33 Sharon Walsh, CBPL Deputy Director
34

35 Staff Present via Zoom:

36 Autumn Miller, REC Investigator
37 Jared Famularo, Investigator – REC Probation Monitor
38 Marilyn Zimmerman, Paralegal
39 Cynthia Cook, Paralegal
40 Jun Maiquis, Regulation Specialist
41

42 Guests Present via Zoom:

43 Errol Champion, Broker, Coldwell Banker Race Realty, Juneau
44 Cassandra Taggart, Broker, Real Property Management Last Frontier, Anchorage
45 Gabe Stephan, Broker, Jack White Real Estate, Anchorage
46 Traci Barickman, Broker, Re/Max Frontier, Palmer
47 Bradford Cole, Broker, Elite Real Estate Group, Wasilla
48 Debbie White, Broker, Southeast Alaska Real Estate, Juneau
49 Holly Stinson, Broker, McKinley View Real Estate, Talkeetna
50 Michael Droege, Broker, Century 21 Realty Solutions, Anchorage
51 Nicole Lawrence, Broker, Seward Properties, Seward
52 Devon Thomas, Broker, Signature Real Estate, Wasilla
53 Krystal Rogers, Associate Broker, Elite Real Estate Group, Wasilla
54 Laura McMillon, Compliance Administrator, The CE Shop
55 Maria Celli, Alaska Housing Finance Corporation

56 Travis Powell, Public Member

57

58 Approval of Agenda – 1(b)

59 Commission Members reviewed the meeting agenda.

60

61 **On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was**

62

63 **RESOLVED to approve the meeting agenda for March 17, 2021, as**
64 **amended.**

65

66 Ms. Markwood noted that agenda item 6(b) is amended in that the Commission will be
67 considering & voting on the draft Regulation Revisions to go out for public comment. She
68 also noted that agenda item 8(b) would not be provided by Ms. Walsh this meeting, due to
69 a scheduling conflict; however, staff may provide a quick overview of some items and/or
70 answers any questions Commission members may have.

71

72 **All in favor; Motion passed**

73

74 Statements of Conflicts of Interest – 1(c)

75 There were no conflicts of interests.

76

77 Commission Member Introductions – 1(d)

78 The Commission had two new Commission members appointed since the last meeting,
79 Elizabeth Schok of Fairbanks and Traci Heaton of Juneau. All Commission members took
80 a minute to introduce themselves, and provide a quick overview of their backgrounds.

81

82 Jaime Matthews stated she's the Chief Financial Officer for Copper Valley Electric, which
83 services the Glennallen area. She has two children; and she's been a public member for
84 the Commission for two years.

85

86 Jesse Sumner stated he's a local homebuilder in Wasilla; he's is on the Mat-Su Borough
87 Assembly; and he's been a public member for the Commission for two years.

88

89 Traci Heaton stated she's with Latitude 58 Real Estate Group in Juneau. Her dad was a
90 broker, so she grew up in the industry. She was licensed in the lower 48, and moved to
91 Alaska nine years ago. She received her license by endorsement, and has been doing real
92 estate in Juneau since.

93

94 Elizabeth stated she's with Somers Sotheby's International Realty in Fairbanks. She's
95 been a Realtor for 16 years – primarily residential, but she does do some commercial.
96 She's currently active with her local Board, statewide, and with NAR.

97

98 Cheryl stated she's with Markwood Realty in Fairbanks. She's celebrating her sixth year
99 as broker for her office, and she specializes in property management – specifically for
100 condo associations. She's been on the Commission for two years, and this is her first
101 meeting as the Chairperson.

102

103 Ms. Consalo made a quick announcement informing everyone that Commission member
104 Sam Goldman turned in his resignation, so he would no longer be serving on the
105 Commission. She also clarified that Chad Stigen was appointed to the other open position
106 on the Commission; however, his term would not start until June 27th, when his three years
107 of experience as a broker was met.

108

109

110 **Agenda Item 2 – Public Comments**

111 Errol Champion, Broker with Coldwell Banker Race Realty and representative for the
112 Alaska Realtors Association, gave public comment on a couple of topics. Mr. Champion
113 stated there are a couple of bills in the legislature the Commission should be aware of.
114 The first bill is Senate Bill 24 (SB24). This bill allows for nonprofit corporations to be able
115 to continue to use virtual tours and conduct business virtually if their bylaws allow for it.
116 The other two bills (companion bills) are SB86 and House Bill 15 (HB15). These bills are in
117 the Labor and Commerce Committees in the House and Senate, and they are dealing with
118 the issuing of temporary permits and licenses. It's a very broad-base bill where
119 Professional Licensing could grant almost instantaneous licenses to transferees coming
120 into the state who are licensed in another state. Mr. Champion stated Alaska Realtors
121 Association hasn't taken a position per se, but they understand there's a need for nurses
122 and perhaps hairdressers, and they should be expedited quickly. However, they still feel
123 there are a lot of professions, such as real estate and marine pilots, where local
124 knowledge and expertise must be demonstrated. Both bills have only had one hearing, but
125 the Commission should be aware there may be a bill that would require the adoption or
126 issuing of temporary licenses.

127

128 Ms. Markwood thanked Mr. Champion for bringing the information to the Commission's
129 attention and asked if there were any more public comments. No one came forward and
130 the public comment period was closed.

131

132

133 **Agenda Item 3 - Approval of Meeting Minutes**

134 December 16, 2020 Meeting Minutes – 3(a)

135

136 **On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was**

137

138 **RESOLVED to approve the December 16, 2020 meeting minutes.**

139

140 **All in favor; Motion passed.**

141

142 February 2, 2021 Meeting Minutes – 3(b)

143

144 **On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was**

145

146 **RESOLVED to approve the February 2, 2021 meeting minutes.**

147

148 **All in favor; Motion passed.**

149

150

151 **Agenda Item 4 – Investigative Report**

152 Statistical Report – 4(b)

153 Autumn Miller, REC Investigator, presented the investigation statistics for the reporting
154 period of December 1, 2020 through March 2, 2021. There are 28 open matters and 26
155 matters were closed from the last report.

156

157 Investigative Matters – 4(c)

158 CE Investigative Matters – 4(d)

159

160 **On a motion duly made by Mr. Sumner, seconded by Ms. Matthews, it was**

161

162 **RESOLVED to go into Executive Session in accordance with AS**
163 **44.62.310(c) for the purpose of discussing subjects that tend to**

164 **prejudice the reputation and character of any person.**

165

166 **All in favor; Motion passed.**

167

168 The Commission went into Executive Session at 9:28 a.m.

169

170 **On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was**

171

172 **RESOLVED to come out of Executive Session.**

173

174 The Commission came out of Executive Session at 9:57 a.m.

175

176 **On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was**

177

178 **RESOLVED to approve the Voluntary Surrender in case #2019-001288.**

179

180 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
181 **Sumner – yes, and Ms. Markwood – yes.**

182

183 **Motion passed.**

184

185 The Commission accepted the Voluntary Surrender in case #2019-001288.

186

187 **On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was**

188

189 **RESOLVED to approve the Imposition of Civil Fine in case #2020-**
190 **000118.**

191

192 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
193 **Sumner – yes, and Ms. Markwood – yes.**

194

195 **Motion passed.**

196

197 The Commission accepted the Imposition of Civil Fine in case #2020-000118.

198

199 **On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was**

200

201 **RESOLVED to amend and approve the Imposition of Civil Fine in case**
202 **#2020-000164, from \$1,000 to \$250.**

203

204 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
205 **Sumner – yes, and Ms. Markwood – yes.**

206

207 **Motion passed.**

208

209 The Commission accepted the Imposition of Civil Fine in case #2020-000164, as
210 amended.

211

212 **On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was**

213

214 **RESOLVED to approve the Voluntary Surrender in case #2020-000534.**

215

216 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
217 **Sumner – yes, and Ms. Markwood – yes.**

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Motion passed.

The Commission accepted the Voluntary Surrender in case #2020-000534.

On a motion duly made by Ms. Matthews, seconded by Ms. Schok, it was

RESOLVED to approve the Consent Agreement in case #2020-000836.

Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr. Sumner – yes, and Ms. Markwood – yes.

Motion passed.

The Commission accepted the Consent Agreement in case #2020-000836.

On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was

RESOLVED to approve the Consent Agreement in case #2020-000977.

Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr. Sumner – yes, and Ms. Markwood – yes.

Motion passed.

The Commission accepted the Consent Agreement in case #2020-000977.

Probation Report – 4(a)

Jared Famularo, REC Probation Monitor, presented the probation report to the Commission. There is 1 licensee on probation, and 1 licensee was released from probation since the last report. The licensee on probation is currently in compliance.

Break at 10:04 a.m.

Reconvene at 10:13 a.m.

Agenda Item 5 – Committee Reports

Property Management Committee – 5(a)

Ms. Taggart, Chair of the Property Management Committee, presented the Commission with a letter that outlined what the Committee accomplished in 2020, and some ideas for 2021 goals. Ms. Taggart explained that last year, the Committee made great progress on all of their goals. They only had one project remaining, which is the best practice document regarding security deposits, escrow deposits, and trust accounts. Ms. Taggart stated the Committee is asking the Commission for two things:

1. A new Committee Liaison be appointed for 2021
2. Any input on goals the Commission may have for the Committee for 2021

Ms. Taggart thanked the Commission for sending out the information via ListServ for the Alaska Housing Finance Committee's statewide rental assistance program. She stated this program helps those managing properties, as well as the public that still need relief statewide. It was passed for those funds to be available until September 30th, and currently 30,000 applications have been submitted statewide.

271 Ms. Markwood commended Ms. Taggart and the Committee on their efforts thus far, and
272 stated they've made great strides in creating multiple best practice documents available
273 for everyone in the industry to reference and share. All of the work completed by the
274 Committee has been posted to the Commission website for everyone to access.
275

276

277 **Agenda Item 6 – Old Business**

278 **AREC Property Transfer Disclosure Form Re-Write – 6(a)**

279 Ms. Markwood stated this has been a project the Commission has been working on for the
280 past year. A lot of information was gathered by previous Commission members, and the
281 project was given to her just before those Commission members' terms of service ended.
282 Ms. Markwood stated the product is currently in draft form, and will be distributed to
283 Commission members for consideration/review at the next meeting.
284

285

285 **Regulation Revisions Status Update – 6(b)**

286 Mr. Maiquis apologized for the delay in getting the draft regulations ready for public
287 comment, but the last few months he's been inundated with several high priority
288 emergency regulations projects that rendered him unavailable to complete projects that
289 were not emergency in nature.
290

291

291 Ms. Markwood thanked Mr. Maiquis for taking the time to work through the Commission's
292 regulatory revisions through this difficult time, and appreciates his time in making these
293 available for public comment. There were no additional comments or questions from the
294 Commission members on the regulation revisions.
295

296

296 **On a motion duly made by Mr. Sumner, seconded by Ms. Matthews, it was**

297

298 **RESOLVED to approve the proposed regulation draft to go out for**
299 **public comment.**

300

301 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
302 **Sumner – yes, and Ms. Markwood – yes.**

303

304 **Motion passed.**

305

306 **Disciplinary Matrix Status Update – 6(c)**

307 Ms. Consalo explained for the new Commission members what the Disciplinary Matrix is,
308 and the process that was involved in developing the document presented before them. Ms.
309 Consalo stated that both investigations and the Department of Law have reviewed the
310 Disciplinary Matrix, and have approved the document, as presented. Ms. Consalo shared
311 an email sent to her by the attorney with the Department of Law that reviewed the
312 Disciplinary Matrix. In sum, it stated there were no legal issues with the document; it
313 covered all grounds for disciplinary sanctions under the Commission's statutes and
314 regulations; it's very comprehensive, well organized, and easy to follow; the most severe
315 sanctions are clearly identified as intended to be used cautiously; and is an overall great
316 product that may want to be considered as a model for other programs developing such a
317 matrix.
318

319

319 Ms. Markwood thanked Ms. Consalo and everyone involved in developing this Disciplinary
320 Matrix, as this will prove to be very helpful as reviewing Commission members move
321 forward through investigations and disciplinary matters.
322

323

323 **On a motion duly made by Mr. Sumner, seconded by Ms. Matthews, it was**

324

325 **RESOLVED to adopt the Disciplinary Sanctions Matrix, as presented.**

326

327 **Roll call vote: Ms. Schok – yes, Ms. Heaton – yes, Ms. Matthews – yes, Mr.**
328 **Sumner – yes, and Ms. Markwood – yes.**

329

330 **Motion passed.**

331

332 2020 AREC Strategic Plan Review – 6(d)

333 Ms. Markwood commended Commission staff for all the hard work they've done over the
334 last year in completing items from the very ambitious 2020 Strategic Plan. With that said,
335 there were a couple of projects completed that were not on the Strategic Plan that Ms.
336 Markwood wanted to recognize. First, the Disciplinary Matrix - which was a huge project
337 that will not just help Commission members in their reviews of investigative cases, but it
338 also informs both licensees and the public about what disciplinary sanctions for certain
339 violations could look like. Second, the Commission website – a lot of information on the
340 website was either outdated or non-functioning, and Ms. Consalo spent a lot of time
341 throughout the year working with the publications team in updating and fixing the website
342 to be what it is today. This has been a much needed and helpful change for the industry
343 and members of the public who visit the website for information. Ensuring the website
344 remains updated will be an ongoing need, so it should be something to consider including
345 when discussing what goals the Commission would like to have in their 2021 Strategic
346 Plan.

347

348 Ms. Markwood stated she would be going through each of the Strategic Plan's tasks to
349 help identify what tasks the Commission should be looking to carry over to 2021, and go
350 over what tasks have been completed to date. Ms. Markwood started with the first task:
351 "With agreement of the appropriate departments, upload informational videos done by
352 appropriate personnel on: 1) how to file a complaint against a licensee and its process;
353 and 2) if a complaint is filed against a license what the process is for a license.
354 Additionally, provide best practice 'white papers' on various topics as approved by the
355 Commission for placement on our website." Ms. Consalo provided a status update on this
356 task by informing the Commission she was in the script-writing stage of the presentation.
357 The slides are already done, she just needs to finish the script and record over the slides
358 once the script is done. Ms. Consalo indicated her previous goal to have something further
359 along by this meeting was a bit ambitious and unrealistic in her first year as Executive
360 Administrator. Learning the ins & outs of her role, taking on the large projects of
361 developing the Disciplinary Matrix, updating the Commission website, and working on the
362 big regulation revisions project, did not leave her any time to dedicate to this project. Ms.
363 Consalo stated her new goal is to have this project completed by next year's strategic
364 planning meeting.

365

366 Ms. Markwood moved to the second task: "Provide the Commission for consideration,
367 what they should have jurisdiction over in property management; i.e. financial
368 responsibilities of the property owner or property manager. Then, provide next steps
369 should the Commission agree to move forward with recommendations. And, provide a list
370 of property management FAQs (frequently asked questions) for both licensed property
371 managers and property owners, to be approved by the Commission then placed on our
372 website." Ms. Markwood stated this task will continue to be a work in progress, but the
373 Property Management Committee has done a great job, and has already provided several
374 valuable best practice documents that have been posted on the website.

375

376 Ms. Markwood moved to the third task: "Refine and rework current processes, to increase
377 the speed of actions to keep outside licensees and/or non-licensees from transacting
378 business for which an Alaska real estate license or broker's license is required. Then, put

379 this information on the Commission website and make sure it is easily accessible.” Ms.
380 Consalo stated she wasn’t sure what the issue was that brought this to be on the 2020
381 Strategic Plan; however, it may have been a result of a backlog investigation cases at the
382 time, where Cease & Desist orders weren’t occurring or moving at the pace they should
383 have been. Cases have since been caught up, and are moving at the appropriate pace, so
384 this item should be considered completed.

385
386 Ms. Markwood moved to the fourth task: “Define minimum standards, based on what other
387 jurisdictions have successfully implemented, for team advertising (i.e. the requirement to
388 include brokerage information, minimum size etc).” Ms. Markwood stated an advertising
389 best practice document was created & approved at the last meeting, and has been posted
390 on the Commission website for reference. There has been interest in looking at and
391 discussing possible regulation changes regarding advertising and team advertising, which
392 may be a task to consider adding to the 2021 Strategic Plan.

393
394 Ms. Markwood moved to the fifth task, which consists of five separate sub-tasks: “Assist
395 staff to clear up the following issues:

- 396 • How “inactive status” is logged/started and the McConnochie & Staff notification
397 to the affected licensee” – this will be carried over to the 2021 Strategic Plan.
- 398 • “How required education, for those who apply for license by endorsement, is
399 defined and verified” – this will be carried over to the 2021 Strategic Plan.
- 400 • “Provided a military spouse has a current license in good standing in another
401 state, streamline the process when they apply for an Alaska real estate license” –
402 this item was completed.
- 403 • “Change how the Commission receives and disseminates license history; i.e.
404 paper versus digital, or some other process” – this item was completed.
- 405 • “Define and simplify the criteria for getting or upgrading an Alaska real estate
406 license; i.e. referring to criminal history and what specifically constitutes a valid
407 reason a license will not be given/upgraded and the timing since conviction or
408 completion of sentence” – this item was placed on the 2020 Strategic Plan
409 because the Division was looking into streamlining this. This was a “keep an eye
410 on” type of task verses something the Commission needed to complete - this will
411 not be carried over to the 2021 Strategic Plan.

412
413 Ms. Markwood moved to the sixth task: “Review all regulations and propose one major
414 regulation change (clean up) which will bring regulations into the 21st century.” The
415 Commission has done its job with this task, and it is now in the hands of the Regulation
416 Specialist to put out for public comment. Mr. Maiquis’ goal is to have this project done by
417 the next meeting in hopes that the Commission can adopt the changes at that meeting.

418

419

420

421 Break at 10:50 a.m.

422 Reconvene at 11:03 a.m.

423

424

425 **Agenda Item 7 – New Business**

426 **Develop 2021 AREC Strategic Plan – 7(a)**

427 The Commission discussed issues/topics they believed need to be looked at for changes
428 and to be placed on their 2021 Strategic Plan. Ms. Matthews commented that with it being
429 a renewal year, and given the items the Commission has to carry over from 2020, it might
430 be enough to focus on for 2021, depending on what others may have to input. Ms.

431 Markwood thanked Ms. Matthews for her comment, and agreed those items will need to
432 be taken into consideration during this discussion.

433

434

ALASKA REAL ESTATE COMMISSION STRATEGIC PLAN 2021

GUIDING PRINCIPLE

Protect the
Consumer/Inform the Licensees

Protect the Consumer/Inform
Licensees

OBJECTIVE – how will we meet this guiding principle?

With agreement of the appropriate
departments, upload informational
videos done by appropriate
personnel on:

- How to file a complaint
against a licensee & its process
- If a complaint is filed against a
license what the process is for
a license.

Additionally, provide best practice
“white papers” on various topics as
approved by the Commission for
placement on our website.

Provide the Commission for
consideration, what they should
have jurisdiction over in property
management, i.e., financial
responsibilities of the property
owner or property manager. Then,
provide next steps should the
Commission agree to move forward
with recommendations. Provide a list
of property management FAQ’s
(Frequently Asked Questions) for
both licensed property managers &
property owners, to be approved by
the Commission then placed on our
website. To include:

- Best practices for security
deposits & earnest money
- Potential for separate
Property Management
Consumer Disclosure &
Wavier of Right to be
Represented form.
- Long-term goal to review the
Landlord Tenant Act & look at
changes in conjunction with
the real estate industry
- Review and make
recommendations to the
property management
regulations with regard to
trust account and security
deposit issues

Who will complete this task?

Commissioners, Staff & Investigator

Property Management Committee of
the Commission & Property
Management Liaison, Commissioner
Heaton

Protect the Consumer/Inform Licensees	Define minimum standards, based on what other jurisdictions have successfully implemented, for team advertising. To include: <ul style="list-style-type: none"> • Define requirements to include brokerage information, minimum size, etc. • Review, make recommendations if necessary, and provide a draft Disclosure Statement regarding teams • Review, make recommendations if necessary, and draft regulation changes 	Commissioners Schok & Heaton to provide information to staff
Inform Licensees	Assist staff to clear up the following issues: <ul style="list-style-type: none"> • How “inactive status” is logged/started & the notification to the affected licensee. • Define & Verify how required education, for those who apply for license by endorsement. • Define & Simplify the criteria for getting or upgrading a license. • Sharing of Information 	Commissioner Markwood & Staff
Protect the Consumer/Inform Licensees	Review all regulations and propose one major regulation change (clean up) which bring regulations into the 21 st century.	Commissioners & Staff
Protect the Consumer	Review & revamp the State of Alaska Residential Real Property Transfer Disclosure Statement	Commissioner Markwood
Commission Business/Inform Licensees	Review upcoming licensing renewal cycle fee adjustment, as to conform with the surety fund balance.	Commissioners & Staff
Commission Business/Inform Licensees	Review and make recommendations regarding DCE Education Topics for the next renewal cycle.	Commissioners & Staff

435 Election of Vice Chair & Education Liaison – 7(b)
 436 Ms. Markwood asked if there was anyone who would like to nominate a Commission
 437 member for the Vice Chair. It was clarified that a real estate license is not required to be
 438 nominated for this position. Ms. Matthews was nominated for Vice Chair. There were no
 439 further nominations.
 440

441 **On a motion duly made by Ms. Schok, seconded by Mr. Sumner, it was**

442

443 **RESOLVED that Ms. Matthews would be the Vice Chairperson for the**
444 **Commission for 2021.**

445

446 **All in favor; Motion passed.**

447

448 Ms. Markwood asked if there was anyone who would like to nominate a Commission
449 member for the Property Management Committee Liaison. Ms. Heaton was nominated for
450 Property Management Committee Liaison. There were no further nominations.

451

452 **On a motion duly made by Mr. Sumner, seconded by Ms. Matthews, it was**

453

454 **RESOLVED that Ms. Heaton would be the Property Management**
455 **Committee Liaison for 2021.**

456

457 **All in favor; Motion passed.**

458

459

460 **Agenda Item 9 – Executive Administrator’s Report**

461 **Education Statistics – 9(a)**

462 Ms. Harris presented the education report for March 17, 2021. She reported that as of
463 March 3, 2021, there were 13 pre-licensing courses; 4 broker upgrade courses; 342
464 elective courses; 53 designated courses; and 72 post-licensing courses approved, with a
465 total of 484 courses approved. Ms. Harris stated there are currently 70 approved
466 instructors.

467

468 **Train the Trainer Course Request – 9(b)**

469 Ms. Harris stated she’s been receiving a lot of feedback and requests for a Train the
470 Trainer workshop. Ms. Harris explained that, in the past, instructors were required to take
471 a Train the Trainer workshop to renew their instructor license. A number of years ago, the
472 Commission changed that, so the instructor license would be more widely available to
473 those who were interested. Currently, the requirement to obtain an instructor license is that
474 the individual must have experience teaching or training adults. There’s no set number of
475 hours, there just must be some type of experience. If an individual does not have any
476 experience teaching or training adults, they can attend a Commission approved Train the
477 Trainer workshop in lieu of the experience. Ms. Harris stated it appears a lot of individuals
478 don’t have the required experience teaching or training adults, so there have been
479 requests for the Commission to approve a Train the Trainer workshop. In order to do this,
480 a Request for Procurement (RFP) would need to go out for bid to hire an instructor to
481 teach the workshop. The workshop would be an eight-hour course that could be split into
482 two separate four-hour days, if electing to provide the workshop virtually.

483

484 **On a motion duly made by Ms. Schok, seconded by Ms. Heaton, it was**

485

486 **RESOLVED to approve a Train the Trainer workshop to be held**
487 **sometime in September/October 2021.**

488

489 **All in favor; Motion passed.**

490

491 **Licensing Statistics – 9(c)**

492 Ms. Consalo presented the licensing report for March 17, 2021. She reported that as of
493 March 3, 2021, there were 107 new licenses issued; 2,795 active licensees; 20 inactive
494 licensees; 409 lapsed licenses with 17 of those for non-compliance of PLE; 236 transfers;

495 78 licensees who completed their PLE requirements; 10 license upgrades from
496 salesperson to associate broker; 1 license upgrade from salesperson to broker; and 1
497 licensee on probation.

498
499 RISC E&O Claims Report – 9(d)

500 Ms. Consalo presented the report for RISC E&O claims for their fourth quarter (Oct - Dec).
501 Total closed claims were \$3,000, and the total open claims were \$32,002, for a total of
502 \$35,002 in claims for the fourth quarter. All of these claims were the same claims/cases
503 reported in the third quarter report; however, the loss amounts from the most recent claim
504 increased from the third quarter report.

505
506 Recovery Fund Balance Report – 9(e)

507 The Commission reviewed the Recovery Fund Balance Report as presented.
508 Ms. Consalo presented the Recovery Fund Report for the second quarter, ending
509 December 31, 2020. The Commission received a total of \$6,263 for license fees
510 processed between October and December, leaving the current total fund balance at
511 \$296,086. The projected balance for the end of the fiscal year is \$211,011 with an average
512 2-year licensing cycle fund balance of \$269,431.

513
514
515 Break for lunch at 11:56 a.m.
516 Reconvened at 1:01 p.m.

517
518
519 **Agenda Item 8 – Division Update**

520 REC Revenues and Expenditures Report – 8(a)

521 Sharon Walsh, Deputy Director of the Division of Corporations, Business, and Professional
522 Licensing, presented the Division Update.

523
524 Ms. Walsh welcomed the new Commission members and provided a brief introduction of
525 herself. Ms. Walsh presented the report for the second quarter of 2021, ending December
526 31, 2020. She stated the current revenue was \$148,670. Expenditures totals were as
527 follows: There were non-investigative expenditures of \$51,863 and investigative
528 expenditures of \$59,242, for a total of \$111,105 in direct expenditures. There were indirect
529 expenditures of \$83,590 (this includes internal administration, department, and statewide
530 costs), leaving the total expenditures at \$194,695. There was a total surplus of
531 \$1,001,037.

532
533 Ms. Walsh recommended Commission members review the information on board finances
534 in the Board Guidance Ms. Consalo provided, as it breaks down the methodology used to
535 determine the finances for each board. Ms. Walsh further explained the boards are
536 considered a receipt supported service (RSS), which means licensees carry the costs and
537 the boards have no general finds.

538
539 New Board Member Training – 8(b)

540 Ms. Walsh commented she understood the Commission wished to have some formal
541 board member training; however, it is very difficult for her or Director Sara Chambers to
542 arrange this type of training during legislative session. Ms. Walsh indicated they plan to
543 schedule a thorough board training for all Boards and Commissions sometime this
544 summer.

545
546 Ms. Markwood thanked Ms. Walsh for her report, and stated they look forward to the
547 training in the summer. Ms. Markwood then asked if Ms. Consalo or Ms. Harris could

548 provide a brief overview on ex-parte communications and the Open Meetings Act, as she
549 feels those are very important for the new members to understand.

550
551 Ms. Consalo explained that one of the most important things to remember with ex-parte
552 communication and the Open Meetings Act is that Commission business cannot be
553 discussed with three or more Commission members present, outside of a publicly noticed
554 meeting. This includes all forms of communication – email, phone, in-person, etc. If the
555 Commission Chair wanted to send a message to all Commission members regarding a
556 matter, that communication would have to be routed through Commission staff for
557 dissemination to all Commission members. If Commission members wished to discuss
558 Commission business with other Commission members, it's important to remember that
559 communication cannot occur with three or more Commission members, or it is considered
560 an official meeting. All Commission meetings must be publicly noticed at least 10 days
561 prior to the meeting. Ms. Consalo recommended Commission members review pages 24 –
562 28 of the Board Guidance packet for more detailed explanation of what you should and
563 shouldn't do with regards to ex-parte communication and the Open Meetings Act.

564
565

566 **Agenda Item 10 – Commission Member Comments & Questions**

567 Ms. Matthews thanked Ms. Markwood for stepping up for the Chair position and running
568 an efficient meeting. She thanked the staff for their continuous hard work, and Ms.
569 Consalo for her informative emails and quick communication. Ms. Matthews also
570 welcomed the new members to the Commission, and stated she looks forward to working
571 with them.

572

573 Mr. Sumner welcomed the new Commission members, and stated he looks forward to the
574 next meeting.

575

576 Ms. Schok stated it was a great first meeting, and she absorbed a lot of good information.
577 She's excited about the work the Commission has done and continues to do, and is
578 looking forward to serving.

579

580 Ms. Heaton expressed the same sentiments as Ms. Schok, and further stated this is going
581 to be a learning opportunity for her but is looking forward to the journey. She thought the
582 meeting was a great use of time, and she appreciates that it was well-prepared and
583 concise. She has a lot of information to research moving forward, but she excited and
584 looking forward to serving.

585

586 Ms. Markwood thanked everyone in attendance, and welcomed the new Commission
587 members. She thanked Ms. Taggart for continuing to step up and lead the Property
588 Management Committee. She thanked Commission staff for the wonderful job they do in
589 representing the Commission, and being so helpful to the industry. She reminded
590 Commission members to check the meeting schedule for the year, and ensure they have
591 no conflicts, as it is important all Commission members attend the meetings. If any of the
592 Commission members find they have conflicts in attending any of the meetings, please let
593 staff know as soon as possible so adjustments can be made, if necessary. She further
594 stated serving on the Commission has been a true joy for her, and she appreciates
595 everyone's hard work, dedication, and time.

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598 **Agenda Item 11 – Adjournment**

599 **On a motion duly made by Ms. Matthews, seconded by Mr. Sumner, it was**

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RESOLVED to adjourn.

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All in favor; Motion passed.

Meeting adjourned at 1:27 p.m.

The next meeting will be held June 16, 2021 in Anchorage.

Prepared and submitted by:
Real Estate Commission Staff

Approved:

Cheryl Markwood

Cheryl Markwood
REC Chairperson
Alaska Real Estate Commission