



**Executive Summary**  
**State Real Estate Commission**  
**One Penn Center, Harrisburg**  
**May 19, 2015**

Present at the regular meeting of the Commission were: Chair Joseph Tarantino, Vice Chair Greg Rothman, Secretary Joseph McGettigan, and Commissioners Alexis Barbieri, Annie Hanna Cestra, Nicole DiTomo, Vincent Galko, Jeffrey Johnson and Edward Seebeck. Also present were Commission Counsel Juan Ruiz and Acting Commission Administrator Debi Misheck.

The following key discussions/actions were taken:

1. Minutes of the April 2015 meeting were approved.
2. Consent Agreement: File 10-56-04117 (Deneen Thomas) The respondent acted as a dual agent in a transaction, and placed a \$2,500 deposit in an escrow account. The transaction did not close, and the respondent signed the name of the buyer on the escrow release form. The respondent is charged with misrepresentation, incompetence, and improper actions regarding a dual agent. Terms of the Agreement: \$3,000 civil penalty, six months stayed suspension, and 7-hrs residential education. Commission approved.
3. Consent Agreement: Files 10-56-06951, 11-56-08552, 12-56-00340, 13-56-01617 – The respondents are a salesperson and real estate company. In 2007, the salesperson opened a property management company and operated without a license for two years including at least nine instances of management. In 2009, the salesperson earned a broker's license and became the broker of record for the property management company. The management company did not have signed agreements with at least two companies to provide property management services. Terms of the Agreement: \$3,000 civil penalty (joint and severable), \$997.43 costs of investigation, and 30-hrs remedial education within six months. Commission denied as too lenient.
4. The Commission adopted a proposed adjudication and order in the case of BPOA vs John L. Holloway (File 08-56-11624) and BPOA vs Shelley L. Biagini (File 14-56-07644).
5. The Commission approved a final adjudication and order in the case of BPOA vs Willie M. Barham (File 09-56-07831), BPOA vs David A. Stillman (File 10-56-09791), BPOA vs Yahcob K. Swinton (File 11-56-06947) and BPOA vs Kelly A. Morrison (File 12-56-06694).
6. The Commission approved the following continuing education courses:
  - Calculate Your Way to More Income
  - Fair Housing and Pennsylvania Human Relations Act
7. The Commission denied approval for the following continuing education courses:
  - Adjustments: Supported or Not Supported

- Review Appraisers Certification Act
  - Work File: Your Best Defense Against an Offense
8. The Commission reported that the continuing education audit has been completed. A total of 2,183 individuals were audited and 91 percent passed.
  9. Rules and Regulations Committee
    - Regulation 16A-5616 (Advertising and Solicitation) – The proposed rulemaking would require licensees to advertise or otherwise hold themselves out to the public only under the name listed on their license.
      - Most Recent Action: Council indicated that a draft of the regulation has been sent to stakeholders for input.
    - Regulation 16A-5622 (Escrow Requirements) – The proposed rulemaking would establish additional escrow requirements consistent with the changes made by Act 14 of 2009.
      - Most Recent Action: No movement.
    - Regulation 16A-5623 (Civil Penalties) – The proposed rulemaking would amend the schedule of civil penalties to implement Act 48 penalties for continuing education violations.
      - Most Recent Action: No movement.
  10. The Commission determined that the next meeting will be June 16 in Harrisburg, and that they will meet July 22-23 in Philadelphia. The Commission also discussed initial dates for 2016 meetings.
  11. Next Meeting – June 16, 2015.

The foregoing represents the author's best interpretation of the significant actions and discussions of the Commission. Aside from the meeting agenda, the author receives no supporting documentation or materials in advance of the meeting, nor is the author present during any executive sessions of the Commission. Therefore, this summary may not accurately reflect official actions or positions taken. Official minutes of the proceedings may be secured by contacting the Bureau of Professional & Occupational Affairs.

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For further information, contact Jennifer Shockley, Political and Community Services Manager.