

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION

November 20, 2014

The Louisiana Real Estate Commission held its regular meeting on Thursday, November 20, 2014, at 12:15 p.m., at 9071 Interline Ave, Baton Rouge, Louisiana, according to regular call, of which all members of the Commission were duly notified, at which meeting the following members were present:

COMMISSION

Paul Burns, Chairman
James Gosslee, Vice Chairman
Lynda Nugent Smith, Secretary
Jeffrey Donnes
Kelly Ducote
Steven Hebert
Richman Reinauer
Cynthia Stafford
Frank Trapani
Evelyn Wolford

STAFF

Bruce Unangst, Executive Director
Arlene Edwards, Legal Counsel
Summer Mire
Jenny Yu
Chad Mayo
Jeremy Endicott
Mark Gremillion
Ryan Shaw
Henk vanDuyvendijk

GUESTS

Chris Donaldson – Donaldson Real Estate School
Roy Ponthier – ProEducate
Lisa Baker – Burk Baker School of Real Estate and Appraising
Norman Morris – Louisiana REALTORS
Rick Roberts – Louisiana REALTORS
Skip Sharrer – ShareVista

Commissioner Stafford led the Invocation; Commissioner Gosslee led the Pledge of Allegiance.

MINUTES

Commissioner Ducote made motion, seconded by Commissioner Trapani, to approve the minutes of the meeting of October 16, 2014 with a change to reflect the meeting date and time as Thursday, October 16, 2014 at 8:30 a.m. Motion passed without opposition.

COMMITTEE REPORTS:

1. Budget – Mr. Unangst briefed the commission on the LREC's plans to replace its licensing software, CAVU, due to numerous problems with the system. Skip Sharrer from ShareVista gave a presentation detailing the process of creating a replacement and starting a cooperative endeavor in regards to future sales of the system. Commissioner Stafford made motion, seconded by Commissioner Nugent Smith, authorizing Mr. Unangst to move forward with negotiating a cooperative endeavor agreement with ShareVista. The final agreement between

ShareVista and the LREC will be presented to the commission for final ratification following approval from the Office of Contractual Review. Motion passed without opposition. Commissioner Stafford reviewed the budget report.

(Attachment A)

2. Education/Research/Publication – Commissioner Hebert stated that the LREC issued a request for proposal (RFP) for updating the Broker 202 – License Law/Rules and Regulations and 203 – Practical Broker Responsibility courses. Commissioner Hebert stated that the idea to update these courses has been discussed by the strategic planning committee previously, but the issue has become more urgent due to the new ARELLO standards taking effect January 1, 2015. Commissioner Hebert made motion, seconded by Commissioner Trapani, to approve the RFP and have the LREC staff distribute it to vendors. Motion passed without opposition.

Mr. Unangst briefed the commission on the upcoming Train the Trainer schedule. Commissioner Nugent Smith expressed concern with qualifications of instructors teaching the mandatory course. The LREC's Director of Education and Licensing Mark Gremillion explained that pre-licensing instructors will not be automatically allowed to teach the course, but will be vetted based on their qualifications before being allowed to teach the mandatory course.

Commissioner Trapani asked if everyone is prepared to teach the 45-hour post licensing course. Mr. Unangst stated that three live courses and one online course are ready to go and that staff are working with online vendors who have deficiencies. Online vendors need mechanisms to prevent students from clicking through content too quickly and receiving credit without proper review of the materials.

3. Legal/Legislative/Timeshare – No report.
4. Standardized Forms – Commissioner Wolford stated that after discussion, the following changes to the approved Residential Agreement to Buy or Sell form were made:
 - Add the word “the” before all instances of “Buyer” or “Seller” throughout the document
 - Add the word “calendar” before all instances of “days” throughout the document
 - On line 41, change “if” to “as”
 - Change the revision date on the bottom of all pages to 02/01/2015
 - Add back line 85 from the original agreement beginning with “In the event of” and ending with “terms set forth above.”
 - In line 113, change 167 line reference to line 155
 - In lines 138 through 141, remove the sentence beginning with “If there are written leases” and ending with “assume the obligations of said leases.”

Commissioner Wolford made motion, seconded by Commissioner Nugent Smith, to approve the Residential Agreement to Buy or Sell form with the proposed changes subject to clerical changes made by the LREC staff. Motion passed with Commissioner Hebert voting in opposition.

Commissioner Wolford stated that after discussion, the following changes to the approved Property Disclosure form were made:

- Add lines for buyer and seller's initials to the bottom of page one
- Remove the word “written” from the first checkbox line(the line after 14), which begins with “ALL SELLERS are required to”
- In the second checkbox line, which begins with “SELLER acknowledges that,” change both instances of “he/she” to “seller” and correct spelling error on the word “disclosure.”
- In line 15 (a), add an NK box option.
- After line 15, add “(b) Name of warranty company_____.”

Commissioner Wolford made motion, seconded by Commissioner Stafford, to approve the Property Disclosure Form with the proposed changes subject to clerical changes made by the LREC staff. Motion passed without opposition.

5. Strategic Planning – Commissioner Nugent Smith stated that the commission will receive a report on the commission’s strategic plan at the December meeting. Commissioner Nugent Smith stated that the commission plans to add a technology committee in 2015.
6. Errors & Omissions – No report.

DIRECTORS REPORT:

Mr. Unangst thanked the commissioners for their hard work this year.

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

There being no further business, Commissioner Nugent Smith made motion, seconded by Commissioner Trapani, to adjourn. Motion passed without opposition.

PAUL BURNS, CHAIRMAN

LYNDA NUGENT SMITH, SECRETARY