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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	DELAWARE REAL ESTATE COMMISSION SUBCOMMITTEE TO REVIEW STATUTE REVISIONS
MEETING DATE AND TIME:	Thursday, December 18, 2008 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES APPROVED:	January 16, 2009

MEMBERS PRESENT

Christopher J. Whitfield
Ricky H. Allamong
Harry W. Kreger

DIVISION STAFF/ DEPUTY ATTORNEY GENERAL

Eileen Kelly, Deputy Attorney General
Gayle Melvin, Administrative Specialist III

ALSO PRESENT

Andy Taylor, Esquire
Mike McGavisk

CALL TO ORDER

Mr. Whitfield called the meeting to order at 9:15 a.m.

REVIEW OF MINUTES

The Subcommittee reviewed the minutes from the October 14, 2008 meeting. A motion was made by Mr. Allamong, seconded by Mr. Kreger to approve the minutes. The motion passed unanimously.

REVIEW OF STATUTE REVISIONS

The Subcommittee reviewed the draft of the proposed revisions to the statute. The following items were discussed:

A lengthy discussion was held concerning the CIS. Mr. Kreger distributed a handout for review. The discussion included if changes needed to be made to the current forms, when to present the forms for signature and if the forms need to be signed.

The Subcommittee recessed from 10:17 a.m. to 10:27 a.m.

Section 2928 – (b) will be changed to read as follows: The Consumer Information Statement required by this chapter shall be delivered to the consumer no later than the first scheduled appointment or showing of a property, whichever is earlier, unless they have already been given the CIS by another licensee. When first contact is made, without a face to face meeting, any information that is sent by mail or by electronic transmission shall be accompanied by a CIS. A listing licensee who knows that the buyer is working with another licensee is not required to give that buyer a CIS. A licensee working with a buyer who knows that the seller is working with another licensee is not required to give a CIS to that seller. (c) will read as follows: The CIS shall be available to the consumer at open houses, but does not need to be personally presented by the licensee unless the consumer asks for more than factual information about the property or expresses interest in making an offer on the property during the open house. The remaining sections will be renumbered.

The Subcommittee recessed from 12:03 p.m. to 12:20 p.m.

Section 2934 – (b) will be changed to read as follows: For transactions exempt from providing the CIS, the duties of the agent commence when the parties form an agency relationship.

Mr. Whitfield reported that he attended the November meeting of the Council on Real Estate Appraisers to discuss comparative market analysis. The Council asked that the Subcommittee bring proposed language back to them and they will review and comment on it.

Section 2902 – In the last sentence change “service” to “services” and add “and supervision”. The Subcommittee reviewed the remaining definitions and made no changes.

Section 2912 – (a) (9) – note about valuable consideration can be deleted. (10) – can be deleted.

Section 2915 – (e) – change “who’s” to “whose” and delete note.

Section 2918 – Ms. Kelly will review.

Section 2921 – Subcommittee members will review language provided by Mr. Kreger.

Section 2925 – note can be deleted.

OTHER BUSINESS BEFORE THE SUBCOMMITTEE (for discussion only)

There was no other business before the Subcommittee.

PUBLIC COMMENT

There was no other public comment at this meeting.

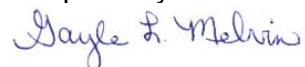
NEXT SCHEDULED MEETING

The next meeting was scheduled for January 16, 2009 at 9:00 a.m.

ADJOURNMENT

A motion was made by Mr. Kreger, seconded by Mr. Whitfield to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 3:08 p.m.

Respectfully submitted,



Gayle L. Melvin
Administrative Specialist III