



GUAM REAL ESTATE COMMISSION

John P. Camacho, Real Estate Commissioner

Christopher Murphy (Chairman)

Odessa Martinez (Vice Chairwoman)

Alice Sebastian-Cruz (Executive Secretary)

Richard Gutierrez

REAL ESTATE COMMISSION QUARTERLY MEETING MINUTES OF THE MEETING

July 17, 2018, 2:00 pm

Director's Conference Room, Department of Revenue & Taxation
1240 Army Drive, Barrigada, Guam 96913

1. Meeting call to order:
 - Meeting called to order by the Chairman Christopher Murphy at 2:02 pm, July 17, 2018
2. Roll Call/ Establishment of Quorum:
 - Christopher Murphy
 - Odessa Martinez
 - Alice Cruz
 - Richard Gutierrez
3. Old Business/Real Estate Pre-Licensing Examination
 - Chairman Christopher Murphy opened the meeting stating that the New Real Estate licensing standards for conducting exam was submitted to Commissioner and approved by the DRT Director.
 - The complete documents and approvals were sent to UOG Professional & International Programs Director Carlos R. Taitano who is in charge of proctoring the exam

The following are the changes made to the licensing exam:

 - Increased passing score to 75% for Salesperson
 - Increased number of questions to 130
 - 100 Uniform questions
 - 30 State questions
 - 2 new Broker and Salesperson tests to be administered by UOG
 - Exams to be administered every 2nd Friday of the month starting August
 - New books ordered for training on new exam
 - 2 versions of exam for Broker and Salesperson
 - Course instructors not allowed to take exam
 - Purpose of amending exam is for a better understanding of questions and relevance to current Real Estate practices
4. Cemeterial Licenses
 - Secretary A. Cruz reported there are cemeterial salespeople that have not been licensed with the ISBRE branch over the last 30 years.
 - Companies have business license, but brokers and salespersons are not licensed
 - Cemeterial salesperson licenses withheld due to non-compliance, therefore cannot conduct business or sell while case is being settled.



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- Archdiocese attorney not aware of cemeterial license requirements, but will confer with Archdiocese board members
- Cemeterial companies in violation of Guam law and will be assessed penalties and fees before licenses will be released in accordance to 21 GCA Section 104101.
- Awaiting opinion of AG's office in order to compute penalties
- Lawyer needed for Guam Real Estate Commission
- License course in ethics considered for Cemeterial Salespersons
- Cemeterial salespersons regulated by Real Estate laws
- Members will conduct research in order to finalize requirements for cemeterial sales
- Chairman C. Murphy asked if licensees renew yearly and Secretary A. Cruz confirms the annual renewal and \$50 renewal fee
- Secretary A. Cruz suggested following real estate laws of California or Hawaii as the nearest jurisdiction

5. Mr. Yu / Tricia Candoletta

- Secretary A. Cruz informed that the AG'S office has assigned an attorney to review Mr. Yu's case, however the attorney does not want to issue disposition and stated the Board will have the final decision in case.
- Mr. Yu has pending criminal case against siblings
- Attorney waiting for outcome of criminal case before he proceeds with the case
- Chairman Murphy questioned the need to wait for outcome of the criminal case because it is not correlated and feels the need to proceed to work on the case
- Secretary A. Cruz stated she will contact attorney to verify the need to wait for outcome of Mr. Yu's other case
- Chairman C. Murphy suggested proceeding to rule on the licensing portion of the case instead of the criminal case
- O. Martinez questioned if the commission will need to hold a hearing for the defendants' case; C. Murphy confirmed the defendants will need to present their case to the commission
- Secretary A. Cruz will follow up on status of case and request permission to proceed on the licensing portion of Mr. Yu's case
- O. Martinez questioned the ability to hold special meeting or hearing for each case
- Chairman C. Murphy suggested to change the law to allow meetings for urgent situations; seeking legal opinions for ability to hold special meetings for violation cases



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6. Other Business

- Chairman C. Murphy stated Seller-Disclosure Law sent to Senator Telena Nelson's office; has not been responding to inquiry regarding the status of presentation of law
- Chairman C. Murphy presented amendments to 21 GCA Chapter 104 Article 2 to be reviewed by Commission
 - Main changes include:
 - Increase in number of years to become a Broker (Instead of 2 years, increase to 3 years)
 - New/Original Brokers license prospects will require 15 hours of pre-licensing education, after will have to take 30 hour pre-licensing course before taking Broker test
 - Current law states no courses prior to taking Broker test; amending to include courses
 - New/Original Salespersons will be required to take 12 hours of pre-licensing education prior to 30 hour real estate course, followed by exam
- Chairman C. Murphy stated purpose of amendments is to ensure proper real estate education of salespersons, to filter serious applicants, and to provide a working knowledge of Real Estate
- Chairman C. Murphy stated that the new law restricts Brokers from being employed by multiple Real Estate companies, in the event the licensees obtain corporate and personal Broker's licenses
- The proposed amendments are:
 - Amendment of law states applicants must be U.S. Citizens
 - New law Renewal period of all licenses shall be changed to every two years on the 31st of the even year
 - Original and Renewal licenses shall be in effect for 2 years
 - Prior to renewal, all licensees shall be required to take 20 hours continuing education and 8 core credits to be determined by the commission as relevant for that year, plus electives of their choosing
 - Renewal credits may not be repeated for 3 renewals (6 years)
 - Licenses not renewal prior to deadline of December 31st, will be placed on Inactive Status the following January 1st.
 - Amendment removes Restricted License, etc. for non-use
- O. Martinez questioned the clarification of Property Management license—whether licensed with Insurance Banking Real Estate Branch or with General Licensing; A. Cruz confirmed license of Property Manager is issued by ISBRE Branch
- Chairman C. Murphy stated he is working with NAR (National Association of Realtors) in regards to continuing education for Realtors to have the website place a drop down option for Guam



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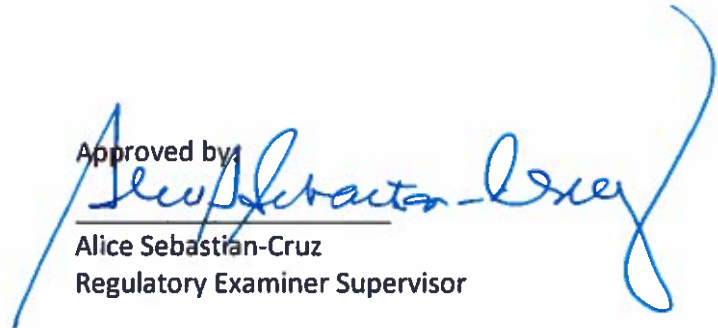
Richard Gutierrez

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- Chairman C. Murphy stated A. Cruz suggested the Real Estate commission take over the responsibility of Appraisers due to the small number of appraisers
 - Name will be changed to Real Estate/Appraisal Board and publish notice of the joining of the 2 boards
 - Chairman C. Murphy questioned the legal process of changing the Real Estate Commission's name to include Appraisers
 - R. Gutierrez will draft letter to Commissioner of intent to join boards and state the Real Estate Commission will now govern and hear cases regarding appraisers and appraisals
 - Chairman C. Murphy nominated Odessa Martinez as Vice Chair
 - Secretary A. Cruz moved to nominate Odessa Martinez as Vice Chair of Real Estate Commission.
 - R. Gutierrez seconded the motion
7. Next meeting to be held Tuesday, October 2nd at 2 pm at Department of Revenue & Taxation's Director's Conference Room
8. Chairman C. Murphy moved to adjourn meeting at 3:07 pm
- Seconded by O. Martinez

Prepared by:


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