

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE REAL ESTATE COMMISSION**

TIME: 10:06 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

February 11, 2025

State Real Estate Commission  
February 11, 2025

COMMISSION MEMBERS:

Kyle Sampson, Chair, Public Member  
Annie Hanna Cestra, Vice Chair, Industry Member  
Guy Saxton, Secretary, Cemetery Member  
Joseph Tarantino, Industry Member  
Jeffrey J. Johnson, Industry Member  
Anne M. Rubin, Industry Member  
Armand N. Ferrara Jr., Industry Member  
Gaetano P. Piccirilli, Esquire, Public Member -  
Absent  
Jennifer Thomson, Esquire, Attorney General Designee  
Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs - Absent

COMMISSION PERSONNEL:

Dean F. Picarella, Esquire, Commission Counsel  
Ray J. Michalowski, Esquire, Senior Commission  
Prosecutor  
Timothy A. Fritsch, Esquire, Commission Prosecution  
Liaison  
Angela L. Solomon, Esquire, Commission Prosecutor  
Caroline A. Bailey, Esquire, Commission Prosecutor  
Deon Bowers, Commission Administrator  
Marc Farrell, Esquire, Regulatory Counsel,  
Office of Chief Counsel, Department of State  
Michael Merten, Esquire, Board Counsel, State Board  
of Barber Examiners  
Elle Thompson, Law Clerk, PA Department of State

ALSO PRESENT:

Hank Lerner, Esquire, Pennsylvania Association of  
Realtors  
Francesca Tracy, Compliance Analyst, The CE Shop  
Tracy Matroni  
Willow Marsh  
Janis Benstock  
Marcus Huertas  
Shawn Boris  
LF  
Melody  
Rachel Wilbur-Adams, Sargent's Court Reporting  
Service, Inc.

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State Real Estate Commission

February 11, 2025

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[Pursuant to Section 708(a)(5) of the Sunshine Act, at 9:00 a.m. the Commission entered into Executive Session with Dean F. Picarella, Esquire, Commission Counsel, for the purpose of conducting quasi-judicial deliberations on matters currently pending before the Commission that are listed on the agenda. The Commission returned to open session at 9:47 a.m.]

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[Dean F. Picarella, Esquire, Commission Counsel, informed everyone that the meeting was being recorded, and voluntary participation constituted consent to be recorded.]

Mr. Picarella also noted the Commission entered into Executive Session for the purpose of conducting quasi-judicial deliberations on a number of matters currently pending before the Commission and to receive the advice of Counsel.]

\*\*\*

The regularly scheduled meeting of the State Real Estate Commission was held on Wednesday, February 11, 2025. Kyle Sampson, Chair, Public Member, officially

1 called the meeting to order at 10:06 a.m.

2 \*\*\*

3 Roll Call/Introduction of Attendees

4 [Deon Bowers, Commission Administrator, provided a  
5 roll call of Commission members and introduction of  
6 attendees. A quorum of Commission members was  
7 present.]

8 \*\*\*

9 Pledge of Allegiance

10 [The Pledge of Allegiance was recited.]

11 \*\*\*

12 Approval of minutes of the January 8, 2025 meeting

13 CHAIR SAMPSON:

14 We'll now do the approval of the  
15 minutes. Commissioner Tarantino will  
16 abstain. Is there a motion to approve  
17 the minutes?

18 COMMISSIONER FERRARA:

19 So moved

20 MS. THOMPSON:

21 Second.

22 CHAIR SAMPSON:

23 Please call the roll.

24

25 Kyle Sampson, aye; Annie Hanna Cestra,

1                   aye; Guy Saxton, aye; Joseph Tarantino,  
2                   abstain; Jeffrey Johnson, aye; Anne  
3                   Rubin, aye; Armand Ferrara, aye;  
4                   Jennifer Thomson, aye.

5 [The motion carried. Commissioner Tarantino  
6 abstained from voting on the motion.]

7                                   \*\*\*

8 Report of Prosecutorial Division

9 [Timothy A. Fritsch, Esquire, Commission Prosecution  
10 Liaison, presented the Consent Agreements for Case  
11 No. 24-56-000206.]

12                                   \*\*\*

13 [Timothy A. Fritsch, Esquire, Commission Prosecution  
14 Liaison, on behalf of Ashley P. Murphy, Esquire,  
15 Commission Prosecutor, presented the Consent  
16 Agreement for Case No.21-56-008136.]

17 MR. PICARELLA:

18                   Based upon discussions in Executive  
19                   Session, I believe the Commission Chair  
20                   will entertain a motion to reject the  
21                   Consent Agreement at Item No. 2 on the  
22                   agenda, Case number 24-56-000206 as too  
23                   harsh.

24 CHAIR SAMPSON:

25                   Is there a motion?

1 MS. CESTRA:

2 So moved.

3 CHAIR SAMPSON:

4 Is there a second?

5 MR. JOHNSON:

6 Second.

7 CHAIR SAMPSON:

8 Madam administrator, please call the  
9 roll.

10

11 Kyle Sampson, aye; Annie Hanna Cestra,  
12 aye; Guy Saxton, aye; Joseph Tarantino,  
13 aye; Jeffrey Johnson, aye; Anne Rubin,  
14 aye; Armand Ferrara, aye; Jennifer  
15 Thomson, aye.

16 [The motion carried unanimously.]

17 \*\*\*

18 MR. PICARELLA:

19 Item No. 3 on the agenda. Based upon  
20 discussions in Executive Session, I  
21 believe the Commission Chair would  
22 entertain a motion to approve the  
23 Consent Agreement at Item No.3 at Case  
24 No. 21-56-008136.

25 CHAIR SAMPSON:

1 Is there a motion?

2 MR. JOHNSON:

3 So moved.

4 CHAIR SAMPSON:

5 Is there a second?

6 MR. FERRARA:

7 Second.

8 CHAIR SAMPSON:

9 Madam administrator, please call the  
10 roll.

11

12 Kyle Sampson, aye; Annie Hanna Cestra,  
13 aye; Guy Saxton, aye; Joseph Tarantino,  
14 aye; Jeffrey Johnson, aye; Anne Rubin,  
15 aye; Armand Ferrara, aye; Jennifer  
16 Thomson, aye.

17 [The motion carried unanimously. The Respondent's  
18 name for Case No. 21-56-008136 is Randi Green.]

19 \*\*\*

20 Report of Commission Counsel - Proposed Adjudication  
21 and Order

22 MR. PICARELLA:

23 Item No. 4 is Richard Wolf, Case No.  
24 24-56-008934. Based upon discussions in  
25 Executive Session, I believe the Chair

1                   would entertain a motion to adopt the  
2                   hearing examiner's proposed  
3                   Adjudication and Order in this matter  
4                   and to direct Counsel to prepare the  
5                   Commission's Final Order.

6 CHAIR SAMPSON:

7                   Is there a motion?

8 MR. FERRARA:

9                   So moved.

10 CHAIR SAMPSON:

11                   Is there a second?

12 MS. CESTRA:

13                   Second.

14 CHAIR SAMPSON:

15                   Madam administrator, please call the  
16                   roll.

17  
18                   Kyle Sampson, aye; Annie Hanna Cestra,  
19                   aye; Guy Saxton, aye; Joseph Tarantino,  
20                   aye; Jeffrey Johnson, aye; Anne Rubin,  
21                   aye; Armand Ferrara, aye; Jennifer  
22                   Thomson, aye.

23 [The motion carried unanimously.]

24   \*\*\*

25 MR. PICARELLA:



1                   Item No. 5. William Brahler, IV, Case  
2                   No. 23-56-005317. Based upon  
3                   discussions in Executive Session, I  
4                   believe the Chair would entertain a  
5                   motion to adopt the findings of fact,  
6                   conclusions of law and discussion of  
7                   the proposed Adjudication and Order and  
8                   direct counsel to draft and substitute  
9                   the Commission's Final Order in this  
10                  matter and issue it as the Final Order  
11                  of the Commission.

12 CHAIR SAMPSON:

13                   Is there a motion?

14 MS JOHNSON:

15                   Motion.

16 CHAIR SAMPSON:

17                   Is there a second?

18 MS. CESTRA:

19                   Second.

20 CHAIR SAMPSON:

21                   Madam administrator, please call the  
22                   roll.

23

24                   Kyle Sampson, aye; Annie Hanna Cestra,  
25                   aye; Guy Saxton, aye; Jeffrey Johnson,

1                   aye; Joseph Tarantino, aye; Anne Rubin,  
2                   aye; Armand Ferrara, aye; Jennifer  
3                   Thomson, aye.

4 [The motion carried unanimously.]

5   \*\*\*

6 Report of Commission Counsel - Final Adjudication and  
7 Order - Motions

8 MR. PICARELLA:

9                   Item No. 6. In the matter of Deidre  
10                  Shaffer, Willow Hill Renovations and  
11                  Property Management, LLC, Case Nos. 23-  
12                  56-010242 and 2355-601-0243. Based  
13                  upon deliberations and Executive  
14                  Session, I believe the Chair would  
15                  entertain a motion to grant the  
16                  Commonwealth's Motion to Deem Facts  
17                  Admitted and to direct Counsel to draft  
18                  the Final Adjudication Order in this  
19                  matter in accordance with discussions  
20                  and Executive Session.

21 CHAIR SAMPSON:

22                                   Is there a motion?

23 MR. FERRARA:

24                                   Motion.

25 CHAIR SAMPSON:

1 Is there a second?

2 MS. CESTRA:

3 Second.

4 CHAIR SAMPSON:

5 Madam administrator, please call the  
6 roll.

7

8 Kyle Sampson, aye; Annie Hanna Cestra,  
9 aye; Guy Saxton, aye; Joseph Tarantino,  
10 aye; Jeffrey Johnson, aye; Anne Rubin,  
11 aye; Armand Ferrara, aye; Jennifer  
12 Thomson, aye.

13 [The motion carried unanimously.]

14 \*\*\*

15 Report of Regulatory Counsel

16 [Mark Farrell, Regulatory Counsel, PA Department of  
17 State, presented on the status of the general  
18 revisions proposed rulemaking package, 16A-5616 and  
19 the final rulemaking package 16A-5626, which is the  
20 Broker Price Opinions.

21 Mr. Picarella asked Mr. Farrell to report on the  
22 current state of the PAR (Pennsylvania Association of  
23 Realtors) with regard to education courses related to  
24 the BPO (Broker Price Opinions), their regulation  
25 package and the number of education hours needed for

1 same.

2 Hank Learner, Chief Legal Officer for the PAR,  
3 was asked to comment on the letter he wrote to the  
4 Board articulating what he believed to be some of the  
5 issues with the regulation package. He commented  
6 that the first issue was pertaining to Sec. 35, 503  
7 in the regulations with four listed, pre-approved  
8 education courses with the statute stating that the  
9 Commission would be able to set the initial  
10 educational requirement.

11 Mr. Farrell stated PAR had additional information  
12 coming in about this issue, and they were waiting to  
13 hear from the PAR before moving forward in an attempt  
14 to resolve any issues.

15 Mr. Learner stated the commentary that was  
16 provided at the last meeting and then forwarded to  
17 Commissioner Clagett was based on the recollection of  
18 the original registration draft and specifics of the  
19 regulations themselves.

20 Mr. Learner then advised that the Commission had  
21 requested a draft for a BPO pre-licensed outline from  
22 a voluntary group known as VIAC (Voluntary Education  
23 Advisory Council). The VIAC did create a three-hour  
24 outline for the Commission, which became the  
25 unofficial outline for the BPO education. He further

1 advised that there were already a number of courses  
2 approved for the BPO education. The Commission was  
3 to set the time period for the education requirement  
4 at three hours for both the initial and the renewal  
5 courses. Additionally, another three hours would be  
6 added for every cycle hereafter.

7 Mr. Learner stated there are now four pre-  
8 approved courses for BPO education that are  
9 potentially in the process of being adapted by the  
10 Commission.

11 Mr. Tarantino commented that he thought the  
12 general revisions to the rules package was excessive  
13 given that it may now require 30-hour courses for  
14 people to do BPO education.

15 Mr. Learner responded by clarifying that what he  
16 was suggesting was that they go back to the intent of  
17 the current regulation of the three-hour courses,  
18 based on the commission pre-guideline, to qualify for  
19 the pre-license. He stated they did not want 30-  
20 hours to be required.

21 Discussion about BPO pre-licensing continued  
22 amongst the Commission members with Ms. Rubin  
23 commenting that there was no way of tracking who took  
24 the required coursework and who did not. She  
25 suggested a licensing system whereby proof of having

1 taken the coursework could be shown. She asked if  
2 PAR might be willing to go back into a legislative  
3 session to ask for a new license category for BPO's.

4 Mr. Tarantino added that a great deal of work was  
5 being done on this regulation. He knew of no one  
6 that had filed a complaint against anyone for an  
7 incorrect BPO; hence, no need for a licensing  
8 category.

9 Ms. Rubin then advised Mr. Tarantino that any  
10 complaints filed would have been filed with the  
11 Appraisal Board and not the Real Estate Commission.  
12 And until the PAR got this regulation passed, real  
13 estate licensees without appraisal licenses were  
14 doing BPO's. PAR passed this regulation to protect  
15 their community.

16 Mr. Michalowski advised the Commission that he  
17 and Mr. Fritsch used to receive a number of  
18 complaints before BPO's were established and prior to  
19 legislative and initial regulations being complete.  
20 He explained the severity of a case was based on the  
21 purpose or intent of a CMA (Comparative Market  
22 Analysis) or appraisal. Most of the complaints were  
23 simply based on required disclaimers that were not on  
24 the document. He also mentioned that CMA and BPO  
25 complaints were often about whether these individuals

1 got paid directly or through their broker, as being  
2 paid directly would be a violation of the rules.

3 Mr. Michalowski offered the Commission a possible  
4 solution to the issue by suggesting the possibility  
5 of asking, on the renewal application, whether the  
6 applicant has performed BPO's and, if so, have they  
7 completed the requirements for performing same. Then,  
8 when the applicants get audited the Commission would  
9 know whether those BPO hours were completed by the  
10 applicant, or not.

11 Mr. Michalowski stated proof of BPO certification  
12 would not be searchable through PALS but a search  
13 would not be necessary given that those individuals  
14 using CMAs are more consumer oriented, whereas BPO's  
15 are monitored more by commercial entities and needed  
16 more for minimal purposes rather than general  
17 appraisals.

18 Mr. Fritsch questioned whether there should be  
19 language in the regulation that clarifies the current  
20 rules with a notice that the Commission can approve  
21 additional topics or courses.

22 Mr. Learner then reiterated that the four courses  
23 discussed should be specifically identified as pre-  
24 approved named broker courses. He also discussed  
25 that changeable criteria for the BPO education and

1 the proof thereof would be difficult to prove or dis-  
2 prove if it is not clear from the data.

3 Mr. Farrell stated it would be helpful to put  
4 together a list of topics to add to this language.  
5 He mentioned too that there was already an outline on  
6 the three-hour PA BPO course that was still on the  
7 Commissioner's website.

8 He suggested, based on an existing topical  
9 outline, he would simplify and insert it into the  
10 regulations as acceptable topics to be covered in the  
11 continuing education course for BPO and to be  
12 presented at the next Board meeting.]

13 \*\*\*

14 Report of the Chairperson - No Report

15 \*\*\*

16 Report of the Commissioner - No Report

17 \*\*\*

18 Report of the Commission Administrator - Audit

19 [Deon Bowers, Commission Administrator, presented on  
20 the Commission Audit which began on the 16th of  
21 January 2025.

22 Ms. Bowers provided a visual representation of  
23 their current audit report and the license sites  
24 audited this year. She explained that this was the  
25 first audit the Commission had in a very long time.



1       She stated, for the real estate salespersons,  
2 responsible reciprocals, there were a total of 31  
3 audited with two already having been processed and  
4 another 29 yet to be. There were approximately 569  
5 that need processed.

6       Real estate salesperson standards we have 804 in  
7 total and have responses from 104. Three builder  
8 owner salespersons were audited with no response yet.  
9 Audited broker multi licensing reciprocals totaled  
10 seven with no responses yet. 60 broker multi  
11 licensing standard were audited with 15 recorded  
12 responses. The associated broker reciprocals totaled  
13 three audits with no responses yet. The associate  
14 broker standard audits totaled 65 and 11 recorded  
15 responses were received.

16       Ms. Bowers advised the Commission that the total  
17 number of licensee's audited were 985 with about 2%  
18 of each license type involved. She also stated, once  
19 a response was received from an audit, the Commission  
20 would send out a letter with either a pass or fail  
21 audit notice.]

22                               \*\*\*

23 Report of Committees - Education/Examination  
24 Committee  
25 MR. PICARELLA:

1 We discussed two matters from the  
2 education committee in Executive  
3 Session at Item No. 7.

4 Based up on discussions and  
5 Executive Session, I believe the  
6 Commission Chair would entertain a  
7 motion to approve the application of  
8 Alexa Lafferty to sit for the  
9 salesperson licensure examination.

10 CHAIR SAMPSON:

11 Ms. Cestra, do you have a motion?

12 MS. CESTRA:

13 So approved.

14 MR. JOHNSON:

15 Second.

16 CHAIR SAMPSON:

17 Madam administrator, please call the  
18 roll.

19  
20 Kyle Sampson, aye; Annie Hanna Cestra,  
21 aye; Guy Saxton, aye; Joseph Tarantino,  
22 aye; Jeffrey Johnson, aye; Anne Rubin,  
23 aye; Armand Ferrara, aye; Jennifer  
24 Thomson, aye.

25 [The motion carried unanimously.]

\*\*\*

MR. PICARELLA:

Item No. 8 on the agenda, the broker's examination of Wayne Gilinger.

Based upon discussions in Executive Session, I believe the Commission Chair would entertain a motion to approve the application of Wayne Gilinger to sit for the broker's licensure examination.

CHAIR SAMPSON:

Commissioner Cestra, is there a motion?

MS. CESTRA:

So moved.

MR. FERRARA:

Second.

CHAIR SAMPSON:

Madam administrator, please call the roll.

Kyle Sampson, aye; Annie Hanna Cestra, aye; Guy Saxton, aye; Joseph Tarantino, aye; Jeffrey Johnson, aye; Anne Rubin, aye; Armand Ferrara, aye; Jennifer Thomson, aye.

[The motion carried unanimously.]

\*\*\*

Report of Committees - Enforcement Committee

MR. PICARELLA:

Agenda Item No.10, Jasmine Garner.

Based on discussions, Executive Session, the Commission has decided to table this matter in order to have the Commission Administrator get more information from the applicant.

\*\*\*

MR. PICARELLA:

Item No. 11, Shawn Boros.

Based on discussion in Executive Session, I believe Commission Chair would entertain a motion to approve the application of Shawn Boros to sit for the salesperson licensure examination.

CHAIR SAMPSON:

Is there a motion?

MR. TARANTINO:

So moved.

MR. FERRARA:

Second.

CHAIR SAMPSON:

Madam administrator, please call the

1 roll.

2

3 Kyle Sampson, aye; Annie Hanna Cestra,  
4 aye; Guy Saxton, aye; Joseph Tarantino,  
5 aye; Jeffrey Johnson, aye; Anne Rubin,  
6 aye; Armand Ferrara, aye; Jennifer  
7 Thomson, aye.

8 [The motion carried unanimously.]

9 \*\*\*

10 MR. PICARELLA:

11 Agenda Item No.12, Timothy Nicholas  
12 Tomasik.

13 The Commission has decided to again  
14 table this matter in order to get more  
15 information and have the Commission  
16 Administrator offer an informal  
17 conference to this applicant.

18 \*\*\*

19 Old/New Business - Discussion to Select Dates for  
20 Philadelphia and Pittsburgh Meetings

21 [Deon Bowers, Commission Administrator, informed the  
22 Commission that the upcoming dates of October 1st or  
23 November 12th, 2025, were available for the  
24 Philadelphia meeting.

25 Discussion ensued on this with members

1 verbalizing their own preferences for a meeting date  
2 that would not conflict with their personal  
3 commitments at that time.

4 After further discussion, the Commission decided  
5 this issue would be tabled until the next meeting.]

6 \*\*\*

7 [Chairman Sampson, on behalf of the Commission,  
8 congratulated the new president of PAR. He further  
9 commented that he wanted to wish Mr. Tarantino a  
10 happy belated birthday.]

11 \*\*\*

12 CHAIR SAMPSON:

13 Is there a motion to adjourn this  
14 meeting? Second is not needed. Thank you  
15 very much.

16 \*\*\*

17 [There being no further business, the State Real  
18 Estate Commission Meeting adjourned at 11:08 a.m.]

19 \*\*\*

20

21

22

23

24

25

## CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Real Estate Commission meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Real Estate Commission meeting.



Rachel Wilbur-Adams,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE REAL ESTATE COMMISSION  
REFERENCE INDEX

February 11, 2025

TIME	AGENDA
9:00	Executive Session
9:47	Return to Open Session
10:06	Official Call to Order
10:06	Roll Call/Introduction of Attendees
10:09	Pledge of Allegiance
10:09	Approval of Minutes
10:10	Report of Prosecutorial Division
10:22	Regulatory Report
10:50	Report of Commission Administrator - Audit
10:53	Committees
11:04	Old/New Business
11:18	Miscellaneous
11:33	Adjournment