Pennsylvania Association of Realtors State Real Estate Commission August 5, 2025

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COMMISSION MEMBERS:

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Kyle Sampson, Chair, Public Member Annie Hanna Cestra, Vice Chair, Industry Member 9 10 Guy Saxton, Secretary, Cemetery Member

11 Joseph Tarantino, Industry Member Jeffrey J. Johnson, Industry Member Anne M. Rubin, Industry Member 12 13

Armand N. Ferrara Jr., Industry Member

Jennifer Thompson, Esquire, Attorney General Designee Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs

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COMMISSION PERSONNEL:

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Dean F. Picarella, Esquire, Commission Counsel Timothy Fritsch, Esquire, Commission Prosecution Liaison

Ray J. Michalowski, Esquire, Senior Commission Prosecutor

Caroline A. Bailey, Esquire, Commission Prosecutor Ashley P. Murphy, Esquire, Commission Prosecutor Mark Farrell, Esquire, Regulatory Counsel, Office Chief Counsel, Department of State

Deon Bowers, Commission Administrator

Tyesha C. Miley, Esquire, Commission Prosecutor Willow Marsh, Legislative Aide, PA Department of State

Cathy Tully, Esquire, Commission Counsel Angela Solomon, Esquire, Commission Prosecution Nathan C. Giunta, Esquire, Commission Prosecution Liaison

Jessica Zukoski, Senior Legal Analyst, Department of State

40 41 42

ALSO PRESENT:

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Francesca Tracy, Compliance Analyst, CE Shop Tracy Matroni, Education & Member Services, Lancaster County Association of Realtors Hank Lerner, Esquire, Chief Legal Officer, Pennsylvania Association of Realtors

State Real Estate Commission August 5, 2025

ALSO PRESENT (CON'T.)

Lisa Aaron, Professional Standards/Education Manager, Pennsylvania Association of Realtors

Sherri Martin, Chief Advocacy Officer, Pennsylvania Association of Realtors

Jeff Dempsey, Advocacy Manager, Pennsylvania Association of Realtors

Lisa Ginsburg, Director of Education, Bucks County Association of Realtors

Janis Benstock, Founder, Janis Benstock Real Estate Academy

Justin

3 Sony

Call-in 1-304-238-3090

Erin Badstuebner, Sargent's Court Reporting Service, Inc.

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2 State Real Estate Commission

August 5, 2025

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5 [Pursuant to Section 708(a)(5) of the Sunshine Act, 6 at 9:00 a.m. the Commission entered into Executive 7 Session with Dean F. Picarella, Esquire, Commission Counsel, for the purpose of conducting quasi-judicial deliberations on a number of matters currently 10 pending before the Commission and to receive advice 11 of counsel. The Commission returned to open session 12 at 10:09 a.m.]

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> The regularly scheduled meeting of the State Real Estate Commission was held on Tuesday, August 5, 2025. Kyle Sampson, Chair, Public Member, officially called the meeting to order at 10:09 a.m.

* * *

[Dean F. Picarella, Esquire, Commission Counsel, informed everyone that the meeting was being recorded, and voluntary participation constituted 22 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

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   currently pending before the Commission and to
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   receive the advice of counsel.
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   Roll Call/Introduction of Attendees
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   [Deon Bowers, Commission Administrator, provided a
   roll call of Commission members and introduction of
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   attendees. A quorum of Commission members was
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   present.]
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   Pledge of Allegiance
   [The Pledge of Allegiance was recited.]
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                              * * *
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   Approval of Minutes of the July 9, 2025 meeting
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   CHAIR SAMPSON:
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                  At the last meeting of the Pennsylvania
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                  Real Estate Commission, Commissioner
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                  Anne Rubin was not present, nor was
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                  Deputy Attorney General Thomas present,
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                  so they will abstain from the vote.
20
                       Is there a motion?
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   MR. TARANTINO:
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                  Motion to approve.
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   CHAIR SAMPSON:
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                  Is there a second?
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   MR. FERRARA:
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1 Second. 2 3 Kyle Sampson, aye; Annie Hanna Cestra, 4 aye; Guy Saxton, aye; Joseph Tarantino, 5 aye; Jeffery Johnson, aye; Anne Rubin, 6 abstain; Armand Ferrara, aye; Jennifer 7 Thomson, abstain; Arion Claggett, aye. 8 [The motion carried. Anne Rubin and Jennifer Thomson 9 abstained from voting on the motion.] 10 11 Report of Prosecutorial Division - Proposed Consent 12 Agreements 13 [Caroline A. Bailey, Esquire, Commission Prosecutor, 14 presented the Consent Agreements and Orders for 15 Agenda Item No. 2, Case No. 25-56-005156; and Agenda 16 Item No. 3, Case No. 25-56-005916.] 17 18 [Timothy Fritsch, Esquire, Commission Prosecution 19 Liaison, presented the Consent Agreements and Orders 20 for Agenda Item No. 4, Case No. 24-56-005918; Agenda 21 Item No. 5, Case Nos. 23-56-005358 and 25-56-002200; 22 Agenda Item No. 6, Case Nos. 24-56-008412 and 24-56-23 008415; Agenda Item No. 7, Case No. 24-56-014179; and 24 Agenda Item No. 8, Case No. 21-56-016210.]

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1 [Tyesha C. Miley, Esquire, Commission Prosecutor, 2 presented Agenda Item No. 9, Case No. 21-56-018588.] 3 4 [Angela Solomon, Esquire, Commission Prosecutor, 5 presented Agenda Item No. 10, Case No. 25-56-005914.] 6 7 MR. PICARELLA: 8 Based upon discussions in Executive 9 Session, I believe the Commission Chair 10 would entertain a motion to approve the 11 Consent Agreements at Item 2, Case No. 25-56-005156; Item 3, Case No. 25-56-12 13 005916; Item 4, Case No. 24-56-005918; 14 Item 5, Case Nos. 23-56-005358 and 25-15 56-002200; Item 6, Case Nos. 24-56-16 008412 and 24-56-008415; Item No. 7, 17 Case No. 24-56-014179; Item No. 9, Case 18 No. 22-56-018588 and Item No. 10, Case No. 25-56-005914. 19 20 CHAIR SAMPSON: 21 Commissioner Cestra, is there a motion? 22 MS. CESTRA: 23 So moved. 24 CHAIR SAMPSON: 25 Commissioner Tarantino, Is there a

second? 1 2 MR. TARANTINO: 3 Second. CHAIR SAMPSON: 4 5 Madam Administrator, please call the 6 roll. Kyle Sampson, aye; Annie Hanna Cestra, 9 aye; Guy Saxton, aye; Joseph Tarantino, 10 aye; Jeffery Johnson, aye; Anne Rubin, 11 aye; Armand Ferrara, aye; Jennifer 12 Thomson, aye; Arion Claggett, aye. 13 [The motion carried unanimously. The Respondent's 14 name at Item 2, Case No. 25-56-005156 is Anna Nicole 15 Giacomucci-Dudek; Item 3, Case No. 25-56-005916 is Jody A. Harlan Item 4, Case No. 24-56-005918 is Peter 16 17 J. Bubel, Individually and t/d/b/a Pana Rentals; Item 18 5, Case Nos. 23-56-005358 and 25-56-002200 is EBG 19 Properties LLC and Elise A Bickel Tauber; Item 6, Case Nos. 24-56-008412 and 24-56-008415 are Pronto 20 21 Property Management LLC and Debra Cosenza; Item No. 7, Case No. 24-56-014179 is Eugene L. Rugh; Item No. 22 23 9, Case No. 22-56-018588 is Mancuso and Mazzei LLC; 24 and Item No. 10, Case No. 25-56-005914 is Sara

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Fritz.]

9 * * * 1 2 MR. PICARELLA: 3 Based upon discussions in Executive Session, I believe the Commission Chair 4 5 would entertain a motion to reject the 6 Consent Agreement at Item No. 8, Case 7 No. 21-56-016210 as too lenient. 8 CHAIR SAMPSON: 9 Commissioner Rubin, is there a motion? 10 MS. RUBIN: 11 So moved. CHAIR SAMPSON: 12 13 Commissioner Johnson, is there a 14 second? 15 MR. JOHNSON: 16 Second. 17 CHAIR SAMPSON: 18 Madam Administrator, please call the roll. 19 20 21 Kyle Sampson, aye; Annie Hanna Cestra, 22 aye; Guy Saxton, aye; Joseph Tarantino, 23 aye; Jeffery Johnson, aye; Anne Rubin, 24 aye; Armand Ferrara, aye; Jennifer 25 Thomson, aye; Arion Claggett, aye.

10 [The motion carried unanimously.] 1 2 3 Report of Commission Counsel - Motions 4 MR. PICARELLA: 5 I do have a Motion to Deem Facts 6 Admitted on Item No. 11, David W. 7 Nelson, Case No. 24-56-009619. 8 Based upon deliberations in Executive Session, I believe the 9 Commission Chair would entertain a 10 motion to grant the Commonwealth's 11 Motion to Deem Facts Admitted and 12 13 direct Commission Counsel to draft a 14 Final Adjudication and Order in 15 accordance with discussion in Executive 16 Session. CHAIR SAMPSON: 17 18 Commissioner Ferrara, is there a motion? 19 20 MR. FERRARA: 21 So moved. 22 CHAIR SAMPSON: 23 Commissioner Rubin, is there a second? 24 MS. RUBIN: 25 Second.

11 CHAIR SAMPSON: Madam Administrator, please call the roll. Kyle Sampson, aye; Annie Hanna Cestra, aye; Guy Saxton, aye; Joseph Tarantino, aye; Jeffery Johnson, aye; Anne Rubin, aye; Armand Ferrara, aye; Jennifer Thomson, aye; Arion Claggett, aye. [The motion carried unanimously.] Report of Commission Counsel - Matters for Deliberation MR. PICARELLA: We're going to jump to Item No. 13, the Matter of Anthony James Ruocchio, Case. No. 25-56-000292. This was an Appeal from a Citation. Based upon deliberations in Executive Session, I believe the Commission Chair would entertain a motion to remand this Matter to the

Hearing Examiner to hold a hearing

based upon the reasons given by the

Respondent in his Appeal from this

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12 Citation. 1 2 CHAIR SAMPSON: 3 Commissioner Saxton, is there a motion? 4 MR. Saxton: 5 So moved. CHAIR SAMPSON: 6 7 Commissioner Tarantino, is there a 8 second? 9 MR. TARANTINO: 10 Second. 11 CHAIR SAMPSON: 12 Madam Administrator, please call the 13 roll. 14 15 Kyle Sampson, aye; Annie Hanna Cestra, 16 aye; Guy Saxton, aye; Joseph Tarantino, aye; Jeffery Johnson, aye; Anne Rubin, 17 18 aye; Armand Ferrara, aye; Jennifer 19 Thomson, aye; Arion Claggett, aye. 20 [The motion carried unanimously.] * * * 21 22 Regulatory Report 23 [Mark Farrell, Esquire, Regulatory Counsel, Office 24 Chief Counsel, Department of State, provided an 25 update on the status of its regulations. He noted

1 three open regulatory packages for discussion,
2 possibly a fourth.

Mr. Farrell discussed the General Revisions package, 16A-5616, which the Commission approved the proposed Annex at its last meeting. He stated his office was preparing the preamble and regulatory analysis form, which are necessary for completing the rulemaking package.

The proposed Act 41 package, 16A-5625, Licensure by Endorsement, was under internal departmental review. Once the review is complete, the proposed package will go to the Governor's Office, Attorney General's Office, and Independent Regulatory Review Commission (IRRC) for review.

The final rulemaking package for Regulation 16A-5626, Broker Price Opinions, was prepared and undergoing internal review. It will next head to the Governor's Office for review, and then to IRRC before the Attorney General's Office. The target is to have the regulation finalized by the end of 2025.

Mr. Farrell reported the Wholesaling Act 52 of 2024 was signed into law on July 8, 2024, and became effective January 4, 2025. He noted not all acts, when passed, require Boards or Commissions to promulgate regulations. He explained the drafting of

1 regulations become necessary if the statute leaves

- 2 out details, if there are holes in existing
- 3 regulations that become apparent due to the statute,
- 4 or if there are now regulations which run counter to
- 5 the new statute. He noted, in the case of Act 52, it
- 6 does appear the Commission needs to promulgate
- 7 regulations to address parts of the statute and to
- 8 address holes in the current regulations.
- 9 Mr. Farrell suggested the Commission convene a
- 10 meeting of the Rules and Regulations Committee to
- 11 begin drafting the needed regulation. He noted his
- 12 office could provide bullet points of issues to be
- 13 addressed. He added his suggestion would be to hold
- 14 the Committee meeting following a regularly scheduled
- 15 meeting. It would be a public meeting and the
- 16 stenographer would be present.
- 17 Mr. Farrell stated his office could gather
- 18 information for a committee meeting by the next
- 19 regularly scheduled meeting on October 1, 2025. The
- 20 Commission agreed this was the best approach to
- 21 promulgating the regulation.]
- 22 **
- 23 Report of the Commission Chairperson
- 24 | [Kyle Sampson, Chair, Public Member, did not have a
- 25 report. However, in light of the Regulatory Report,

1 he appointed Commissioner Ferrara to chair the Rules

2 and Regulations Committee.]

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4 Report of Commissioner - No Report

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6 Report of Commission Administrator

7 | [Deon Bowers, Commission Administrator, reported the

B education provider renewals will open at the end of

9 August 2025. She recommended all education providers

10 confirm their correct email in their PALS account.

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12 Report of Committees - Education/Examination

13 Committee

14 MR. PICARELLA:

15 At Item No. 14, the Broker Exam Review

of <u>Maxwell Benjamin Feinberg</u>.

Based upon discussions in Executive

18 Session, I believe the Commission Chair

19 would entertain a motion to

20 provisionally deny the application of

21 <u>Maxwell Benjamin Feinberg</u> to sit for

22 the Broker Multi-License Licensure by

Examination.

24 CHAIR SAMPSON:

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Commissioner Cestra, is there a motion?

16 1 MS. CESTRA: 2 So moved. 3 CHAIR SAMPSON: 4 Commissioner Saxton, is there a second? 5 MR. SEXTON: Second. 6 7 CHAIR SAMPSON: Madam Administrator, please call the 9 roll. 10 11 Kyle Sampson, aye; Annie Hanna Cestra, 12 aye; Guy Saxton, aye; Joseph Tarantino, 13 aye; Jeffery Johnson, aye; Anne Rubin, 14 aye; Armand Ferrara, aye; Jennifer 15 Thomson, aye; Arion Claggett, aye. 16 [The motion carried unanimously.] 17 18 MR. PICARELLA: 19 Item No. 15 on the Agenda, the 20 Salesperson Education of Justin 21 Goldberger. 22 Based upon discussions in Executive 23 Session, I believe the Commission Chair 24 would entertain a motion to approve the 25 application of Justin Goldberger for

17 1 Licensure as a Real Estate Salesperson. 2 CHAIR SAMPSON: 3 Commissioner Cestra, is there a motion? MS. CESTRA: 4 So moved. 5 CHAIR SAMPSON: 6 Commissioner Johnson, is there a 8 second? 9 MR. JOHNSON: 10 Second. 11 CHAIR SAMPSON: 12 Madam Administrator, please call the 13 roll. 14 15 Kyle Sampson, aye; Annie Hanna Cestra, 16 aye; Guy Saxton, aye; Joseph Tarantino, aye; Jeffery Johnson, aye; Anne Rubin, 17 18 aye; Armand Ferrara, aye; Jennifer 19 Thomson, aye; Arion Claggett, aye. 20 [The motion carried unanimously.] * * * 21 22 MR. PICARELLA: 23 Item No. 16 on the Agenda, the Education Director Review of Ross S. 24 25 Green.

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                       Based upon discussions in Executive
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                  Session, I believe the Commission Chair
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                  would entertain a motion to approve the
 4
                  application of Ross S. Green to be
                  named the Education Provider Director
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 6
                  of Green Family Estates, LLC.
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   CHAIR SAMPSON:
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                  Commissioner Cestra, is there a motion?
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   MS. CESTRA:
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                  So moved.
   CHAIR SAMPSON:
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                  Commissioner Saxton, is there a second?
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   MR. SAXTON:
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                  Second.
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   CHAIR SAMPSON:
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                  Madam Administrator, please call the
17
                  roll.
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19
                  Kyle Sampson, aye; Annie Hanna Cestra,
20
                  aye; Guy Saxton, aye; Joseph Tarantino,
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                  aye; Jeffery Johnson, aye; Anne Rubin,
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                  aye; Armand Ferrara, aye; Jennifer
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                  Thomson, aye; Arion Claggett, aye.
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   [The motion carried unanimously.]
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1 Report of Committees - Enforcement Committee
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- 2 | [Dean F. Picarella, Esquire, Commission Counsel,
- 3 noted Agenda Item No. 17, the Application Review of
- 4 Rahfeek Johnson, would be tabled and the Commission
- 5 Administrator would reach out to the Applicant for
- 6 additional information.]
- 7
- 8 MR. PICARELLA:
- 9 At Item No. 18 on the Agenda, <u>Justin</u>
- 10 <u>Vega</u>.
- Based upon discussions in Executive
- 12 Session, I believe the Commission Chair
- would entertain a motion to direct
- 14 Counsel to draft a letter to the
- 15 Applicant in accordance with
- 16 discussions in Executive Session.
- 17 CHAIR SAMPSON:
- Commissioner Tarantino, is there a
- 19 motion?
- 20 MR. TARANTINO:
- 21 So moved.
- 22 CHAIR SAMPSON:
- 23 Commissioner Ferrara, is there a
- 24 second?
- 25 MR. FERRARA:

20 1 Second. 2 CHAIR SAMPSON: 3 Madam Administrator, please call the roll. 4 5 6 Kyle Sampson, aye; Annie Hanna Cestra, aye; Guy Saxton, aye; Joseph Tarantino, aye; Jeffery Johnson, aye; Anne Rubin, 9 aye; Armand Ferrara, aye; Jennifer 10 Thomson, aye; Arion Claggett, aye. 11 [The motion carried unanimously.] 12 13 Old/New Business - Discussion - Philadelphia's 14 "Wholesaler" License 15 [Dean F. Picarella, Esquire, Commission Counsel, 16 introduced the topic of Wholesaler Licenses in 17 Philadelphia. He noted the Bureau of Labor and 18 Industry in Philadelphia started issuing their own 19 wholesale license certificates to applicants. 20 appeared the Bureau of Labor and Industry in 21 Philadelphia exempted anybody who currently is licensed by the Commission from having to get their 22 23 license. He added Philadelphia was also offering the 24 license to individuals who are not licensed under the

Commission, which is a conflict to the laws and

2.1

regulations of the Commission. 1 2 After discussion, the Commission requested Mr. 3 Picarella and Acting Commissioner Claggett reach out 4 to the City of Philadelphia to set up a meeting 5 regarding the license and the implementation or 6 enforcement of the license.] * * * 7 8 Old/New Business [Dean F. Picarella, Esquire, Commission Counsel, 10 reported Item No. 20 on the Agenda is a vote to 11 ratify decision regarding a request for the stay of 12 the implementation of the disciplinary revocation for 13 Vinjay Peethambaram, Case No. 19-56-006421. He noted 14 Counsel was notified the matter was being appealed to 15 the Commonwealth Court. Counsel requested the 16 Commission's concurrence in a stay of the 17 implementation of the discipline.] * * * 18 19 MR. PICARELLA:

> It is my understanding, based upon discussion in Executive Session, that the Commission Chair would entertain a motion to ratify the Commission's Chair and Commission Vice Chair's decision to oppose staying the discipline posed in

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22 the Final Adjudication and Order 1 2 entered in Case No. 19-56-006421 during 3 the pendency of the Respondent's appeal of this matter to the Commonwealth 4 5 Court. CHAIR SAMPSON: 6 7 Commissioner Ferrara, is there a motion? 8 9 MR. FERRARA: 10 So moved. CHAIR SAMPSON: 11 12 Commissioner Tarantino, is there a 13 second? 14 MR. TARANTINO: 15 Second. CHAIR SAMPSON: 16 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; Jeffery Johnson, aye; Anne Rubin, 23 aye; Armand Ferrara, aye; Jennifer 24 Thomson, aye; Arion Claggett, aye. 25 [The motion carried unanimously.]

- 2 Public Comment
- 3 | [Hank Lerner, Esquire, Chief Legal Officer,
- 4 | Pennsylvania Association of Realtors (PAR),
- 5 | introduced himself. He noted PAR had requested in
- 6 the prior meeting a correct phone number to give to
- 7 | consumers, as the number in the regulations was
- 8 disconnected as a result of the BPOA consolidation.
- 9 He added the concern was the general BPOA call center
- 10 may not be able to answer specific questions
- 11 regarding the real estate recovery fund.
- 12 The Commission and Counsel discussed the phone
- 13 | number and what may need to be changed. Mr. Farrell
- 14 noted a change in the phone number in the regulations
- 15 | could probably be added to the General Revisions
- 16 package as it does not create a substantive change.
- 17 Prosecution Counsel noted they cannot provide any
- 18 quidance to consumers. Ms. Bowers added, when her
- 19 office receives calls, the staff advise consumers to
- 20 | consult with a private attorney.
- 21 The Commission concluded the public would go to
- 22 the Commission's website for information. The phone
- 23 number would be the general BPOA number. The number
- 24 and a link to the actual law could be provided on the
- 25 Commission's website. PAR could give that

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   information to consumers until the phone number is
1
2
   changed in the regulations.]
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   Adjournment
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   CHAIR SAMPSON:
                  Commissioner Rubin, is there a motion
6
7
                  to adjourn this meeting of the
                  Pennsylvania Real Estate Commission
9
                  until October 1, 2025?
10
   MS. RUBIN:
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                  So moved.
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   [There being no further business, the State Real
13
   Estate Commission Meeting adjourned at 11:04 a.m.]
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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.

Erin Badstuebner,

Minute Clerk

Sargent's Court Reporting Service, Inc.

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1 2 3 4		STATE REAL ESTATE COMMISSION REFERENCE INDEX August 5, 2025	
5	TIME	AGENDA	
6 7	9:00	Executive Session	
8 9	10:09	Return to Open Session	
.0	10:09	Official Call to Order	
.3	10:10	Roll Call/Introduction of Attendees	
.4	10:12	Pledge of Allegiance	
.6	10:13	Approval of Minutes	
.8	10:13	Report of Prosecutorial Division	
20	10:33	Report of Commission Counsel	
2	10:36	Regulatory Report	
2.5	10:44	Report of Commission Chairperson	
26	10:44	Report of Commission Administrator	
8	10:45	Committees	
0	10:54	Public Comment	
3 4	11:04	Adjournment	
55 56 57 58 99			
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