



**STATE OF UTAH**  
**REAL ESTATE COMMISSION**  
**MEETING MINUTES**

March 19, 2025 9:00 am

**Real Estate Commission:**

Andrea Wilson, Chair  
Rick Southwick, Vice Chair  
Jim Bringham  
Marie McClelland (Unable to attend)  
Randy Smith

**Commencement**

**1. Welcome and call to order**

The March 19, 2025, meeting of the Utah Real Estate Commission (Commission) commenced at approximately 9:00 am with Chair Wilson conducting.

**2. Consideration and approval of the meeting minutes from the February 19, 2025 meeting**

The Commission reviewed the minutes of the February 19, 2025 meeting. A motion was made and seconded to approve the minutes of the February 19th meeting. The minutes were approved.

**3. Public comment**

Danny Naylor addressed the Commission regarding a recent legislative act concerning implied agency in real estate transactions. He expressed concern that the law, while providing clarity on when providing blank forms does not create agency, may inadvertently weaken consumer protections. He suggested a disclosure rule requiring agents to provide a signed disclosure outlining fiduciary duties to clients and explicitly stating the duties the agent will not owe to customers receiving blank forms. Chair Wilson acknowledged the concerns and noted that the Division is aware of several legislative changes affecting their work, including property management. She also mentioned that the Utah Association of REALTORS (UAR) is reviewing its forms for unrepresented buyers and sellers.

**3a. Christy Franciscotti requests to address the Commission concerning the Division's determination regarding her real estate license reinstatement**

Licensing and Education Manager Laurel North provided background on Christy Franciscotti's request for an exception to Utah Code Section 61-2f-204(2)(d) to reinstate her expired real estate license. The statute states that the Division shall relicense a person who does not renew their license within one year. Ms. Franciscotti believes she renewed her license, but Division records indicate she only activated an inactive license. Her request to reinstate after the one-year period was previously denied.

Ms. Franciscotti presented her case, explaining her confusion regarding the activation and renewal process, her health issues that impacted her ability to follow up, and her belief that she had completed all necessary steps. She stated that a Division staff member had told her she was "good to go to work."

Lead Real Estate Licensing Specialist Sarah Thaler clarified that she assisted Ms. Franciscotti with activation, but not renewal, and that the \$15 fee paid was for activation, not renewal.

The Commission determined that they needed to consult with their attorney to determine their authority in this matter and decided to table the discussion.

Division Director Leigh Veillette clarified that she offered Ms. Franciscotti the opportunity to speak to the Commission.

### **Continuation of Public Comment**

Nicholas Stroman requested approval to continue participating in real estate. He explained that he had previously been licensed but ceased activity due to a misinterpretation of his license status and a pending legal issue. His legal case is now resolved, and he has retaken his exams and met other requirements. However, his application was submitted recently. Chair Wilson clarified that the Commission cannot act until the Division makes a decision on the application. Hearing Officer and Records Manager Justin Barney clarified that Mr. Stroman was required to submit letters from two therapists due to being on probation for a crime with an element of violence. Licensing Specialist Lizzie Burila confirmed that she had received Mr. Stroman's application for licensure. Ms. Burila informed Mr. Stroman that he needs to be fingerprinted again.

## **Division Reports**

### **1. Director's Report**

Ms. Veillette apologized for the delay in providing monthly statistics and assured the Commission that they would be sent out as soon as possible. She solicited feedback on the format and content of the statistics reports.

Ms. Veillette clarified that House Bill 419, mentioned during public comment, was not a Division bill. She discussed House Bill 337, the property management bill, and the need for rulemaking to implement it. Ms. Veillette requested to add a committee for the property management bill to the next meeting agenda. She requested the Commission form a committee to begin this process and suggested a mix of residential and commercial property management practitioners for the committee. The effective date for the bill is January 1, 2026.

Ms. Veillette addressed the briefing provided to the Commission on agency relationships (concurrent agency, co-brokering, and sub-agency). She summarized the Division's perspective, emphasizing the prohibition of concurrent agency to protect clients from being

induced into multiple exclusive agreements, and the conditions under which co-brokerage is acceptable. She stressed the importance of licensees understanding their fiduciary duties. Chair Wilson suggested creating an informational sheet to explain the different types of agency relationships to licensees, as there is apparent confusion. Commissioner Smith and Ms. Veillette discussed the briefing and the need for clear definitions, especially for co-brokering. Vice-Chair Southwick expressed concern that extensive discussion of sub-agency, particularly outside of commercial real estate, could create problems.

Ms. Veillette brought up the potential of rescheduling the Commission's April meeting due to a conflict with an ARELLO (Association of Real Estate License Law Officials) event. The Commission agreed to keep the meeting as scheduled and discussed the value of commissioner attendance at ARELLO meetings and potential budget options to support this.

Vice-Chair Southwick requested that the Commission receive tentative agendas at least one week in advance. He explained that this would provide adequate notice regarding meeting content, particularly concerning informal hearings, and facilitate better time management. Ms. Veillette responded affirmatively, assuring the Commission that agendas would be distributed with sufficient advance notice going forward.

## **2a. Licensing and Education**

Licensing and Education Manager Laurel North announced the upcoming Spring Caravan event, providing continuing education for real estate, appraiser, and mortgage licensees. The event will offer continuing education (CE) credits: 3 hours for real estate licensees, 2 hours for appraisers, and 1 hour for mortgage licensees. The format will include a question-and-answer session and "Kahoot" quizzes. Ms. North indicated there has been a slight change in the event's Friday schedule due to the library's opening hours. The revised schedule is: Session 1 from 10:00 am to 1:00 pm, and Session 2 from 1:30 pm to 4:30 pm (with the same content as Session 1). Ms. North encouraged attendees to bring questions. Chair Wilson confirmed the location of the event as the Salt Lake City Library. Ms. North added that parking at the library is believed to be free. Ms. North expressed hope that the event will be successful and can be replicated in future years, noting that the theater venue is well-suited for the purpose.

Ms. North provided a brief overview of licensing statistics, indicating positive trends consistent with a spring market. Specifically, there has been an aggregate increase of approximately 100 in the number of sales agents, principal brokers, associate brokers, and branch brokers. All other categories remain stable.

## **2b. Enforcement**

Chief Investigator Kadee Wright provided the following statistics for February: 30 complaints received, 166 cases closed, 283 open cases, and approximately 23 cases pending with the Attorney General's Office. She provided the following statistics for 2024 year-to-date: 539 complaints received, 179 complaints turned down (e.g., civil issues, lack of jurisdiction, ethical complaints). Ms. Wright indicated the top complaint categories for opened cases are advertising, property management, unlicensed activity, misrepresentations and/or dishonest dealings, failing to safeguard the interest of the public, breaches of fiduciary duties, and written consent.

Ms. Wright then presented three stipulations for the Commission's consideration: Skyler Hartman, Lindsa Michelle Myers, and Melvin "Cad" Cauley.

### **Informal Licensing Hearing – In the Matter of the Application of Michael Eddy, to Act as a Principal Broker, RE-24-5071**

The Commission conducted an informal licensing hearing In the Matter of the Application of Michael Eddy, to Act as a Principal Broker, docket number RE-24-5071. The Division was represented at the hearing by Assistant Attorney General Jessica Jacobs. Mr. Eddy was present and not represented by counsel at the hearing.

Chair Wilson announced the conclusion of the informal hearing for Mr. Eddy. She informed Mr. Eddy that the Commission would discuss the hearing in a closed session and would return to the public meeting for a motion and vote. Mr. Eddy was given the option to stay on the Zoom line to await the outcome or to be notified of the decision by mail.

### **Executive (Closed) Session**

A motion was made and seconded to close the public session and enter executive session. The motion passed unanimously. Administrative Assistant Dallas Thomas read the required verbiage into the record before the attendees entered the executive session.

### **Results of Executive Session**

The Commission returned from executive session, and Chair Wilson confirmed that the Commission was ready to make motions regarding the stipulations and the informal hearing.

A motion was made and seconded to approve the Cauley stipulation. The motion passed unanimously. Discussion ensued regarding whether all Commissioners were present. It was determined that Vice-Chair Southwick had experienced technical difficulties but had rejoined the meeting. To ensure proper procedure, another vote was taken on the motion. The motion passed unanimously, and the Division concurred.

A motion was made and seconded to approve the Hartman stipulation. The motion passed unanimously, and the Division concurred.

A motion was made and seconded to approve the Myers stipulation. The motion passed unanimously, and the Division concurred.

A motion was made and seconded to approve Mr. Eddy's license on a probationary status for the remainder of the current licensing cycle. The motion passed unanimously. Chair Wilson noted that Mr. Eddy was not currently on the Zoom call. Mr. Barney offered to notify Mr. Eddy of the Commission's decision.

### **Adjournment**

A motion was made and seconded to adjourn the meeting. The motion passed unanimously and the meeting adjourned.