

**LLR – REAL ESTATE COMMISSION**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Kingstree Building, Room 108**  
**Columbia, South Carolina 29210**  
**MINUTES**

**Wednesday, November 18, 2009**

**10:00 A.M.**

**Welcome And Call To Order:**

Tony Cox, Chairman, called the regular meeting of the Real Estate Commission to order at 10:00 a.m. Other members present for the meeting included: Manning Biggers, Vice Chairman; Evelyn Young, Secretary; Carl Edwards; Buccie Harley; R. Scott Moseley; Sarah Takacs and Dianna Brouthers.

Tony Cox, Chairman, announced that the meeting was held in accordance with §30-4-80 of the South Carolina Freedom of Information Act by notice mailed to all requesting persons, organizations, and news media. In addition, notice was posted on the bulletin boards at the main entrance of the Kingstree Building. Staff responded affirmatively. It was noted that all conversations in the meeting room were being recorded and portions may be made public in accordance with the SC Freedom of Information Act. A quorum was present at all times.

Staff members participating in the meeting included: Sharon Danztler, Deputy General Counsel; Jamie Saxon, Hearing Advisor; Paula Magargle, Staff Attorney; Jay Pitts, Administrator; Beau Tiller, Education Manager; Angela Scott, Administrative Assistant; Administrative Assistant, Laura Smith, Compliance Coordinator, Beau Tiller, Education Manager, Bill Plunkett, Investigations and Lisa Hawsey, Office of Business and Building.

Others present participating in the meeting included: Joel A. Deweese, Shaun L. Freeman, Kathy Murphy, Randy Deweese and Curtis Houston.

**Pledge of Allegiance:**

All present recited the Pledge of Allegiance.

**Introduction of Board Members and All Other Persons Attending:**

The Board members, staff and members of the public attending the meeting introduced themselves.

**Member Absences**

None

**Minutes – September 23, 2009**

**MOTION:**

Mr. Mosley moved to accept the minutes of the September 23, 2009, meeting as written. Mr. Biggers seconded the motion and it unanimously carried.

**Chairman's Remarks:**

*Tony Cox*

Chairman Cox thanked everyone for attending the meeting.

**Administrators Remarks:**

*Jay Pitts*

**Cedric R. Hurst**

Mr. Pitts reported that Mr. Cedric R. Hurst would not be attending because his application was complete and approved at staff level.

**Update on Renewals and Licensing**

Mr. Pitts reported the licensing numbers as of today:

**Total Licensees:** 49,800 (Includes Inactive Licensees)

**Brokers:** 5,257

**Brokers In Charge:** 7,896

**Inactive Brokers:** 2,350

**Inactive Property Managers:** 603

**Inactive Salespersons:** 9,750

**Property Managers In Charge:** 920

**Property Managers:** 1,115

**Salesman:** 21,030

**Salesperson Provisional Licensees:** 846

#### Online Newsletter

Mr. Pitts reported staff has been working on the next edition of the Commission's newsletters. He stated that this has to be a joint effort between staff and the Commissioners and asked that they assist with the articles to be published in the newsletter. The Commission members recommended the following:

- Disciplinary Actions – List the Applicant's name, City, State and link it to the Order;
- Request Commissioners to submit articles to be placed in the newsletter
- Chairman's Column –Chairman Cox
- ARELLO Meetings –Mrs. Dianna Brouthers
- Navigating the Website – to include questions about licensing lookup, forms disciplinary actions and capturing e-mails –Mr. Jay Pitts
- Introduction of new members with a picture –each new member
- Single Licensure –Chairman Cox and Mr. Jay Pitts
- Flood Zones
- Timeshares –Mrs. Sarah Takacs
- Renewals and updates – Mr. Beau Tiller

Mr. Pitts reported that he spoke with a group last month and only four states have single licensure across the country.

#### Legislative Update:

Mr. Pitts reported that the Realtors Association was rewriting and working on legislation. Mrs. Brouthers had been asked to assist Mr. Kremydas and the Association to bring forth unification. Mrs. Brouthers reported that the offer of assistance to Mr. Kremydas came with parameters that she was not willing to accept; and therefore, she declined.

Mrs. Takacs reported that she received an email from Mr. Nick Kremydas dated November 17, 2009, that was a rough draft of a rewrite of the license law.

#### ARELLO Conference

Mr. Pitts reported that he, Tony Cox, Dianna Brouthers, attended the ARELLO Conference in Miami, Florida on October 21-25, 2009. Mr. Biggers and Manning Biggers could not attend due to health reasons.

Mrs. Brouthers reported that she had spoken with Mr. David Christian, III, Deputy Director and Mr. Robbie Boland at the conference regarding issues, which the Office of Licensure and Compliance has in their section that overrides the Commission. She went on to say, her main focus was to speak with other States regarding uploading education to centralized website in order for the students to see their progress. This would allow the provider to maintain more control; therefore, make the job of licensing easier.

The SC Real Estate Commission was presented a National Education Award for the course written entitled "Top Ten Ways to be Disciplined." The Real Estate Task Force that worked on this course was made up of Beau Tiller, Wayne Poplin, Dianna Brouthers, Charlie Wyatt, Laura Stroman, Ruth Marcus and Doug Smith. Mr. Pitts reported that he was asked by several jurisdictions to share the contents and the process of the "Top Ten Ways to be Disciplined." Ms. Brouthers suggested the Board members go the ARELLO website and download Joe McClary's page about accessing the opportunities that ARELLO has to offer.

**Application Appearances:**

*Joel A. Deweese*

The Board held an Application Hearing regarding Mr. Joel A. Deweese.

**MOTION:**

Mrs. Takacs made a motion, to approve Mr. Deweese to sit for the real estate examination. Mr. Harley seconded the motion, which carried unanimously.

*(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)*

*Shaun L. Freeman*

The Board held an Application Hearing regarding Mr. Shawn L. Freeman

**MOTION:**

Mrs. Young made a motion, to approve Mr. Freeman to sit for the real estate examination. Mrs. Brouthers seconded the motion, which carried unanimously.

*(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)*

**nDate of Next Meeting:**

Mr. Pitts reported that the dates of the next meeting will be January 20, 2010.

**Adjournment:**

Mr. Edwards moved the meeting be adjourned. Mrs. Brouthers seconded the motion, which carried unanimously. The November 18, 2009, meeting of the South Carolina Real Estate Commission was adjourned at 12:30 p.m.

Yours truly,

Jay Pitts  
Administrator

Chairman Cox thanked Mrs. Brouthers and everyone that worked on that Task Force and asked that a formal letter be sent from the Commission thanking those individuals for their outstanding work.

Mr. Pitts reported that Mr. Joe McClary would be meeting with Mr. David Christian, Mr. Robbie Boland, other staff members and himself to see whether they can implement what ARELLO is doing into LLR licensing database.

#### Commission Retreat:

Mr. Pitts reported that he spoke with Chairman Cox about having a Commission Retreat offsite for two days to discuss issues that they do not have time to address during the regular meetings. The following topics were suggested as agenda topics:

- Legislation – review, discuss and take position on it;
- Investigation Process – the process from beginning to end and should the fines be increased;
- Licensure Structure – what happens when someone has a “yes” answer on their application; and
- Policies and Procedures

Mr. Pitts suggested meeting in Myrtle Beach, South Carolina in January 2010. The meeting should include the Commission Members, Advice Counsel, Legislation Attorney, Hearing Officers and the Investigators.

Mr. Sheridan Spoon advised that once legislation is external it is very important to have a record stating the Board’s position.

Chairman Cox recommended that the Legislation Committee, which consists of Mr. Edwards, Mrs. Tackacs, Mrs. Young, Mrs. Brouthers and himself, have an administrative work session meeting on a date other than the regular scheduled Commission meeting. He recommended that the meeting be held in December.

#### Number of Investigations and Open Complaint Cases:

Mrs. Wolfe reported the number of investigations and open complaints cases as of today:

**Complaint Cases Received as of January 2009 – present: 422 Open Complaint Cases: 172 Closed Complaint Cases: 251 Complaints received in 2008: 374 369 Closed Complaint Cases in 2008:**

#### Unfinished Business:

##### Discussion And Update On Proposed Legislation:

Mr. Pitts reported that no legislation was pre-filed with the House and Senate. He asked the Commission to review the draft legislation proposal and make a decision whether to leave it as it is, rewrite or amend the regulations. Mr. Pitts reported that the Commission decided in May 2008, not to take any action regarding the legislation. He expressed how important it is for the Commission to be on one accord.

#### New Business:

##### Approval of IRC Report:

The Commission reviewed and discussed the IRC Reports for October and November 2009.

#### MOTION:

Mrs. Takacs made a motion to approve October and November 2009, IRC Reports. Mr. Harley seconded the motion, which carried unanimously.

#### New Business: