

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

Wednesday, May 19, 2010

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; Carl Edwards; Buccie Harley; and R. Scott Moseley.

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 Danzler, Assistant Deputy General Counsel; Jamie Saxon, Hearing Advisor; Daniel Grigg, Hearing Advisor; Paula Magargle, Staff Attorney; Jay Pitts, Administrator; Angela Scott, Administrative Assistant; Robert Selman; Legislative Liaison; Bill Plunkett, Investigations; Christine Cortright, Court Reporter; Dwight Hayes, Office of Licensure and Compliance; Annette Disher, Office of Licensure and Compliance; and Lisa Hawsey, Administrative Assistant.

Others present participating in the meeting included: Kathy Dowdy; Taryn C. Richardson; Norman G. Morrall; and Jayne Workman.

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

Evelyn Young; Dianna Brouthers; and Sarah Tackacs received excused absences.

Minutes – March 17, 2010

MOTION:

Mr. Edwards moved to accept the minutes of the March 17, 2010, meeting as written. Mr. Mosley seconded the motion and it unanimously carried.

Approval of Agenda – May 19, 2010

MOTION:

Mr. Edwards moved to accept the May 19, 2010, Agenda as previously noted. Mr. Mosley seconded the motion and it unanimously carried.

Chairman's Remarks:

Tony Cox

Chairman Cox thanked everyone for attending the meeting.

Administrators Remarks:

ARELLO Conference:

Mr. Biggers reported that he and Mr. Pitts attended the ARELLO Conference held April 7th - 10th, 2010, in Colorado Springs, Colorado. The committee meeting was very informative and the hospitality was great. He expressed how important it was to be able to interact with members from other States. Mr. Biggers expressed the Commissions condolences to the Terrell Family, Mr. Les Terrell, whom served on the ARELLO Board passed away. Mr. Phil Fisher, Administrator, North Carolina Real Estate Commission retired on April 1, 2010. Mr. Fisher served as the administrator for 30+ years. He stated both were excellent leaders and they will be missed.

Mr. Pitts reported that the ARELLO Conference was great; there was much discussion among the States; and a lot of new ideas that would be forth coming between now and the annual meeting in September 2010.

Number of Investigations and Open Complaint Cases:

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

189 Complaint Cases Received as of January 2009 – May 2009: 136 Open Complaint Cases, which includes 51 Timeshare Complaints: 136 Complaints Opened for Investigation 162 Complaints Cases Received as of January 1, 2010 – May 18, 2010 51 Timeshare Complaints 163 Open Complaints for Investigation

Update on Renewals:

Mrs. Annette Disher reported the number of licensing renewals as of today. Mrs. Disher reported that Renewal Forms were printed and mailed on April 13, 2010.

34,048 Notices Mailed to Active Real Estate Salespersons

13,450 Notices Mailed to Inactive Real Estate Salespersons

70 Notices Mailed to Time Share Registrants 47,568 Total Renewal Forms Mailed

577 Renewal Notices Return with forwarding address (re-addressed and forwarded)

2,949 Renewal Notices Return with no forwarding address (noted in computer)

3,526 Total Renewal Forms Returned

8,132 Active Licensees Renewed

9,231 Total Renewed

12,351 Inactive Not Renewed

1,099 Inactive Renewed:

25,986 Active Not Renewed

38,337 Total Not Renewed

Chairman Cox asked whether the notices were sent to the licensee home address. Mr. Disher stated that the first notice went to the licensee's home address and the second notice will be sent to the business address. In addition, a reminder notice will be sent via E-Blast at the beginning of June 2010, notifying the licensees that their license has not been renewed.

Mr. Pitts reported that staff has sent out several E-Blast to include renewals and continuing education.

Mr. Edwards asked how many e-mail address does the database pertain. Mrs. Disher reported that they have approximately 17,000 – 18,000 e-mail addresses and once the licensee renews online their e-mail address is automatically stored into the licensing database.

Newsletter:

Mr. Pitts reported that the newsletter is complete with the exception of the biographical sketches on each Commissioner. He asked that all Commissioners submit a one paragraph biographical sketch to be included in the newsletter.

Real Estate Educators Association (REEA) Conference:

Mr. Pitts reported that Mr. Beau Tiller will be representing the Commission at the Real Estate Educators Association (REEA) Conference June 2010, in St Antonio, Texas.

Ann Parris Retirement:

Mr. Pitts reported after years of hard work and dedication to the Real Estate Commission and Real Estate Appraisers Board Ms. Ann Parris will retire on Friday, May 28, 2010. A luncheon will be held in her honor on Thursday, May 27, 2010 at 11:30 a.m. at Grecian Gardens.

Unfinished Business:

Approval of IRC Reports:

The Commission reviewed and discussed the IRC Reports for May 2010.

MOTION:

Mrs. Mosley made a motion to approve May 2010, IRC Reports. Mr. Edwards seconded the motion, which carried unanimously.

Legislative Update:

Mr. Pitts reported House Bill 4546 is a joint resolution introduced by eleven representatives to establish the self-directed semi-independent agency pilot project to create certain professional and occupational licensing boards as separate and distinct individual state agencies. Presently LLR is still in tack and there are no plans to pull those Boards out of LLR

New Business:

Apartment Complex Referral:

Ms. Victoria Coward, President of the Apartment Association asked the Commission for an opinion regarding referral fees for non-license individuals.

After review and discussion, the Commission decided to table this matter until the next meeting to allow an opinion from the Advice Counsel to be rendered.

Transfer of Licensure Issues:

Mr. Pitts reported since the formation of The Office of Licensure and Compliance the issue regarding transfer fees has occurred. Based on the information received from Mr. Dwight Hayes, Advice Counsel, transfers is not supported by the statute. Mr. Pitts stated that this policy is not in the statute and it is an internal policy that was working up until the Office of Licensure was formulated. Office of Licensure position is it is not in the statute and they are going to follow what is in the statute. They have asked staff and the Commission formalizes the policy or it be added to the statute.

Chairman Cox recommended that he and Mr. Pitts work on establishing a formal policy and present it and the next meeting for review and approval.

Mr. Edwards reported that he received his license and the Administrator or the Chairman did not sign it.

Mr. Pitts stated that the Administrator signed all licenses up until the formation of the Office of Licensure and Compliance and since that time Mr. David Christian, III, Assistant Deputy Director signs the licenses. This matter has been discussed and it was decided that the Administrator's was supposed to sign the license.

Introduction of Former Lt. Governor Brantley Harvey, Jr.:

Chairman Cox introduced and welcomed former Lt. Governor Brantley Harvey, Jr.

Application Appearances:

Kathy Dowdy

The Commission held an Application Hearing regarding Ms. Kathy Dowdy

MOTION:

Mr. Mosley made a motion to allow Ms. Dowdy to sit for the Real Estate Examination providing that she furnish a letter from her Broker; license be issued with a one-year probationary status to clear up her credit report; and within one year Ms. Dowdy must submit at her own expense a credit report. 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.)

Taryn C. Richardson

The Commission held an Application Hearing regarding Mrs. Taryn C. Richardson

MOTION:

Mr. Edwards made a motion to allow Mrs. Richard to sit for the Real Estate Examination providing that she furnish a letter from her Broker acknowledging that they are aware of her criminal convictions; license be issued with a three year probationary status; and she furnish at her expense annual credit and sled reports and her own expense. 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.)

Mr. Norman G. Morrall

The Commission held an Application Hearing regarding Mr. Norman G. Morrall.

MOTION:

Mr. Mosley made a motion to allow Mr. Morrall 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.)

Administrative Disciplinary Hearing:

Mr. Daniel Grigg, Hearing Advisor
Mrs. Paula Magargle, Staff Attorney

Ms. Jayne B. Workman

The Commission held and Disciplinary Hearing regarding Ms. Jayne Workman

MOTION:

Mr. Biggers made a motion to revoke Ms. Workman's Real Estate License. Mr. Edwards 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.)

Dates of Next Meetings:

Mr. Pitts reported that meeting dates are July 21, 2010.

Adjournment:

Mr. Edwards moved the meeting be adjourned. Mr. Biggers seconded the motion, which carried unanimously. The January 20 2010, meeting of the South Carolina Real Estate Commission was adjourned at 3:08 p.m.

Yours truly,

Jay Pitts
Administrator