

MINUTES

South Carolina Real Estate Commission

Wednesday, February 17, 2016, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Chairman Crigler called the meeting of the South Carolina Real Estate Commission to order at 10:00 a.m. Board members participating in this meeting included:

David Crigler – Chair – 4th Congressional District
G. Hamlin O’Kelley – Vice Chair - Public Member
Candace Pratt – 1st Congressional District
David C. Lockwood, III, 2nd Congressional District
Andy Lee – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Tony Cox – 7th Congressional District
Wayne Poplin – At-Large Member
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Sharon Wolfe, Office of Investigations and Enforcement; Alex Imgrund, Office of Disciplinary Counsel.

Public Notice:

Chairman Crigler announced that public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Pledge of Allegiance:

The Pledge of Allegiance was recited by all present.

Invocation

Invocation was offered by Mr. Cox.

Introduction of Board Members and Staff

Approval of Agenda:

MOTION:

Mr. Cox made a motion to approve the agenda. Ms. Pratt seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from January 20, 2016

MOTION:

Mr. Stackhouse made a motion to approve the minutes of the January 20, 2016, meeting. Mr. Lockwood seconded the motion, which carried unanimously.

Chairman's Remarks:

David Crigler

A brief discussion was held regarding the status of legislation current moving through the House and Senate. The Senate meeting for today was postponed until next week. Mr. Lockwood requested that all Commission members be made aware of subcommittee and committee hearings in the Legislature so they can attend if they so desire.

Administrator's Remarks:

Rod Atkinson

1. Licensure Update as of February 9, 2016

• Broker	5084
• Broker In Charge	7393
• Property Manager	1413
• Property Manager In Charge	1191
• Salesman	19537
• Salesman (Provisional)	2078
TOTAL ACTIVE	36,696

• Inactive Broker	1556
• Inactive Property Manager	468
• Inactive Salesman	5049
TOTAL INACTIVE	7,073

**TOTAL CURRENT LICENSES
AS OF 2/9/16** **43,769**

2. Budget - The board reviewed the budget reports for February, 2016.

3. Investigations and Enforcement

Sharon Wolfe presented the Commission with an overview of the opened and closed cases from January 1, 2016 – February 9, 2016, as well as the same time frame for the previous year.

4. IRC Report - The Commission reviewed the IRC report from February 8, 2016.

MOTION:

Mr. O'Kelley made the motion to approve the *Dismissal* portion of the IRC report from February 8, 2016. Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Mr. Cox made the motion to approve the *Cease and Desist* portion of the IRC report from February 8, 2016. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made the motion to approve the *Formal Complaint* portion of the IRC report from February 8, 2016. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made the motion to approve the *Relinquishment* portion of the IRC report from February 8, 2016. Mr. Cox seconded the motion, which carried unanimously.

5. Mr. Atkinson reminded Commission Members that the 2016 State Ethics Commission filings are due by March 30, 2016. Instructions will be emailed to each Commission member.
6. Mr. Atkinson introduced Andrew Rogers to the Commission. Mr. Rogers has accepted the position of Assistant Deputy Director for the Professional and Occupational Licensing, Business and Building Boards. Mr. Rogers formerly served the Commission as Disciplinary Counsel.

NEW BUSINESS

1. Request for Clarification Regarding TEAMS

John D. (Jay) Rinehart, Rinehart Realty, York, SC – appeared before the Commission and requested clarification from the Commission concerning the use of *teams* in the Real Estate business. A lengthy discussion ensued. Ms. Lewis noted that our office is complaint based. This requires members of the public filing initial complaints with the Commission when illegal practices are noticed. It was agreed that this topic should be covered in mandatory core education classes in the future. Byron King, SC Realtors, was present, and indicated that their office has addressed this topic in their newsletter. Chairman Crigler thanked Mr. Rinehart for opening this topic up for discussion and encouraged Mr. Rinehart to attend upcoming subcommittee hearings concerning the revised license law, and present his concerns in that arena as well.

DISCIPLINARY HEARINGS

Steven Anderson

The Commission held a Disciplinary Hearing regarding Steven Anderson. Mr. Anderson was present and was represented by Evan K. Bromley, legal counsel. Alex Imgrund, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Mr. Imgrund presented a Memorandum of Agreement, signed by Mr. Anderson.

MOTION:

Mr. Lockwood made a motion to enter Executive Session. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Biggers made a motion to enter Open Session. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. O'Kelley made a motion to accept the signed Memorandum of Agreement and issue a private Letter of Caution. Ms. Pratt 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.)

Michael Patrick

The Commission held a Disciplinary Hearing regarding Michael Patrick. Mr. Patrick did not appear before the Commission to present testimony and was not represented by legal counsel. Alex Imgrund, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Discussion ensued.

MOTION:

Mr. Lee made a motion to revoke Mr. Patrick's license. Mr. Cox seconded the motion.

Mr. Lockwood made a motion to amend the motion to find Mr. Patrick in violation of seven (7) sections of the SC Code of Laws. His license will be revoked and he will be issued a Public Reprimand. A fine of \$1000 will be imposed. Mr. Cox 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.)

PUBLIC COMMENTS

William D. Herlong, Attorney at Law, Greenville, SC, addressed the Commission to discuss concerns with the SC Realtors Contract form.

MOTION:

Mr. Cox made a motion to adjourn at 1:00 p.m. Mr. Poplin seconded the motion, which carried unanimously.