

MINUTES

South Carolina Real Estate Commission

Wednesday, April 18, 2012, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

1. Meeting Called to Order:

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

Tony Cox – 1st Congressional District
Sarah Takacs – 2nd Congressional District
Carl Edwards – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Dianna Brouthers – At-Large Member
Johnathan Stackhouse – Public Member
Hamlin O’Kelley – Public Member

Staff members participating during the meeting included Tracey McCarley, Administrator; Beau Tiller, Education Manager; Wanda Cooke, Administrative Assistant; Jamie Saxon, Advice Counsel; and Sharon Wolfe, Chief of Investigators.

2. Public Notice:

Chairman Cox announced that public notice of this meeting was properly posted at the S.C. Board of Environmental Certification 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.

3. Pledge of Allegiance:

The Pledge of Allegiance was led by Chairman Cox.

4. Absence:

Evelyn Young – 4th Congressional District

MOTION:

Mr. Biggers made a motion to approve Ms. Young’s absence. Mr. Harley seconded the motion, which carried unanimously.

5. Approval of the February 22, 2012 Meeting Minutes:

MOTION:

Mr. Stackhouse made a motion to approve the February 22, 2012 meeting minutes. Mr. Edwards seconded the motion, which carried unanimously.

6. Approval of Agenda

Chairman Cox announced one change on the agenda regarding the postponement of the Property Disclosure Form discussion to the May meeting.

MOTION:

Mr. Hamlin made a motion to approve the agenda as amended. Mr. Biggers seconded the motion, which carried unanimously.

7. Chairman's Remarks: - Tony Cox reminded the Commission members of the deadline for the Ethics Commission report of April 20, 2012. Chairman Cox officially congratulated Tracey McCarley for being named the new Administrator of the Real Estate Commission.

8. Administrator's Remarks:

Tracey McCarley

1) Licensure Update

As of February 16, 2012:

- Broker 5,561
- Broker In Charge 7,825
- Inactive Broker 1,794
- Inactive Property Manager 491
- Inactive Salesman 6,539
- Property Manager In Charge 1,042
- Property Manager 1,233
- Salesman 18,067
- Salesman (Provisional) 615

TOTAL 43,167

2) Investigations and Enforcement Update – Tracey McCarley for Sharon Wolfe

Cases received January 1, 2012 through April 17, 2012

- Active Investigations 67
- Closed 1
- Do Not Open Cases 62
- Pending Board Action 7
- Timeshare Investigations 56
- Pending IRC 1

TOTAL 114

Cases closed January 1, 2012 through April 17, 2012

- Closed 66
- Do Not Open Cases 72

TOTAL 57

- Timeshare Investigations 65

3) Budget Update – Tracey McCarley provided the Commission members with the budget for February and March 2012.

4) Continuing Education & Staggered Renewals – Beau Tiller, Education Manager, provided the Commission members with a document regarding renewal fees, continuing education requirements, and staggered renewal schedule. Chairman Cox commented on the issue of disbursing education information on the web site by the providers uploading information. Mr. Tiller explained that the regulations that are before the legislation includes the provision for providers having the capability of entering information on the Real Estate web site.

9. Director's Remarks: - Holly Gillespie Pisarik, Director of the Department of Labor, Licensing, and Regulation. Ms. Pisarik announced that she is available to the Commission members for any concerns in the future.

10. New Business:

1) Approval of IRC Report – March 2012 and April 2012

MOTION:

Mr. Biggers made the motion to approve the IRC reports for March and April 2012. Mr. Harley seconded the motion, which carried unanimously.

2) Escrow/Earnest Money – Byron King, SC Realtors Association – Mr. King discussed the issues of the Broker-In-Charge responsibility of handling Trust Accounts. Chairman Cox continued the discussion.

11. Old Business:

1) Property Disclosure Form – This item was postponed until May meeting at the request of the SC Realtors Association.

12. Application Hearing:

Charles R. Ackerman

The Commission held an Application Hearing regarding Mr. Ackerman. Mr. Ackerman appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Mr. Biggers made a motion to enter executive session. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Ms. Takacs made a motion to return to public session. Mr. Biggers seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to approve Mr. Ackerman's application. See order for details. Ms. Takacs seconded the motion, which carried unanimously.

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

13. Application Hearing:

Roy Cook, Jr.

The Commission held an Application Hearing regarding Mr. Cook. Mr. Cook appeared before the Commission to present testimony and waived his right to Counsel. Mr. Nicholas Deatria, Nathaniel Middleton, Rev. J. Walter Hills, and Butch Johnson, BIC, appeared as witnesses for Mr. Cook.

MOTION:

Ms. Brouters made a motion to enter executive session. Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Ms. Takacs made a motion to return to public session. Mr. Edwards seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve Mr. Cook's application to sit for the Sales exam. Mr. Biggers seconded the motion, which was not unanimous.

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

14. Application Hearing:

Dwayne A. Edwards

The Commission held an Application Hearing regarding Mr. Edwards. Mr. Edwards appeared before the Commission to present testimony and waived his right to Counsel. Mr. James Grimes and William McDowell appeared as witnesses for Mr. Edwards.

MOTION:

Ms. Takacs made a motion to approve Mr. Edward's application. Mr. O'Kelley seconded the motion, which carried unanimously.

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

15. Application Hearing:

Trevor Farrell-Dreilich

The Commission held an Application Hearing regarding Mr. Farrell-Dreilich. Mr. Farrell-Dreilich appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Ms. Takacs made a motion to approve Mr. Farrell-Dreilich's application. Mr. Edwards seconded the motion, which carried unanimously.

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

16. Application Hearing:

Ralph B. Jackson

The Commission held an Application Hearing regarding Mr. Jackson. Mr. Jackson appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Mr. Stackhouse made a motion to approve Mr. Jackson's application. Mr. Harley seconded the motion, which carried unanimously.

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

17. Application Hearing:

James E. Schaeffer

The Commission held an Application Hearing regarding Mr. Schaeffer. Mr. Schaeffer appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Ms. Takacs made a motion to approve Mr. Schaeffer's application. Mr. Edwards seconded the motion, which carried unanimously.

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

18. Unfinished Business:

Tracey McCarley

There was no unfinished business.

19. Adjournment:

The meeting of the SC Real Estate Commission adjourned at 1:36pm.