


MINUTES
South Carolina Real Estate Appraisers Board Meeting
10:00 a.m., November 13, 2014
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 105
Columbia, South Carolina



Meeting Called to Order

Jake Knight, Chairman, called the meeting of the Real Estate Appraisers Board to order at 10:00 a.m. Other members present for the meeting included: Andrew Johnson, Christopher Donato, Ann King, Rex Casterline and Chris Barczak.

Mr. Knight announced that the meeting was being 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 entrances to the Kingstree Building.

Staff members participating in the meeting included: Roderick Atkinson, Administrator; Wanda Cooke, Administrative Assistant; Laura Smith, Compliance Coordinator; Georgia Lewis, Advice Counsel, Erin Baldwin, Office of Disciplinary Counsel.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Introductions – All board members and staff introduced themselves.

Approval of Excused Absences

Michael Dodds

MOTION:

Mr. Donato made a motion to approve the absence of Michael Dodds. Mr. Johnson seconded the motion, which carried unanimously.

Approval of Agenda

Agenda was amended to move New Business *to after* Unfinished Business, and to attempt to begin the hearings as close to 10:00 a.m. as possible.

MOTION:

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

Approval of the Minutes – September 22, 2014

Minutes were amended to add the word “licensing” before the word “requirements” on line 79.

MOTION:

Mr. Casterline made a motion to approve the minutes of the September 22, 2014 meeting, as amended. Mr. Donato seconded the motion, which carried unanimously.

Chairman’s Remarks – Jake Knight

Staff Remarks – Laura Smith

1) Budget Update

2) Licensing Update

Number of Licensees as of **November 10, 2014**

	<u>ACTIVE</u>	<u>INACTIVE</u>	<u>ACTIVE IN RENEWAL</u>	<u>TOTAL</u>
APPRENTICE	137	0	51	188
LICENSED	156	20	44	220
CERTIFIED RESIDENTIAL	983	52	96	1131
CERTIFIED GENERAL	911	27	114	1052
LICENSED MASS	54	1	6	61
CERTIFIED RESIDENTIAL MASS	62	4	4	70
CERTIFIED GENERAL MASS	28	1	2	31
TOTAL	2331	105	317	2753

TEMPORARY PERMITS

ISSUED IN 2013 – 264

ISSUED IN 2014 – 209

Laura distributed a list of expert reviewers, as requested by Jake Knight at the last meeting.

3) Investigations & Enforcement Update – Sharon Wolfe

Case Report for January 1, 2014 – November 7, 2014 was presented for review. Also case report for same time period in 2013 was presented for comparison.

4) Office of Disciplinary Counsel – Erin Baldwin - addressed the Board to present the Case Load Statistics report for information.

5) IRC Report

The IRC Report from November 5, 2014, was presented for approval.

MOTION:

Mr. Donato made a motion to approve the Dismissals portion of the IRC Report from November 5, 2014. Mr. Johnson seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion to approve the Formal Complaints portion of the IRC Report from November 5, 2014. Mr. Donato seconded the motion, which carried unanimously.

MOTION:

Mr. Donato made a motion to approve the Letters of Caution portion of the IRC Report from November 5, 2014. Mr. Casterline seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion to enter Executive Session to obtain legal advice. Mr. Donato seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion to enter Open Session. Mr. Donato seconded the motion, which carried unanimously.

Disciplinary Hearings

Joanann Shepard

The Board held a disciplinary hearing regarding Joanann Shepard. Ms. Shepard was present and was represented by Paul deHolczer, legal counsel. Erin Baldwin represented the State and presented the case. Discussion ensued.

MOTION:

Mr. Donato made a motion to enter Executive Session to obtain legal advice. Mr. Casterline seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion to enter Open Session. Mr. Donato seconded the motion, which carried unanimously.

MOTION:

Mr. Barczak made a motion that all charges be dismissed. Mr. Johnson 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.

Keith Wiese

The Board held a disciplinary hearing regarding Keith Wiese. Mr. Wiese was present and was represented by Ralph Gleaton, legal counsel. Mr. Gleaton made a motion to have these cases dismissed, due to the age of the cases.

MOTION:

Mr. Donato made a motion to enter Executive Session to obtain legal advice. Mr. Johnson seconded the motion, which carried unanimously.

MOTION:

Mr. Donato made a motion to enter Open Session. Mr. Johnson seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion to deny the motion to dismiss. Mr. Johnson seconded the motion, which carried unanimously.

Erin Baldwin represented the State and presented the case. Discussion ensued.

MOTION:

Mr. Johnson made a motion to enter Executive Session to obtain legal advice. Mr. Barczak seconded the motion, which carried unanimously.

MOTION:

Mr. Donato made a motion to enter Open Session. Mr. Casterline seconded the motion, which carried unanimously.

MOTION:

Mr. Casterline made a motion that, in case 2010-75, the State has met its burden of proof in that the respondent violated SC Code Section 40-60-38 and USPAP Ethics Rule, as it relates to conduct; and that there was no violation of SC Code Section 40-60-110 (22), as it is duplicative in nature. Mr. Johnson seconded the motion. Discussion ensued. Motion carried by majority vote, with Donato and Knight voting against the motion.

MOTION:

Mr. Casterline made a motion that, in case 2012-70, the State has met its burden of proof in that the respondent violated SC Code Section 40-60-38 and USPAP Ethics Rule, as it relates to conduct; and that there was no violation of SC Code Section 40-60-110 (22), as it is duplicative in nature. Mr. Johnson seconded the motion. Discussion ensued. Motion carried by majority vote, with Donato and Knight voting against the motion.

MOTION:

Mr. Johnson made a motion to issue a public reprimand, probation for a period of twelve (12) months, and the respondent will be required to take a fifteen (15) hour ethics course within six (6) months. Mr. Barczak seconded the motion, which carried by majority vote, with Donato and Knight voting against the motion.

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

MOTION:

Mr. Donato made a motion to hold over New Business until the next scheduled meeting. Mr. Casterline seconded the motion, which carried unanimously.

Unfinished Business

Mr. Knight, Mr. Casterline, Mr. Barczak and Laura Smith attended the October 2014 AARO Conference in Washington DC. They each gave updates on information covered and topics discussed. The next AARO Conference will be held in Nashville, TN.

Mr. Dodds was not present and there was no update on the Palmetto Appraiser.

Broker Price Opinions and Evaluations were discussed. Mr. Dodds attended a continuing education seminar in North Carolina recently concerning these topics and provided the board with a synopsis of the content.

MOTION:

Mr. Donato made a motion to revisit Broker Price Opinion and Evaluations at the next scheduled meeting. Mr. Casterline seconded the motion, which carried unanimously.

Adjournment

MOTION:

Mr. Donato made a motion to adjourn. Ms. King seconded the motion, which carried unanimously.

The next scheduled meeting of the SC Real Estate Appraisers Board is scheduled for February 12-13, 2015.