

MINUTES

South Carolina Real Estate Commission

Wednesday, August 21, 2013, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Tony Cox, Chairman, called the regular scheduled meeting of the South Carolina Real Estate Commission to order at 10:07a.m. Board members participating in this meeting included:

Tony Cox – 7th Congressional District
Candace Pratt – 1st Congressional District
Carl Edwards – 3rd Congressional District
David Crigler – 4th Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Johnathan Stackhouse – Public Member
G. Hamlin O’Kelley – Public Member
Wayne Poplin – At-Large Member

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

Public Notice:

Chairman Cox 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 led by Chairman Cox.

Excused Absences:

Sarah Takacs – 2nd Congressional District. was absent from the meeting.

MOTION:

Mr. Crigler made a motion to approve this absence. Mr. O’Kelley seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from June 12, 2013

MOTION:

Mr. Stackhouse noted one typographical error on line 75 of the June 12, 2013 meeting minutes. Mr. Harley made a motion to approve the amended minutes of the June 12, 2013 meeting. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve the agenda for today's meeting. Mr. Crigler seconded the motion, which carried unanimously.

Chairman's Remarks:

Tony Cox

Administrator's Remarks:

Roderick Atkinson

1. Licensure Update as of August 13, 2013

• Broker	5283
• Broker In Charge	7469
• Property Manager	1251
• Property Manager In Charge	1087
• Salesman	16983
• Salesman (Provisional)	1205
TOTAL ACTIVE	33278

• Inactive Broker	1542
• Inactive Property Manager	451
• Inactive Salesman	4933
TOTAL INACTIVE	6926

**TOTAL CURRENT LICENSES
AS OF 8/13/13 40204**

2. Investigations and Enforcement – *Sharon Wolfe*

Ms. Wolfe presented the Commission with an overview of the open and closed cases from January 1, 2013 – August 13, 2013, and well as the same time period from the previous year. Discussion ensued concerning the number of timeshare cases that we have and the fact that, in most instances, the Commission has no jurisdiction.

3. Budget update for July 2013 was reviewed.

4. Approval of IRC Report - July 8, 2013 and August 12, 2013

MOTION:

Mr. Stackhouse made the motion to approve the IRC reports for July 8, 2013. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the IRC reports for August 12, 2013. Mr. Crigler seconded the motion, which carried unanimously.

5. Mr. Atkinson gave a brief overview of the South Carolina Military Service Occupation, Education & Credentialing Act. This act was signed into law on June 7, 2013, and has some implications for all licensing boards, including the Real Estate Commission.
6. Mr. Atkinson presented the Commission with dates of the 2013 SC Realtors Annual Conference to be held in Charleston, SC, September 12, 13, 2013. Several members of the Commission indicated that they plan to attend this conference.

Mr. Atkinson presented the Commission with dates of the 2013 ARELLO Annual Conference to be held in Seattle, WA, September 18-22, 2013. Commission members were given registration packets for this conference. There is a Commission meeting scheduled for September 18th. Mr. Cox and Mr. Biggers expressed interest in attending. Ms. Wolfe asked if one investigator could be approved to attend this conference. Mr. Cox requested that Mr. Atkinson attend these conferences when at all possible.

MOTION:

Mr. Crigler made a motion to approve Mr. Cox, Mr. Biggers, Mr. Atkinson and one investigator to attend this conference. Mr. Poplin seconded the motion, which carried unanimously.

7. Mr. Atkinson briefed the Commission on the decision to reenact the policy to inspect real estate offices. A letter and inspection report form will be sent to all brokers and will also be added to our website. Mr. Harley asked that they begin with the new offices, which have never been inspected. Mr. Atkinson advised the Commission that the plan is to focus on the new offices first.

MOTION:

Mr. Biggers made a motion to approve the letter and inspection report form to be mailed out to all brokers. Ms. Pratt seconded the motion, which carried unanimously.

Mr. Atkinson informed the Commission that plans are in the works to reinstate the Commission newsletter. Feedback is requested from the Commission as to the content. Also, we will launch a Facebook page soon. An ongoing plan for implementation is still being discussed.

New Business

Nick Kremydas, SC Realtors, addressed the Commission regarding REO and short sale transactions. Mr. Kremydas stated that the Association needs assistance from the Commission in clarifying what a broker/salesman is allowed to do concerning negotiating short sales with the lender, on behalf of the client. Discussion ensued. Ms. Lewis' office will take a look at this and prepare an opinion before the next meeting.

Mr. Kremydas publicly thanked Mr. Atkinson and the staff of the Real Estate Commission for their cooperation and assistance over the past few months.

APPLICATION HEARINGS

Sara M. Brooks

The Commission held an Application Hearing regarding Ms. Sara M. Brooks. Ms. Brooks appeared before the Commission to present testimony and waived her right to counsel. Discussion ensued.

MOTION:

Mr. Crigler made a motion to enter Executive Session. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Edwards made a motion to allow Ms. Brooks to sit for the property manager’s examination. Mr. Crigler 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.)

Nathaniel Canfall

The Commission held an Application Hearing regarding Mr. Nathaniel Canfall. Mr. Canfall appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Mr. Harley made a motion to allow Mr. Canfall to sit for the sales examination. Mr. Crigler 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.)

Eric Cothran

The Commission held an Application Hearing regarding Mr. Eric Cothran. Mr. Cothran appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Mr. Crigler made a motion to enter Executive Session. Mr. O’Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to enter Open Session. Mr. Crigler seconded the motion, which carried unanimously

MOTION:

Mr. O'Kelley made a motion to allow Mr. Cothran to sit for the sales examination. Once he has passed the examination, he will be granted a Provisional license ONLY. Mr. Cothran must present an updated Criminal Background Check before he will be granted a permanent license. Ms. Pratt 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.)

Carlos De La Ossa, Jr.

The Commission held an Application Hearing regarding Mr. Carlos De La Ossa, Jr. Mr. De La Ossa appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Mr. Poplin made a motion to enter Executive Session. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made a motion to enter Open Session. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. O'Kelley made a motion to allow Mr. De La Ossa to sit for the sales examination. Once he has passed the examination, he will be granted a Provisional license ONLY. Mr. De La Ossa must present an updated Criminal Background Check and proof that he has completed his probation requirements before he will be granted a permanent license. Mr. Crigler 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.)

Leigh A. Hoppe

The Commission held an Application Hearing regarding Ms. Leigh A. Hoppe. Ms. Hoppe appeared before the Commission to present testimony and waived her right to counsel. Discussion ensued.

MOTION:

Mr. Harley made a motion to allow Ms. Hoppe to sit for the sales examination. 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.)

Denekio L. Husser

Mr. Deneko L. Husser did not appear, therefore, this hearing was cancelled.

Brian Patrick Schumacher

The Commission held an Application Hearing regarding Mr. Brian Patrick Schumacher. Mr. Schumacher appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Ms. Pratt made a motion to enter Executive Session. Mr. Edwards seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Edwards made a motion to allow Mr. Schumacher to sit for the sales examination. Mr. Crigler 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.)

Public Comments:

None

Unfinished Business:

None

Adjournment:

MOTION:

Mr. Biggers made a motion to adjourn. Mr. Crigler seconded the motion, which carried unanimously. The meeting was adjourned at 3:15 p.m.

The next meeting of the Commission will be held on September 18, 2013.