

MINUTES

South Carolina Real Estate Commission

Wednesday, January 17, 2018, 9:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

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

Candace Pratt – Chair - 1st Congressional District
Andy Lee – Vice Chair - 3rd Congressional District
David C. Lockwood, III - 2nd Congressional District
John Rinehart – 5th Congressional District
Janelle Mitchell – 6th Congressional District
Scott McNew – 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; Gigi Lewis, Office of Advice Counsel; Sharon Wolfe, Office of Investigations and Enforcement; Rowland Alston, Office of Disciplinary Counsel.

Public Notice:

Chair Pratt 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 Commissioner Mitchell.

Approval of Absences:

David Crigler – 4th Congressional District

MOTION:

Mr. Rinehart made a motion to excuse the absence of Mr. Crigler. Ms. Mitchell seconded the motion, which carried unanimously.

Introduction of Board Members and Staff

Approval of Agenda:

Hearing for Shannon Thomas was continued. Items 2 and 5 under Administrator's remarks will be provided for information only. There will be no Disciplinary report given.

MOTION:

Mr. Lockwood made a motion to approve the Agenda, as amended. Mr. Poplin seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from December 13, 2017.

MOTION:

Mr. Lockwood made a motion to approve the minutes of the December 13, 2017 meeting, as amended. Mr. Rinehart seconded the motion, which carried unanimously.

Chair's Remarks:

Candace Pratt

Administrator's Remarks:

Rod Atkinson

1. Licensure Update as of January 10, 2018

• Broker	5213
• Broker in Charge	7722
• Property Manager	1572
• Property Manager in Charge	1321
• Salesman	25731
• Salesman (Provisional)	183
TOTAL ACTIVE	41,742
• Inactive Broker	1694
• Inactive Property Manager	671
• Inactive Salesman	6377
TOTAL INACTIVE	8,742

TOTAL CURRENT LICENSES

AS OF 1/10/18 50,484

2. Budget Update –The Board received for information, the budget reports for December 2017.

3. Investigations and Enforcement – the Commission received for information, an overview of the opened and closed cases from January 1, 2017 – December 31, 2017, as well as the same time period for the previous year.

4. IRC Report - The Commission reviewed the IRC report from January 4, 2018.

MOTION:

Mr. Lee made the motion to approve the *Dismissal* portion of the IRC report from January 4, 2018. Mr. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made the motion to approve the *Formal Complaint* portion of the IRC report from January 4, 2018. Mr. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Mitchell made the motion to approve the *Letter of Caution* portion of the IRC report from January 4, 2018. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the *Reconsideration/Dismiss* portion of the IRC report from January 4, 2018. Mr. Rinehart seconded the motion, which carried unanimously.

5. ODC Report - none given

6. 2018 State Ethics Commission filings - Deadline March 30, 2018

Mr. Atkinson reminded the Commission of the deadline for filing with the State Ethics Commission.

7. ARELLO Mid-Year Meeting -to be held in New Orleans, LA, April 4-7, 2018.

MOTION:

Mr. Poplin made a motion to approve 2 Commission members and 1 staff member to attend the ARELLO Mid-Year Meeting. Ms. Mitchell seconded the motion, which carried unanimously.

8. Education Update

Mr. Atkinson reported that 2018 will be a very busy year for the Education Department. The development of the CORE course for 2018; the implementation of a mandatory Broker in Charge course; Instructor Development Workshop in April; and the introduction of CE Broker, are among the activities within the department.

Joi Middleton, Education Manager, gave the Commission an overview of the new CORE course, entitled *3 P's of Professionalism: Principles, Practices and Pitfalls*.

Liz Adams and Shane Hall, from CE Broker, were introduced to the Commission.

NEW BUSINESS

1. Election of At-Large Commission Seat

MOTION:

Mr. Lee made the motion to re-elect Commissioner Wayne Poplin as the at-large member of the Commission for another term. Mr. Rinehart seconded the motion, which carried unanimously.

Mr. Stackhouse joined the meeting at approximately 10:30 a.m.

2. Additional Hearing Dates / Alternative Disciplinary Process

At the request of Rowland Alston, Disciplinary Counsel, the Commission addressed the possibility of adding additional hearing dates and/or implementing alternative disciplinary procedures to process cases. Discussion ensued.

MOTION:

Mr. Rinehart made the motion to approve an additional date (March 22, 2018) to hear additional disciplinary cases. Mr. Lee seconded the motion, which carried unanimously.

DISCIPLINARY HEARINGS

H. Clayton Adams

The Commission held a Disciplinary Hearing regarding H. Clayton Adams. Mr. Adams was present and was not represented by, legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. The Commission reviewed such agreement and discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Mr. Lockwood made a motion that the state has met its burden of proof that Respondent violated S.C. Code Ann. 40-57-135 (A) (1) (1976, as amended); S.C. Code Ann. 40-57-135 (A) (6) (1976, as amended); S.C. Code Ann. 40-57-135 (A) (8) (1976, as amended); S.C. Code Ann. 40-57-135 (B) (1) (1976, as amended); S.C. Code Ann. 40-57-135 (B) (7) (a) (1976, as amended); S.C. Code Ann. 40-57-135 (B) (11) (1976, as amended); S.C. Code Ann. 40-57-135 (C) (7) (1976, as amended); S.C. Code Ann. 40-57-135 (F) (1976, as amended); S.C. Code Ann. 40-57-145 (A) (18) (1976, as amended); S.C. Code Ann. 40-57-145 (A) (21) (1976, as amended); S.C. Code Ann. 40-57-145 (A) (24) (1976, as amended); S.C. Code Ann. 40-1-110 (1) (f) (1976, as amended); Further it was motioned that the state has not met its burden of proof that Respondent violated S.C. Code Ann. 40-57-135 (C) (2) (1976, as amended) or S.C. Code Ann. 40-57-145 (A) (4) (1976, as amended); Respondent's license will be placed on suspension for a period of three (3) years. Suspension will be stayed and license will be placed on probation for a period of three (3) years. Respondent is required to complete the Unit IIIB course within six (6) months from the

date of the Order, and pay a penalty of \$2000 within sixty (60) days from the date of the Order. Mr. Rinehart seconded the motion, which carried unanimously.

Unfinished Business

MOTION:

Mr. Lee made a motion to re-open the vote on the at-large seat vacancy. Mr. Rinehart seconded the motion, which carried unanimously.

Chair Pratt opened the floor again for voting and Mr. Stackhouse submitted his vote to re-elect Mr. Poplin to the At-Large seat for another term.

MOTION:

Mr. Rinehart made a motion to accept the vote of Mr. Stackhouse to re-elect Mr. Poplin to the At-Large seat for another term. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Ms. Mitchell made a motion to adjourn at 1:30 p.m. Mr. Poplin seconded the motion, which carried unanimously.