

MINUTES

South Carolina Real Estate Commission

Wednesday, October 17, 2012, 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 10:00a.m. Board members participating in this meeting included:

Tony Cox – 7th Congressional District
Carl Edwards – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Johnathan Stackhouse – Public Member
Hamlin O’Kelley – Public Member
Wayne Poplin – Member At-Large

Staff members participating during the meeting included Tracey McCarley, Administrator; Wanda Cooke, Administrative Assistant; Beau Tiller, Education Manager, and Jamie Saxon, 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
Evelyn Young – 4th Congressional District
Mr. Edwards made a motion to approve these absences. Mr. Biggers seconded the motion, which carried unanimously.

Approval of the August 15, 2012 Meeting Minutes:

Mr. Edwards requested we make an amendment to line 189, regarding posting the amended Property Disclosure Form on our website, to add sending an e-blast to licensees.

MOTION:

Mr. Edwards made a motion to approve the August 15, 2012 meeting minutes with the above mentioned amendments. Mr. Harley seconded the motion, which carried unanimously.

Approval of Agenda

The agenda was changed to move OLD BUSINESS: Property Disclosure Form to the top of the agenda.

MOTION:

Mr. Biggers made a motion to approve the amended October 17, 2012 agenda. Mr. Edwards seconded the motion, which was carried unanimously.

Old Business:

1) Property Disclosure Form

Mr. O'Kelley informed the members of the Commission that feedback on the information publicized regarding the proposed changes to the Property Disclosure Form was minimal. Mr. O'Kelley asked for suggestions. Discussion ensued.

Mr. Edwards requested that the Commission staff send an e-blast to licensees. It was decided that the Commission staff will send an e-blast to licensees and The South Carolina Association of Realtors will also send an e-blast to their mailing list. A deadline of November 15th will be given for feedback.

Chairman Cox introduced the newest member of the Commission; Wayne Poplin, Member At-Large.

Administrator's Remarks:

Tracey McCarley

1) Licensure Update	
As of October 15, 2012:	
• Broker	5,582
• Broker In Charge	7,830
• Inactive Broker	1,950
• Inactive Property Manager	580
• Inactive Salesman	6,989
• Property Manager In Charge	1,099
• Property Manager	1,260
• Salesman	18,055
• Salesman (Provisional)	799
TOTAL	44,144

Chairman Cox requested that staff add a statement on our website regarding the responsibility of the licensee to keep the Commission informed of address changes.

2) Investigations and Enforcement Update

Cases received January 1, 2012 through October 11, 2012

• Active Investigations	143
• Closed	60
• Do Not Open Cases	151
• Pending Board Action	41
• Timeshare Investigations	181 (included in active investigations)
TOTAL	395

Cases closed January 1, 2012 through October 11, 2012

• Closed	203
• Do Not Open Cases	161
• Timeshare Investigations	169 (included in active investigations)
TOTAL	364

3) Budget Update – Tracey McCarley provided the Commission members with the budget for July, August and September 2012.

4) Approval of IRC Report – September/October 2012

MOTION:

Mr. Harley made the motion to approve the IRC reports for September/October 2012. Mr. O’Kelley seconded the motion, which carried unanimously.

Chairman’s Remarks:

Tony Cox

Chairman Cox gave a report on the 2012 ARELLO Conference he recently attended.

Mr. O’Kelley asked to be excused at 10:30 a.m.

New Business:

William Tiller, Education Manager, requested permission from the Commission to attend the PSI Exam recertification meeting through ARELLO. This meeting will be held in St. Louis, MO, later in October 2012.

MOTION:

Mr. Edwards made a motion to approve the travel for Mr. Tiller to attend the 2012 PSI Exam recertification meeting. Mr. Biggers seconded the motion, which carried unanimously.

Chairman Cox requested that staff look into the matter of providing board issued email addresses for licensees. This has been implemented in other states and the Commission feels this would be a good way to maintain a more accurate way to communicate with the licensees.

Fritzi Barber, Broker in Charge at Coldwell Banker Caine in Greenville, SC, addressed the Commission to ask permission for this office to add a SECOND Broker In Charge to their staff. They feel that due to the size of the company and number of agents listed in this office, additional management would better serve the public. Discussion ensued.

Chairman Cox asked Advice Counsel Jamie Saxon to research the legalities of this and report at our next meeting. This topic will be readdressed at the next scheduled meeting of the South Carolina Real Estate Commission.

Application Hearings:

Robert Brower

The Commission held an Application Hearing regarding Mr. Brower. Mr. Brower appeared before the Commission to present testimony and waived his right to Counsel. It was noted that Mr. Horne was sanctioned by the Residential Builders Commission in 2006 for unlicensed practice. It was also noted that Mr. Brower satisfied the \$500 fine in 2012.

MOTION:

Mr. Edwards made a motion to approve Mr. Brower's application to sit for the property manager's exam. Mr. Stackhouse 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.)

Janice Carlisle

The Commission held an Application Hearing regarding Ms. Carlisle. Ms. Carlisle appeared before the Commission to present testimony and waived her right to Counsel.

MOTION:

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

Commission entered executive session to receive legal advice. No votes were taken during executive session.

MOTION:

Mr. Biggers made a motion to enter open session. Mr. Edwards seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to approve Ms. Carlisle's application to sit for the examination, provided she provides evidence that the felony on her record has been reduced to a misdemeanor. Mr. Biggers 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.)

Christy Glenn

The Commission held an Application Hearing regarding Ms. Glenn. Ms. Glenn appeared before the Commission to present testimony and waived her right to Counsel.

MOTION:

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

Commission entered executive session to receive legal advice. No votes were taken during executive session.

MOTION:

Mr. Harley made a motion to enter open session. Mr. Edwards seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve Ms. Glenn's application to sit for the property manager's examination, provided she provides a letter from a prospective employer (Property Manager in Charge or Broker in Charge) and she will be required to work under this PMIC or BIC for a period of two (2) years before she can become a PMIC. 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.)

Unfinished Business:

Tracey McCarley

There was no unfinished business.

Public Comments:

Adjournment:

The meeting of the SC Real Estate Commission adjourned at 11:50 a.m.