

MINUTES

South Carolina Real Estate Commission

Wednesday, December 18, 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 – Chair, 7th Congressional District
David C. Lockwood, III, 2nd 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

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

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:

Wayne Poplin – At-Large Member

MOTION:

Mr. Edwards made a motion to excuse the absence of Mr. Poplin. Mr. Crigler seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from November 20, 2013

MOTION:

Mr. Crigler made a motion to approve the minutes of the November 20, 2013 meeting. Mr. Harley seconded the motion, which carried unanimously.

Approval of Agenda:

MOTION:

Mr. O’Kelley made a motion to defer item #2, (Selection of new member(s) for Investigative Review Committee), to the January 22, 2014, meeting. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve the agenda, as amended. Mr. O’Kelley seconded the motion, which carried unanimously.

Chairman’s Remarks:

Tony Cox

Chairman Cox shared an email he received from the SC Realtors, expressing thanks for the online transfer process, and broker notifications.

Introduction of Board Members and Staff

Administrator’s Remarks:

Roderick Atkinson

1. **Licensure Update** as of December 11, 2013

• Broker	5292
• Broker In Charge	7480
• Property Manager	1306
• Property Manager In Charge	1119
• Salesman	17304
• Salesman (Provisional)	1541
TOTAL ACTIVE	34042

• Inactive Broker	1652
• Inactive Property Manager	490
• Inactive Salesman	5088
TOTAL INACTIVE	7230

**TOTAL CURRENT LICENSES
AS OF 12/11/13 41272**

2. **Investigations and Enforcement**

Sharon Wolfe, Office of Investigations and Enforcement presented the Commission with an overview of the open and closed cases from January 1, 2013 – December 9, 2013, as well as the same time period from the previous year.

3. **Budget** update for November 2013 was reviewed.

4. **IRC Report** - The Commission reviewed the IRC report from December 9, 2013.

MOTION:

Mr. Harley made the motion to approve the IRC report from December 9, 2013. Mr. O’Kelley seconded the motion, which carried unanimously.

5. **Board Newsletter** has been formatted by Mr. Crigler’s staff. Content is still being compiled and we are hoping to have a first quarter newsletter for 2014.
6. Robbie Boland, Office of Investigations and Enforcement, addressed the Commission to give an update on the Real Estate Office inspections. It was noted that the numbers are down for November due to training and holiday time. Discussion ensued.

New Business

1. A twenty (20) minute Webinar from Sterling Infosystems was presented to the Commission. Discussion ensued concerning other options and regulations that support the requirement for criminal background checks.

MOTION

Mr. Lockwood made a motion to enter Executive Session to obtain legal advice. Ms. Pratt seconded the motion, which carried unanimously.

MOTION

Mr. O’Kelley made a motion to enter Open Session. Mr. Crigler seconded the motion, which carried unanimously. No votes were taken during Executive Session.

2. Gigi Lewis, Advice Counsel, addressed the Commission concerning Proposed Fee Placement Options. Discussion ensued.

MOTION

Mr. O’Kelley made a motion to adopt the option recommended by Director Pisarik. Fees will appear in Chapter 10 with references made in the current Regulations. Fees will also appear on the Agency’s website. Mr. Crigler seconded the motion, which carried unanimously.

A twenty (20) minute lunch recess was taken.

APPLICATION HEARINGS

Anna Maria Triester

The Commission held an Application Hearing regarding Ms. Anna Marie Triester. Ms. Triester appeared before the Commission to present testimony and waived her right to counsel. Discussion ensued.

MOTION:

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

Jedediah R. Ford-Thompson

The Commission held an Application Hearing regarding Mr. Jedediah R. Ford-Thompson. Mr. Ford-Thompson appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Ms. Pratt made a motion to allow Mr. Ford-Thompson to sit for the examination. Mr. Lockwood 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.)

Roger Dale Hawkins, Jr.

The Commission held an Application Hearing regarding Mr. Roger Dale Hawkins, Jr. Mr. Hawkins appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Mr. Crigler made a motion to allow Mr. Hawkins to sit for the examination. 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.)

Harry Hiers

The Commission held an Application Hearing regarding Mr. Harry Hiers. Mr. Hiers was erroneously permitted to sit for the examination due to staff oversight. Mr. Hiers appeared before the Commission to present testimony and waived his right to counsel. Discussion ensued.

MOTION:

Mr. Biggers made a motion to allow Mr. Hiers to obtain a license, which will remain on probation to run concurrent with this State probation. Mr. Hiers must submit documentation to the Commission when his probation is completed. 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.)

Adam Moses

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

MOTION:

Ms. Pratt made a motion to allow Mr. Moses to sit for the examination. 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.)

Patrick Mullen

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

MOTION:

Mr. Edwards made a motion to allow Mr. Mullen to sit for the 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.)

Mr. Stackhouse left the meeting at 1:15 p.m. However, a quorum was maintained.

Sherman John Wilson

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

MOTION:

Mr. Harley made a motion to allow Mr. Wilson to sit for the exam. 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.)

Mr. O'Kelley left the meeting at 1:30 p.m. However, a quorum was maintained.

Henry Kuznik

Mr. Kuznik appeared before the Commission to appeal for reinstatement after his license has lapsed. Mr. Kuznik was represented by Andrea Brisban, Esq. Ms. Brisban presented the case and discussion ensued.

Ms. Pratt left the meeting at 3:20 p.m. However, a quorum was maintained.

MOTION:

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

MOTION:

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

MOTION:

Mr. Edwards made a motion to accept Mr. Kuznik's appeal for reinstatement, due to a computer software error. Mr. Kuznik will be required to pay the \$120 renewal fee with no late fees assessed. Mr. Biggers seconded the motion, which carried unanimously.

Unfinished Business

Adjournment

MOTION:

Mr. Lockwood made a motion to adjourn. Mr. Crigler seconded the motion, which carried unanimously. The meeting was adjourned at 4:26 p.m.

The next meeting of the Commission will be held on January 22, 2014.