

MINUTES

South Carolina Real Estate Commission

Wednesday, February 21, 2018 10:00am

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 Crigler – 4th 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 Cook, 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 Rinehart.

Approval of Absences:

David C. Lockwood, III - 2nd Congressional District

MOTION:

Mr. Crigler made a motion to approve the absence of Mr. Lockwood. Mr. Rinehart seconded the motion, which was carried unanimously.

Introduction of Board Members and Staff

Approval of Agenda:

MOTION:

Mr. Lee made a motion to approve the Agenda. Mr. Crigler seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from January 16 & 17, 2018

MOTION:

Mr. Lee made a motion to approve the minutes of the January 16, 2018 meeting. Mr. Stackhouse seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve the minutes of the January 17, 2018 meeting. Mr. Poplin seconded the motion, which carried unanimously.

Chair's Remarks:

Candace Pratt

Administrator's Remarks:

Rod Atkinson

Mr. Atkinson introduced Patricia White as the newest staff member of the Real Estate Commission. Mr. Atkinson also informed the Commission that staff recently reviewed a presentation from CE Broker and are preparing the implementation of continuing education tracking.

1. Licensure Update as of February 14, 2018

• Broker	5117
• Broker in Charge	7570
• Property Manager	1547
• Property Manager in Charge	1262
• Salesman	25673
• Salesman (Provisional)	11
TOTAL ACTIVE	41,180
• Inactive Broker	1474
• Inactive Property Manager	581
• Inactive Salesman	5881
TOTAL INACTIVE	7,936

TOTAL CURRENT LICENSES

AS OF 2/14/18 **49,116**

2. Budget Update –The Board reviewed the budget reports for January 2018.

3. Investigations and Enforcement – *Sharon Wolfe* presented the Commission with an overview of the opened and closed cases from January 1, 2018 – February 6, 2018, as well as the same time period for the previous year.

4. IRC Report - The Commission reviewed the IRC report from February 5, 2018.

MOTION:

Mr. Crigler made the motion to approve the *Dismissal* portion of the IRC report from February 5, 2018. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made the motion to approve the *Formal Complaint* portion of the IRC report from February 5, 2018. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the *Letter of Caution* portion of the IRC report from February 5, 2018. Ms. Rinehart seconded the motion, which carried unanimously.

5. ODC Report – *Rowland Alston* presented the Office of Disciplinary Counsel case load report. Mr. Alston also presented the Commission with a series of dates for them to consider as additional disciplinary hearing dates for 2018. The Commission will review these dates and determine which dates will guarantee a quorum.

APPLICATION HEARINGS

Thomas Dunlap

The Commission held an application hearing regarding Thomas Dunlap's application to take the Broker's exam in South Carolina. Mr. Dunlap appeared before the Commission to present testimony, and was represented by Alexander Imgrund, legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Mr. Crigler made a motion to deny the application of Thomas Dunlap. Mr. Rinehart seconded the motion, which carried with one abstention.

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

Christopher Bunce

The Commission held an application hearing regarding Christopher Bunce's application to take the Real Estate Property Manager's examination South Carolina. Mr. Bunce appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Lee made a motion to approve the application of Christopher Bunce. Mr. Stackhouse seconded the motion, which carried on a 5/3 vote.

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

Kia McDowell

The Commission held an application hearing regarding Kia McDowell's application to take the Real Estate Property Manager's exam in South Carolina. Ms. McDowell appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Stackhouse made a motion to approve the application of Kia McDowell. Mr. Rinehart 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.)

Chair Pratt presented a plaque of appreciation to Mr. Tony Cox. Mr. Cox was a valued member of the South Carolina Real Estate Commission from 2004 until 2017.

APPLICATION HEARINGS (continued)

Matt Keenhold

The Commission held an application hearing regarding Matt Keenhold's application to take the Real Estate Sales exam in South Carolina. Mr. Keenhold appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Rinehart made a motion to approve the application of Matt Keenhold. Mr. Crigler 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.)

Lakecia Aklin

The Commission held an application hearing regarding Lakecia Aklin's application to take the Real Estate Sales exam in South Carolina. Ms. Aklin appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

Chair Pratt noted that Gigi Lewis provided legal advice in the executive session, however, she had to leave the meeting and is being replaced by Mr. Hardwicke Stuart, advice counsel.

MOTION:

Mr. Rinehart made a motion to approve the application of Lakecia Aklin. Ms. Mitchell 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.)

Denzel Jeter

The Commission held an application hearing regarding Denzel Jeter application to take the Real Estate Sales exam in South Carolina. Mr. Jeter appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Ms. Mitchell made a motion to approve the application of Denzel Jeter. Mr. Crigler 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.)

Queen Linen

The Commission held an application hearing regarding Queen Linen's application to take the Real Estate Sales examination in South Carolina. Ms. Linen appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Rinehart 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. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Lee made a motion to accept as judicial notice, a copy of the Memorandum of Agreement, signed in October 2016. Mr. Rinehart seconded the motion, which carried unanimously. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Mr. Rinehart made a motion to deny the application of Queen Linen. Mr. Lee seconded the motion, which carried on a 6/1 vote.

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

NEW BUSINESS

1. **Trust Funds as Unclaimed Property** - Austin Smallwood, South Carolina Realtors, addressed the Commission to receive interpretation of the Real Estate License Law as it relates to disbursing funds that are abandoned or unclaimed. Discussion ensued.

MOTION:

Mr. Crigler made a motion to adjourn at 3:30 p.m. Mr. Rinehart seconded the motion, which carried unanimously.