

Minutes
South Carolina Real Estate Commission
Regular Meeting/Hearing
Synergy Business Park, Kingtree Building, Room 111
Tuesday, January 20, 2004

Members attending: Evelyn Young, Chairman; Jay Keenan, Vice Chairman; Steven Sloop, Secretary; Manning Biggers; Betty Carter, Bucci Harley; Robert Heos
Absent: Dan Ballou (Excused) Mackie Hayes (Excused)

Staff attending: Robert L. Selman, Administrator; Edwin A. Farnell, III, Manager, Regulatory Compliance; Ann Parris, Administrative Assistant; Jay Pitts, Administrator, Engineers and Land Surveyors Board; Beau Tiller, Manager, Education; and Rick Wilson, Advice Counsel

Call to Order and Freedom of Information Statement

Chairman Young called the meeting to order at 10:05 A.M. and read into the record the following Freedom of Information statement. Public notice of this meeting was properly posted at the Real Estate Commission office, Synergy Business Park, Kingtree Building, Columbia, South Carolina, 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. A quorum was present at all times.

Approval of Minutes – November 19, 2003

Motion: Minutes of the November 19, 2003, meeting were approved as written on motion of Mr. Biggers and second of Mr. Harley. Unanimously passed.

Motion to Excuse Absence of Daniel Ballou and Mackie Hayes- Mr. Heos moved and Mr. Biggers seconded the motion to excuse Messrs. Ballou and Hayes from the meeting. Motion unanimously passed.

ARELLO Southern District Conference-June 2004 Charleston, SC – Mr. Biggers made a brief report concerning the upcoming ARELLO Conference. He said the hotel has been reserved and one speaker has committed, Dianna Brouthers.

Mr. Selman introduced Jay Pitts, Administrator, Engineers and Land Surveyors Board. Mr. Selman stated he had asked Mr. Pitts to assist Mr. Biggers in coordinating the conference plans for the upcoming ARELLO Conference in June. Mr. Selman said the Engineers Board hosted a similar meeting last year in Charleston and it was extremely successful. Mr. Pitts addressed the group. He reviewed events and facilities that were on the agenda for the Engineers' conference and said he had a lot of contacts that were made in planning his board's meeting. Mr. Pitts said he and Mr. Biggers had spoken and would be getting together again on this matter. Following discussion regarding speakers, tours and sightseeing options, golf packages, fishing packages, sponsors, and other related topics, Mr. Biggers stated he would keep the Board informed.

Practice Act Amendments – Mr. Selman stated that following the November 2003 meeting, he, Ed Farnell and Nick Kremydas met and reviewed the draft of the proposed legislation that the South Carolina Association of REALTORS has prepared to submit next session. He said the concerns of the Commission were discussed and Mr. Kremydas submitted these changes to the Association for review. Mr. Selman stated that all changes he requested had been made either through compromise or deletion. The latest draft was distributed at today's meeting.

Mr. Kremydas answered questions regarding some areas that members still had concerns about. He noted he would advise the Association of these concerns and would supply an amendment copy to the Commission. Mr. Kremydas stated he might not be able to get these changes in the legislation before it is introduced but they can be made in the subcommittee.

The Commission recommended the following changes be made to the draft.

- §40-57-135(E) delete “residential” from both places it appears in this section;**
- §40-57-139(E) delete ~~begins working~~ and replace with has substantive contact**
- §40-57-139 (F) delete ~~meeting~~ and replace with substantive contact**
- §40-57-150-(E)(2) add The Commission may recover the costs of the investigation and the prosecution as provided for in Section 40-1-70.**
- §40-57-(G)(7) delete “annual” from this sentence which deals with approved instructors attending instructor development workshops sponsored by the department**

Motion: Mr. Keenan moved that the Real Estate Commission endorse these changes to the Practice Act with the stipulation that the proposed legislation would contain the amendments made at today's meeting. Mr. Heos seconded the motion. Motion passed with no opposition.

Beau Tiller, Manager, Education – Mr. Tiller addressed a matter of concern regarding broker reciprocity with North Carolina. He said in order to apply for the broker license, the South Carolina statute (Section 40-57-100(A)(2)) requires three years of experience accompanied by the requisite 150-hours of real estate education. North Carolina no longer requires three years of experience, which presents a problem for South Carolina. A licensed broker in North Carolina can apply for a reciprocal license without the experience but a resident of South Carolina must comply with the three-year experience requirement in order to qualify for a broker's licensure.

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Mr. Tiller stated that the Commission probably should look at the experience requirement or revisit the reciprocal license agreement with the State of North Carolina. One option would be to eliminate the experience requirement for a broker associate but maintain the three-year experience requirement for the broker-in-charge classification.

Following discussion, Chairman Young asked Mr. Tiller and Mr. Farnell to bring to the Commission a recommendation as to how to best solve the problem.

No Unfinished Business

No New Business

The Commission will not meet in February. Next meeting/hearings will be March 24.

There being no further business, the meeting adjourned at 11:50 A.M.