

South Carolina Real Estate Commission
Minutes Regular Meeting/Hearings
August 2, 2006
10:00 A.M.

Members attending: Jay Keenan, Chairman; Manning Biggers, Vice Chairman; Evelyn K. Young, Secretary; Tony Cox; and Scott Moseley.

Staff attending: Jay Pitts, Administrator; Robert Selman, Assistant Deputy Director; Ann Parris, Administrative Assistant; Rick Wilson; Assistant Deputy General Counsel; Sheridan Spoon, Office of General Counsel; Ron Cook, LLR Manufactured Housing Investigator; Lesia Kudelka and Jim Knight, Office of Communications and Government

Absent: Buccie Harley (excused); Robert Heos (excused); and Steve Sloop (excused)

Other: David Wren, The Sun Newspaper

Chairman Keenan called the meeting to order at 10:05 a.m. Members of the Commission introduced themselves. Chairman Keenan stated for 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, Kingstree 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.

Vote – Members Absent

Mr. Harley and Mr. Heos announced at the June meeting they would not be in attendance at today's meeting. Mr. Sloop has been hospitalized and was released yesterday.

Motion: Ms. Young moved to excuse all three members from today's meeting. Mr. Biggers seconded the motion. Motion unanimously carried.

Minutes – June 19, 2006

Motion: The minutes of the June 19, 2006, meeting were unanimously approved as written on motion of Mr. Biggers and second of Mr. Cox.

Jay Pitts, Administrator – Management Update

- 1) Tracey McCarley, Education Department, was introduced as new employee. Ms. McCarley joined the staff approximately 90 days ago and is doing an excellent job.
- 2) Renewal update: As of today 36,914 active and 5,768 inactive for a total of 42,682. 3,004 still have not renewed.
- 3) Reserve two days for the next meeting--September 20 and 21 as there may be a heavy hearing docket.

Old Business

The Commission's Resolution of Appreciation to Ed Farnell, signed by Chairman Keenan on behalf of the Board, was presented by Bob Selman to Mr. Farnell upon his retirement.

The Commission's Resolution of Appreciation to Jim Peters, signed by Chairman Keenan on behalf of the Board, has not been presented as yet but will be presented at a later date.

New Business

No new business

Chairman Keenan called a five-minute break at 10:10 AM. to reconvene at 10:15 AM to begin application hearings.

Meeting reconvened at 10:15 AM.

Mr. Pitts stated that David J. DeLuca scheduled to appear before the Board today called this morning to say he would not be here.

License Application Appeals

10:15 AM

Henry F. Curtiss

Mr. Curtiss appeared before the Board to request that he be allowed to upgrade his provisional real estate sales license to a permanent real estate sales license. He was represented by Rita McKinney, Esquire, McNair Law Firm.

Witnesses: Two character witnesses, MaryAnne Dorio, Managing Broker, Exit Grand Strand Properties, and Charles Urello, prior client of Mr. Curtiss, were present. Ms. Dorio testified. Mr. Urello did not testify since he submitted an affidavit and had no testimony different than what was in the affidavit. .

At the conclusion of the Curtiss presentation, Chairman Keenan stated Mr. Curtiss' case was submitted to the Board and that they would take it under advisement. He called for a motion to go into executive session.

Executive Session

Motion: Mr. Biggers moved to go into executive session for deliberation. Motion seconded by Ms. Young and unanimously carried. Time: 11:30 AM

Return to Public Session

Mr. Biggers moved to come out of executive session. Motion seconded by Mr. Moseley and unanimously carried. Time: 11:45 AM

Chairman Keenan stated no determination was made and no votes take in the executive session.

Motion: Mr. Moseley moved that the request from Mr. Curtiss to upgrade his provisional license be denied. Ms. Young seconded the motion and it unanimously carried.

Chairman Keenan called a ten-minute break at 11:50 AM. Application appeals reconvened at 12:00 Noon.

David Allen Brown Time 12:00 Noon

Mr. Brown appeared before the Board to request that he be allowed to sit for the real estate sales license examination. He was represented by Scott Umstead. Two character witnesses, Lynn Brown, his wife, and Armand Robert Roux, friend.

At the conclusion of Mr. Brown's presentation, Chairman Keenan stated Mr. Brown's case was submitted to the Board and that they would take it under advisement. He called for a motion to go into executive session.

Executive Session

Motion: Mr. Cox moved to go into executive session for deliberation. Motion seconded by Mr. Moseley and unanimously carried. Time: 12:35 PM

Return to Public Session

Mr. Biggers moved to come out of executive session. Motion seconded by Ms. Young and unanimously carried. Time: 12:40 PM

Chairman Keenan stated no determination was made and no votes take in the executive session.

Motion: Ms. Young moved that the request from Mr. Brown to sit for the real estate sales examination be approved. Motion was seconded by Mr. Moseley and unanimously carried.

Lunch break 12:45 PM – 1:15 PM. The meeting reconvened at 1:15 PM.

John FK Ravenell Time: 1:15 PM

John FK Ravenell appeared before the Board to request that he be allowed to sit for the real estate sales license examination. He was not represented by counsel. One witness, Cornelia Ravenell, his wife, and Robert Anderson, friend.

At the conclusion of Mr. Ravenell's presentation, Chairman Keenan stated this case was submitted to the Board and that they would take it under advisement. He called for a motion to go into executive session.

Executive Session

Motion: Mr. Biggers moved to go into executive session for deliberation. Motion seconded by Ms. Young and unanimously carried. Time: 1:50 PM

Return to Public Session

Mr. Cox moved to come out of executive session. Motion seconded by Mr. Moseley and unanimously carried. Time: 2:00 PM

Mr. Ravenell asked that his application to sit for the real estate sales examination be withdrawn at this time. The Board approved Mr. Ravenell's request to withdraw his application.

Disciplinary Cases Scheduled and Not Heard:

Jack W. Barnhill, License No. 2377 - Case Settled

Karl E. Moser, License No. 20878 – Case Settled

Case heard: Robert L. Parker, License No. 22356

Time: 2:10 PM

Representing LLR: Advise Counsel – Shirley Robinson

Office of General Council, Sheridan Spoon

Summary: Respondent is under a Board Order, dated January 12, 2006, that requires that the Respondent make the complainants whole within sixty (60) days in order to avoid indefinite suspension of his real estate license. As of this date, Respondent has not met that stipulation.

Mr. Parker's case was heard. Mr. Parker was not represented by counsel and did not provide any witnesses.

Executive Session

At the conclusion of Mr. Parker's case, the Board went into executive session upon motion of Mr. Biggers and second of Ms. Young. Unanimously carried.

Return to Public Session

Mr. Biggers moved to return to public session. Motion seconded by Mr. Cox and unanimously carried.

Motion: Mr. Cox moved that the Mr. Parker's license remain indefinitely suspended until such time he can demonstrate proof that the complainants have been made whole as stated in the original Order of January 12, 2006. Seconded by Mr. Moseley and unanimously carried.

There being no further business, the meeting adjourned at 3:00 PM on motion of Mr. Biggers and second of Mr. Moseley.