

South Carolina Real Estate Commission  
Regular Meeting/Hearings  
Kingstree Building, Room 111, 10:00 AM  
Columbia, South Carolina 29210  
March 19, 2008

Members attending: Jay Keenan, Chairman; Manning Biggers, Vice Chairman; Evelyn K. Young, Secretary; Tony Cox; Buccie Harley, and Steve Sloop  
Absent: Robert Heos (excused); Scott Moseley (Excused)

Staff attending: Jay Pitts, Administrator; Sandra Bryant, Office of Investigation (OIE); Joe Harmon, OIE; Ann Parris, Administrative Assistant; Sheridan Spoon, LLR Advice Counsel, and John Sowell, OIE.

Other: Byron King, SC Realtors

The meeting was called to order at 10:05 am by Chairman Keenan. Chairman Keenan asked if public notice of this meeting was properly posted 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. Staff responded affirmatively. It was noted that all conversations in the meeting room were being recorded and portions may be made public in accordance with the SC Freedom of Information Act. A quorum was present at all times.

Minutes – November 28, 2007

Motion: Mr. Biggers moved to accept the minutes of the November 28, 2007 meeting as written. Mr. Harley seconded the motion and it unanimously carried.

Member Absences Excused

Motion to excuse the absences of Robert Heos and Scott Moseley was made by Mr. Sloop and seconded by Mr. Cox. Motion carried.

Management Update – Jay Pitts

- (1) Preparations for 2008 license renewal are underway.
- (2) Continuing education audit completed and numbers will be available soon.
- (3) Licensing numbers –Number of licensees has decreased since November 2007.  
Total number of licensees in November was 51,466 and the total number of active licensees was 43,134. As of today, the total number of licensees is 50,385 and The total number of active licensees is 42,220.
- (4) Mandated Core Curriculum Course has been field tested and tweaked and is on schedule to be implemented July 1, 2008.
- (5) Staff continues to work hard and we are doing more work with less people.
- (6) Introduction of staff from the Office of Investigations: Joe Harmon, Sandra Bryant, Joe Sowell, and Sharon Wolfe
- (7) There will be a meeting to conduct hearings only on April 22, 2008.
- (8) Next regularly scheduled meeting will be May 21, 2008.

### Internal Review Committee Reports Approval – January and March 2008

IRC reports for January and March 2008 were submitted for approval. Mr. Pitts reviewed the composition of the IRC. He said the IRC is made up of administrator, investigator, attorney and a public member.

Motion: Mr. Sloop moved and Mr. Biggers seconded the motion to accept the IRC reports for January and March 2008 as presented. Motion unanimously carried.

### Old Business

#### North Carolina Reciprocal Agreement

Mr. Pitts stated that some complications have arisen regarding the reciprocal agreement between South Carolina and North Carolina which was ratified December 12, 2007. Mr. Pitts said the problem that South Carolina brokers are running into is as follows. South Carolina brokers (does not affect sales licenses) who have a North Carolina mailing address are being told their continuing education credits taken in South Carolina would not be accepted and that they would have to complete North Carolina's continuing education requirements in order to receive a reciprocal license. Mr. Biggers said this was a requirement that North Carolina has had for some time. He stated he had talked to both Phil Fisher and Larry Outlaw in North Carolina, and they are trying to resolve this matter; however, the North Carolina Board still maintains their position.

Mr. Pitts stated if this only affects those brokers who have a North Carolina mailing address on file with North Carolina, it would appear that the resolution would be to remove the North Carolina address. He said he and Mr. Biggers will continue to work on this and keep the board apprised.

#### Legislative Task Force Committee Update

Mr. Pitts stated that he and other Board members on the Task Force, Evelyn Young, Tony Cox, and Steve Sloop, have met several times with the SC Realtors Task Force Members and discussed proposed changes to the real estate statute. Mr. Pitts stated the Task Force decided that they would not send a draft to Board members for review until it was completed. He said there have been several drafts and it may be time to furnish a draft for the Board's review. Mr. King said he thought the committee would meet again in May.

In response to a inquiry as to when the SC Realtors planned to introduce the legislation, Mr. King said it could be introduced in April. Mr. Cox asked if changes could be made to the proposed legislation if it was introduced prior to the committee meeting in May. Mr. King responded that changes could be made. Mr. Pitts stated he would keep the Board informed.

### No New Business

Recess 10:45 am

License Application Appearances

Sergio U. Burnside

11 AM

Chairman Keenan stated that the proceeding was being recorded and that all witnesses must be sworn before they testify. He said all questions should be directed to the Chair. Mr. Burnside appeared before the Board without legal counsel to request that he be allowed to sit for the sales examination. Mr. Burnside's wife and his sister testified on his behalf.

Following Mr. Burnside's presentation of his case, Chairman Keenan stated the Board would take the matter under advisement and called for a motion to go into executive session.

Executive Session

11:30 AM

Motion: Ms. Young moved to go into executive session and Mr. Harley seconded the motion. Motion carried.

Public Session

11:40 AM

Mr. Biggers moved and Mr. Harley seconded the motion to come out of executive session. Motion carried.

Chairman Keenan stated that while the Board was in executive session, there were no votes taken and no determinations made on the disposition of the case. He asked if there was a motion any Board member cared to make.

Motion

Mr. Cox moved that Mr. Burnside be allowed to sit for the licensing examination when the Commission staff receives documentation satisfactory to the Commission that applicant possesses a valid South Carolina driver's license. Mr. Harley seconded the motion. Motion carried.

Meeting adjourned at 11:55 AM.