

South Carolina Real Estate Commission  
Regular Meeting/Hearings  
Saluda Building, Room 105  
Columbia, South Carolina 29210  
November 19, 2008

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

Staff attending: Jay Pitts, Administrator; Joe Harmon; Office of Investigations and Enforcement (OIE); Eddy Lane, Staff Counsel; Paula Magargle, Office of General Counsel; Ann Parris, Administrative Assistant; Sheridan Spoon, Staff Counsel; Beau Tiller, Education Manager; and Sharon Wolfe, Chief Investigator, OIE

The meeting was called to order at 10:10 am by Chairman Keenan. Chairman Keenan announced that public notice of this meeting was posted at SC 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. A quorum was present at all times.

#### Pledge of Allegiance

All present recited the Pledge of Allegiance.

#### Introductions of Board Members and All Other Person Attending

Board members and staff attending the meeting introduced themselves.

#### Approval of Excused Absences

Evelyn Young, Spartanburg and Steve Sloop, Columbia were granted an excused absence on motion of Mr. Biggers and second by Mr. Cox. Motion unanimously carried.

#### Minutes – September 17, 2008

Motion was made by Mr. Harley to approve the minutes of September 17, 2008 written and Mr. Edwards seconded the motion. Mr. Cox noted a correction to the minutes. He stated the meetings should show that he recused himself from the disciplinary hearing of Mr. Helm. Correction was noted and motion was passed.

#### Agenda Approved as Written – No additions

#### Administrator's Update – Jay Pitts

Office of Licensure and Compliance (OLC) is up and running. Mr. Pitts stated there had been the normal amount of adjustments that had to be made but things are falling into place.

Staffing Update - He said at this time, the Real Estate Commission staff consists of Beau Tiller and Tracey McCarley, Education, and himself. He reported that Laura Smith has moved from Office of Investigations and Enforcement (OIE) to the Appraisers Board position that was previously held by Ed Coleman. Laura McDaniels, Administrative Assistant for the

Appraisers Board, has accepted a position with OLC and that her position will be posted soon. He said the plan is to use the staff members he has for the Real Estate Commission and the Appraisers Board to help each other when necessary. Staff is working hard and continuing to do an excellent job with a smaller staff and for the same pay. He said phone numbers are still the same and he would send an updated roster of job assignments and phone numbers to Board members.

Mr. Pitts reported that he had met several times with Nick Kremydas, SC Realtors, and that the relationship between the Commission and the Realtors Association is moving in the right direction. He said he and Beau Tiller recently toured the Association's new facilities which should be completed around the first of the year.

License Law Rewrite - He said last year the Association had initiated a complete rewrite of the license law and in conjunction with them, the Commission formed a committee to review the statute and offer input for changes. This action was put on hold due to the short period of time the Legislature had left in the session. The group made plans to meet over the summer to try and get a draft ready to prefile in the Fall. Mr. Pitts stated this did not happen. He said he should be receiving a draft from the Association shortly and would like to have the Chairman reassemble this committee to review it and meet with the Association members. Mr. Pitts stated in his opinion, the Board needs to approve the draft before the Commission officially endorses it. Chairman Keenan stated he felt the Legislature would like to know the Commission's reaction. Mr. Pitts agreed and said he would keep the members informed as to the status of the draft.

#### Residential Property Disclosure – Beau Tiller

Mr. Tiller reported that staff has been working with the SC Realtors to revamp the Residential Property Disclosure form. Mr. Tiller distributed copies of a draft that the group has come up with along with a copy of the current form for comparison. Mr. Pitts stated his concern was the size of the document as it had gone from four pages to seven. He asked the members to take this copy with them and review it and let him know what changes or suggestions they would like to make on this document. Chairman Keenan asked Mr. Pitts to send the members an e-mail reminder to include a due date to contact Mr. Pitts with their changes and this would assure that the document is reviewed by everyone.

#### Licensing Numbers

Mr. Pitts stated the total number of licensees as of today is 52,402. He broke the numbers down by classification as follows:

Brokers	5562
Brokers In Charge	8,426
Inactive Brokers	2,019
Inactive Property Mgr	494
Inactive Sales	7,516
Property Mgr In Charge	936
Property Mgr	1,170
Sales	24,594
Provisional sales	1,474
Time Share registrants	210

Next meeting will be Wednesday, January 14, 2009.

Sharon Wolfe number of investigations.

Total: 360 Cases; 8 are in legal; 352 open

#### New Investigator

Bill Plunkett was introduced as a new investigator who will be working with the Real Estate Commission and Real Estate Appraisers Board. Ms. Wolfe stated Joe Harmon will be retiring in February. In response to how many real estate investigators there were, Ms. Wolfe stated 2 and 1/3. Mr. Cox with that staff, the Commission must only have time to answer complaints. Mr. Keenan stated he thought it was time to talk to some of the legislators regarding the need for more people to be out there performing compliance audits, which they no longer do. Mr. Keenan stated compliance audits should be reinstated as they were a very valuable tool.

TC IRC reports show more TS reports have surfaced. SW attributed to economy and we still have misrepresentation going on. Consumer trying to get out.

Most resorts do try to work with the consumer. SW would not mind having a long rescision period. Tony Cox A lot of resistance to a longer rescision time to try and get that passed.

#### Old Business

Investigative Review Committee Reports

Met twice since the last meeting Oct 13 and Nov 10

TC we do not have a lot of mortgage fraud on here. JP we do not have a lot of calls about mortgage fraud.

Motion: Mr. Biggers moved to approve the IRC reports and Mr. Edward seconded the motion. Motion carried.

Mr. Keenan should have an election in January to elect new officers.

Recess – Chairman called a five-minute recess.

#### Applications Appearances

Mr. Kingery

10:40 AM