

## MINUTES

Real Estate Commission

Wednesday, March 23, 2011

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

### **Meeting Called to Order:**

Tony Cox, Chairman, called the regular scheduled meeting of the S.C. Real Estate Commission to order at 10:00a.m. Other Board members participating in this meeting included: Manning Biggers; Diana Brouthers; Buccie Harley; Carl Edwards; Scott Mosley; and Sarah Takacs.

Staff members participating during the meeting included Jay Pitts, Administrator; Sheridan Spoon, Assistant Deputy General Counsel; Paula Magargle, Hearing Attorney; Angela Scott, Administrative Assistant; Beau Tiller, Education; Jessie Solmon, Licensing; Betty Archie, Licensing; Wanda Cooke, Licensing; Tracey McCarley, Education; and Laura Smith, Compliance Coordinator.

Others participating in the meeting included Coye Sanders; Charles Brown; and Barron Margon.

### **Public Notice:**

Chairman Cox announced that public notice of this meeting was properly posted at the S.C. Board of Environmental Certification 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 and Invocation:**

The Pledge of Allegiance was led by Chairman Cox.

### **Introduction of Board Members and All Persons Attending:**

The Board members, staff and members attending the meeting introduced themselves.

### **Approval of the January 26, 2011 and February 16, 2011 Meeting Minutes:**

#### **MOTION:**

Mr. Biggers made a motion to approve the January 26, 2011, meeting minutes. Mr. Mosley seconded the motion, which carried unanimously.

#### **MOTION:**

Mr. Mosley made a motion to approve the February 16, 2011, meeting minutes. Mr. Edwards seconded the motion, which carried unanimously.

### **Member Absences:**

Evelyn Young received an excused absence.

### **Approval of the March 23, 2011 Agenda:**

Mr. Mosley made a motion to approve the March 23, 2011, Agenda. Mr. Edwards seconded the motion which carried unanimously.

**Chairman's Remarks:**

*Tony Cox*

Chairman Cox welcomed and thanked everyone for attending the meeting.

**Administrator's Remarks for Information:**

*Jay Pitts*

**Staff Changes at LLR & Real Estate Commission:**

Mr. Jay Pitts reported that the LLR has experienced a reduction in workforce and reorganization. Mr. Pitts introduced the Real Estate Commission Staff. Staff consists of Jessie Solomon, Betty Archie, Wanda Cooke; Laura Smith; Tracey McCarley; and Beau Tiller. He went on to say that staff has a positive attitude and excited about working.

Chairman Cox welcomed staff and stated that the Commission is looking forward to working with staff and extended the Commission assistance. He went on to say that he had met with Ms. Catherine Templeton, Director of LLR and she offered her assistance and asked if there was anything the Commission needed.

**Charlie Ido; Interim Assistant Deputy Director:**

Mr. Charlie Ido reported that he has accepted the assignment of Assistant Deputy Director, of the Office of Board Services. Mr. Ido informed the Commission that Mr. Randy Bryant recently retired and stated that he appreciated him for his dedication and hard work. He went on to say that LLR has had a reduction in workforce and reorganization. The Office of Licensure and Compliance no longer exist and the duties and responsibilities have been transferred back to the respective Boards and Commissions to include licensing and the budget. It will be incumbent upon the Administrators to manage the Board's or Commissions budget and approval of travel for members and staff.

**Licensure Update:**

Mr. Pitts presented the Commission with a licensure statistics report as of March 22, 2011. Attached is a copy of the report and becomes part of the record.

**Number of Investigations and Open Complaints:**

*Sharon Wolfe*

Ms. Wolfe presented the Commission with statistics as of January 1, 2011 as well as those to date. She reported that there were 24 **Active Investigations**; 3 **Closed**; 39 **Do Not Open Case**; 2 **Pending Board Action**; 20 **Pending Investigation**; 115 **Closed**; and 30 **Timeshare Investigations**.

**Update on Escrow Audit Inspections:**

Mr. Pitts reported that Escrow Audit Inspections was supposed to be presented by Mr. Joe Harmon but due to illness he was unable to attend the meeting. He went on to say that Mr. Harmon is doing better and asked that the matter be tabled until he has the opportunity to speak with Mr. Rion Avery, Deputy Director.

Chairman Cox stated that it is imperative that a Newsletter be created incorporating all the changes within the Real Estate and LLR.

Mr. Pitts asked whether the Newsletter could be created by middle of April in order for staff to get settle and duties and responsibilities are assigned to staff.

ARELLO Meeting Spring 2011:

Mr. Pitts reported that he and Chairman Cox will be attending the ARELLO Conference in Baltimore.

Upcoming Speaking Events:

Mr. Pitts reported that Mrs. Catherine Templeton, Director of LLR has encouraged Board Administrators to attend speaking engagements. He reported that he and Mr. Beau Tiller will be speaking at a lot of the Association meetings.

Mr. Biggers stated that he is happy to see all the positive changes within LLR.

**MOTION:**

Mr. Biggers made a motion to go into executive session for legal advice. Mr. Edwards seconded the motion, which carried unanimously.

Mrs. Tackacs made a motion to come out of executive session. Mr. Harley seconded the motion which carried unanimously.

**Unfinished Business:**

Legislative Update:

Ms. Brouthers reported that the Task Force has almost completed reviewing and revising the Regulations and their final meeting will be held on April 14, 2011. She went on to say that the final changes would be incorporated by April 18, 2011. The final draft would be forwarded to Commission staff by April 20, 2011. Ms. Brouthers stated that the Task Force will be having a Retreat to discuss and incorporate the changes made by the Commission and should have a draft copy of the regulations submitted to the Commission by June 2011.

Board Member Retreat:

Mr. Pitts requested that Commission review their calendars to see whether they are available on the following dates for a Board Member Retreat to be held in Myrtle Beach, South Carolina. The dates are May 13-15, 2011.

Financial Report:

Mr. Pitts presented the Commission with a copy of the financial report and informed them that a financial report would be presented at every Board meeting.

IRC Reports – March 14, 2011:

**MOTION:**

Ms. Brouthers made a motion to approve the March 14, 2011, IRC Report. Mr. Mosley seconded the motion, which carried unanimously.

Application Appearances:

***Coye Sanders***

The Commission held an Application Hearing regarding Mr. Coye Sanders. Mr. Sanders appeared before the Commission to present testimony and waived his right to Counsel.

**MOTION:**

Ms. Tackacs made a motion to allow Mr. Sanders to sit for the Real Estate Examination providing he provide satisfactorily written documentation of his legal name. Ms. Brouthers seconded the motion, which carried unanimously.

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

***Charles Brown***

The Commission held an Application Hearing regarding Mr. Charles Brown. Mr. Brown appeared before the Commission to present testimony and waived his right to Counsel.

**MOTION:**

Mr. Edwards made a motion to deny licensure to Mr. Brown. Mr. Harley seconded the motion, which carried unanimously.

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

***Barron Morgan***

The Commission held an Application Hearing regarding Mr. Barron Morgan. Mr. Morgan appeared before the Commission to present testimony and waived his right to Counsel.

**MOTION:**

Mr. Harley made a motion to allow Mr. Morgan to sit for the Real Estate Examination. Ms. Brouthers seconded the motion, which carried unanimously.

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

**Executive Session:**

No executive session.

**Public Comments:**

No public comments.

**Date of Next Meeting:**

Mr. Pitts reported that the next meeting date is May 18, 2011.

**Adjournment:**

Ms. Brouthers moved the meeting be adjourned. Ms. Young seconded the motion, which carried unanimously. The March 23, 2011, meeting of the South Carolina Real Estate Commission was adjourned at 12:52 p.m.