

MINUTES

South Carolina Real Estate Commission

Wednesday, September 17, 2014, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Chairman Cox called the meeting of the South Carolina Real Estate Commission to order at 10:40 a.m. Board members participating in this meeting included:

Tony Cox – Chair, 7th Congressional District
David Crigler – Vice-Chair - 4th Congressional District
Candace Pratt – 1st Congressional District
David C. Lockwood, III, 2nd Congressional District
Carl Edwards – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
G. Hamlin O’Kelley – Public Member
Wayne Poplin – At-Large Member
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Sharon Wolfe, Office of Investigations; Richele Taylor and Al Morant, Office of Administration.

Public Notice:

Chairman Cox announced that public notice of this meeting was properly posted at the S.C. 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.

Pledge of Allegiance:

The Pledge of Allegiance was recited by all present.

Invocation

Invocation was offered by Manning Biggers.

Introduction of Board Members and Staff

Excused Absences:

None

Approval of Agenda:

MOTION:

Mr. O’Kelley made a motion to table the discussion concerning Limited Service and Kiosk Offices until the next meeting and approve the Agenda, as amended. Mr. Crigler seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from August 13, 2014

MOTION:

Ms. Pratt made a motion to approve the minutes of the August 13, 2014, meeting. Mr. Poplin seconded the motion, which carried unanimously.

Chairman’s Remarks:

Tony Cox

Administrator’s Remarks:

Rod Atkinson

1. Licensure Update as of September 10, 2014

• Broker	5264
• Broker In Charge	7475
• Property Manager	1349
• Property Manager In Charge	1156
• Salesman	17906
• Salesman (Provisional)	1689
TOTAL ACTIVE	34,839
• Inactive Broker	1624
• Inactive Property Manager	508
• Inactive Salesman	5126
TOTAL INACTIVE	7,258

**TOTAL CURRENT LICENSES
AS OF 9/10/14** **42,097**

2. Budget update for August 2014 was reviewed.

3. Investigations and Enforcement

Sharon Wolfe, Office of Investigations and Enforcement, presented the Commission with an overview of the opened and closed cases from January 1, 2014 – September 10, 2014, as well as for the previous year.

4. **IRC Report** - The Commission reviewed the IRC report from September 8, 2014.

MOTION:

Mr. Crigler made the motion to approve the IRC report from September 8, 2014. Mr. Edwards seconded the motion, which carried unanimously.

5. **Update on Criminal Background Checks contract** – Richele Taylor and Al Morant addressed the Commission and explained the status of the contract acquisition for the criminal background checks. Ms. Taylor and Mr. Morant explained that this is a lengthy process, but hopefully will be complete before Thanksgiving of this year.
6. **2014 ARELLO Investigators Workshop** – At a previous meeting, the Commission approved three (3) staff members to attend the 2014 ARELLO Investigators Workshop. However, Mr. Atkinson explained that there are now three (3) additional staff members that would like to attend.

MOTION:

Mr. Harley made a motion to approve all staff members who are interested to attend the 2014 ARELLO Investigators Workshop. Mr. Poplin seconded the motion, which carried unanimously.

DISCIPLINARY HEARINGS

Leslie Kyle Rush

The Commission held a Disciplinary Hearing regarding Mr. Leslie Kyle Rush. Mr. Rush was properly notified of the Hearing. Mr. Rush was not present and was not represented by legal counsel. Lauren Kearney, Office of Disciplinary Counsel, represented the State and presented the case. Discussion ensued.

MOTION:

Mr. Crigler made a motion to find Mr. Rush in violation of Section 40-57-145 (A) (24); issue a license revocation and impose a fine of \$500. Ms. Pratt 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.)

Melissa Dickerson

The Commission held a Disciplinary Hearing regarding Ms. Melissa Dickerson. Ms. Dickerson was present, however, she waived her right to legal counsel. Lauren Kearney, Office of Disciplinary Counsel, represented the State and presented the case. Discussion ensued.

MOTION:

Mr. Crigler made a motion to enter Executive Session. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made a motion to enter Open Session. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Mr. O'Kelley made a motion to issue a Letter of Caution to Ms. Dickerson. Mr. Lockwood 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.)

Sonya Douglas

The Commission held a Disciplinary Hearing regarding Ms. Sonya Douglas. Ms. Douglas was present, however, she waived her right to legal counsel. Lauren Kearney, Office of Disciplinary Counsel, represented the State. Ms. Kearney advised the Commission that Ms. Douglas had signed a Memorandum of Agreement and presented a copy of same to the Commission members. Discussion ensued.

MOTION:

Mr. Crigler made a motion to enter Executive Session. Mr. Biggers seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to enter Open Session. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. O'Kelley made a motion to accept the Memorandum of Agreement signed by Ms. Douglas. Her Broker in Charge license will be revoked and downgraded to salesman status, which is suspended for a period of two (2) years. That suspension is stayed and her salesman license will be on probation for a period of two (2) years. Further, she will be required to pay a \$500 fine for each violation, for a total of \$2000 within two (2) years. Ms. Douglas may not apply for a Broker in Charge license in the future without appearing before the Commission. She will be required to take Ethics and Trust Accounts classes for a total of eight (8) hours within the next six (6) months. Ms. Douglas must submit quarterly progress reports to the Commission with updates on her progress in paying restitution referenced in her testimony today. If any conditions are not met, her salesman license will be automatically revoked. Mr. Crigler 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.)

Queen Linen

The Commission considered a Motion for Reconsideration concerning Queen Linen. Ms. Linen appeared before the Commission. Lauren Kearney, Office of Disciplinary Counsel, represented the State. Discussion ensued.

MOTION:

Mr. Poplin made a motion to enter Executive Session. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to enter Open Session. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Crigler made a motion to deny the Motion to Reconsider. Mr. Poplin 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.)

George Leweke

The Commission held a Motion Hearing in reference to the case involving Mr. George Leweke. Mr. Leweke was properly notified of this Hearing. Lauren Kearney, Office of Disciplinary Counsel, presented this case to the Commission on March 19, 2014 and informed the Commission that Mr. Leweke did not hold an active license at the time of his alleged violations. As a result, Mr. Leweke was charged a fine of \$1000. Ms. Kearney informed the Commission that this was an error, and Mr. Leweke did in fact, hold an active license at the time that he entered into a Property Management agreement on May 31, 2010. His license expired on June 30, 2010. Discussion ensued.

MOTION:

Mr. O'Kelley made a motion to grant State's Motion to amend the original order to withdraw the \$1000 fine. Mr. Stackhouse 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.)

MOTION:

Ms. Pratt made a motion to enter Executive Session to discuss a personnel issue. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to enter Open Session. Mr. Lockwood seconded the motion, which carried unanimously.

Adjournment

The meeting was adjourned 5:10 p.m