

## MINUTES

### South Carolina Real Estate Commission

Wednesday, November 13, 2019 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

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

Chair Pratt called the meeting of the South Carolina Real Estate Commission to order at 10:00 a.m. Board members participating in this meeting included:

Candace Pratt – Chair - 1<sup>st</sup> Congressional District  
Andy Lee – Vice Chair - 3<sup>rd</sup> Congressional District  
David C. Lockwood, III - 2<sup>nd</sup> Congressional District  
David Burnett – 4<sup>th</sup> Congressional District  
John Rinehart – 5<sup>th</sup> Congressional District  
Janelle Mitchell – 6<sup>th</sup> Congressional District  
W. Brown Bethune – 7<sup>th</sup> Congressional District  
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Coordinator; Rodney Pigford, Office of Investigations and Enforcement; Gigi Lewis, Office of Advice Counsel and Rowland Alston, Office of Disciplinary Counsel.

#### **Public Notice:**

Chair Pratt 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 Commissioner Rinehart.

#### **Approval of Excused Absences:**

Wayne Poplin – At-Large Member

#### **MOTION:**

Mr. Bethune made a motion to approve the absence of Commissioner Poplin. Mr. Lee seconded the motion, which carried unanimously.

#### **Approval of Agenda:**

Chair Pratt stated that disciplinary hearings will be reversed in order, with Erica May first and Crystal Nixon second.

**MOTION:**

Mr. Lee made a motion to approve the agenda, as amended. Mr. Rinehart seconded the motion, which carried unanimously.

**Introduction of Board Members and Staff**

Chair Pratt noted that the Commission has one vacant position, which is a Public Member position. Ms. Pratt asked Mr. Atkinson to inquire with the Office of Governmental Affairs to determine if it would be appropriate for staff to accept applications from members of the public who may be interested in filling this position.

**Approval of Minutes:**

**MOTION:**

Mr. Rinehart made a motion to approve the October 16, 2019 minutes. Mr. Lee seconded the motion, which carried unanimously.

**Approval of IRC Report**

The Commission reviewed the IRC report from November 7, 2019

**MOTION:**

Mr. Lockwood made the motion to accept all portions of the IRC report from November 7, 2019. Mr. Lee seconded the motion, which carried unanimously.

**Approval of 2020 Commission Meeting Dates**

The Commission reviewed a proposed list of meeting dates for the 2020 calendar. The continuing need for additional meetings for Disciplinary Hearings was discussed. One possibility discussed was to form a panel that would review cases and offer recommendations to the full Commission. Other suggestion was to begin the meetings at 9:00 a.m. Other discussion ensued.

**MOTION:**

Mr. Burnett made a motion to approve the proposed 2020 meeting calendar, as presented. Mr. Bethune seconded the motion, which carried unanimously.

**MOTION:**

Mr. Stackhouse made a motion to develop a task force, consisting of Commissioners Lee, Lockwood and Burnett. There is a steady increase in the number of licensees and anticipated increased hearings due to fingerprinting beginning in 2020. This task force will review processes and present a recommendation to the full Commission concerning handling hearings moving forward. Mr. Bethune seconded the motion, which carried unanimously.

**Approval of ARELLO Travel to Mid-Year Meeting**

**MOTION:**

Mr. Stackhouse made the motion to approve all Commission Members to attend the ARELLO Mid-Year Meeting in Savannah, GA, April 29-May 2, 2020. Mr. Lee seconded the motion, which carried unanimously.

**MOTION:**

Mr. Rinehart made the motion to approve up to five (5) members of staff to attend the ARELLO Mid-Year Meeting in Savannah, GA, April 29-May 2, 2020. Mr. Lee seconded the motion, which carried unanimously.

## **Approval of Travel to FARB Forum**

### **MOTION:**

Mr. Lockwood made the motion to approve Georgia Lewis (Advice Counsel), to attend the FARB Forum, Colorado Springs, CO, January 23-26, 2020. Mr. Rinehart seconded the motion, which carried unanimously.

## **Election of Officers**

### **MOTION:**

Mr. Lockwood made a motion to re-elect Commissioner Pratt as Chair. Mr. Rinehart seconded the motion, which carried unanimously.

### **MOTION:**

Mr. Lockwood made a motion to re-elect Commissioner Lee as Vice Chair. Mr. Rinehart seconded the motion, which carried unanimously.

## **DISCIPLINARY HEARING**

### ***Erica May***

The Commission held a Disciplinary hearing regarding Erica May. Ms. May did not appear before the Commission to present testimony, and was not represented by legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Mr. Alston requested permission to make a scrivener's error, which was approved. Discussion ensued.

### **MOTION:**

Mr. Lockwood made a motion that the State has met its burden of proof that Ms. May is in violation of S.C. Code Ann. 40-57-136 (A) (1) (2017 Supp.); S.C. Code Ann. 40-57-136 (B) (3) (2017 Supp.); S.C. Code Ann. 40-57-136 (F) (2) (2017); S.C. Code Ann. 40-57-710 (A) (5) (2017) and S.C. Code Ann. 40-57-710 (A) (19) (2017), and that the license be permanently revoked. A fine of \$1000 per statute plead, will be imposed. Mr. Rinehart seconded the motion, which carried on a 6/1 vote.

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

The disciplinary matter concerning Crystal Nixon was resolved, therefore no hearing was held.

## **ADJOURNMENT**

### **MOTION:**

Mr. Lee made a motion to adjourn at 12:30 p.m. Mr. Rinehart seconded the motion, which carried unanimously.