

1 **MINUTES**

2 **South Carolina Real Estate Commission**

3 **Wednesday, February 20, 2020- 9:00am**

4 **Synergy Business Park, Kingtree Building, Conference Room 105**

5 **110 Centerview Drive, Columbia, South Carolina 29210**

6
7 **Meeting Called to Order:**

8 Vice Chair Andy Lee called the meeting of the South Carolina Real Estate Commission to order
9 at 10:00 a.m. Candace Pratt – Chair, Candace Pratt, was absent from this meeting and the
10 following Commission Members were present:

11
12 Andy Lee – Vice Chair - 3rd Congressional District
13 David C. Lockwood, III - 2nd Congressional District
14 David Burnett – 4th Congressional District
15 John Rinehart – 5th Congressional District
16 Janelle Mitchell – 6th Congressional District
17 Brown Bethune – 7th Congressional District
18 Johnathan Stackhouse – Public Member
19 Wayne Poplin – At-Large Member
20

21 Staff members participating during the meeting included Roderick Atkinson, Board
22 Administrator; Gina Sams, Administrative Assistant; Gigi Lewis, Office of Advice Counsel;
23 Rodney Pigford, Office of Investigations and Enforcement.
24

25 **Pledge of Allegiance:**

26 The Pledge of Allegiance was recited by all present.
27

28 **Invocation:**

29 Commissioner Janelle Mitchell gave the Invocation.
30

31 **Introduction of Commission Members and Staff:**

32 The Commission Members and Staff each introduced themselves to those in attendance.
33

34 **Approval of Excused Absences:**

35 Chair Candace Pratt– 1st Congressional District
36

37 **MOTION**

38 On the motion of Mr. Stackhouse, seconded by Mr. Poplin, the Commission unanimously voted
39 to approve the absence of Chair Candace Pratt.
40

41 **Approval of Agenda:**

42 It was noted that the Disciplinary Hearing for Mario Mitchell had been Continued.
43

44 **Amendment to Agenda:**
45
46
47

48 **MOTION**

49 On the motion of Mr. Bethune, seconded by Mr. Rinehart, the Commission unanimously voted to
50 approve the Agenda with amendment regarding Mario Mitchell's case being removed from the
51 Agenda due to there being a Continuance.

52

53 **Disciplinary Hearings:**

54

55 ***Erica May (Reconsideration)***

56 The Commission held a Disciplinary hearing regarding the consideration to rehear and the
57 reopening of the case concerning Erica May. Ms. May appeared before the Commission to
58 present testimony, and was represented by legal counsel, Catherine Townes Johnson. Rowland
59 Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case.

60

61 Mr. Alston informed the Commission of prior hearings notices made by the State concerning this
62 case, and presented the State's position of not wanting a retrial of this case. Mr. Alston stated,
63 should the Commission reconsider its prior sanctions then the State's position would be to
64 recommend a minimum Disciplinary Action of Suspension, a Stay of Probation for 3 years and
65 Education.

66

67 The Commission received remarks from the Respondent's Counsel where a request was made for
68 the Commission to reopen the case for the Respondent to present testimony; discussions ensued
69 concerning the information presented.

70

71 **Enter Executive Session:**

72 **MOTION**

73 Mr. Lockwood made a motion to enter Executive Session to receive legal counsel. Mr.
74 Stackhouse seconded the motion, which carried unanimously.

75

76 **Exit Executive Session**

77 **MOTION**

78 Mr. Stackhouse motioned to exit Executive Session, where no action was taken. Mr. Bethune
79 seconded the motion, which carried unanimously.

80

81 **MOTION**

82 Mr. Lockwood motioned for the matter of Erica May, Real Estate License # 86268, to be
83 reopened for the purpose of hearing mitigation testimony from the Respondent, and witness
84 testimony; and whereby, the November 13, 2019 Revocation be Stayed until effective date May
85 31, 2020 (with the intent for hearing to be held in April 2020). Mr. Bethune seconded the motion,
86 and the motion carried unanimously.

87

88 Gigi Lewis made the request to have the November 13, 2019 Commission Meeting Minute
89 Transcript made available prior to the rehearing the aforementioned case of Erica May.

90

91 **Recess:**

92 Vice Chair Lee called for a 5 minute recess; Vice Chair Lee called the Meeting back into Order.

93

94 ***Beverly Osborne***

95 Mr. Rowland Alston presented the State's Formal Complaint. The following witnesses were
96 sworn-in, testimonies were received, and 16 Exhibits were presented to the Commission:

97

98

99 Witness #1: Courtney Clark
100 Witness #2: Attorney for Seller, Mark Nappier
101 Witness #3: BriAnne Bender
102 Witness #4 Marshal Thathoris
103

104 Ms. Janelle Mitchell was excused from the Meeting at 12: 24 p.m.
105

106 Prior to the closing statement of Mr. Roland Alston, Mr. Bethune was excused for a moment
107 12:27 p.m.; Vice Chair Lee called for a Recess. The Vice Chair Lee called the Meeting back to
108 Order.
109

110 Mr. Rowland Alston concluded his closing statement and the following motion(s) were made:
111

112 **Enter Executive Session:**

113 **MOTION**

114 On the motion of Mr. Bethune, seconded by Mr. Poplin, the Commission voted unanimously to
115 go into Executive Session to receive legal advice.
116

117 **Exit Executive Session:**

118 **MOTION**

119 Mr. Stackhouse motioned to come out of Executive Session, where no action was taken, Mr.
120 Poplin seconded, and the Commission voted unanimously in favor to the motion.
121

122 Mr. Burnett stated due to his belief the State had meet its burden of proof of the following
123 violations to: S.C. Codes 40-57-710 (A) (2) (2017 Supp); S.C. Codes 40-57-710 (A) (4) (2017
124 Supp); S.C. Codes 40-57-710 (A) (5) (2017); S.C. Codes 40-57-710 (A) (25) (2017 Supp),
125 through the Exhibit #13 and the documents 6,7,8 as presented the following action was taken:
126

127 **MOTION**

128 Mr. Burnett motioned to revoke the license of Beverly B. Osborne, REL # 22003 BIC, and for the
129 implementation of a \$2000 fine per violation occurrence, totaling \$8000. Mr. Stackhouse
130 seconded the motion.
131

132 Mr. Lockwood offered an amendment to the motion to specify payment to be submitted within 45
133 days.
134

135 Mr. Burnett motioned to approve the amended motion, Mr. Stackhouse seconded, and the
136 Commission voted in favor to the main motion, as amended.
137

138 **Adjournment:**

139 **MOTION**

140 The Commission voted unanimously to adjourn; time of adjournment was 1:46 p.m.
141
142