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MINUTES

South Carolina Real Estate Commission

Synergy Business Park, Kingstree Building,

110 Centerview Drive, Columbia, South Carolina 29210

Wednesday, October 21, 2020 10:00 a.m.

Video/ Teleconference Meeting

Meeting Called to Order:

Vice Chair Lee called the meeting of the South Carolina Real Estate Commission to Order at 10:08 a.m. and announced the Public Notice of this Meeting had been properly posted at the S.C. Real Estate Commission Website, 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. And in accordance with the Governors directive of Social Distancing; whereby, this Meeting being held via Video/Teleconferencing.

Roll Call of Commission Members and Staff

Board members and Staff participating in the Video/Teleconference Meeting via WebEx Platform included:

Commission Members

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

Approval of Excused Absences

There were no absences to excuse.

Staff Members

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Gina Sams, Administrative Assistant; Rodney Pigford, Office of Investigations and Enforcement; Rowland Alston, Office of Disciplinary Counsel; Adam Russell and Hardwick Stuart, Office of Advice Counsel.

48 **Approval of Agenda**

49

50 **MOTION**

51 On the motion of Mr. Lockwood, seconded by Mr. Bethune, the Commission voted unanimously
52 in favor to approve the Agenda as presented, and the motion passed.

53

54 **Approval of Minutes – September 15, 2020 Minutes**

55

56 **MOTION**

57 On the motion of Mr. Lockwood, seconded by Mr. Rinehart, the Commission voted unanimously
58 in favor to approve the September 16, 2020 meeting minutes.

59

60 **Chair’s Remarks– (Candace Pratt)**

61

62 Chair Pratt forwent providing remarks; no action was taken.

63

64 **Administrator’s Remarks – (Rod Atkinson)**

65

66 Mr. Atkinson forwent providing remarks, and recognized Mr. Rodney Pigford for the
67 purposes of presenting the following Report:

68

69 **IRC Report – 10/12/2020 – (Rodney Pigford)**

70

71 For approval, Mr. Rodney Pigford with the Office of Investigations and Enforcement presented
72 the Commission with the IRC Report from its October 12, 2020, meeting. Mr. Pigford reported
73 17 Dismissals, 5 Formal Complaints; and reported that due to recent information being received
74 there were 3 Letters of Caution, and not 4 as indicated on the IRC Report.

75

76 **MOTION**

77 On the motion of Mr. Bethune, seconded by Mr. Stackhouse, the Commission voted unanimously
78 in favor to approve the October 12, 2020, IRC Meeting Report as presented, and the motion
79 passed.

80

81 **Virtual ARELLO Annual Conference- September 21-29, 2020**

82

83 Mr. Atkinson recognized, Mr. Rinehart, who in turn reported the subject matters addressed during
84 the Virtual ARELLO Annual Conference held on September 21-29, 2020.

85

86 Mr. Rinehart reported on a Public Notice of Timeshare Video provided at the Conference, which
87 was produced for the purpose raising consumer awareness of Timeshare Exit Scams. Mr.
88 Rinehart requested Mr. Atkinson to review the video for determining placing it on the Real Estate
89 Commission’s Website.

90

91 **Application Hearings**

92

93 Chair Pratt called the Hearing to Order, confirmed there was a quorum of the Commission
94 present and stated this matter was being held via teleconferencing with proper notice
95 given to the applicant of this WebEx platform. Chair Pratt questioned if there were any
96 member of the Commission who would have a reason to be recused from giving
97 consideration to the application(s). No request of recusal was made.

98 **Laura Murden**

99

100 The Commission held the Application Hearing regarding Ms. Laura Murden's application to take
101 the South Carolina Salesperson Examination. Ms. Murden appeared before the Commission
102 where her identity was affirmed by the Court Reporter via Government Issued ID. Ms. Murden
103 confirmed she would waive her right to legal counsel, and there were no witness testimony to be
104 presented. She was further sworn-in, and presented her testimony to the Commission.

105

106 **MOTION**

107 On the motion of Mr. Lockwood, seconded by Mr. Stackhouse, the Commission voted
108 unanimously in favor to approve for Ms. Laura Murden to take the South Carolina Salesperson
109 Examination, and the motion passed.

110

111 **Brittany Kennedy**

112

113 The Commission held the Application Hearing regarding Ms. Kennedy's application to take the
114 South Carolina Salesperson Examination. Ms. Kennedy appeared before the Commission where
115 her identity was affirmed by the Court Reporter via Government Issued ID. Ms. Kennedy
116 confirmed she would waive her right to legal counsel, and there were no witness testimony to be
117 presented. She was sworn-in, and thereafter presented her testimony to the Commission.

118

119 Upon discussions the following action was taken:

120

121 **MOTION**

122 On the motion of Mr. Rinehart, seconded by Ms. Mitchell, the Commission voted unanimously in
123 favor to approve for Ms. Brittany Kennedy to take the South Carolina Salesperson Examination,
124 and the motion passed.

125

126 **Robert Lee Connor**

127

128 The Commission held the Application Hearing regarding Mr. Connor's application to take the
129 South Carolina Property Manager Exam. Mr. Connor appeared before the Commission where his
130 identity was affirmed by the Court Reporter via Government Issued ID. Mr. Connor confirmed
131 he would waive his right to legal counsel, and there were no witness testimony to be presented.
132 He was sworn-in, and thereafter presented his testimony to the Commission.

133

134 Upon discussions the following action was taken:

135

136 **MOTION:**

137 On the motion of Mr. Lee, seconded by Mr. Burnett, the Commission voted unanimously to
138 approve for Mr. Robert Lee Connor to take the South Carolina Real Estate Property Manager
139 Examination, and the motion passed.

140

141 **CALL FOR RECESS- 11:35 a.m.**

142 Chair Pratt called for a 5 minute break.

143

144 **RECONVENE FROM RECESS- 11:46 a.m.**

145 Chair Pratt called the meeting back to Order.

146

147

148

149 **Carolyn Fisher**

150

151 Mr. Hardwick Stuart, Advice Counsel to the Commission, recommended entering into a
152 Confidential Hearing due to medical purposes.

153

154 **CONFIDENTIAL HIPPA HEARING**

155

156 Chair Pratt called the Confidential HIPPA Hearing to Order.

157

158 The Commission held the Application Hearing regarding Ms. Fisher's application to take the
159 South Carolina Salesperson Examination. Ms. Fisher appeared before the Commission where her
160 identity was affirmed by the Court Reporter via Government Issued ID. Ms. Fisher confirmed
161 she would waive her right to legal counsel, and there were no witness testimony to be presented.
162 She was sworn-in, and thereafter presented her testimony to the Commission.

163

164 Upon discussions the following action was taken:

165

166 **MOTION**

167 On the motion of Mr. Bethune, seconded by Ms. Mitchell, the Commission voted five in favor,
168 and three opposed, to approve for Ms. Carolyn Fisher to take the South Carolina Real Estate
169 Salesperson Examination, and the motion passed.

170

171 Those in favor to the motion were Mr. Bethune, Mr. Lockwood, Ms. Mitchell, Mr.
172 Stackhouse and Mr. Lee. Those opposed to motion were Mr. Burnett, Mr. Poplin and
173 Mr. Rinehart.

174

175 Chair Pratt called the Public Hearing back into Order.

176

177 **Naysha Dionne Jamison**

178

179 The Commission held the Application Hearing regarding Ms. Naysha Dionne Jamison's
180 application to take the South Carolina Salesperson Examination. Ms. Jamison appeared before
181 the Commission where her identity was affirmed by the Court Reporter via Government Issued
182 ID. Ms. Jamison confirmed she would waive her right to legal counsel, and there would not be
183 any witness testimony to be presented. Ms. Jamison was sworn-in, and thereafter presented her
184 testimony to the Commission.

185

186 Upon discussions the following action was taken:

187

188 **MOTION: Executive Session-Entered at 12:32 p.m.**

189 On the motion of Mr. Burnett, seconded by Mr. Lee, the Commission voted unanimously to enter
190 into Executive Session for the purpose of receiving legal advice. Time entered into Executive
191 Session was 12:32 p.m.

192

193 **MOTION: Executive Session -Reconvened at 1:22 p.m.**

194 On the motion of Mr. Lockwood, seconded by Mr. Lee, the Commission voted unanimously to
195 come out of Executive Session where legal advice was received, but no actions were taken. Time
196 reconvened from Executive Session was 1:22 p.m.

197

198

199

200

201 **MOTION**

202 On the motion of Mr. Lockwood, seconded by Mr. Rinehart, the Commission voted six in favor
203 and two opposed, to deny Ms. Naysha Dionne Jamison from taking the South Carolina Real
204 Estate Salesperson Examination, due to the charge and conviction of the breach of trust and
205 existing outstanding restitution.

206

207 Those in favor to the motion were Mr. Lockwood, Mr. Rinehart, Mr. Burnett, Mr. Poplin, Mr.
208 Lee and Ms. Mitchell. Those opposed to the motion were Mr. Bethune and Mr. Stackhouse.

209

210 **EXECUTIVE SESSION**

211

212 Executive Session was not required.

213

214 **Unfinished Business**

215

216 **REC Budget/Fees Discussion**

217

218 Mr. Atkinson addressed the matter of REC/Budget Fees and referenced previous discussions on
219 possible options with the funding and resources available to support the Real Estate Licensee
220 population.

221

222 Chair Pratt recommended a three (3) member Task Force be formed for the purpose of working
223 with Director Farr and Advice Counsel to establish a defined plan to utilize the funds available as
224 outlined in Statue. Commissioners Burnett, Bethune and Mitchell agreed to serve on the
225 Education and Research Fund Task Force for the purposes stated by Chair Pratt. Mr. Atkinson
226 agreed to reach out to the Director Farr and Advice Counsel for scheduling a meeting with the
227 above referenced Task Force members.

228

229 **SCREC Background Checks/Fingerprinting**

230

231 Mr. Atkinson addressed the issues, planning and documentation for implementing Third Renewal
232 Cycle Fingerprinting Background Checks. He explained the issues of not being able to issue
233 background checks until a licensee has submitted their renewal application. Mr. Atkinson stated
234 they were waiting to hear back from SLED to determine moving forward with notifying licensees
235 without having to wait for an application.

236

237 The Commission held discussions on the issues regarding the Background Check process and
238 agreed to establish a Criminal Background Check (CBC) Task Force for the purpose of meeting
239 and making recommendation to be presented legislatively. Commissioners Lee, Lockwood, and
240 Burnett agreed to serve on the CBC Task Force.

241

242 **PSI Update**

243

244 Mr. Atkinson provided an update on the administrative/service issues concerning PSI, the State's
245 Testing Provider. He reported the issues had improved with customer service and testing site
246 seating availability.

247

248 He stated improvements to customer service were due to PSI establishing a customer service
249 telephone number designated to assist the South Carolina Real Estate Commission exam

250 applicants. And PSI had added a testing site location in the Western Upstate Region in the
251 Spartanburg area in conjunction to the original 5 sites they had opened.

252
253 He additionally stated there were improvements on the number of reports where pass sheets and
254 applications were not being provided, after passage of the exam at various locations.

255
256 Mr. Atkinson concluded his report by stating there had been some reports of individuals not being
257 able to find their registration information online, which led to them having to contact a PSI
258 customer service representative.

259
260 **Nicknames**

261
262 Mr. Atkinson stated no further movement had been made on the subject of Nicknames.
263 Discussions were held on this matter with Mr. Smallwood of the South Carolina Association of
264 Realtors, and no action was taken.

265
266 **Public Comments**

267 There were no comments received.

268
269 **Adjournment**

270
271 **MOTION**

272 On the motion of Mr. Rinehart, seconded by Mr. Lee, the Commission voted unanimously to
273 adjourn. Time of Adjournment 3:21 p.m.