

1 **MINUTES**

2 **South Carolina Real Estate Commission**

3 **Synergy Business Park, Kingstree Building,**

4 **110 Centerview Drive, Columbia, South Carolina 29210**

5 **Wednesday, December 16, 2020 10:07 a.m.**

6 **Video/ Teleconference Meeting**

7
8 Meeting Called to Order

9
10 Chair Lee called the meeting of the South Carolina Real Estate Commission to Order at 10:07
11 a.m. and announced the Public Notice of this Meeting had been properly posted at the S.C. Real
12 Estate Commission Website, and provided to all requesting persons, organizations, and news
13 media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.
14 And in accordance with the Governors directive of Social Distancing; whereby, this Meeting
15 being held via Video/Teleconferencing.

16
17 Roll Call of Commission Members and Staff

18
19 Board members and Staff participating in the Video/Teleconference Meeting via WebEx Platform
20 included:

21
22 Commission Members

23
24 Andy Lee – Chair - 3rd Congressional District
25 David C. Lockwood, III –Vice Chair - 2nd Congressional District
26 Candace Pratt - 1st Congressional District
27 David Burnett - 4th Congressional District
28 John Rinehart - 5th Congressional District
29 Janelle Mitchell - 6th Congressional District
30 W. Brown Bethune - 7th Congressional District
31 Wayne Poplin - At-Large Member
32 Johnathan Stackhouse - Public Member

33
34 Approval of Excused Absences

35
36 There were no absences to excuse.

37
38 Staff Members

39
40 Staff members participating during the meeting included Roderick Atkinson, Board
41 Administrator; Gina Sams, Administrative Assistant; Rodney Pigford, Office of Investigations
42 and Enforcement; Rowland Alston, Office of Disciplinary Counsel; Adam Russell and Kyle
43 Tennis with the Office of Advice Counsel.
44
45
46
47

48 Approval of Agenda

49

50 **MOTION**

51 On the motion of Ms. Pratt, seconded by Mr. Lockwood, the Commission voted unanimously in
52 favor to approve the December 16, 2020 agenda as presented.

53

54 Approval of Minutes – November 18, 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 Commission’s November 18, 2020, meeting minutes with correction to
59 line item 128 to strike or remove the word “their”, and the motion carried.

60

61 Chair’s Remarks– (Andy Lee)

62

63 Chair Lee forwent providing remarks; no action was taken.

64

65 Administrator’s Remarks – (Rod Atkinson)

66

67 Mr. Atkinson took a moment to acknowledge Investigator, Doc Smith as well as Chief
68 Investigator, Rodney Pigford and the entire investigative team for their level of
69 excellence of thoroughly investigating cases and moving through them in an expedient
70 manner.

71

72 **2021 Proposed Meeting Dates**

73

74 **MOTION**

75 On the motion of Ms. Pratt, seconded by Mr. Poplin, the Commission voted unanimously in favor
76 to approve the 2021 Proposed Meeting Dates as presented, and the motion carried.

77

78 **IRC Report – 12/1/2020 – (Rodney Pigford)**

79

80 For the Commission’s consideration of approval, Mr. Rodney Pigford with the Office of
81 Investigations and Enforcement presented the IRC Report from its December 2, 2020, meeting.
82 Mr. Pigford reported the IRC’s 35 recommendations, which consisted of 24 Dismissals, 1 Formal
83 Complaint, and 10 Letters of Caution.

84

85 **MOTION**

86 On the motion of Mr. Poplin, seconded by Ms. Pratt, the Commission voted unanimously in favor
87 to approve all categories of the December 1, 2020, IRC Meeting Report, and the motion passed.

88

89 **Nickname Investigation Cases**

90

91 Mr. Atkinson provided an explanation for this item being on the Agenda, which was to
92 update the Commission on this item being addressed once Advice Counsel, Gigi Lewis,
93 returns, after the beginning of the 2021 New Year. He reported the items to be worked
94 on would be to determine how to limit and restrict the nicknames as well as the language
95 to be placed on applications to register a nickname.

96

97 Mr. Atkinson reported Staff were continuing to work on background checks for renewals,
98 which include the logistics and communications regarding this matter. He stated the goal
99 was to have a newsletter sent out either by the end of the year or the first of the coming
100 year; with hopes of getting more information out to help and prepare licensees in starting
101 the process in February in obtaining fingerprinting.

102
103 Mr. Atkinson explained there was a provision in the Licensing Law, which provides a
104 timeframe for investigations to be concluded. He reported the Office of Investigations
105 were holding several nickname based cases falling under this provision and they were
106 needing to be resolved.

107
108 Mr. Atkinson recognized Christa Bell, Assistant Deputy Director of Investigations and
109 Enforcement, to provide comments on the nickname cases, but stated they were
110 recommending dismissals or “Dismiss with Letters of Caution”. He stated consideration
111 had been given to the cases which only had a nickname issue, and there was not any
112 public harm present.

113
114 Ms. Bell provided comments on this matter, and explained the recommendation was for
115 those cases with only a with simple nickname issues and where no public harm had been
116 present to be given dismissals with a letter of explanation of the current Statute or Practice
117 Act, if not issuing Letters of Caution.

118
119 **MOTION**

120 Mr. Rinehart motioned to proceed with a letter of caution in keeping with the current policy of the
121 Commission in regards to the Nickname Cases brought with the recommendation from Staff with
122 a form of a letter of explanation.

123
124 Motion was not seconded, and did not carry.

125
126 Upon discussion the follow action was taken:

127
128 **MOTION**

129 Ms. Pratt motioned to process the Nickname Cases as recommended by Staff to place in a
130 folder until the Commission makes progress with handling they be brought back up for
131 processing or send to the IRC .

132
133 Upon discussions and clarification of there being a timeframe for this matter, the
134 following action was taken:

135
136 **MOTION**

137 Ms. Pratt motioned to amend her previous motion, to approve sending the Nickname
138 Cases to the IRC for processing. Mr. Lockwood seconded the amended motion, and the
139 Commission voted six in favor, one opposed and one abstained.

140
141 Commissioner Bethune opposed;

142
143
144

145 Application Hearings

146

147 **Amy Ellen Rice**

148

149 Chair Lee called the Hearings to Order, confirmed there was a quorum of the Commission
150 present and stated these matter(s) were being held via teleconferencing with proper notice
151 given to the Applicant of this WebEx platform. Chair Lee questioned if there were any
152 members of the Commission who would have a reason to be recused from giving
153 consideration to the application. No request for recusal was made.

154

155 The Commission held the Application Hearing regarding Ms. Amy Ellen Rice's application to
156 take the South Carolina Salesperson Examination. Ms. Rice appeared before the Commission
157 where her identity was affirmed by the Court Reporter via Government Issued ID. Ms. Rice
158 confirmed she would waive her right to legal counsel, and confirmed there were witness
159 testimony to be presented, by Ms. Josephine Olson, and Ms. Laura McMahon-Sampson. Both
160 witnesses were further sworn in, and thereafter, presented their testimony to the Commission.

161

162 **Executive Session- 11:10 a.m.- 11:36 a.m.**

163

164 **MOTION**

165 On the motion of Ms. Pratt, seconded by Mr. Rinehart, the Commission voted unanimously in
166 favor to enter into Executive Session to receive legal advice. The Commission convened for
167 Executive Session at 11: 10 a.m.

168

169 **MOTION**

170 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted unanimously to
171 come out of Executive Session where legal advice was received, and where no actions were
172 taken. The Commission reconvened from Excusive Session at 11:36 a.m.

173

174 **MOTION**

175 Mr. Rinehart motioned to approve Ms. Amy Ellen Rice's application to take the South Carolina
176 Salesperson Examination with the condition of all requirements of her probation being met.

177

178 The motion was not seconded, and failed to pass.

179

180 **MOTION**

181 Ms. Pratt motioned to approve Ms. Amy Ellen Rice's application to take the South Carolina
182 Salesperson Examination.

183

184 Upon discussion the motion was not seconded and failed to pass.

185

186 **MOTION**

187 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted to approve Ms.
188 Amy Ellen Rice's application to take the South Carolina Salesperson Examination and upon
189 passage of the exam and issuance of a license, Ms. Rice would be placed on suspension
190 immediately stayed with probation until completing the condition of her criminal penalties and
191 probation. With a vote of four in favor and two opposed, the motion passed.

192

193 Commissioners Burnett and Mitchell opposed the motion.

194

195 **RECESS- Convened at 11:50 a.m.**

196 Chair Lee called for a 10 minute break.

197

198 **RECESS- Reconvened at 12:02 p.m.**

199 Chair Lee called the meeting back to Order.

200

201 **Georgianna Gillard**

202

203 The Commission held the Application Hearing regarding Ms. Georgianna Gillard's application to
204 take the South Carolina Property Manager Examination. Ms. Gillard appeared before the
205 Commission where her identity was affirmed by the Court Reporter via Government Issued ID.
206 Ms. Gillard confirmed she would waive her right to legal counsel, and confirmed there were
207 witness testimony to be presented, by Ms. Hope Fuller, The witness was further sworn in, and
208 thereafter, presented her testimony to the Commission.

209

210 **MOTION**

211 Mr. Lockwood motioned to deny Ms. Georgianna Gillard's application to take the South Carolina
212 Property Manager Examination, Mr. Rinehart seconded the motion, and the Commission voted
213 seven in favor, and one opposed to the motion; the motion passed.

214

215 Commissioner Poplin opposed the motion.

216

217 **Jacob Bennett**

218

219 The Commission held the Application Hearing regarding Mr. Jacob Bennett's application to take
220 the South Carolina Salesperson Examination. Mr. Bennett appeared before the Commission
221 where his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Bennett
222 confirmed he would waive his right to legal counsel, and confirmed there was witness testimony
223 to be presented, by the applicant's step-father, Mr. William Mote. The witness was further sworn
224 in, and thereafter, presented his testimony to the Commission.

225

226 **MOTION**

227 Mr. Bethune motioned to approve Mr. Jacob Bennett's application to take the South Carolina
228 Salesperson Examination, Mr. Poplin seconded the motion, and the Commission voted five in
229 favor and two opposed to the motion, and the motion passed.

230

231 Commissioners Mitchell and Stackhouse opposed the motion.

232

233 **Ruslan Roberts**

234

235 The Commission held the Application Hearing regarding Mr. Ruslan Roberts's application to
236 take the South Carolina Salesperson Examination. Mr. Roberts appeared before the Commission
237 where his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Roberts
238 confirmed he would waive his right to legal counsel, and confirmed there would not be any
239 witness testimony to be presented.

240

241

242 **MOTION**

243 Mr. Bethune motioned to approve Mr. Ruslan Roberts's application to take the South Carolina
244 Salesperson Examination, Ms. Mitchell seconded the motion, and the Commission voted seven in
245 favor and one opposed to the motion; and the motion passed.

246

247 Commissioner Lockwood opposed the motion.

248

249 **Bill Markell Wesley**

250

251 The Commission held the Application Hearing regarding Mr. Bill Markell Wesley's application
252 to take the South Carolina Salesperson Examination. Mr. Wesley appeared before the
253 Commission where his identity was affirmed by the Court Reporter via Government Issued ID.
254 Mr. Wesley confirmed he would waive his right to legal counsel, and confirmed there would not
255 be any witness testimony to be presented.

256

257 **MOTION**

258 Ms. Mitchell motioned to approve Mr. Bill Markell Wesley's application to take the South
259 Carolina Salesperson Examination, Mr. Rinehart seconded the motion, and the Commission voted
260 seven in favor and with there being none opposed, the motion passed.

261

262 **RECESS- Convened at 1:05 p.m.**

263 Chair Lee called for a lunch break.

264

265 **RECESS- Convened at 2:02 p.m.**

266 Chair Lee called the meeting back to Order.

267

268 **Angela Lynnese Dogan**

269 Was not present.

270

271 **Brandon Baker**

272

273 The Commission held the Application Hearing regarding Mr. Brandon Baker's application to take
274 the South Carolina Salesperson Examination. Mr. Baker appeared before the Commission where
275 his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Baker confirmed
276 he would waive his right to legal counsel, and confirmed there would not be any witness
277 testimony to be presented.

278

279 **Executive Session- Convened 2:16 p.m.**

280

281 **MOTION**

282 On the motion of Mr. Bethune, seconded by Ms. Mitchell, the Commission voted unanimously to
283 enter into Executive Session for the purpose of receiving legal advice.

284

285 **Executive Session- Reconvened 2:31 p.m.**

286

287 **MOTION**

288 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted unanimously to
289 exit from Executive Session where legal advice was received and no actions were taken.

290

291

292 **MOTION**

293 Mr. Bethune motioned to deny Mr. Brandon Baker's application to take the South Carolina
294 Salesperson Examination, Mr. Rinehart seconded the motion, and the Commission voted six in
295 favor and one abstention to the motion.

296 Commissioner Stackhouse abstained.

297

298 **John Scott Mullikin**

299

300 The Commission held the Application Hearing regarding Mr. Mullikin's application to take the
301 South Carolina Salesperson Examination. Mr. Mullikin appeared before the Commission where
302 his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Mullikin
303 confirmed he would waive his right to legal counsel, and confirmed there would not be any
304 witness testimony to be presented.

305

306 **MOTION**

307 Mr. Lockwood motioned to approve Mr. John Scott Mullikin's application to take the South
308 Carolina Salesperson Examination, Mr. Stackhouse seconded the motion, and the Commission
309 voted unanimously in favor of the motion, and the motion passed.

310

311 **Rodney Conway**

312

313 The Commission held the Application Hearing regarding Mr. Rodney Conway's application to
314 take the South Carolina Salesperson Examination. Mr. Conway appeared before the Commission
315 where his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Conway
316 confirmed he would waive his right to legal counsel, and confirmed there would not be any
317 witness testimony to be presented.

318

319 **MOTION**

320 Mr. Rinehart motioned to approve Mr. Rodney Conway's application to take the South Carolina
321 Salesperson Examination, Ms. Mitchell seconded the motion, and the Commission voted seven in
322 favor of the motion and with there being no opposition, the motion passed.

323

324 **Jermaine Vereen**

325

326 The Commission held the Application Hearing regarding Mr. Jermaine Vereen's application to
327 take the South Carolina Salesperson Examination. Mr. Conway appeared before the Commission
328 where his identity was affirmed by the Court Reporter via Government Issued ID. Mr. Vereen
329 confirmed he would waive his right to legal counsel, and confirmed there would not be any
330 witness testimony to be presented.

331

332 **Executive Session- Convened 3:21 p.m.**

333

334 **MOTION**

335 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted unanimously in
336 favor to enter into Executive Session for the purpose of receiving legal advice.

337

338 **Executive Session- Reconvened 3:44 p.m.**

339

340 **MOTION**

341 On the motion of Mr. Lockwood, seconded by Mr. Rinehart, the Commission voted unanimously
342 in favor to exit from Executive Session were legal advice was received and no actions were taken.

343

344 **MOTION**

345 Mr. Lockwood motioned to deny Mr. Jermaine Vereen's application to take the South Carolina
346 Salesperson Examination, Mr. Poplin seconded the motion, and the Commission voted seven in
347 favor, none opposed and the motion passed.

348

349 Executive Session

350 Executive Session was not needed.

351

352 Public Comments

353 There were no comments received.

354

355 Adjournment

356

357 **MOTION**

358 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted unanimously in
359 favor to adjourn. Time of Adjournment was at 3:45 p.m.