

1 **MINUTES**

2 **South Carolina Real Estate Commission**

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

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

5 **Wednesday, January 20, 2021, 10:00 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  
11 10:00 a.m. and announced the Public Notice of this Meeting had been properly posted at  
12 the S.C. Real Estate Commission Website, and provided to all requesting persons,  
13 organizations, and news media in compliance with Section 30-4-80 of the South Carolina  
14 Freedom of Information Act. And in accordance with the Governors directive of Social  
15 Distancing; whereby, this Meeting 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  
20 Platform included:

21  
22 Commission Members

23  
24 Andy Lee – Chair - 3<sup>rd</sup> Congressional District  
25 David C. Lockwood, III –Vice Chair - 2<sup>nd</sup> Congressional District  
26 Candace Pratt - 1<sup>st</sup> Congressional District  
27 David Burnett - 4<sup>th</sup> Congressional District  
28 John Rinehart - 5<sup>th</sup> Congressional District  
29 Janelle Mitchell - 6<sup>th</sup> Congressional District  
30 W. Brown Bethune - 7<sup>th</sup> 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  
42 Investigations and Enforcement; Rowland Alston, Office of Disciplinary Counsel; Gigi  
43 Lewis and Kyle Tennis with the Office of Advice Counsel.  
44

45 **Approval of Agenda**

46

47 **MOTION**

48 On the motion of Ms. Pratt, seconded by Mr. Bethune, the Commission voted unanimously in  
49 favor to approve the January 20, 2021, Agenda as presented.

50

51 **Approval of Minutes – December 16, 2020 – See Below for December 17, 2020 Minutes**

52

53 **MOTION**

54 On the motion of Mr. Lockwood, seconded by Mr. Rinehart, the Commission voted unanimously  
55 in favor to approve the Commission’s December 16, 2020, meeting minutes; and the motion  
56 passed.

57

58 **Chair’s Remarks– (Andy Lee)**

59

60 Chair Lee forwent providing remarks, and recognized Commissioner Rinehart for the purpose  
61 of Mr. Rinehart providing a report from an ARELLO Leadership Symposium meeting held on  
62 January 12-14, 2021, by Zoom.

63

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

65

66 Mr. Atkinson recognized Mr. Rodney Pigford with the Office of Investigations and  
67 Enforcement for the purpose of Mr. Pigford to present the following report:

68

69 **IRC Report – 1/12/2021 – (Rodney Pigford)**

70

71 For the Commission’s consideration of approval, Mr. Rodney Pigford with the Office of  
72 Investigations and Enforcement presented the IRC Report from its January 12, 2021, meeting.  
73 Mr. Pigford reported the IRC’s recommendations consisted of 22 Dismissals, 3 Formal  
74 Complaints, and 6 Letters of Caution.

75

76 **MOTION**

77 On the motion of Mr. Bethune, seconded by Mr. Lockwood, the Commission voted unanimously  
78 in favor to approve all categories of the January 12, 2021, IRC recommendations, and the motion  
79 passed.

80

81 **Approval of Minutes – December 17, 2020**

82

83 **MOTION**

84 On the motion of Mr. Lockwood seconded by Mr. Rinehart, the Commission voted to  
85 approve the Commission’s December 17, 2020, meeting minutes.

86

87 Upon discussion the following amended motion was made:

88

89 **MOTION**

90 On the motion of Mr. Lockwood, seconded Mr. Rinehart, the Commission voted unanimously in  
91 favor to amend the motion, and to approve the Commission’s meeting minutes from December  
92 17, 2020, with the correction of omitting line 30, where Mr. Bethune’s name was listed as being  
93 present.

94 Administrator's Remarks – (Rod Atkinson) - Continued

95

96 **2021 Statement of Economic Interest (Deadline March 30, 2021)**

97

98 Mr. Atkinson reported the annual deadline of March 30, 2021 for Commissioners to file  
99 their 2021 Statement of Economic Interest with the Ethics Commission.

100

101 **Licensing Update (Information Purposes Only)**

102

103 Mr. Atkinson provided a brief overview of licensing status information.

104

105 Application Hearings

106

107 **Shalin Patel**

108

109 The Commission held the Application Hearing regarding Mr. Shalin Patel's application  
110 to take the South Carolina Broker Examination. Mr. Patel appeared before the  
111 Commission where his identity was affirmed by the Court Reporter via Government  
112 Issued ID. Mr. Patel confirmed he would be represented by legal counsel, Mr. David  
113 Anderson. It was confirmed there would be no witness testimony to be presented.

114

115 **Executive Session- Convened 10:42 a.m.**

116

117 **MOTION**

118 On the motion of Mr. Stackhouse, seconded by Ms. Pratt, the Commission voted  
119 unanimously in favor to enter into Executive Session for the purpose of receiving legal  
120 advice.

121

122 **Recess- 11:30 a.m. – 11:35 a.m.**

123

124 Chair Lee called for a momentary Recess before continuing the meeting.

125

126 **Executive Session- Reconvened 11:40 a.m.**

127

128 **MOTION**

129 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted  
130 unanimously in favor to exit from Executive Session where legal advice was received,  
131 and no actions were taken.

132

133 **MOTION**

134 Ms. Pratt motioned to approve Mr. Shalin Patel's application to take the South Carolina  
135 Broker Examination, due to the information submitted in Mr. Patel's application and  
136 upon reviewing S.C. Code of Laws Section 40-57-320(A)(2)(b). Mr. Rinehart seconded  
137 the motion, and the Commission voted unanimously in favor to approve the motion. The  
138 motion passed.

139

140

141 New Business

142

143 Mr. Atkinson addressed the following pending pre-filed legislation:

144

145 **2021 Pre-filed Legislation**

146

147 **S.47**

148

149 TO AMEND ARTICLE 1, CHAPTER 50, TITLE 27 OF THE 1976 CODE, RELATING TO  
150 RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENTS, TO REQUIRE  
151 WATER QUALITY TESTS FOR WELLS AS A CONDITION OF CLOSING A REAL  
152 ESTATE TRANSACTION.

153

154 **S.158**

155

156 TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
157 RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR  
158 REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION  
159 TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND  
160 SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-  
161 FIVE YEARS OF AGE OR OLDER.

162

163 **H. 3255**

164

165 TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
166 RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE  
167 APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL  
168 ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO  
169 REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS,  
170 SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND  
171 ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL  
172 APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS  
173 APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION  
174 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE  
175 EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE  
176 VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED  
177 MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS  
178 CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING  
179 APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION  
180 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO  
181 IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND  
182 SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO  
183 IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND  
184 SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR  
185 RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO  
186 AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING  
187 TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE  
188 WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO  
189 AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE  
190 APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION

191 OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED,  
192 RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS  
193 CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360,  
194 RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY  
195 CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO  
196 RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO  
197 REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT  
198 COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO  
199 REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL  
200 MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING  
201 FEDERAL REGULATIONS.  
202

203 **H. 3471**

204  
205 TO AMEND SECTION 40-5-340, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
206 RELATING TO LICENSE RENEWAL REQUIREMENTS FOR REAL ESTATE BROKERS,  
207 SALESPERSONS, AND BROKERS-IN-CHARGE, SO AS TO PROVIDE CONTINUING  
208 EDUCATION REQUIREMENTS MUST INCLUDE AT LEAST ONE HOUR EXCLUSIVELY  
209 DEVOTED TO THE TOPIC OF FAIR HOUSING AND DISCRIMINATION; TO AMEND  
210 SECTION 40-57-510, RELATING TO LICENSE RENEWAL REQUIREMENTS FOR  
211 PROPERTY MANAGERS AND PROPERTY MANAGERS-IN-CHARGE, SO AS TO  
212 REQUIRE ONE HOUR OF CONTINUING EDUCATION EXCLUSIVELY DEVOTED TO  
213 THE TOPIC OF FAIR HOUSING AND DISCRIMINATION; AND TO MAKE THE  
214 PROVISIONS OF THIS ACT EFFECTIVE AFTER THE CURRENT RENEWAL CYCLE  
215 ENDS.  
216

217 **H. 3472**

218  
219 TO AMEND SECTION 40-57-720, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
220 RELATING TO REAL ESTATE COMMISSION DISCIPLINARY ACTIONS AND REDRESS  
221 FOR VIOLATIONS, SO AS TO PROVIDE SPECIFIC MONETARY PENALTIES FOR  
222 VIOLATIONS OF FAIR HOUSING LAWS.  
223

224 Upon discussion, the following actions were taken:  
225

226 **MOTION**

227 On the motion of Mr. Rinehart, seconded by Ms. Pratt, the Commission voted  
228 unanimously in favor to give Advice Counsel, Gigi Lewis, the authority to discuss the  
229 pre-filed legislation of H.3472 with Holly Beeson with Communications and  
230 Governmental Affairs. The motion passed.  
231

232 **H. 3664**

233  
234 TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
235 RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL  
236 LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE  
237 SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN  
238 ADDITION TO EXISTING REQUIREMENTS.  
239  
240

241 **MOTION**

242 On the motion of Mr. Burnett, seconded by Mr. Rinehart, the Commission voted  
243 unanimously in favor to support Section 1 of the pre-filed legislation H.3664 and to work  
244 with the sponsor of the Bill to improve Section 2, involving the effective date of said Bill.

245

246 Chair Lee requested for all aforementioned pre-filed legislation items continue to be placed on  
247 agenda's as "Unfinished Business" for review by the Commission at future meetings.

248

249 **Drafted Pre-filed Legislation**

250

251 Mr. Atkinson addressed the following "drafted" legislation that has not yet been filed:

252

253 TO AMEND SECTION 27-50-40, CODE OF LAWS OF SOUTH CAROLINA, 1976,  
254 RELATING TO THE DISCLOSURE OF FLOODING HISTORY, FLOODING RISK, AND  
255 COASTAL HAZARD RISK IN RESIDENTIAL PROPERTY CONDITION DISCLOSURE  
256 STATEMENTS FOR THE PURPOSES OF EMPOWERING AND EDUCATING  
257 HOMEBUYERS.

258

259 Chair Lee requested for the aforementioned drafted item to remain on the Commission's  
260 "Unfinished Business" agenda item for future review.

261

262 **Dual Agency/Designated Agency Forms**

263

264 Mr. Atkinson reported the need to update the Dual Agency and Designated Agency  
265 Forms and agreed to bring updated drafts of the forms before the Commission for review  
266 at the next meeting.

267

268 **Unfinished Business**

269

270 **Renewal Background Checks/Fingerprinting Update**

271

272 Mr. Atkinson reported that language is being worked on to send to licensees regarding  
273 fingerprinting requirements for 2021. Mr. Atkinson explained that due to COVID-19 the  
274 renewal cycle deadline for 2020 was extended, and would be ending March 30, 2021.

275

276 He stated, permission was given for the allowance of current licensees to begin the  
277 fingerprinting process prior to the 2021 renewal cycle opening.

278

279 **Executive Session**

280 Executive Session was not needed.

281

282 **Public Comments**

283 There were no comments received.

284

285

286 **Adjournment**

287

288 **MOTION**

289 On the motion of Mr. Stackhouse, seconded by Ms. Poplin, the Commission voted  
290 unanimously in favor to adjourn. Time of Adjournment was at 1:14 p.m.