

45 Staff Members

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47 Staff members participating during the meeting included Roderick Atkinson,
48 Commission Administrator; Gina Sams, Administrative Assistant; Kyle Tennis, Office of
49 Advice Counsel; Doc Smith, Office of Investigations and Enforcement; Rowland Alston,
50 Office of Disciplinary Counsel; Christa Bell, Assistant Deputy Director of Office of
51 Investigation and Enforcement; Erin Baldwin with the Office of Disciplinary Counsel;
52 and Holly Beeson, Office Communications and Governmental Affairs.

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54 Approval of Agenda

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56 MOTION

57 On the motion of Mr. Lockwood, seconded by Mr. Stackhouse, the Commission voted
58 unanimously in favor to approve the May 19, 2021 agenda. The motion passed.

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60 Approval of Minutes- April 21, 2021 and April 22, 2021

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62 MOTION

63 On the motion of Mr. Lockwood, seconded by Mr. Rinehart, the Commission voted unanimously
64 in favor to approve the Commission's April 21, 2021 meeting minutes. The motion passed.

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66 MOTION

67 On the motion of Mr. Lockwood, seconded by Ms. Mitchell, the Commission voted unanimously
68 in favor to approve the Commission's April 22, 2021 meeting minutes. The motion passed.

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70 Chair's Remarks- (Andy Lee)

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72 Chair Lee forwent providing remarks.

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74 Administrator's Remarks

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76 IRC Report- May 4, 2021

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78 For the Commission's consideration of approval, Mr. Atkinson presented the IRC's May
79 4, 2021, meeting recommendation. The IRC's recommendations were for 23 cases,
80 which consisted of 17 Dismissals, 1 Dismissal/Cease & Desist, 1 Formal Complaint, 2
81 Letters of Caution, 1 Reconsideration of Dismissal, and 1 Reconsideration Letter of
82 Caution.

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84 MOTION

85 On the motion of Mr. Rinehart, seconded by Mr. Stackhouse, the Commission voted
86 unanimously in favor to approve all categories of the May 4, 2021, IRC
87 recommendations. The motion passed.

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89 New Business

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91 Fair Housing- Rep. Marvin Pendarvis

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93 South Carolina House Representative Mr. Marvin Pendarvis came before the
94 Commission and addressed issues relating to fair housing.

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96 Rep. Pendarvis referenced various legislation he had worked on regarding this subject
97 and suggested there may be a need to form a task force to review fair housing issues.

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99 Discussion were held and the following action was taken:

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101 **MOTION**

102 On the motion of Mr. Lockwood, seconded by Mr. Burnett, the Commission voted
103 unanimously to approve the formation of a *Fair Housing Task Force*, composed of Mr.
104 Lockwood, Mr. Burnett, Mr. Lee, and Ms. Pratt for the purpose of reviewing fair housing
105 issues, including those presented by Rep. Pendarvis.

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107 **NOTE:** Advice Counsel, Mr. Tennis, announced Ms. Pratt had joined the meeting at
108 9:20 a.m.

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110 ODC/OIE Presentation

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112 Ms. Christa Bell, Director of Office of Investigations and Enforcement; Erin Baldwin
113 with Office of Disciplinary Counsel; and Kyle Tennis, Advice Counsel to the
114 Commission, gave a presentation and overview of various topics including but not
115 limited to the subject of complaint protocols and processes, the disciplinary process,
116 Commission responsibilities, governing laws and provisions (including the Freedom of
117 Information Act and the Ethics Act), and accessing materials prior to meetings.

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119 Election of Commission At Large Seat

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121 Chairman Lee acknowledged the following candidates who were present and were being
122 considered to fill the South Carolina Real Estate Commission's at Large vacancy:

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124 Mr. Howard Jones
125 Mr. Preston M. Young
126 Mr. William Herlong
127 Mr. Gary Pickren

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129 Following brief presentations by the four candidates, the following actions were taken:

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131 **Executive Session- Convened 11:00 a.m.**

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133 **MOTION**

134 On the motion of Mr. Burnett, seconded by Ms. Pratt, the Commission voted
135 unanimously in favor to enter into Executive Session for the purpose of receiving legal
136 advice.

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Executive Session- Reconvened 11:10 a.m.

MOTION

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

Chairman Lee called for Commission members to submit their vote to fill the South Carolina Real Estate Commission's at large vacancy to Mr. Roderick Atkinson; Chairman Lee called for a momentary recess.

Recess- 11:12 p.m. until 11:19 a.m.

Mr. Atkinson reported to the Commission that Mr. Gary Pickren had received the majority of the Commission's votes.

Chairman Lee congratulated Mr. Pickren and thanked those candidates who had been considered to fill the Commission's vacancy.

Disciplinary Hearing

Melissa Haddad

Chairman Lee opened the disciplinary hearing and confirmed the absence of the Respondent, Melissa Haddad.

The purpose of the hearing was held to consider the charges in Case Number 2020-18.

Chairman Lee asked the State's representative, Mr. Rowland Alston with the Office of Disciplinary Counsel to confirm if the Respondent had been presented with notice of hearing. Chairman Lee confirmed that Respondent had been properly served with notice of this hearing.

Chairman Lee recognized Mr. Alston to present the State's opening remarks.

Mr. Alston provided his opening statement and explained the reason for the hearing was to present Case Number 2020-18, which concerned allegations of misconduct in the practice of property management in Bluffton, South Carolina. Mr. Alston acknowledged there three witnesses would be called to testify for the State's case.

Mr. Alston called Ms. Sonya Morse, the State's paralegal, as the State's first witness in this case. Ms. Morse's government-issued ID was confirmed, and she was thereafter sworn in to provide her testimony. Mr. Alston examined the witness where exhibits were presented, and afterwards the examination was concluded.

188 Mr. Alston next called Mr. Jeremy Miles Graves as the State's second witness in this
189 case. Mr. Graves's government-issued ID was confirmed, and he was thereafter sworn in
190 to provide his testimony. Mr. Alston examined the witness where exhibits were
191 presented, and afterwards the examination was concluded.

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193 Mr. Alston called the State's investigator, Mr. Doc Smith, as the State's final witness in
194 this case. Mr. Smith's government-issued ID was confirmed, and he thereafter was sworn
195 in to provide his testimony. Mr. Alston examined the witness where exhibits were
196 presented, and afterwards the examination was concluded.

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198 Mr. Graves was recalled to answer further questions and provide further information.

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200 Mr. Alston concluded the State's case with the recommendation that Respondent's
201 license be revoked and argued that the State had proven that the Respondent had violated
202 the following statutory provisions by a preponderance of the evidence:

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- 204 a. 40-57-710 (A)(5) in that Respondent, in the practice of real estate, demonstrated
205 bad faith, dishonesty, untrustworthiness, or incompetency in a manner as to
206 endanger the interest of the public.
- 207 b. 40-57-710 (A)(11) in that Respondent failed, within a reasonable time, to account
208 for or to remit trust funds coming into her possession which belong to others
- 209 c. 40-57-710 (A)(21) in that Respondent violated a provision of this chapter or a
210 regulation promulgated under this chapter; specifically, S.C. Code Ann. § 40-57-
211 135(C)(3) (Supp. 2017) in that Respondent conducted real estate business under
212 another name or at another address other than the one for which her license is
213 issued.
- 214 d. 40-57-710 (A)(25) in that Respondent failed to make all records required to be
215 maintained under this chapter available to the Commission for inspection and
216 copying by the Commission upon request of an investigator of the Commission.
- 217 e. 40-1-110 (1)(G) in that Respondent lacks the professional or ethical competence
218 to practice the profession or occupation.

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220 **For the Record:**

221 *All exhibits were admitted into evidence without objection.*

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223 **MOTION**

224 Mr. Rinehart found that the State had met the burden of proof in that Respondent had
225 violated the five aforementioned statutory provisions and moved for Respondent's
226 license, license number REL.96389, to be revoked. Ms. Mitchell seconded the motion.

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228 Mr. Burnett requested for consideration amending the motion to include imposing a
229 \$2,000 fine for each violation, totaling \$10,000 to be included with the revocation of the
230 licensure.

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232 Mr. Lee recommended amending the motion to include a public reprimand.

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235 **MOTION (Amended)**

236 On the amended motion of Mr. Rinehart, seconded by Ms. Mitchell, the Commission
237 voted in favor to the amended motion to revoke the Ms. Haddad's license, license number
238 REL.96389, with the inclusion of a public reprimand, and a \$2,000 civil penalty fine for
239 each violation proven, for a total fine of \$10,000. The motion passed as amended.

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241 Ms. Pratt was unable to vote on this motion due to technical difficulties.

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243 **Unfinished Business**

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245 Legislative Update

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247 Mr. Atkinson addressed bill S.295 that would impact the Commission's ability to deny
248 individuals based upon criminal offense(s).

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250 Discussions were held and there were no actions taken.

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252 **Executive Session**

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254 Executive Session was not required.

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256 **Public Comments.**

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258 There were no public comments received.

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260 **Adjournment**

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262 **MOTION**

263 On the motion of Ms. Mitchell, seconded by Mr. Rinehart, the Commission voted
264 unanimously in favor to adjourn. Time of Adjournment was at 12:32 p.m.