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MINUTES

South Carolina Real Estate Commission
Synergy Business Park, Kingstree Building,
110 Centerview Drive, Columbia, South Carolina 29210
Wednesday, September 15, 2021, 10:00 a.m.
Video/Teleconference Meeting

Meeting Called to Order

Chair Lee called the meeting of the South Carolina Real Estate Commission to order at 10:00 a.m. and announced that public notice of this Meeting had been properly posted at the Commission’s 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. This Meeting was held via Video/Teleconferencing.

Roll Call of Commission Members and Staff

Commission Members and staff participating in the Video/Teleconference Meeting via WebEx platform included:

Commission Members

- Andy Lee – Chair - 3rd Congressional District
- David C. Lockwood, III – Vice Chair - 2nd Congressional District
- Candace Pratt – 1st Congressional District
- David Burnett - 4th Congressional District
- Janelle Mitchell - 6th Congressional District
- W. Brown Bethune - 7th Congressional District- Arrived Later in the Meeting
- Johnathan Stackhouse - Public Member
- Gary A. Pickren- At Large Member

Invocation

Ms. Janelle Mitchell gave the invocation.

Approval of Excused Absences

MOTION

On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted unanimously in favor to approve the excused absence of Mr. John Rinehart. The motion passed.

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Staff Members

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Gina Sams, Administrative Assistant; Mary League, Office of Advice Counsel; Rowland Alston, Office of Disciplinary Counsel; and Investigators Doc Smith and James Kemfort with the Office of Investigations and Enforcement.

Approval of Agenda

MOTION

On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted unanimously in favor to approve the September 15, 2021 agenda as presented. The motion passed.

Approval of Minutes- June 16, 2021, August 19, 2021

MOTION

On the motion of Ms. Pratt, seconded by Mr. Lockwood, the Commission voted unanimously in favor to approve the Commission’s June 16, 2021 meeting minutes. The motion passed.

MOTION

On the motion of Ms. Pratt, seconded by Mr. Lockwood, the Commission voted unanimously in favor to approve the Commission’s August 19, 2021 meeting minutes. The motion passed.

Chair’s Remarks- (Andy Lee)

Chairman Lee forewent remarks.

Administrator’s Remarks- (Roderick Atkinson)

Mr. Atkinson recognized Investigator Smith for the purposes of presenting the Investigative Review Committee (“IRC”) Report.

IRC Report(s)- July 6, 2021 and September 8 , 2021

Investigator Smith presented the IRC’s July 6, 2021 meeting recommendations. The IRC’s recommendations to the Commission for approval were for 15 cases, which consisted of 8 Dismissals, 2 Formal Complaints, and 5 Letters of Caution.

Investigator Smith also presented the IRC’s September 8, 2021 meeting recommendations. The IRC’s recommendations to the Commission for approval were for 18 cases, which consisted of 14 Dismissals, 1 Dismissal with Cease & Desist, 1 Formal Complaint, and 2 Letters of Caution.

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MOTION

Ms. Mitchell moved to approve all categories of the September 8, 2021, and September 15, 2021, IRC Reports, Mr. Lockwood seconded the motion.

Upon discussion the following amended motion was made:

MOTION

On the amended motion of Ms. Mitchell, seconded by Mr. Lockwood, the Commission voted unanimously in favor to approve all categories of July 6, 2021 and September 8, 2021, IRC Reports. The motion passed as amended.

ARELLO Regulatory Investigator’s Seminar (Birmingham, Alabama: October 5-8, 2021)

Mr. Atkinson reported on the upcoming ARELLO Regulatory Investigator’s Seminar to be held in Birmingham, Alabama October 5-8, 2021.

Mr. Atkinson stated this seminar would be the main training seminar for regulatory investigators and requested the Commission’s approval for 11 members of staff to attend the seminar.

MOTION

On the motion of Ms. Pratt, seconded by Mr. Pickren, the Commission voted unanimously in favor to approve the attendance of 11 staff members to attend the ARELLO Regulatory Investigator’s Seminar (Birmingham, Alabama; October 5-8, 2021). The motion passed.

New Business

SC Real Estate Manual

Mr. Atkinson recognized Mr. Pickren to speak to the Commission on the subject of a SC Real Estate Manual provided by the Commission from 1988-1990.

Discussions were held between Commission members as well as with Mr. Nick Kremydas from the SC Association of Realtors.

Executive Session- Convened 10:46 a.m.

MOTION

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

[Mr. Brown Bethune arrived to the meeting during Executive Session]

141 **Meeting reconvened 11:06 a.m.**

142

143 **MOTION**

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

147

148 Ms. Pratt recommended when approving new core courses next year the Commission try
149 to address the “Best Practices in Real Estate” in some way for the new core course.

150

151 Mr. Pickren agreed for this item to be tabled until consideration can be given for the
152 necessary education to be provided within the content of a core class.

153

154 **Unfinished Business**

155

156 **Nicknames/Alternative Names**

157

158 Mr. Atkinson reported on the recommended term “Nicknames” to be revised to
159 “Alternative Names”, since this would include nicknames, middle names, and
160 abbreviated names..

161

162 **RECESS 11:16 a.m.**

163 Mr. Atkinson requested a 5 minute break; Chairman Lee called for a 5 minute recess.

164

165 Mr. Atkinson stated, he and Advice Counsel Mr. Kyle Tennis were able to meet and draft
166 a proposal for implementing the ability for licensees to register their alternative names
167 into the existing online services system. Mr. Atkinson explained a user would need to
168 verify their alternative name by entering it twice, and could only submit or register the
169 alternative name once. He closed with reporting that the agency’s IT staff would be able
170 to provide this functionality, but it may take some time to be programmed.

171

172 Upon discussions the following action was taken:

173

174 **MOTION**

175 On the motion of Mr. Burnett, seconded by Mr. Lockwood, the Commission voted
176 unanimously in favor to accept the language provided in the Alternative Name
177 Guidelines, and to allow staff to make small typographical changes or modifications as
178 necessary to take corrective action.

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181 **Fair Housing**

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183 Mr. Atkinson provided an update on previous discussions recommending reaching out to
184 a contact with the North Carolina Real Estate Commission regarding information they
185 have put out in their newsletter. He reported receiving North Carolina Real Estate
186 Commission’s authorization to utilize their newsletter and information regarding fair
187 housing with credit given to the source of information.

188

189 Mr. Atkinson suggested for the SC Real Estate Commission to share the information
190 online under the Forms and Resources section of the Commission's website, and to give
191 credit to the North Carolina Real Estate Commission in our newsletter by referencing an
192 article of the North Carolina Real Estate Commission's Guidance.

193

194 Additionally, Mr. Atkinson reported there could be possible consideration given to mirror
195 what the North Carolina Real Estate Commission has implemented by establishing a page
196 on the Commission's website with links to fair housing complaint information, fair
197 housing FAQs and information published by the agencies that regulate fair housing laws
198 at the state and federal levels.

199

200 Mr. Atkinson asked if there was any further input on this subject, and indicated that the
201 Fair Housing Taskforce needed to coordinate a future meeting date.

202

203 Discussions were held and there were no actions taken.

204

205 **Executive Session**

206

207 Executive Session was not required.

208

209 **Public Comments.**

210

211 -Mr. Alston Smallwood inquired on the reasoning for tabling the SC Real Estate Manual.

212

213 Advice Counsel, Mary League referenced a South Carolina Supreme Court case and its
214 concurring opinion. Ms. League reported based upon the post-executive session
215 discussion the Commission felt that the Real Estate Manual matter would be better
216 addressed in the form of an education course.

217

218 Chair Lee stated that after seeking a legal opinion the Commission would research other
219 avenues and would address the matter of the SC Real Estate Manual at a later time.

220

221 **Adjournment**

222

223 **MOTION**

224 On the motion of Mr. Lockwood, seconded by Ms. Mitchell, the Commission voted
225 unanimously in favor to adjourn. Time of adjournment was 11:33 a.m.