

46 **Staff Members**

47

48 Staff members participating during the meeting included Roderick Atkinson, Board
49 Administrator; Gina Sams, Administrative Assistant; Kyle Tennis, Office of Advice
50 Counsel; Christa Bell and Rodney Pigford with the Office of Investigations and
51 Enforcement; and Rowland Alston with the Office of Disciplinary Counsel.

52

53 **Approval of Agenda**

54

55 **MOTION**

56 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted
57 unanimously in favor to approve the October 20, 2021 agenda. The motion passed.

58

59 **Approval of Minutes- September 15, 2021**

60

61 **MOTION**

62 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
63 unanimously in favor to approve the Commission's September 15, 2021 meeting minutes.
64 The motion passed.

65

66 **Chair's Remarks- (Andy Lee)**

67

68 Chairman Lee forewent providing remarks.

69

70 **Administrator's Remarks- (Roderick Atkinson)**

71

72 Mr. Atkinson recognized Mr. Pigford to present the IRC Report.

73

74 **IRC Report- October 14, 2021 (Rodney Pigford)**

75

76 Mr. Pigford presented the October 14, 2021 IRC meeting recommendations. The IRC's
77 recommendations were for the Commission to approve 16 cases, which consisted of 10
78 Dismissals, 1 Formal Complaint, and 5 Letters of Caution.

79

80 **MOTION**

81 On the motion of Mr. Stackhouse, seconded by Ms. Pratt, the Commission voted in favor
82 to approve all categories of the October 14, 2021 IRC recommendations. The motion
83 passed.

84

85 **ARELLO Annual Conference and Regulatory Investigator's Seminar reports (John
86 Rinehart and Rodney Pigford)**

87

88 Mr. Atkinson acknowledged Rodney Pigford and Commissioner Rinehart, and stated
89 both would be providing independent reports from their attendance of the ARELLO
90 Annual Conference and Regulatory Investigator's Seminar, which was held from October
91 15 to October 19, 2021.

92

93

94 For informational purposes, Mr. Pigford provided a brief overview on the discussions
95 held and the insight given at the ARELLO Conference and Regulatory Investigator's
96 Seminar. Discussions were held and there were no actions taken.

97
98 Commissioner Rinehart presented an overview of the topics discussed during the
99 ARELLO Annual Conference.

100
101 On behalf of the Commission, Mr. Lockwood acknowledged and commended Mr.
102 Rinehart for his serving as Chair of an ARELLO Committee, and thanked him for his
103 participation and reporting back to the Commission.

104
105 Discussions were held and there were no actions taken.

106 107 **Criminal Background Check Update**

108
109 Mr. Atkinson briefly updated the Commission on the social security and name-based
110 criminal background check topic. Mr. Atkinson reported the solicitation of bids had
111 begun and responses were being drafted for the questions presented by various vendors.

112 113 **RECESS- 11:07 a.m. until 11:19 a.m.**

114
115 Chairman Lee called for recess and thereafter resumed the meeting in accordance with
116 the agenda.

117 118 **Application Hearings**

119
120 Chairman Lee opened the application hearings.

121 122 **Jada Denise Thompson**

123
124 The Commission held the application hearing regarding Ms. Jada Denise Thompson's
125 application to take the South Carolina Property Managers Exam. Ms. Thompson
126 appeared before the Commission where her identity was affirmed by the Court Reporter
127 via Government-Issued ID. Ms. Thompson confirmed her legal counsel would not be
128 present, but she could provide her testimony, and there would not be any witness
129 testimony presented.

130
131 Ms. Thompson was sworn in, and thereafter upon discussions with the Commission, Ms.
132 Thompson's application was withdrawn and her hearing was deferred until a future date
133 when she could have the assistance of her attorney.

134 135 136 **Troy Washington**

137 138 **MOTION**

139 Pursuant to state and federal confidentiality laws, Chairman Lee called for a motion to
140 have a closed hearing. On the motion of Ms. Pratt, seconded by Mr. Rinehart, the

141 Commission voted unanimously in favor to enter into a closed application hearing. The
142 motion passed.

143
144 Chairman Lee called the application hearing to order, and the following action was taken:

145
146 The Commission held a closed application hearing regarding Mr. Troy Washington's
147 application to take the South Carolina Property Managers Examination. Mr. Washington
148 appeared before the Commission where his identity was affirmed by the Court Reporter
149 via Government-Issued ID. Mr. Washington confirmed he would not be represented by
150 legal counsel, and there would not be any witness testimony presented.

151
152 Mr. Washington was sworn in and thereafter testified before the Commission. Upon
153 discussions the following actions were taken:

154

155 **Executive Session- Convened 11:49 a.m.**

156

157 **MOTION**

158 On the motion of Mr. Pickren, seconded by Ms. Pratt, the Commission voted
159 unanimously in favor to enter into Executive Session for the purpose of receiving legal
160 advice.

161

162 **Meeting reconvened 12:05 p.m.**

163

164 **MOTION**

165 On the motion of Mr. Rinehart, seconded by Ms. Pratt, the Commission voted
166 unanimously in favor to exit from Executive Session where legal advice was received,
167 and no actions were taken.

168

169 Upon discussions, Mr. Roderick Atkinson was sworn in to testify regarding his
170 communications and correspondence with the applicant.

171

172 **Executive Session- Convened 12:31 p.m.**

173

174 **MOTION**

175

176 On the motion of Mr. Pickren, seconded by Ms. Mitchell, the Commission voted
177 unanimously in favor to enter into Executive Session for the purpose of receiving legal
178 advice.

179

180

181

182 **Meeting reconvened 12:42 p.m.**

183

184 **MOTION**

185 On the motion of Mr. Rinehart, seconded by Ms. Pratt, the Commission voted
186 unanimously in favor to exit from Executive Session where legal advice was received,
187 and no actions were taken.

188

189 **MOTION**
190 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
191 unanimously in favor to deny Mr. Troy Washington's application to take the SC Real
192 Estate Property Managers Exam. The motion passed.

193
194 **MOTION**
195 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted
196 unanimously in favor to return to open session.

197
198 **Marcus Jermail Henderson**
199
200 The Commission held an application hearing regarding Mr. Marcus Jermail Henderson's
201 application to take the South Carolina Salesperson Examination. Mr. Henderson
202 appeared before the Commission where his identity was affirmed by the Court Reporter
203 via Government-Issued ID. Mr. Henderson confirmed he would not be represented by
204 legal counsel, and there would not be any witness testimony presented.

205
206 Mr. Henderson was sworn in and thereafter testified before the Commission.
207
208 Mr. Atkinson was sworn in to give his testimony on receiving communication via email
209 regarding the character of Mr. Henderson.

210
211 Upon discussions the following action was taken:

212
213 **MOTION**
214 On the motion of Mr. Pickren, seconded by Mr. Lockwood, the Commission voted
215 unanimously in favor to approve Mr. Henderson's application to take the South Carolina
216 Salesperson Examination. The motion passed.

217
218 **Emily Tholen**
219
220 The Commission held an application hearing regarding Ms. Emily Tholen's application
221 to take the South Carolina Salesperson Examination. Ms. Tholen appeared before the
222 Commission where her identity was affirmed by the Court Reporter via Government-
223 Issued ID. Ms. Tholen confirmed she would not be represented by legal counsel, and
224 there would not be any witness testimony presented.

225
226 Upon discussions the following action was taken:

227
228 **MOTION**
229 On the motion of Mr. Pickren, seconded by Ms. Pratt, the Commission voted
230 unanimously in favor to approve Ms. Tholen's application to take the South Carolina
231 Salesperson Examination with the condition that Ms. Tholen must appear before the
232 Commission before upgrading her license to Broker or Property Manager. The motion
233 passed.

234
235 **Logan Marie Kokszyka**
236

237 **MOTION**

238 Pursuant to state and federal confidentiality laws, Chairman Lee called for a motion to
239 have a closed hearing. On the motion of Mr. Rinehart, seconded by Mr. Lockwood, the
240 Commission voted unanimously in favor to enter into a closed application hearing. The
241 motion passed.

242

243 Chairman Lee called the application hearing to order, and the following action was taken:

244

245 The Commission held a closed application hearing regarding Ms. Kokoszka's application
246 to take the South Carolina Property Managers Examination. Ms. Kokoszka appeared
247 before the Commission where her identity was affirmed by the Court Reporter via
248 Government-Issued ID. Ms. Kokoszka confirmed she would not be represented by legal
249 counsel, and there would not be any witness testimony presented.

250

251 Ms. Kokoszka was sworn in, and thereafter testified before the Commission. Upon
252 discussions the following actions were taken:

253

254 **MOTION**

255 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
256 unanimously in favor to approve Ms. Kokoszka's application to take the South Carolina
257 Property Managers Examination. The motion passed.

258

259 **MOTION**

260 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted
261 unanimously in favor to return to open session.

262

263 **Sarah Louise Shattuck**

264

265 **MOTION**

266 Pursuant to state and federal confidentiality laws, Chairman Lee called for a motion to
267 have a closed hearing. On the motion of Mr. Rinehart, seconded by Ms. Pratt, the
268 Commission voted unanimously in favor to enter into a closed application hearing. The
269 motion passed.

270

271 Chairman Lee called the application hearing to order, and the following action was taken:

272

273 The Commission held a closed application hearing regarding Ms. Shattuck's application
274 to take the South Carolina Salesperson Examination. Ms. Shattuck appeared before the
275 Commission where her identity was affirmed by the Court Reporter via Government-
276 Issued ID. Ms. Shattuck confirmed she would not be represented by legal counsel, and
277 there would not be any witness testimony presented.

278

279 Ms. Shattuck was sworn in, and thereafter testified before the Commission. Upon
280 discussions the following actions were taken:

281

282 **Executive Session- Convened 2:17 p.m.**

283

284 **MOTION**

285

286 On the motion of Mr. Rinehart, seconded by Mr. Pickren, the Commission voted
287 unanimously in favor to enter into Executive Session for the purpose of receiving legal
288 advice.

289

290 **Meeting reconvened 2:40 p.m.**

291

292 **MOTION**

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

296

297 Discussions were held and the following actions were taken:

298

299 **MOTION**

300 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
301 unanimously in favor to approve Ms. Shattuck's application to take the South Carolina
302 Salesperson Examination with the condition that she cannot upgrade to Broker or
303 Property Manager without coming back before the Commission. The motion passed.

304

305 **MOTION**

306 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
307 unanimously in favor to return to open session.

308

309 **New Business**

310

311 **Effective date of listing agreement**

312

313 Mr. Burnett requested the Commission's consideration to clarify via a newsletter what
314 constitutes the effective date of a listing agreement.

315

316 Upon discussions, Mr. Atkinson suggested doing an E-blast if needed. He also stated he
317 would be drafting a newsletter towards the end of the year. There were no actions taken
318 on this matter.

319

320 **SC Attorney General's Opinion dated October 8, 2021**

321

322 **Executive Session- Convened 2:59 p.m.**

323

324 **MOTION**

325

326 On the motion of Mr. Rinehart, seconded by Ms. Mitchell, the Commission voted
327 unanimously in favor to enter into Executive Session for the purpose of receiving legal
328 advice.

329

330 **Meeting reconvened 3:08 p.m.**

331

332 **MOTION**

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

336

337 Discussions were held and the following action was taken:

338

339 **MOTION**

340

341 On the motion of Mr. Rinehart, seconded by Ms. Mitchell, the Commission voted
342 unanimously in favor of the Commission's Advice Counsel drafting a letter on behalf of
343 the Commission to the South Carolina Attorney General's Office asking for the Attorney
344 General's Office to reconsider its interpretation of S.C. Code Ann. § 40-57-5 *et. seq.* in
345 its opinion dated October 8, 2021.

346

347 **Executive Session**

348

349 Executive Session was not required.

350

351 **Public Comments.**

352

353 There were no public comments presented.

354

355 **Adjournment**

356

357 **MOTION**

358 On the motion of Ms. Pratt, seconded by Mr. Lockwood, the Commission voted
359 unanimously in favor to adjourn. Time of adjournment was 3:11 p.m.