

1 **MINUTES**

2 **South Carolina Real Estate Commission**

3 **Synergy Business Park, Kingtree Building,**

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

5 **Wednesday, January 19, 2022, 10:00 a.m.**

6 **Video/Teleconference Meeting**

7
8 **Meeting Called to Order**

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10 Chair Lee called the meeting of the South Carolina Real Estate Commission to order at
11 10:17 a.m. and announced that public notice of this meeting had been properly posted at
12 the S.C. Real Estate Commission Office, Synergy Business Park, Kingtree Building, the
13 Commission's website, and was provided to all requesting persons, organizations, and
14 news media in compliance with Section 30-4-80 of the South Carolina Freedom of
15 Information Act. The meeting was held via Video/Teleconferencing.

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17 **Roll Call of Commission Members and Staff**

18
19 Commission Members and staff participating in the meeting included:

20
21 **Commission Members**

22
23 Andy Lee - Chair - 3rd Congressional District
24 David C. Lockwood, III - Vice Chair - 2nd Congressional District
25 Candace Pratt - 1st Congressional District
26 David Burnett - 4th Congressional District
27 John Rinehart - 5th Congressional District
28 Janelle Mitchell - 6th Congressional District
29 Johnathan Stackhouse - Public Member
30 Gary A. Pickren - At Large Member

31
32 **Staff Members**

33
34 Staff members participating during the meeting included Roderick Atkinson, Board
35 Administrator; Gina Sams, Administrative Assistant; Mary League, Office of Advice
36 Counsel; Erin Baldwin, Assistant Disciplinary Counsel; and Rodney Pigford, Office of
37 Investigations and Enforcement.

38
39 **Invocation**

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41 Mr. Rinehart gave the invocation.

42
43 **Pledge of Allegiance**

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45 The Pledge of Allegiance was recited by all present.

46 **Approval of Excused Absences**

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48 Chairman Lee deferred the agenda item “Approval of Excused Absences” until the end of
49 the meeting.

50

51 **Approval of Agenda**

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53 **MOTION**

54 On the motion of Mr. Rinehart, seconded by Ms. Pratt, the Commission voted
55 unanimously in favor to approve the January 19, 2022 agenda as presented. The motion
56 passed.

57

58 **Approval of Minutes- December 15, 2021**

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60 **MOTION**

61 On the motion of Mr. Rinehart, seconded by Ms. Mitchell, the Commission voted
62 unanimously in favor to adopt the Commission’s December 15, 2021 meeting minutes.
63 The motion passed.

64

65 **Chair’s Remarks- (Andy Lee)**

66

67 Chairman Lee forewent providing remarks.

68

69 **Administrator’s Remarks- (Roderick Atkinson)**

70

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

72

73 **IRC Report- January 7, 2022 (Rodney Pigford)**

74

75 Mr. Pigford presented the IRC’s January 7, 2022 meeting recommendations to the
76 Commission. The recommendations were for the Commission to consider the approval
77 of 30 cases, consisting of 18 Dismissals, 2 Formal Complaints, and 10 Letters of Caution.

78

79 **MOTION**

80 On the motion of Ms. Pratt, seconded by Ms. Mitchell, the Commission voted
81 unanimously in favor to approve all categories of the January 7, 2022 IRC
82 recommendations. The motion passed.

83

84 **2022 Statements of Economic Interest**

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86 For informational purposes, Mr. Atkinson reported the SC Ethics Commission had sent
87 emails to Commissioners regarding online filings, which addressed the Commission’s
88 new system for reporting.

89

90 Mr. Atkinson confirmed which REC Commission members had not received the
91 aforementioned email and stated he would forward the email to them.

92

93 Additionally, Mr. Atkinson reported March 30, 2022, as being the deadline for filing
94 Economic Interest Statements, and stated he would be checking filing statuses as well.

95
96 Discussions were held, and there were no actions taken.

97
98 **Disciplinary Hearing**

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100 Chairman Lee called the Disciplinary Hearing to order.

101
102 **Graeme Moore (MOA)**

103
104 The purpose of the hearing was to consider the Memorandum of Agreement and Stipulation
105 of Facts for Case Number 2021-122. Commissioner Pickren recused himself from the
106 hearing. Chairman Lee opened the Disciplinary Hearing; and the Respondent, Graeme
107 Moore was present, sworn in, and was represented by legal counsel Mr. David A. Anderson.

108
109 Ms. Erin Baldwin, representative of the State with the Office of Disciplinary Counsel,
110 presented the State's case.

111
112 Respondent and his counsel responded to the alleged violations, and requested for a letter of
113 caution to be issued on this matter.

114
115 Ms. Baldwin concluded the State's case, and upon discussions, the following action was
116 taken:

117
118 **MOTION**

119 On the motion of Mr. Rinehart, seconded by Mr. Lockwood, the Commission voted
120 unanimously in favor to accept the MOA and issue a non-disciplinary letter of caution
121 cautioning Respondent regarding S.C. Code Ann. § 40-57-710(A)(24) (2017).

122
123 Mr. Pickren rejoined the meeting.

124
125 **New Business**

126
127 **ARELLO/IDECC Certification for synchronous classes**

128
129 Mr. Atkinson stated that during the declared state of emergency, the Commission
130 temporarily relaxed certain requirements and stayed enforcement of certain provisions,
131 including the ARELLO/IDECC certification requirements for synchronous distance
132 learning of approved classroom courses. At its March 17, 2021 meeting, before the state
133 of emergency expired, the Commission voted to extend this waiver/relaxation of this
134 certification requirement until December 31, 2021, to give providers time to return to
135 compliance with this requirement for distance learning beginning January 1, 2022, or
136 later. To comply with the Commission's March 17, 2021 decision, the regulatory
137 requirements, and with the end of the declared state of emergency, the Commission's
138 temporary waiver of ARELLO/IDECC certification requirements for virtual offerings of
139 approved classroom courses has ended and cannot be renewed.

140

141 Mr. Atkinson reported that communications were held between Commission staff and
142 IDECC/ARELLO regarding whether the Commission itself could receive synchronous
143 approval for the mandatory 4-hour core course and then providers could apply for
144 secondary to offer the course. It was confirmed that IDECC/ARELLO does not approve
145 secondary providers in this context, so only primary provider approval is available.

146

147 **MOTION**

148 Mr. Pickren moved to allow non-certified synchronous classes to continue to be provided
149 on a virtual platform such as WebEx or Zoom for the 2022 renewal period, ending on
150 June 30, 2022.

151

152 Discussions were held and hearing no second to the motion, the motion failed.

153

154 **Remote Proctoring for Pre-licensing Course Exams**

155

156 Mr. Atkinson reported that during the pandemic the Commission temporarily waived the
157 in-person final exam proctoring for pre-licensing courses and approved remote/virtual
158 proctoring for the same pursuant to the discretion given to the Commission in S.C. Code
159 Ann. Regs. 105-6(C).

160

161 Mr. Atkinson stated there were increased inquiries regarding if the in-person proctoring
162 waiver could be extended and again referred to the discretion provided to the
163 Commission in S.C. Code Ann. Regs.105-6(C).

164

165 Discussions were held and the following action was taken:

166

167 **MOTION**

168 On the motion of Mr. Burnett, seconded by Mr. Lockwood, the Commission voted
169 unanimously in favor to extend the provision to allow the remote/virtual proctoring for
170 pre-licensing course final exams for one (1) year from January 1, 2022, through
171 December 31, 2022. The motion passed.

172

173 **Executive Session**

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175 Executive Session was not required.

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177 **Public Comments**

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179 There were no public comments presented.

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181 **Approval of Excused Absences**

182

183 **MOTION**

184 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
185 unanimously in favor to excuse the absence of Commissioner Brown Bethune. The
186 motion passed.

187

188 **Adjournment**

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190 **MOTION**

191 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted
192 unanimously in favor to adjourn. Time of adjournment was 12:00 p.m.