

1 **MINUTES**

2 **South Carolina Real Estate Commission**

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

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

5 **Wednesday, May 18, 2022, 10:00 a.m.**

6  
7 **Meeting Called to Order**

8  
9 Chairman Lee called the meeting of the South Carolina Real Estate Commission to order at 10:04  
10 a.m. and announced that public notice of this meeting had been properly posted at the S.C. Real  
11 Estate Commission Office, Synergy Business Park, Kingstree Building, the Commission’s  
12 website, and was provided to all requesting persons, organizations, and news media in compliance  
13 with Section 30-4-80 of the South Carolina Freedom of Information Act.  
14

15 **Invocation**

16  
17 Ms. Mitchell gave the invocation.  
18

19 **Pledge of Allegiance**

20  
21 The Pledge of Allegiance was recited by all present.  
22

23 **Introduction Roll Call of Commission Members and Staff**

24  
25 Commission Members and staff participating in the meeting included:  
26

27 **Commission Members**

28  
29 William “Andy” Lee - Chair - 3<sup>rd</sup> Congressional District  
30 David C. Lockwood, III - Vice Chair - 2nd Congressional District  
31 Candace Pratt - 1st Congressional District  
32 David Burnett - 4<sup>th</sup> Congressional District  
33 Janelle Mitchell - 6<sup>th</sup> Congressional District  
34 Johnathan Stackhouse - Public Member  
35 Gary A. Pickren – At Large Member  
36

37 **Staff Members**

38  
39 Dean Grigg, LLR Deputy Director  
40 Robbie Boland, LLR Assistant Deputy Director  
41 Roderick Atkinson, Real Estate Commission Administrator  
42 Kyle Tennis, Office of Advice Counsel  
43 Rowland Alston, Office of Disciplinary Counsel  
44 Rodney Pigford, Office of Investigations and Enforcement  
45 Shaun Strother, Administrative Assistant

46 **Approval of Excused Absences**

47

48 **MOTION**

49 On the motion of Mr. Stackhouse, seconded by Ms. Mitchell, the Commission voted unanimously  
50 to approve the absence of Commissioner Rinehart and Bethune. The motion passed.

51

52 **Approval of Agenda**

53

54 **MOTION**

55 On the motion of Ms. Mitchell, seconded by Mr. Lockwood, the Commission voted unanimously  
56 to approve the Agenda. The motion passed.

57

58 **Approval of Minutes – April 20, 2022**

59

60 **MOTION**

61 On the motion of Mr. Lockwood, seconded by Ms. Mitchell, the Commission voted unanimously  
62 in favor to approve the April 20, 2022 minutes with edits to remove including the names of  
63 Commissioners who voted against any motion. The motion passed.

64

65 **Chair’s Remarks – William “Andy” Lee**

66

67 Chairman Lee addressed the Commission regarding Roderick Atkinson’s farewell as the South  
68 Carolina Real Estate Commission Administrator and thanked him for his years of service.

69 Mr. Atkinson addressed the Commission.

70

71 **Administrator’s Remarks - Roderick Atkinson**

72

73 **1. Renewal Background Check Compliance Audits**

74

75 Mr. Grigg, Deputy Director, Mr. Boland, Assistant Deputy Director and Mr. Atkinson addressed  
76 the Commission regarding the renewal background check compliance audits. Discussions were  
77 held regarding those licensees who have failed to comply with the background checks as required  
78 when they renewed in 2021. Commission staff was directed to give notice to those who still have  
79 not complied with the background check requirements, that they be given a 60-day period to come  
80 within compliance, and if they still had not done so after that 60-day period, then they would be  
81 immediately inactivated.

82

83 **MOTION**

84 Mr. Lockwood made a motion that for those licensees who renewed during the 2021 period,  
85 submitted to the background checks, and had proof that they submitted to the background checks  
86 as required but for whatever reason there were issues with the Commission receiving said  
87 background checks, those licensees are not to incur additional cost for obtaining an additional  
88 criminal background check, as applicable.

89

90 The motion was seconded by Ms. Mitchell. All were in favor and the motion passed.

91

92

93

94 **2. IRC Report – May 5, 2022**

95

96 Mr. Pigford, Office of Investigations and Enforcement presented the IRC report that included  
97 thirty-one (31) cases to the Commission as follows: 23 Dismissals, 1 Dismissal Cease &  
98 Desist, 1 Formal Complaint, and 6 Letters of Caution.

99

100 **MOTION**

101 Mr. Pickren made a motion to accept and approve the IRC report as presented.

102

103 The motion was seconded by Mr. Stackhouse. All were in favor and the motion passed.

104

105 **3. ARELLO Annual Conference (Nashville, TN) – August 29-September 2, 2022**

106

107 After discussions regarding which Commissioners were interested in obtaining approval for  
108 attending ARELLO, the following motion was made:

109

110 **MOTION**

111 Ms. Pratt moved that three investigators, Mr. Alston from the Office of Disciplinary Counsel, and  
112 any Commissioner who contacts Mr. Atkinson expressing interest before May 27<sup>th</sup> be approved to  
113 Attend the ARELLO Annual Conference.

114

115 The motion was seconded by Mr. Stackhouse. All were in favor and the motion passed.

116

117 **10 Minute Break**

118

119 **Disciplinary Hearings**

120

121 **1. Clyvincent Lemon (MOA)**

122

123 The purpose of this hearing was to consider the charges in the Memorandum of Agreement  
124 and Stipulations of Facts (MOA) for Case Numbers 2018-447 and 2019-427. Chairman Lee  
125 opened the disciplinary hearing. The respondent, Clyvincent Lemon was present, sworn in and  
126 represented by legal counsel Ms. Kelly Sullivan.

127

128 After opening statements were made, Mr. Alston, with the Office of Disciplinary Counsel  
129 presented the State's case via the MOA and called one witness, Mr. Bradley Aull.

130

131 Respondent and his counsel responded to the alleged violations. Respondent testified and answered  
132 the Commission's questions.

133

134 **Executive Session – Convened (No Votes Were Taken During This Time)**

135

136 **MOTION**

137 On the motion of Mr. Lockwood, seconded by Ms. Pratt, the Commission voted unanimously in  
138 favor to enter into executive session for the purpose of receiving legal advice regarding  
139 This disciplinary matter.

140

141 **Meeting Reconvened**

142

143 **MOTION**

144 On the motion of Mr. Lockwood, seconded by Mr. Stackhouse, the Commission voted  
145 unanimously to exit from executive session where legal advice was received and no votes were  
146 taken.

147  
148 **MOTION**

149 On the motion of Mr. Pickren, seconded by Mr. Lockwood, Mr. Pickren moved that

150

- 151 • for Case Number 2018-447: S.C. Code, the State met its burden of proving that Respondent  
152 was in violation of S.C. Code Ann. § 40-57-710(A)(21) by violating S.C. Code Ann.  
153 § 40-57-135(E)(1). With respect to Case Number 2019-427, Mr. Pickren moved that the  
154 State met its burden of proving that Respondent was in violation of S.C. Code Ann.  
155 § 40-57-710(A)(21) by violating S.C. Code Ann. § 40-57-135(C)(3). Mr. Pickren further  
156 moved that the Commission accept the MOA, issue Respondent a public reprimand, and that  
157 Respondent pay \$500 per violation for a total of \$1,000 payable within 90 days from the date  
158 of the final order. Additionally, Mr. Pickren moved that Respondent be required to take and  
159 pass the sixty-hour Unit I salesperson pre-licensing course within 90 days from the date of  
160 the final order.

161

162 The motion passed.

163

164 **30 Minute Lunch Break**

165

166 **2. Irene Armstrong**

167

168 The purpose of this hearing was to consider the allegations for Case Number 2021-548 against  
169 Irene Armstrong. Chairman Lee opened the hearing and confirmed the presence of the  
170 Respondent, Irene Armstrong. Ms. Armstrong confirmed she was not represented by legal  
171 counsel, waived her right to counsel, and was sworn in.

172

173 Mr. Alston, representative of the State with the Office of Disciplinary Counsel and Ms. Armstrong  
174 presented their opening statements.

175

176 Mr. Alston, representative of the State with the Office of Disciplinary Counsel presented the  
177 State's case. In doing so, he called Mr. Tyler Livezey as the State's witness.

178

179 Ms. Armstrong presented her case to the Commission and answered the Commission's questions.

180

181 **Executive Session – Convened (No Votes Were Taken During This Time)**

182

183

184 **MOTION**

185 On the motion of Ms. Mitchell, seconded by Ms. Pratt, the Commission voted unanimously in  
186 favor to enter into executive session for the purpose of receiving legal advice regarding this  
187 disciplinary matter.

188

189 **Meeting Reconvened**

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191

192 **MOTION**

193 On the motion of Mr. Burnett, seconded by Ms. Pratt, the Commission voted unanimously to exit  
194 from executive session where legal advice was received and no votes were taken.

195  
196 **MOTION**

197 On the motion of Lockwood, seconded by Mr. Pickren, Mr. Lockwood moved that the State met  
198 its burden that Respondent violated S.C. Code Ann. §§40-57-710(A)(1)(9) and that a non-  
199 disciplinary letter of caution be issued cautioning Respondent regarding S.C. Code  
200 Ann. § 40-57-710(A)(9). The motion passed.

201  
202 **Unfinished Business**

203  
204 **1. Legislative Update:** Mr. Atkinson provided the Commission with the legislative update.

205  
206 **Executive Session:** Executive Session was not required.

207  
208 **Public Comments:** Austin Smallwood with the South Carolina Association of Realtors addressed  
209 the Commission. Mr. Smallwood recognized Mr. Atkinson for his years of service as the  
210 Commission's Administrator. Mr. Smallwood also sought clarification regarding wholesaling and  
211 discussions were held. Additionally, Mr. Atkinson provided clarification regarding CE Broker's  
212 no cost option and that the Alternative Names portal for licensees had been finished and would be  
213 opening to licensees soon to allow them to register alternative names.

214  
215 **Adjournment:**

216  
217 **MOTION**

218 Mr. Pickren, moved to adjourn. The motion was seconded by Mr. Stackhouse and the Commission  
219 voted unanimously in favor to adjourn. There being no other business, the meeting was adjourned  
220 at 3:10 p.m.

221  
222  
223