

**South Carolina Real Estate Commission  
Meeting Minutes**

Wednesday, October 19, 2022 at 10:00 am  
110 Centerview Dr. Kingtree Building, Room 105  
Columbia, South Carolina

Public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingtree Building, Commission 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.

**Commission Members Present:**

William “Andy” Lee, Chair – 3<sup>rd</sup> Congressional District  
Candace Pratt – 1<sup>st</sup> Congressional District  
David Burnett – 4<sup>th</sup> Congressional District  
John Rinehart – 5<sup>th</sup> Congressional District  
Janelle Mitchell – 6<sup>th</sup> Congressional District  
Gary A. Pickren – At-Large Member

**SCLLR STAFF PRESENT:**

Hardwick Stuart, Esq., Office of Advice Counsel  
Meredith Buttler, Administrator  
Rowland Alston, Esq., Office of Disciplinary Counsel  
Rodney Pigford, Office of Investigations and Enforcement  
Chuck Waters, Office of Investigations and Enforcement  
James Kemfort, Office of Investigations and Enforcement  
Michael “Doc” Smith, Office of Investigations and Enforcement  
Rosa McCoy, Office of Investigations and Enforcement  
Wattie Wharton, Office of Investigations and Enforcement  
Kim Long, Office of Disciplinary Counsel  
Tyler Livezey, OSHA

**PRESENT:**

Courtney Glover, Court Reporter  
Alexander Imgrund, Esq.  
Terry Notartomaso  
Austin Smallwood  
Jag Kim

**CALLED TO ORDER:** Mr. Lee, Chair, called the meeting to order at 10:01 am.

**INVOCATION**

Mr. Rinehart gave the invocation.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited by all present.

## **INTRODUCTION OF COMMISSION MEMBERS AND STAFF**

Commission members and staff introduced themselves.

## **APPROVAL OF EXCUSED ABSENCES**

**Motion:** To approve the absences for Mr. Stackhouse, Mr. Bethune, and Mr. Lockwood due to work conflicts and for the meeting minutes to reflect when Mr. Pickren joins the meeting.

Pratt/Mitchell/Approved.

## **APPROVAL OF AGENDA**

**Motion:** To approve the agenda with the amendment that items 8a and 8b (disciplinary hearings) may be reversed if needed as requested by Mr. Alston.

Pratt/Mitchell/Approved.

## **APPROVAL OF MEETING MINUTES**

**Motion:** To approve the September 21, 2022 Commission Meeting minutes.

Rhinehart/Mitchell/Approved.

**Motion:** To approve the September 22, 2022 Commission Meeting minutes.

Rhinehart/Mitchell/Approved.

## **STAFF REPORTS**

### a. Office of Investigations and Enforcement (OIE) Report

Mr. Pigford announced that effective November 2, 2022, he is retiring and Mr. James Kemfort will be taking over as Chief Investigator. Mr. Pigford reported that from January 1, 2022, to October 18, 2022, 758 complaints have been filed. OIE currently has 94 active cases and 126 cases have been closed during that time period.

### b. Investigative Review Committee (IRC) Report

Mr. Kemfort reported the IRC met on October 5, 2022 in-person with two professional members attending via teleconference and two members attending in-person. The IRC recommends the following: fourteen (14) cases for dismissals, four (4) cases for Letters of Caution, one (1) case for dismissal with a cease and desist, and seven (7) formal complaints.

**Motion:** To accept IRC recommendations as presented.

Pratt/Rinehart/Approved.

### c. Office of Disciplinary Counsel (ODC) Report

Ms. Buttler on behalf of Mr. Alston reported as of October 5, 2022, there are 44 open cases of which 25 are pending hearings and agreements, 1 pending closure, and 30 have been closed since January 1, 2022.

### d. Administrator Report

Ms. Buttler reported there are currently 7,327 active Broker-in-Charge licensees with 373 in active-in-renewal status; 4,869 active Broker licensees with 196 in active-in-renewal status; 1,894 inactive Broker licensees; 32,707 active Salesperson licensees with 1,070 in active-in-renewal status; 8,266 inactive Salesperson licensees; 1,353 active Property Manager-in-Charge licensees with 125 in active-in-renewal status; 1,655 Property Manager licensees with 105 in active-in-renewal status. The Commission was also presented the totals for Timeshare Salesperson Registrants, Real Estate or Property Manager Office registrations, and registration numbers for Real Estate Schools and Instructors.

The Commission's current account balance as of September 30, 2022, is \$7,814,855.21. Also included in the meeting materials is the cash balance report for the Education and Research fund as well as the Timeshare fund.

Ms. Buttler reported the SC Examination Review Committee met with PSI on October 7 to review flagged questions. These were questions that performed poorly (e.g. too hard or too easy) or had examinee comments that warranted review. Several members are interested in serving on the Commission Education Taskforce. This and the other committees approved by the Commission at the September meeting will have committee meetings scheduled soon.

## **DISCIPLINARY HEARINGS**

a. 2021-662 – Madison Ballagh

Mr. Ballagh did not appear before the Commission despite being properly noticed. Ms. Kim Long and Mr. Tyler Livezey served as witnesses and were sworn in. Mr. Alexander Imgrund, Esq., spoke on behalf of the respondent to request a continuance of the hearing. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

**Motion:** To enter into executive session for legal advice.  
Burnett/Pratt/Approved.

**Motion:** To return to public session and for the minutes to reflect no votes were taken during executive session.  
Pratt/Mitchell/Approved.

**Motion:** For the hearing to be continued as requested by the respondent.  
Rinehart/Mitchell/Approved.

b. 2018-476 – Terry Notartomaso

Ms. Notartomaso appeared before the Commission and was represented by Mr. Alexander Imgrund, Esq. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

**Motion:** To enter into executive session for legal advice.  
Burnett/Pratt/Approved.

**Motion:** To return to public session and for the minutes to reflect no votes were taken during executive session.  
Pratt/Mitchell/Approved.

**Motion:** Based upon the Memorandum of Agreement presented, the Commission found that the State had met the burden of proving that the respondent was in violation of S.C. Code Ann. § 40-57-710(A)(21), specifically by violating S.C. Code Ann. § 40-57-136(3) by commingling trust funds of the client with trust funds of VT Escrow. The Commission ordered that Respondent pay a \$500 fine due within 60 days of the Commission Order.  
Rinehart/Pratt

**Motion:** To amend prior motion to reflect violation of S.C. Code Ann. § 40-57-136(B)(3).  
Rinehart/Pratt/Approved.

Mr. Pickren arrived at 12:55p.m. and Ms. Mitchell departed at 1:18p.m.

c. 2021-671 – Jeffrey Worrell

Mr. Worrell did not appear before the Commission. The Commission found that the State had properly noticed him for the hearing and allowed the disciplinary hearing to proceed. Ms. Kim Long, Mr. Tyler Livezey, and Ms. Meredith Buttler served as witnesses and were sworn in. Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

**Motion:** To enter into executive session for legal advice. Ms. Buttler requested to stay for session.  
Pratt/Pickren/Approved.

**Motion:** To return to public session and for the minutes to reflect no votes were taken during executive session.  
Rinehart/Pratt/Approved.

**Motion:** The Commission found that the State has met the burden of proving the respondent was in violation of S.C. Code Ann. § 40-57-710(A)(5) and 40-57-710(A)(21), specifically by violating S.C. Code Ann. § 40-57-20. The Commission ordered that the respondent's inactive Property Manager-in-Charge license be revoked, a public reprimand issued, and the respondent must appear before the Commission for any future application of licensure.  
Pickren/Rinehart/Approved.

## **EXECUTIVE SESSION**

Executive session was not needed.

## **PUBLIC COMMENTS**

No public comments.

**ADJOURNMENT**

**Motion:** To adjourn.

Pickren/Pratt/Approved.

The meeting adjourned at 2:20 pm.