

MINUTES

South Carolina Real Estate Commission

Wednesday, December 10, 2014, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Chairman Crigler called the meeting of the South Carolina Real Estate Commission to order at 10:00 a.m. Board members participating in this meeting included:

David Crigler – Chair - 4th Congressional District
G. Hamlin O’Kelley – Vice-Chairman - Public Member
Candace Pratt – 1st Congressional District
David C. Lockwood, III - 2nd Congressional District
Carl Edwards – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Tony Cox – 7th Congressional District
Johnathan Stackhouse – Public Member
Wayne Poplin – At-Large Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Georgia Lewis, Office of Advice Counsel, and Sharon Wolfe, Office of Investigations.

Public Notice:

Chairman Crigler announced that public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingstree Building, 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.

Pledge of Allegiance:

The Pledge of Allegiance was recited by all present.

Invocation

Invocation was offered by Manning Biggers.

Introduction of Board Members and Staff

Excused Absences:

None

Approval of Agenda:

MOTION:

Mr. Stackhouse made a motion to approve the agenda with one change, omitting applicant James West, since he notified staff that he is unable to attend. Ms. Pratt seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from November 12, 2014

MOTION:

Mr. Cox made a motion to approve the minutes of the November 12, 2014 meeting. Mr. Poplin seconded the motion, which carried unanimously.

Chairman's Remarks:

Chairman Crigler expressed sympathy in the loss of former Commission member, Evelyn Young, who passed away on December 2, 2014. A Resolution was signed by all members and will be presented to Ms. Young's family by Chairman Crigler.

Administrator's Remarks:

Rod Atkinson

Mr. Atkinson informed the Commission that Governor Haley has named a new director for LLR, Richele Taylor, who will replace Holly Pisarik, effective immediately.

1. Licensure Update as of December 3, 2014

• Broker	5273
• Broker In Charge	7523
• Property Manager	1375
• Property Manager In Charge	1180
• Salesman	18238
• Salesman (Provisional)	1898
TOTAL ACTIVE	35,487

• Inactive Broker	1674
• Inactive Property Manager	548
• Inactive Salesman	5264
TOTAL INACTIVE	7,486

**TOTAL CURRENT LICENSES
AS OF 12/3/14 42,973**

2. Budget update for November 2014 was presented for information.

3. Investigations and Enforcement

Sharon Wolfe, Office of Investigations and Enforcement, presented the Commission with an overview of the opened and closed cases from January 1, 2014 – December 3, 2014, as well as for the previous year.

4. IRC Report - The Commission reviewed the IRC report from December 1, 2014.

MOTION:

Mr. Stackhouse made the motion to approve the IRC report from December 1, 2014. Mr. Poplin seconded the motion, which carried unanimously.

5. Mr. Atkinson presented a statistical report from the Office of Disciplinary Counsel covering cases from January 1, 2014 through December 4, 2014.

APPLICATION HEARINGS

Ody Sholar

The Commission held an Application Hearing regarding Ody Sholar. Ms. Sholar appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Poplin made a motion to enter Executive Session. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Harley made a motion to enter Open Session. Mr. Biggers seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to allow Mr. Sholar to sit for the sales examination. Mr. O’Kelley seconded the motion, which carried unanimously.

(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested in accordance with the law.)

George Baron

The Commission held an Application Hearing regarding George Baron. Mr. Baron appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Lockwood made a motion to allow Mr. Baron to sit for the sales examination. Mr. Harley seconded the motion, which carried unanimously.

(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested in accordance with the law.)

Shanekque Hines-Lewis

The Commission held an Application Hearing regarding Shanekque Hines-Lewis. Ms. Hines-Lewis appeared before the Commission to present testimony and was not presented by legal counsel. Discussion ensued.

MOTION:

Mr. Harley made a motion to allow Ms. Hines-Lewis to sit for the property manager's examination. Mr. O'Kelley seconded the motion, which carried unanimously.

(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested in accordance with the law.)

Darin Nix

The Commission held an Application Hearing regarding Darin Nix. Mr. Nix appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Biggers made a motion to enter Executive Session. Mr. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to enter Open Session. Mr. Edwards seconded the motion, which carried unanimously. More discussion ensued.

MOTION:

Ms. Pratt made a motion to enter Executive Session. Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Mr. Biggers made a motion to enter Open Session. Mr. Harley seconded the motion, which carried unanimously.

MOTION:

Mr. Edwards made a motion to allow Mr. Nix to sit for the sales examination. Mr. Harley seconded the motion, which carried unanimously.

(This proceeding was recorded by a court report in order to produce a verbatim transcript if requested in accordance with the law.)

Unfinished Business

Chairman Crigler gave a brief update on the status of launching an electronic newsletter.

The Legislative Task Force and subcommittee prepared a draft of proposed law changes and a copy was presented for review. These changes were reviewed and discussion ensued. Annie Wilson, from Consolidated MLS, and Austin Smallwood and Byron King, from SC Realtors, were present during the discussions.

MOTION:

Mr. Cox made a motion to approve the changes made on page 9, lines 50-51 and page 10, lines 4-10, as it relates to increasing continuing education requirements for licensees. Mr. Lockwood seconded the motion, which carried with a 5/4 vote.

MOTION:

Mr. Lockwood made a motion to approve the changes made to page 10, lines 23-30, as it relates to partial continuing education exemption based on experience and age criteria. Mr. Cox seconded the motion, which carried with a 6/3 vote.

MOTION:

Mr. Cox made a motion to strike lines 41-44 on page 23 of the proposed draft. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to amend Section 40-57-138 (A) to reflect the following: Combine (A) and (E) to read "The Broker in Charge shall be responsible for the supervision of the team and all licensed members of the Team. Written office policy of the Broker-in-Charge shall address team relationships in which associated licensees may engage. The Broker-in-Charge shall not delegate supervisory responsibilities to the team members or team leader." Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to approve the task force's recommendations to add the word "felony" on page 29, line 39. Mr. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to strike lines 25 and 26 on page 31 of the proposed draft. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Cox made a motion to insert the word "and" after the word "only" on page 27, line 19 of the proposed draft. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made to motion to approve the proposed changes to Chapter 57 as presented by the draft prepared by the legislative task force, including the votes already taken today, with further scriveners and formatting changes to be made, as necessary. Mr. O'Kelley seconded the motion, which carried with an 8/1 vote.

MOTION:

Mr. Lockwood made a motion to table the New Business topic to the next meeting, which will be held on January 21, 2015. Ms. Pratt seconded the motion, which carried unanimously.

Adjournment

Mr. Poplin made a motion to adjourn. Mr. Biggers seconded the motion, which carried unanimously.

The meeting was adjourned at 4:00 p.m