

MINUTES

South Carolina Real Estate Commission

Wednesday, November 18, 2015, 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 Chair - Public Member
Candace Pratt – 1st Congressional District
David C. Lockwood, III, 2nd Congressional District
Andy Lee – 3rd Congressional District
Manning Biggers – 5th Congressional District
Tony Cox – 7th Congressional District
Wayne Poplin – At-Large Member

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

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 Chairman Crigler.

Approval of Excused Absences

Buccie Harley – 6th Congressional District
Johnathan Stackhouse – Public Member

MOTION:

Mr. O’Kelley made a motion to excuse Mr. Harley and Mr. Stackhouse. Mr. Cox seconded the motion, which carried unanimously.

Approval of Agenda:

MOTION:

Mr. Lockwood made a motion to approve the agenda. Ms. Pratt seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from October 21, 2015

MOTION:

Mr. Cox made a motion to approve the minutes of the October 21, 2015, meeting. Ms. Pratt seconded the motion, which carried unanimously.

Chairman's Remarks:

David Crigler

Introduction of Board Members and Staff

Mr. Atkinson introduced a new staff member, Amanda Schlegel.

Administrator's Remarks:

Rod Atkinson

1. Licensure Update as of November 13, 2015

• Broker	5185
• Broker In Charge	7493
• Property Manager	1422
• Property Manager In Charge	1222
• Salesman	19624
• Salesman (Provisional)	2076
TOTAL ACTIVE	37,022

• Inactive Broker	1656
• Inactive Property Manager	581
• Inactive Salesman	5273
TOTAL INACTIVE	7,564

**TOTAL CURRENT LICENSES
AS OF 11/13/15** **44,586**

2. Budget - The board reviewed the budget reports for October, 2015.

3. Investigations and Enforcement

Sharon Wolfe presented the Commission with an overview of the opened and closed cases from January 1, 2015 – November 12, 2015, as well as for the previous year.

- 4. IRC Report -** The Commission reviewed the IRC report from November 9, 2015.

MOTION:

Mr. O’Kelley made the motion to approve the Dismissals portion of the IRC report from November 9, 2015. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made the motion to approve the Formal Complaints portion of the IRC report from November 9, 2015. Mr. O’Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Cox made the motion to approve the Formal Complaints/Cease & Desist portion of the IRC report from November 9, 2015. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. O’Kelley made the motion to approve the Letters of Caution portion of the IRC report from November 9, 2015. Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Mr. Cox made the motion to approve the Reconsideration/Dismiss portion of the IRC report from November 9, 2015. Mr. Poplin seconded the motion, which carried unanimously.

- 5.** The Commission reviewed the *Commission meeting schedule for 2016*. Discussion was held regarding adding a June 2016 meeting.

MOTION:

Mr. O’Kelley made the motion to approve the proposed 2016 meeting calendar; to add an additional meeting on June 15, 2016; and to designate the April 20, 2016 meeting for Timeshare Hearings. Discussion ensued. Ms. Pratt seconded the motion, which carried unanimously.

- 6.** Mr. Atkinson discussed proposed *Criminal Background Approval Delegation* with the Commission. The Administrator would be allowed to approve charges older than seven (7) years old, and consult with the Chair for violent crime offenses. This would prevent the Commission from having to hear every application that has charges over seven (7) years old.

MOTION:

Mr. Cox made the motion to grant the Administrator approval discretion on offenses that are grounds for denial over seven (7) years old. The Administrator may consult with Chair on violent crime offenses and fraud/theft/receiving goods over \$500. Mr. Poplin seconded the motion, which carried unanimously.

New Business

1. The Commission discussed the South Carolina Realtors Contract of Sale as it relates the Earnest Money Deposits. Byron King represented SCR during this discussion.
2. Rocky Watts, representative from SR&I, addressed the Commission to discuss details of the contract and to answer questions the Commission had regarding the background check process.
3. Election of Officers:

MOTION:

Mr. Cox made a motion to re-elect David Crigler as Chairman for another term. Mr. O'Kelley seconded the motion which carried unanimously.

MOTION:

Ms. Pratt made a motion to re-elect Hamlin O'Kelley as Vice-Chair for another term. Mr. Poplin seconded the motion, which carried unanimously.

APPLICATION HEARINGS

Keon King

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

MOTION:

Mr. Lee made a motion to approve Mr. King to sit for the examination. Mr. Lockwood seconded the motion, which carried with a 6/1 vote.

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

Julie Van Slambrook

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

MOTION:

Mr. Lee 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. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. Cox made a motion to allow Ms. Van Slambrook to sit for the sales examination, upon completion of a Commission approved Broker A course, and with the provision that she would be prohibited from upgrading to a Broker in Charge status. Mr. Lockwood seconded the motion. The Motion was defeated with a 3/4 vote.

MOTION:

Mr. Lee made a motion to deny Ms. Van Slambrook's application, and require her to wait 12 months to reapply. Ms. Pratt seconded the motion, which carried with a 6/1 vote.

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

Matthew Rice

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

MOTION:

Mr. Lockwood made a motion to approve Mr. Rice to sit for the examination. Ms. Pratt seconded the motion, which carried unanimously.

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LUNCH RECESS

Britt Dooley

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

MOTION:

Mr. O'Kelley made a motion to approve Ms. Dooley to sit for the examination. Mr. Cox seconded the motion, which carried unanimously.

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Jesse Slowikowski

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

MOTION:

Mr. Lockwood made a motion to approve Mr. Slowikowski to sit for the examination. Mr. Lee seconded the motion, which carried unanimously.

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Katrina Geathers

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

MOTION:

Mr. Cox made a motion to approve Ms. Geathers to sit for the examination. Ms. Pratt seconded the motion, which carried unanimously.

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Stacy Wienke

MOTION:

Mr. Lockwood made a motion to table this application because Ms. Wienke was not present. Ms. Pratt seconded the motion, which carried unanimously.

Joyce Valalik

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

MOTION:

Mr. Lockwood made a motion to approve Ms. Valalik to sit for the examination. Ms. Pratt seconded the motion, which carried unanimously.

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

Catherine Bersaglia

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

MOTION:

Mr. Cox made a motion to approve Ms. Bersaglia to sit for the examination. Mr. Poplin seconded the motion, which carried unanimously.

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

Joie Land

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

MOTION:

Mr. O'Kelley made a motion to approve Ms. Land to sit for the examination. Mr. Biggers seconded the motion, which carried unanimously.

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

Steven Benton

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

MOTION:

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

MOTION:

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

MOTION:

Mr. Lockwood made a motion to approve Mr. Benton to sit for the examination, with the stipulation that he will wait two (2) years to become a Property Manager in Charge. Ms. Pratt seconded the motion, which carried unanimously.

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

Adjournment

There being no further business, the meeting was adjourned at 2:30 pm.