

**South Carolina Real Estate Commission
Meeting Minutes**

Wednesday, November 16, 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 – 3rd Congressional District
David C. Lockwood, III, Vice-Chair – 2nd Congressional District
Candace Pratt – 1st Congressional District
David Burnett – 4th Congressional District
John Rinehart – 5th Congressional District
Janelle Mitchell – 6th Congressional District
W. Brown Bethune – 7th Congressional District
Gary A. Pickren – At-Large Member
Jonathan Stackhouse – Public Member

SCLLR STAFF PRESENT:

Kyle Tennis, Esq., Office of Advice Counsel
Meredith Buttler, Administrator
Ashlynn Kirk, Administrative Coordinator
Rowland Alston, Esq., Office of Disciplinary Counsel
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

PRESENT:

Sarah Costilow, Court Reporter
Kenneth Lear
Christine Crain
Michael Roberts
Erik Oddy
Rosa McKoy
Roman Rogers
Joseph Martin
Justin Smith
Tony Baty
Jason Ash
Yasheka Moultrie

Sadie Elmore
Jesse Doss
Evan Westbrook
Damian Douglas
Pheobe Clark, Esq.
Shae Owens
Austin Smallwood

CALLED TO ORDER: Mr. Lee, Chair, called the meeting to order at 10:06 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

None

APPROVAL OF AGENDA

Motion: To approve the agenda with the amendment to remove Ms. McConnell's hearing as she will not be present.

Moved by Ms. Pratt and seconded by Mr. Lockwood, the motion carried by unanimous vote.

APPROVAL OF MEETING MINUTES

Motion: To approve the October 19, 2022 Commission meeting minutes with amendments.

Moved by Mr. Burnett and seconded by Ms. Pratt, the motion carried by unanimous vote.

STAFF REPORTS

a. Office of Investigations and Enforcement (OIE) Report

Mr. Kemfort reported that from January 1, 2022, to November 13, 2022, 805 complaints have been filed. OIE currently has 82 active cases and 139 cases have been closed during that time period.

b. Investigative Review Committee (IRC) Report

Mr. Kemfort reported the IRC met on November 10, 2022, via teleconference. The IRC recommends the following: 28 cases for dismissals, 8 cases for Letters of Caution, 5 cases for dismissal with a cease and desist, and 13 formal complaints.

Motion: To accept IRC recommendations as presented.

Moved by Mr. Stackhouse and seconded by Ms. Mitchell, the motion carried by unanimous vote.

c. Office of Disciplinary Counsel (ODC) Report

On behalf of Mr. Alston, Mrs. Buttler reported as of November 14, 2022, there are 45 open cases of which 28 are pending hearings and agreements, 0 pending closure, and 37 have been closed since January 1, 2022.

d. Administrator Report

Mrs. Buttler reported there are currently 7,373 active Broker-in-Charge licensees with 364 in active-in-renewal status; 4,875 active Broker licensees with 190 in active-in-renewal status; 32,795 active Salesperson licensees with 1,013 in active-in-renewal status; 1,374 active Property Manager-in-Charge licensees with 121 in active-in-renewal status; 1,668 Property Manager licensees with 101 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 \$7,762,948.92. Also included in the meeting materials is the cash balance report for the Education and Research fund as well as the Timeshare fund.

Mrs. Buttler reported that from November 1 to 4, 2022, she and several members of investigation and inspection teams attended the 2022 ARELLO Investigative Seminar that took place in Raleigh, NC. Several of the Commission's investigators presented at the Seminar and represented South Carolina very well. Mrs. Buttler encouraged Commission Members to attend in the future as it was a very educational and informative Seminar for investigative processes.

Mrs. Buttler introduced Ashlynn Kirk. She is the current Administrative Coordinator for the Real Estate Commission.

COMMITTEE REPORTS

a. Education Taskforce

Mr. Burnett reported that the Education Taskforce met on November 7, 2022 via WebEx. Mr. Burnett along with two other commissioners and six licensees comprised the Education Taskforce. During the initial meeting, the Taskforce discussed several issues including but not limited to the following: factors leading to low examination pass rates and developing a proposal for corrective action(s), PSI components, creation of standardized course materials, school standards, and the development of a commercial real estate core course and a residential real estate core course.

The Taskforce plans to meet monthly with meeting dates being scheduled for December, January, and February. Mr. Burnett welcomed suggestions and information from the Commissioners.

b. Finance Taskforce

Mr. Pickren reported that the Financial Taskforce met on November 8, 2022, via WebEx. Mr. Pickren along with two other commissioners and three licensees comprised the Finance Taskforce. Mr. Pickren reviewed with the Taskforce the charge to develop an expenditure proposal plan and invited each member to share their ideas. The top item presented were funding for additional educational resources, such as a library of classes and information (not CE) similar to North Carolina. The Taskforce discussed also looking at funding pre-license course materials or outlines to assist in increasing the first-time pass-rate percentages. Mr. Pickren also presented the idea of a new licensee platform to provide licensees with easier access to licensure information. A similar platform has been shown at the ARELLO conferences. Among other topics, the Taskforce also discussed funding for enhanced licensee communications in the form of informational videos, holding Commission meetings in other locations, and having Commissioners visit realtor associations as featured speakers.

APPLICATION HEARINGS

a. Jason R. Ash

Mr. Ash appeared before the Commission for a salesperson application hearing. He waived his right to counsel and sworn in by the court reporter. Application hearing are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Ash to sit for the salesperson exam.

Moved by Mr. Pickren and seconded by Mr. Lockwood, the motion carried by unanimous vote.

b. Sadie Elmore

Ms. Elmore appeared before the Commission for a salesperson application hearing. She waived her right to counsel and was sworn in by the court reporter. Application hearing are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Elmore to sit for the salesperson exam.

Moved by Mr. Bethune and seconded by Ms. Mitchell, the motion carried by a vote of 7 in favor to 2 opposed.

c. Erik E. Oddy

Mr. Oddy appeared before the Commission for a salesperson application hearing. He waived his right to counsel and was sworn in by the court reporter. Application hearing are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice where no votes will be taken.

Moved by Mr. Pickren and seconded by Ms. Pratt, the motion carried by unanimous vote.

Motion: To return to public session.

Moved by Mr. Stackhouse and seconded by Mr. Bethune, the motion carried by unanimous vote.

Motion: To approve Mr. Oddy to sit for the salesperson exam.

Moved by Mr. Pickren and seconded by Mr. Lockwood, the motion carried by unanimous vote.

d. Roman L. Rogers

Mr. Rogers appeared before the Commission for a salesperson application hearing. He waived his right to counsel and was sworn in by the court reporter. Mr. Tony Baty, Mr. Justin Smith, and Mr. Joseph Martin served as witnesses and were sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary. Chairman Lee was recused from the hearing. Vice Chair Lockwood conducted the hearing in his absence.

Motion: To enter into executive session for legal advice where no votes will be taken.

Moved by Mr. Pickren and seconded by Mr. Bethune, the motion carried by unanimous vote.

Motion: To return to public session.

Moved by Mr. Burnett and seconded by Ms. Pratt, the motion carried by unanimous vote.

Motion: To approve Mr. Rogers to sit for the salesperson exam.

Moved by Mr. Rinehart and seconded by Mr. Stackhouse, the motion carried by a vote of 6 in favor to 2 opposed.

e. Christine M. Crain

Ms. Crain appeared before the Commission for a salesperson application hearing. She waived her right to counsel and was sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Crain to sit for the salesperson exam.

Moved by Mr. Bethune and seconded by Ms. Pratt, the motion carried by unanimous vote.

g. Michael Roberts

Mr. Roberts appeared before the Commission for a salesperson application hearing. He waived his right to counsel and was sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Roberts to sit for the salesperson exam.

Moved by Mr. Bethune and seconded by Mr. Lockwood, the motion carried by unanimous vote.

- h. Yasheka A. Moultrie
Ms. Moultrie appeared before the Commission for a property manager application hearing. She waived her right to counsel and sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Moultrie to sit for the Property Manager exam.
Moved by Ms. Pratt and seconded by Ms. Mitchell, the motion carried by unanimous vote.

- i. Jesse L. Doss
Mr. Doss appeared before the Commission for a salesperson application hearing. He waived his right to counsel. Ms. Shae Owens served as witness and both the applicant and his witness were sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary

Motion: To enter into Closed session.
Moved by Mr. Pickren and seconded by Ms. Pratt, the motion carried by unanimous vote.

Motion: To approve Mr. Doss to sit for the salesperson exam.
Moved by Mr. Lockwood and seconded by Mr. Stackhouse, the motion carried by unanimous vote.

Motion: To return to open session.
Moved by Mr. Burnett and seconded by Ms. Pratt, the motion carried by unanimous vote.

- j. Evan L. Westbrook
Mr. Westbrook appeared before the Commission for a salesperson application hearing. He waived his right to counsel and sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Westbrook to sit for the salesperson exam.
Moved by Mr. Pickren and seconded by Ms. Pratt, the motion carried with 7 in favor and 2 opposed.

- k. Kenneth Lear
Mr. Lear appeared before the Commission for a salesperson application hearing. He waived his right to counsel and sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Lear to sit for the salesperson exam.
Moved by Mr. Pickren and seconded by Mr. Burnett, the motion carried by unanimous vote.

1. Damian S. Douglas
Mr. Douglas appeared before the Commission for a salesperson application hearing. He was represented by counsel, Ms. Pheobe Clark, Esq., and Mr. Douglas was sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Douglas to sit for salesperson exam.

Moved by Mr. Bethune and seconded by Mr. Pickren, the motion carried by unanimous vote.

NEW BUSINESS

- a. Travel approval- FARB Forum on Professional Regulation, January 26-28, 2023 in Nashville, TN

Mrs. Buttler reported that she is currently on two FARB committees, one of which is tasked with design of the Forum. As a committee members, Mrs. Buttler is asking the Commission for travel reimbursement approval for her as well as any Commissioners that wish to attend. The Forum is designed to address national issues and trends affecting professional licensing boards.

Motion: To approve the coverage of travel expenses needed for Mrs. Buttler and two Commission Members to attend FARB.

Moved by Mr. Bethune and seconded by Ms. Pratt, the motion carried by unanimous vote.

- b. Travel approval- 2023 ARELLO Leadership Symposium, January 9-11, 2023 in Henderson, NV

Mr. Rinehart is invited to the Leadership Symposium held by ARELLO and the Commission is being asked for travel reimbursement approval.

Motion: To approve the coverage of travel expenses needed for Mr. Rinehart to attend ARELLO in January.

Moved by Mr. Bethune and seconded by Ms. Mitchell, the motion carried by unanimous vote.

- c. Travel approval- 2023 ARELLO Mid-Year Meeting, April 26-28, 2023 in Boston, MA

Mrs. Buttler requested travel reimbursement approval for herself, four LLR staff members, and four Commissioners to attend ARELLO.

Motion: To approve the coverage of travel expenses needed for five LLR staff and four Commissioners to attend 2023 ARELLO Mid-Year Meeting. The request for additional Commission attendance is being made to ensure Commission knowledge base is maintained.

Moved by Mr. Stakhouse and Ms. Mitchell, the motion carried by unanimous vote.

COMMISSION OFFICER ELECTIONS

Mr. Lee recognized that as of November 30, 2022, Mr. Lockwood would be resigning from his seat on the Commission. On behalf of the Commissioners, Mr. Lee thanked Mr. Lockwood for his service on and contributions to the Commission.

a. Chair

Motion: Incoming Chair be Mr. Lee.

Moved by Ms. Pratt and seconded by Ms. Mitchell, the motion carried by unanimous vote.

b. Vice-Chair

Motion: Mr. Rinehart for Vice-Chair.

Moved by Mr. Bethune and seconded by Ms. Mitchell, the motion carried by unanimous vote.

EXECUTIVE SESSION

Executive session was not needed.

PUBLIC COMMENTS

Mr. Smallwood, on behalf of SCR, thanked Mr. Lockwood for his service and the SCR Board of Directors will be introducing a resolution to honor Mr. Lockwood for his years of service.

ADJOURNMENT

Motion: To adjourn.

Moved by Mr. Lockwood and seconded by Ms. Mitchell, the motion carried by unanimous vote.

The meeting adjourned at 2:57 pm.