

South Carolina Real Estate Commission
Special-Called Teleconference Meeting Minutes
Tuesday July 11, 2023 at 3:30pm
110 Centerview Dr. Kingstree Building
Columbia, South Carolina

Public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingstree 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
John Rinehart, Vice Chair – 5th Congressional District
Candace Pratt – 1st Congressional District
Allen Wilkerson – 2nd Congressional District
David Burnett – 4th Congressional District
Janelle Mitchell – 6th Congressional District
W. Brown Bethune – 7th Congressional District
Gary A. Pickren, Esq. – At-Large Member
Jonathan Stackhouse – Public Member

SCLLR STAFF PRESENT:

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

PRESENT:

Nadine Garrett, Court Reporter
Austin Smallwood (SCR)

CALLED TO ORDER: Mr. Lee, Chair, called the meeting to order at 3:33 pm.

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.

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

NEW BUSINESS

a. Delegation to Chair to Approve Certain Types of Applications with Conditions

Mr. Tennis presented to the Commission a proposal to delegate to the Chair the ability to approve with conditions select applications where applicants answered “No” to having had criminal history despite criminal background checks revealing that applicants failed to disclose criminal history. At its June 2023 meeting, the Commission approved two applicants who failed to disclose prior criminal history where it was determined that the criminal history in question was significantly aged and/or did not indicate a pattern of criminal behavior. The approvals came with conditions following passing the exam and subsequent obtainment of the license. The conditions included but were not limited to completing a continuing education course, which would not count toward the calculation of total continuing education hours required for licensure or renewal, within a specified time period of becoming licensed. If the licensee failed to comply with the conditions, the license would be administratively suspended pending compliance or further order of the Commission.

The proposed delegation would allow, but not require, the Chair to approve an administrative consent agreement with conditions that would substantially mirror the aforementioned conditions from the June 2023 meeting. Thus, applicants would have the option to enter into an administrative consent agreement instead of being required to appear before the Commission for an application hearing.

Motion: To allow for this administrative consent agreement option by delegating to the Chair to the ability to approve, with conditions, applications that failed to disclose criminal history on their applications but the criminal background checks revealed criminal history that does not rise to the level necessitating an application hearing.
Moved by Mr. Bethune and seconded by Mr. Rinehart, the motion carried by unanimous vote.

PUBLIC COMMENTS

None

ADJOURNMENT

Motion: To adjourn.

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

The meeting adjourned at 3:41 pm.