

South Carolina Real Estate Commission
Education Taskforce Teleconference Meeting Minutes
Wednesday, August 2, 2023 at 1 p.m.

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. The telephone number and access code were provided on the posted agenda for members of the public wishing to join.

Taskforce Members Present:

David Burnett – Commissioner, Taskforce Chair
Gary Pickren – Commissioner
John Rinehart – Commissioner
Carol Pyfrom
Dianna Brouthers
Jim Moody
Austin Smallwood, Esq., SCR

SCLLR STAFF PRESENT:

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

PRESENT:

Travis McCloud, Court Reporter
Jackie Stone

CALLED TO ORDER: Mr. Burnett, Chair, called the meeting to order at 1:00 p.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.

Moved by Ms. Brouthers and seconded by Mr. Rinehart, the motion was approved unanimously.

INTRODUCTION OF TASKFORCE MEMBERS AND STAFF

Taskforce members and staff introduced themselves.

FINAL COMMENTS ON REGULATIONS 105-6

Mrs. Buttler reviewed the proposed changes to Regulations 105-6. The Taskforce revisited the allowance for continuing education (CE) course minimum to be one hour. After group discussion the Taskforce recommended keeping the regulation as is and notifying the Commission of the request from SCR and subsequent discussion regarding changing the minimum requirement for CE courses to one hour.

Ms. Brouthers suggested that under 105-6(D)(2)(b) and (c) of the proposed regulations for core course hour requirement, the word “continuous” be added before “hours” in each subsection. The Taskforce accepted the proposed amendments with amendments discussed.

REGULATION REVIEW: REGULATIONS 105-8

Mrs. Buttler presented the proposed amendments to Regulation 105-8. The proposed amendments focused on reorganizing the current regulations for easier reading, removed redundant regulations, and added distinction for pre-licensing and CE. This reorganization ensures all courses and instructors are meeting the same requirements while increasing understanding of the requirements.

The Taskforce went through each proposed section:

Section 105-8(A)

Proposed edits covers teaching methods. The majority of the amendments were focused on reorganizing current regulations and incorporating the hybrid language for in-person and distance learning synchronous and asynchronous courses. Amendments also include language correction, reflective of ARELLO and IDECC standards as well. The Taskforce accepted the proposed amendments as presented.

Mr. Tennis stated his concerns with using the term “hybrid” instruction as it was an undefined term the scope of which appeared covered by existing language. He advised the returning “or approved virtual environment” — the language that was proposed to be stricken from A(1)(a) — to after “physical classroom.” He also advised that the terminology be kept consistent throughout the regulations and with statutes (i.e. under A(1)(b) replace “Instructors licensed” with “Instructors approved”).

The Taskforce accepted the proposed amendments as presented.

Section 105-8(B)

Mrs. Buttler removed regulations regarding building requirements as buildings must meet building codes requirements which cover what is in the current regulation. The Taskforce accepted the proposed amendments as presented.

Section 105-8(C)

The majority of the amendments to this section are reorganization of the current regulations. Mr. Pickren questioned why can the pass rates not be used in advertising. Mrs. Buttler and Mr. Tennis explained that it is to protect students and reduce the Commission’s liability for incorrect usage of the Commission’s published statistics. The Taskforce requested language clarifying that *the Commission’s* school reports regarding passage rates cannot be used in advertising, which is already provided for in regulation. However, schools can use their internal data so long as they are able to substantiate the claim.

Section 105-8(D)

This section is regarding recruitment and solicitation as well as what is and is not allowed during instruction time. Mr. Pickren believes the language in the first section is contradictory, it is difficult to discern if recruitment and solicitation is allowed or not. Discussion ensued

regarding what does and does not qualify as recruitment. Members voiced concerns regarding recruitment and solicitation during instructional time. The Taskforce intends to seek further direction from the Commission on this issue.

Mr. Tennis suggested removing the second section that was added to 105-8(D). There were voiced concerns regarding the second section involving potential disciplinary action against the licensed broker-in-charge or property manager-in-charge if offices violate this regulation. Mrs. Buttler stated she, Mr. Tennis, and Mrs. Middleton will rework 105-8(D) and return it to the Taskforce for review.

Section 105-8(E)

Mrs. Buttler stated all amendments were reorganization of existing regulations. The Taskforce accepted the proposed amendments as presented.

PUBLIC COMMENTS

None

ADJOURNMENT

Motion: To adjourn.

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

The meeting adjourned at 2:11 p.m.