

South Carolina Real Estate Commission
Special-Called Teleconference Meeting Minutes
Thursday, May 30, 2024 at 2:00 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.

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:

Erica Wade, Commission Executive
Joi Middleton, Education Manager
Ashlynn Brown, Administrative Coordinator
Meredith Buttler, Program Director
Kyle Tennis, Esq., Office of Advice Counsel
Wattie Wharton, Lead Investigator, Office of Investigations and Enforcement
Jennifer Stillwell, Chief Inspector, Office of Investigations and Enforcement
Roger Richardson, Inspector, Office of Investigations and Enforcement
Todd Bond, Program Manager, Office of Investigations and Enforcement

PRESENT:

Katherine Boone, Court Reporter
Austin Smallwood, Esq., SCR

CALLED TO ORDER: Mr. Lee, Chair, called the meeting to order at 2:01 p.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.

Moved by Mr. Stackhouse and seconded by Mr. Wilkerson, the motion was approved unanimously.

INTRODUCTION OF COMMISSION MEMBERS AND STAFF

Commissioners and staff introduced themselves.

OLD BUSINESS

a. Inspections- Kyle Tennis

i. Updated Inspection Forms

Mr. Tennis presented the updated inspection forms to the Commission. He explained what information and questions were added to the forms since the last update. Mr. Tennis asked if the Commissioners had any edits for the forms. The Commissioners had no recommended edits. After review with legal counsel, staff will bring final forms to the June 12th Commission Meeting for approval.

ii. Inspection Process and Elevating Inspection Issues to Complaints

Mr. Tennis presented two flowcharts to the Commission; one for the process of a failed initial inspection and a failed re-inspection and the other for the process of an inspector unable to inspect an office after multiple attempts to do so. Both flowcharts show the potential process elevating the inspections process to a complaint for investigation.

Mr. Tennis reminded Commissioners that with the recent signing of Bill H.4754, the Commission now has citation authority for unlicensed practice. Mr. Tennis advised to discuss citation authority and parameters during the June 12th Meeting. Meredith will create an investigation process guidelines similar to the what was previously created for the Investigative Review Conference.

Mr. Wilkerson asked how often inspections receives push back from licensees. Mrs. Stillwell and Mr. Richardson explained that they contact licensees to set up and inspection and at the last minute the licensee cancels the inspection. It then becomes quite difficult to contact the licensee to reschedule the inspection. Inspectors reach out multiple times to licensees via calls, emails, and letter to reschedule and they do not receive a response.

The flowchart for the process of an inspector unable to inspect an office after multiple attempts being elevated to a complaint would be useful.

Staff plans to send out an e-blast to notify licensees that the inspections are legitimate and provide information regarding the inspection process and expectations.

b. Memos and Bulletins – Kyle Tennis

i. Coming Soon Memo

Mr. Tennis presented the Coming Soon Memo for the Commission's approval. This memo is in regards to coming soon listings and the advertisement of those listings. The Commission requested that the quoted statute be checked due to the recent statute changes. Mr. Pickren recommended additional verbiage differentiating between local MLS or association rules and the Commission's laws and regulations that all licensees must follow.

Motion: To have chairman approve the Coming Soon memo with recommended edits before posting to the Commission website.

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

ii. Advertising Memo

Mr. Tennis requested to table this agenda topic as the statutes have changed. He will redraft due to legislative changes, and bring this topic to June 12th meeting.

iii. Use of Showing Agents Bulletin

Mr. Tennis presented the Use of Showing Agents Bulletin for the Commission's approval. He provided a brief overview regarding the reason for the bulletin. Mr. Pickren inquired if the Commission can send letters to companies provided inaccurate information regarding South Carolina? Mr. Tennis advised he will look into the possibility of sending correspondence to companies with inaccurate information. Mr. Rinehart requested that this bulletin also be included in an e-blast to licensees. Staff advised they will send the bulletin as part of an eblast and also post to the Commission website.

Motion: To approve the bulletin subject to chairman's approval

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

NEW BUSINESS

a. Remediation Course Topics- Erica Wade and Meredith Buttler

Mrs. Buttler and Mrs. Wade presented a list of potential remediation course topics for Commission approval.

b. Mandatory Core Course Topics- Erica Wade and Meredith Buttler

Mrs. Buttler and Mrs. Wade presented a list of potential mandatory core course topics for Commission approval.

Mr. Pickren inquired if the Course has been checked to ensure compliance with the new statute changes. Mrs. Buttler stated that Mrs. Middleton and Mrs. Wade will review to ensure compliance with the new statutes.

Mr. Burnett shared that instructors are conflicted on what material should be taught in preparation for the State exam, the old statute or the new statutes. Mrs. Middleton stated that staff will meet with PSI in June to provide updates regarding statutes so that the exam will be in compliance with the new statutes.

Staff will also send an eblast to instructors regarding implementation of the new statutes for examinations and updated education regulations.

Motion: To approve Remediation and Mandatory Course topics as presented.

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

PUBLIC COMMENTS

Mr. Pickren requested that the new statutes regarding teams be a future agenda topic.

ADJOURNMENT

Motion: To adjourn.

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

The meeting adjourned at 3:05 p.m.