

**South Carolina Real Estate Commission
Meeting Minutes**

Wednesday, March 12, 2025 at 10:00 am
110 Centerview Dr., Kingtree Building, Upstate Conference Room
Columbia, South Carolina 29210

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.

Commissioners Present:

John Rinehart, Chair – 5th Congressional District
David Burnett, Vice-Chair – 4th Congressional District
Candace Pratt – 1st Congressional District
Allen Wilkerson – 2nd Congressional District
Janelle Mitchell – 6th Congressional District
Gary A. Pickren, Esq. – At-Large Member

SCLLR STAFF PRESENT:

Meredith Buttler, Program Director
Ashlynn Brown, Administrative Coordinator
Brandy Duncan, Esq., Office of Advice Counsel
Shannon Davis, Esq., Office of Disciplinary Counsel
Wattie Wharton, Lead Investigator Office of Investigations and Enforcement
Chuck Waters, Office of Investigations and Enforcement
Chuck Turkal, Office of Investigations and Enforcement
Jennifer Farmer, Office of Investigations and Enforcement
Eboni Best, Administrative Coordinator

PRESENT:

Nadine Garrett, Court Reporter
Austin Smallwood, Esq., SCR
Jessica Lewis
Thomas Burch
Michael Smith
Almeta Pitts
Alisson Grell
Velerie Durant
SCR 2025 Leadership Academy

CALLED TO ORDER: Mr. Rinehart called the meeting to order at 10:02 a.m.

INVOCATION

Mrs. Mitchell gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all present.

INTRODUCTION OF COMMISSIONERS AND STAFF

Commissioners and staff introduced themselves.

APPROVAL OF EXCUSED ABSENCES

Motion: To approve the absence of Johnathan Stackhouse, Andy Lee, and W. Brown Bethune. Mr. Pickren made a motion to approve, which was seconded by Mrs. Mitchell. The motion carried by unanimous vote.

APPROVAL OF AGENDA

Motion: To approve the agenda with amendments Mrs. Pratt made a motion to approve, which was seconded by Mrs. Mitchell. The motion was carried by unanimous vote.

APPROVAL OF MEETING MINUTES

Motion: To approve the February 12, 2025 meeting minutes with amendments. Mrs. Pratt made a motion to approve, which was seconded by Mr. Pickren. The motion carried by unanimous vote.

Motion: To approve the February 21, 2025 Special-Called meeting minutes. Mrs. Pratt made a motion to approve, which was seconded by Mr. Burnett. The motion carried by unanimous vote. Mrs. Mitchell abstained from voting.

CHAIRMAN'S REMARKS

Mr. Rinehart welcomed members of the SCR 2025 Leadership Academy.

STAFF REPORTS

- a. Office of Investigations and Enforcement (OIE) Report
Mr. Wharton reported that from January 1, 2024, to March 5, 2025, 131 complaints have been filed. OIE currently has 25 active investigations and 1 case has been closed during that time period.
- b. Investigative Review Conference (IRC) Report
Mr. Wharton reported that the IRC met on February 26, 2025, via WebEx. The IRC recommends the following: 13 cases for dismissal, 7 case for a letter of caution, 2 cases for Cease and Desist, and 7 formal complaints.

Commissioners Burnett and Pickren inquired what the reasoning was for the recommendations of cases 2024-817, 2024-869, 2023-381, 2024-888, 2024-607 through 609, 2024-801, and 2024-271. Mr. Wharton and Mrs. Davis explained the reasoning for the IRC recommendation on the mentioned cases. Mr. Burnett requested the topic of unlicensed practice be added as a future agenda item. Mr. Pickren requested the topic of vacant land scams be added as a future agenda item.

Motion: To enter into executive session for legal advice where no votes will be taken.
Moved by Mr. Pickren and seconded by Mr. Wilkerson, the motion carried by unanimous vote.

Motion: To exit executive session and return to public session.
Moved by Mr. Pickren and seconded by Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To move case 2024-888 to the next Commission meeting for review.
Moved by Mr. Burnett and seconded by Mrs. Pratt, the motion carried by unanimous vote.

Motion: To accept IRC recommendations with amendments.
Mr. Burnett made a motion to accept the IRC recommendations with amendments, which was seconded by Mrs. Mitchell. The motion was carried by unanimous vote. Mr. Pickren abstained from all cases involving wholesaling.

The Commission requested that Case# 2024-888 be carried over to the next Commission meeting in April.

- c. Office of Disciplinary Counsel (ODC) Report
Mrs. Davis reported as of February 27, 2025, there are 52 open cases of which 10 are pending hearings and agreements, 0 pending closure, 0 appeals, and 2 have been closed since the last report.

DISCIPLINARY HEARING

- a. 2023-275
The purpose of this hearing was to consider the Stipulations of Fact for Case No. 2023-275.

Disciplinary hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

The Commission heard the Stipulation of Facts from Disciplinary Counsel Davis, testimony from the Respondent, and asked questions of the Respondent.

Motion: With respect to Case No. 2023-275, it was moved that the case be dismissed and a Letter of Caution issued. Moved by Mr. Pickren and seconded by Mrs. Pratt, the motion carried by unanimous vote.

APPLICATION HEARINGS

a. Almeta Pitts

Ms. Pitts appeared before the Commission for an associate 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.

Mrs. Pitts testified and answered questions from the Commission.

Motion: To enter into executive session for legal advice where no votes will be taken.
Moved by Mr. Pickren and seconded by Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To exit executive session and return to public session.
Moved by Mrs. Pratt and seconded by Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To approve Ms. Pitts to sit for the Associate exam.
Moved by Mr. Pickren and seconded by Mrs. Pratt, the motion carried by unanimous vote.

Motion: For staff to file a complaint against Mrs. Pitts current Broker-in-Charge based on testimony from Mrs. Pitts that indicates violations of the Practice Act may be taking place.
Moved by Mr. Pickren and seconded by Mrs. Mitchell, the motion carried by unanimous vote.

b. Jessica Lewis

Ms. Lewis appeared before the Commission for an associate application hearing. She waived her right to counsel. Ms. Lewis and Gregory Tate were sworn in by the court reporter. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Ms. Lewis and Mr. Tate testified and answered questions from the Commission.

Motion: To approve Ms. Lewis to sit for the associate exam.
Moved by Mrs. Mitchell and seconded by Mrs. Pratt, the motion carried by unanimous vote.

c. Tiara Harvard

Ms. Harvard did not appear. Ms. Harvard's application hearing will be move to the next available date for application hearings.

d. Velerie Durant

Ms. Durant appeared before the Commission for an associate 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.

Ms. Durant testified and answered questions from the Commission.

Motion: To approve Ms. Durant to sit for the associate exam.

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

NEW BUSINESS

a. Manufactured Homes on Leased Land- Gary Pickren

Mr. Pickren shared that he has received many calls from licensees regarding this topic. He came to the conclusion that not many licensees or lawyers are aware of requirements and licensure as specified by the Manufactured Housing Board.

Motion: For Mrs. Duncan to draft and finalize a guidance document regarding the selling of manufactured homes and to post to the Commission website with chair approval.

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

d. Clarification of SC Code 40-57-710(B)- Brandy Duncan

Mrs. Duncan requested clarification of SC Code §40-57-710(B). If a complaint is filed against a licensee and the licensee is only ordered a Letter of Caution as a result of the complaint, should the Broker-in-Charge or Property Manager-in-Charge of the licensee also receive an update on the complaint?

Motion: For staff to include the Broker-in-Charge or Property Manager-in-Charge of the supervised licensee on the Letter of Caution should the supervised licensee be ordered a Letter of Caution as the result of a complaint.

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

STAFF REPORTS

d. Board Executive Report

Mrs. Buttler provided the Executive report on behalf of Mrs. Wade. Mrs. Buttler reported there are currently 7,283 active broker-in-charge licensees; 4,918 active broker licensees; 33,840 active associate licensees; 1,552 active property manager-in-charge licensees; and 2,007 active property manager licensees. The Commission was also presented the totals for timeshare salesperson registrants, real estate or property management office registrations, and initial application volume from 2015 to present.

The Commission's current account balance as of January 31, 2025 is \$5,631,368.37. The Cash balance report for the Education and Research Fund as well as the Timeshare Fund was included in the meeting materials.

Staff is continuing to prepare for renewals which will begin April 1, 2025. Staff requested that when Commissioners are speaking with members of their associations, that they

advise them that if they are up for renewals in this cycle to please ensure that their emails, address, and contact information is accurate with LLR. Staff will begin sending out renewal reminders soon.

Erica Wade, Board Executive and Joi Middleton, Education manager presented at the Western Upstate Association of Realtors on February 26, 2025. Staff has been asked to give LLR updates to the Brokers in that area. There were over 50 Brokers in attendance.

The ARELLO Legal Exchange Conference that was scheduled to take place in July in Denver, Colorado has been canceled.

The ARELLO Investigation Conference was moved and will now be held in Oklahoma City in October, the exact date is still has not been released.

Mr. Wilkerson requested additional information for the cash summary report for the next Commission meeting.

e. Education Report

Mrs. Middleton presented two forms previously reviewed by the Commissioners: the synchronous course expectations and the standards for online proctoring.

These forms were presented for Commission review and approval. If approved, the forms will be posted on the Commission website for educators to reference. If there are not any adjustments or questions regarding the forms, staff asks that the forms be approved for distribution to providers.

The Commission requested more research with ARELLO regarding the standards for synchronous course offering.

Mrs. Middleton stated that the Commercial core course will be offered virtually on two dates; April 8th from 9am-1pm and May 13th from 9am-1pm. A notification regarding these sessions was sent to licensees.

At the suggestion of the Commissioners, staff has received approval to develop a survey link for students to complete at the end of their pre-licensing course. Once this survey is developed a copy will be presented to the Commission for review.

OLD BUSINESS

a. Property Management Licensure for Property owned by LLCs or Other Businesses- Brandy Duncan

At the February 12, 2025 Commission meeting, Mrs. Duncan informed the Commission that staff has been receiving calls and emails from individuals arguing that individual owners of property do not believe they need their employees to be licensed to operate as property managers or real estate licensees. Mrs. Duncan proposed that the Commission request the Attorney General's office provide a new clarifying opinion. The Commission charged Mrs. Duncan to draft a request letter to the Attorney General's office for this topic.

NEW BUSINESS

b. Builder Carve Out- Gary Pickren

Mr. Pickren shared concerns that South Carolina does not have a Builder Carve Out, other states like North Carolina or Georgia do. Mr. Pickren believes that Builders and Real Estate licensees need clarification on what they can and cannot do. The Commission charged Mrs. Duncan to review possibilities for a builder carve out or to determine what routes the Commission may take in order to handle this issue.

c. Potential need for agency guidance document discussion- Gary Pickren

Mr. Pickren shared concerns that licensees still do not understand what interference of agency is, even though the Commission has made their stance on the subject clear numerous times. Mr. Pickren recommended that a guidance document would be useful for licensees. The Commission charged Mrs. Duncan to draft an Interference of Agency guidance document for Commission approval.

PUBLIC COMMENTS

Mr. Smallwood inquired if licensees should do anything different when signing up for the Commercial Core Course? Mrs. Buttler stated no, that licensees only need to sign up for the course using the link provided in the email notification.

Mr. Smallwood offered SCR assistance to Mrs. Duncan for drafting the Manufactured Homes guidance document.

Thomas Burch requested the Commission hear him out regarding his canceled licensure. As this was not a hearing, the Commission could not offer any advice or decisions on the matter. Mrs. Buttler explained that if a licensee does not renew their license by June 30th of the license expiry year, then the license will lapse. Prior to the May 21, 2024 statutory changes, if lapsed licenses did not reinstate their license by December 31st of the license expiry year, then the license would cancel. Canceled licensees wishing to obtain licensure again must reapply using a paper application and follow the current licensure requirements.

ADJOURNMENT

Motion: To adjourn.

Moved by Mr. Wilkerson and seconded by Mr. Stackhouse. The motion carried by unanimous vote.

The meeting adjourned at 1:57pm