

**South Carolina Real Estate Commission
Meeting Minutes**

Wednesday, April 23, 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
Daniel Moskowitz – 1st Congressional District
Allen Wilkerson – 2nd Congressional District
William “Andy” Lee – 3rd Congressional District
Janelle Mitchell – 6th Congressional District
Gary A. Pickren, Esq. – At-Large Member
Johnathan Stackhouse – Public Member
Thomas Dugas, Esq. – Public Member

SCLLR STAFF PRESENT:

Erica Wade, Commission Executive
Ashlynn Brown, Administrative Coordinator
Brandy Duncan, Esq., Office of Advice Counsel
Meredith Buttler, Program Director
Chris Elliott, 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
Kasey Williams, Office of Investigations and Enforcement
Eboni Best, Administrative Coordinator
Jennifer Stillwell, Chief Inspector, Office of Investigations and Enforcement

PRESENT:

Elizabeth Holt, Court Reporter
Austin Smallwood, Esq., SCR
Candace Pratt
Joe Tucker
Catherine Outlaw
Darmaine Whaley
Charline Vilchis
Kirk Thornton
Tammy Goldstein

Ann Ponce
Ben Lowe
Ross Durant, Esq.
Stanley Edmonds
Jonathan Gist
Mr. Rothrock
Regina Cagle

CALLED TO ORDER: Mr. Rinehart called the meeting to order at 10:19 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 W. Brown Bethune.

Mr. Stackhouse 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 the amendment to move applicant Elizabeth Holt to the next available application hearing date.

Mr. Lee 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 March 12, 2025 meeting minutes.

Mr. Wilkerson made a motion to approve, which was seconded by Mr. Burnett. The motion carried by unanimous vote. Mr. Stackhouse, Mr. Lee, Mr. Dugas, and Mr. Moskowitz abstained from voting as they were not present at the March 12th meeting.

COMMISSION PURPOSE & CHAIRMAN'S REMARKS

The purpose of the Real Estate Commission is to regulate the real estate industry so as to protect the public's interest when involved in real estate transactions. The Commission also investigates complaints and conducts application and disciplinary hearings in accordance with State statutes and regulations.

Mr. Rinehart introduced newly appointed Commissioners Thomas Dugas, Esq. (public member) and Daniel Moskowitz (1st Congressional District)

PRESENTATION OF SERVICE PLAQUE TO CANDACE PRATT

Mr. Rinehart presented former Commissioner Candace Pratt with a Service Plaque in appreciation of her outstanding service as a member of the Commission, efforts to promote professionalism to the real estate practice, and dedication to public protection from 2013-2025.

APPLICATION HEARINGS

a. Kirk Thornton

Mr. Thornton appeared before the Commission for an Associate application hearing. He was represented by Mr. Tommy Goldstein, Esq. Mr. Thornton, Ms. Cagle, and Mr. Rothrock, were sworn in by the court reporter, testified, and answered questions from the Commission. Application hearings 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. Burnett and seconded by Mr. Lee, the motion carried by unanimous vote.

Mr. Stackhouse left the meeting at 11:25am.

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

Motion: To approve Mr. Thornton to sit for the Associate exam with the conditions that if he ever wants to upgrade his license to Broker, he will have to appear before the Commission for another hearing. Mr. Thornton will also be required to complete eight hours of Continuing Education in the areas of trust accounts and fiduciary duties before he can obtain licensure, these hours will not count towards the required Continuing Education for licensure renewal.

Moved by Mr. Pickren and seconded by Mr. Wilkerson. The motion passed by a vote of six in favor and two opposed.

b. Ann Ponce

Ms. Ponce appeared before the Commission for an associate application hearing. She was represented by Ross Durant, Esq. and was sworn in by the court reporter, testified, and answered questions from the Commission. 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 Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To return to open session

Moved by Mr. Lee and seconded by Mr. Moskowitz, the motion carried by unanimous vote.

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

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

c. Joe Tucker

Mr. Tucker appeared before the Commission for an Associate application hearing. He waived his right to counsel and was sworn in by the court reporter. Mr. Tucker testified and answered questions from the Commission. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Tucker to sit for the Associate exam.

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

d. Catherine Outlaw

Ms. Outlaw appeared before the Commission for an Associate application hearing. She waived her right to counsel and was sworn in by the court reporter. Ms. Outlaw testified and answered questions from the Commission. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Outlaw to sit for the Associate exam.

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

e. Charline Vilchis

Ms. Vilchis appeared before the Commission for an associate application hearing. She waived her right to counsel and was sworn in by the court reporter. Ms. Vilchis testified and answered questions from the Commission. 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. Lee and seconded by Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To return to open session

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

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

Moved by Mr. Lee and seconded by Mr. Moskowitz, the motion carried by unanimous vote.

f. Stanley Edmonds

Mr. Edmonds appeared before the Commission for an associate application hearing. He waived his right to counsel and was sworn in by the court reporter. Mr. Edmonds testified and answered questions from the Commission. Application hearings 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 Mrs. Mitchell, the motion carried by unanimous vote.

Motion: To exit executive session and return to public session.

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

Motion: To deny Mr. Edmonds to sit for the associate exam.

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

g. Jonathan Gist

Mr. Gist appeared before the Commission for an Associate application hearing. He waived his right to counsel and was sworn in by the court reporter. Mr. Gist testified and answered questions from the Commission. Application hearings are recorded by a certified reporter in the event a verbatim transcript is necessary.

Motion: To approve Mr. Gist to sit for the Associate exam.

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

Mr. Stackhouse returned to the meeting at 2:15pm.

INSPECTIONS

a. Proposed New Process- Meredith Buttler

Mrs. Buttler stated that the Commission had created the Inspection taskforce in 2023. The taskforce had reviewed and updated the inspection forms for the Inspections team. In mid-2024 the taskforce presented the updated inspection forms and a preliminary process of how the inspections would work. The Commission reviewed the documentation and information at the February 12, 2025 Commission Meeting, but tabled the approval due to Commission recommendations. Since that time, staff has been working on updating the inspection process to include the recommendations from the Commission and to include the citation process. Mrs. Buttler provided a brief overview of the updated inspection process that included documentation for the Commission to review.

Motion: To approve with amendments.

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

Mr. Stackhouse left the meeting at 3:01pm.

b. Proposed Inspection Form and Guidelines- Meredith Buttler

Mrs. Buttler presented the updated inspection form, appendixes, and guidelines. Previously the form was separated into one for Brokerages and one for Property Management. Staff has updated the inspection form and appendixes into one form for both office types, to include the updated laws. The form has been reformatted, but includes the same questions as in the previously presented forms and appendixes. The Commission had a few additional recommendations for the form.

Motion: To approve the form, appendixes, and guidelines with amendments.

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

c. Proposed Citation Form- Meredith Buttler

Mrs. Buttler presented the updated citation form and guidelines with the Commission's previously requested amendments. The Commission discussed the documentation and had minimal amendments to the form.

Motion: To approve the form and guidelines with amendments.

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

STAFF REPORTS

a. Office of Investigations and Enforcement (OIE) Report

Mr. Wharton reported that from January 1, 2024, to April 11, 2025, 194 complaints have been filed. OIE currently has 40 active investigations and 4 cases have been closed during that time period.

b. Investigative Review Conference (IRC) Report

Mr. Wharton reported that the IRC met on March 12, 2025, via WebEx. The IRC recommends the following: 23 cases for dismissal, 6 cases for a letter of caution, 0 cases for Cease and Desist, and 2 formal complaints.

Mr. Pickren inquired why case 2024-191 was recommended for a Letter of Caution when it is state law. Mr. Wharton stated the IRC's logic was that the case involved a personal transaction and did not include the respondent's brokerage.

Motion: To accept IRC recommendations as presented with the exceptions of cases: 2024-191 to be sent back to the IRC for further review and 2024-888 to receive a citation.

Moved by Mr. Pickren and seconded by Mr. Lee. The motion was carried by unanimous vote. Mr. Pickren recused from all cases involving wholesaling.

c. Office of Disciplinary Counsel (ODC) Report

Mr. Elliott reported as of April 16, 2025, there are 50 open cases of which 14 are pending hearings and agreements, 0 pending closure, 0 appeals, and 21 have been closed since the last report.

d. Board Executive Report

Mrs. Wade reported there are currently 4,092 active broker-in-charge licensees; 3,211 active-in-renewal broker-in-charge licensees; 2,807 active broker licensees; 2,130 active-in-renewal broker licensees; 19,028 active associate licensees; 14,929 active-in-renewal associate licensees; 1,064 active property manager-in-charge licensees; 494 active-in-renewal property manager-in-charge licensees; 1,328 active property manager licensees; and 708 active-in-renewal 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 March 31, 2025, is \$5,403,307.86. The Cash balance report for the Education and Research Fund as well as the Timeshare Fund were included in the meeting materials.

Renewals started April 1, 2025. As of April 23, 2025, the total number of licensees that have renewed is 5,041. She encouraged all BICs and PMICs to ensure their supervisees that have an expiration date of June 30th, renew their licenses expeditiously.

On March 25, 2025 Joi Middleton and Mrs. Wade presented at the Coastal Carolinas Association of Realtors Leadership Academy. They provided updates on Real Estate Commission matters to attendees; include licensing law changes, CE Requirements, and Investigative and disciplinary procedures.

On April 2, 2025, the Institute of Real Estate Management (IREM) hosted the first Commercial Core Course. There were 210 licensees in attendance. The second session is scheduled for May 13, 2025. This class will mirror the curriculum from the April class.

e. Office of Advice Counsel Update

Mrs. Duncan reported that Melissa Smith, an associate license applicant, had appealed the Commission's denial of her application to the Administrative Law Court.

OLD BUSINESS

a. Vacant Lot Fraud (Draft Document)- Gary Pickren & Brandy Duncan

Mrs. Duncan presented two options for the drafted Vacant Lot Fraud document. Mr. Wilkerson recommended including red flags such as individuals not appearing for a virtual meeting. The Commission approved the document and requested both options for the Vacant Lot Fraud document be provided to the public.

- b. Builder Agent Carve Outs (Draft Document)- Gary Pickren & Brandy Duncan
Mrs. Duncan presented the drafted Builder Agent Carve Out document. After discussion, the Commission requested Mrs. Duncan and Mr. Pickren review the document again based off the Commission's discussion and represent it as a future Commission meeting.
- c. Broker Licensure Extenuating Circumstances- John Rinehart & Brandy Duncan
Mrs. Duncan stated that the Commission received a letter from a South Carolina Senator inquiring about extenuating circumstances for licensees. She explained that the Commission cannot go against South Carolina Law, there are currently no statutes or regulations that provide the Commission with the authority to provide licensure or grace periods due to extenuating circumstances, including medical extenuating circumstances. Mrs. Duncan will work with Chair on a response to the Senator to see if Legislature is interested in giving the Commission authority on extenuating circumstances on a case-by-case basis.

NEW BUSINESS

- a. Change of September Meeting Date- Erica Wade
Mrs. Wade was made aware of scheduling conflicts with the current date for the September Commission meeting and is requesting Commission approval to change the date to September 24, 2025 for the September Commission meeting. The Commission approved.
- b. Payment of Unlicensed Individuals- Gary Pickren
Mr. Pickren explained that this topic is continuing to be a hot issue within the profession. He will work with Mrs. Duncan on a guidance document and bring to the Commission for approval at a future meeting.
- c. Travel Approval- ARELLO Regulatory Investigations Seminar, October 20-22, 2025 in Oklahoma City, OK- Erica Wade
Mrs. Wade requested travel approval for up to eight staff members to attend the 2025 ARELLO Regulatory Investigations Seminar for October 20-22, 2025 in Oklahoma City, Oklahoma.

Motion: To approve for reimbursement of eight staff members to attend the ARELLO Regulatory Investigations Seminar for October 20-22, 2025 in Oklahoma City, Oklahoma.

Moved by Mr. Lee and seconded by Mr. Pickren. The motion carried by unanimous vote

Mr. Burnett requested that the topic of Bill 3947 regarding out of state Continuing Education be added to the May Commission meeting agenda.

PUBLIC COMMENTS

Austin Smallwood of SCR presented questions regarding use of IDX in the practice of real estate. The Commission asked Mrs. Duncan to research the questions and bring her findings to a future Commission meeting.

ADJOURNMENT

Motion: To adjourn.

Moved by Mr. Pickren and seconded by Mr. Lee. The motion carried by unanimous vote.

The meeting adjourned at 4:41pm

STATEMENT OF RECUSAL

In accordance with Section 8-13-700(B), I hereby abstain from all votes, deliberations and other action on the following matter(s):

Any cases on the IRC, report that
involve any allegations of wholesaling.

REASONS FOR DISQUALIFICATION:

Frequent discussion of wholesaling in Podcast.

Signature

Gary Pickren, Esq.

Date

4/23/2025