

MINUTES

South Carolina Real Estate Commission

Wednesday, March 15, 2017, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

Vice Chairman O'Kelley called the meeting of the South Carolina Real Estate Commission to order at 10:00 a.m. Board members participating in this meeting included:

G. Hamlin O'Kelley – Vice Chair - Public Member
Candace Pratt – 1st Congressional District
David C. Lockwood, III, 2nd Congressional District
Andy Lee – 3rd Congressional District
John Rinehart – 5th Congressional District
Janelle Mitchell – 6th Congressional District
Tony Cox – 7th Congressional District
Wayne Poplin – At-Large Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Sharon Cook, Office of Investigations and Enforcement; Rowland Alston, Office of Disciplinary Counsel.

Public Notice:

Vice Chairman O'Kelley announced that public notice of this meeting was properly posted at the S.C. Real Estate Commission Office, Synergy Business Park, Kingstree Building, 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.

Pledge of Allegiance:

The Pledge of Allegiance was recited by all present.

Invocation:

Invocation was offered by Commissioner Rinehart.

Approval of Absences:

David Crigler – Chair – 4th Congressional District
Johnathan Stackhouse – Public Member

MOTION:

Mr. Rinehart made a motion to approve the absence of Mr. Crigler and Mr. Stackhouse. Mr. Poplin seconded the motion, which carried unanimously.

Introduction of Board Members and Staff

Approval of Agenda:

MOTION:

Mr. Cox made a motion to approve the Agenda for today's meeting. Mr. Lockwood seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from February 15, 2017

MOTION:

Mr. Lockwood made a motion to approve the minutes of the February 15, 2017, meeting. Mr. Poplin seconded the motion, which carried unanimously.

Vice Chairman's Remarks:

Hamlin O'Kelley

Vice Chairman Hamlin O'Kelley conducted the meeting today in the absence of Chairman Crigler.

Administrator's Remarks:

Rod Atkinson

1. **IRC Report** - The Commission reviewed the IRC report from March 6, 2017.

MOTION:

Mr. Cox made the motion to approve the *Dismissal* portion of the IRC report from March 6, 2017. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Lee made the motion to approve the *Cease & Desist* portion of the IRC report from March 6, 2017. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made the motion to approve the *Formal Complaint* portion of the IRC report from March 6, 2017. Ms. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the *Letter of Caution* portion of the IRC report from March 6, 2017. Ms. Pratt seconded the motion, which carried unanimously.

2. Mr. Atkinson gave a summary of the legislative activity currently affecting the Real Estate Commission. Discussion ensued.
3. 2017 State Ethics Commission filings – Deadline is March 30, 2017.

DISCIPLINARY HEARINGS

Rachel Lindsey

The Commission held a Disciplinary Hearing regarding Rachel Lindsey. Ms. Lindsey was present and was represented by Michael Ellis and Grady Query, legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Mr. Alston informed the Commission that the parties have signed a Memorandum of Agreement. The Commission reviewed such agreement and discussion ensued.

MOTION:

Mr. Lee made a motion to enter Executive Session to receive legal advice. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion to enter Open Session. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to accept the signed Memorandum of Agreement with the following stipulations:

License will be suspended for a period of two (2) years, stayed upon satisfactory completion of the Broker A and Broker B classes, as well as completion of an audit of her files performed by a Certified Public Accountant, within one hundred and eighty (180) days. Mr. Rinehart seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Michael Rigo

The Commission held a Disciplinary Hearing regarding Michael Rigo. Mr. Rigo was present and was represented by Suzanne Hawkins, legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Discussion ensued.

MOTION:

Mr. Rinehart made a motion to enter Executive Session to receive legal advice. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made a motion to enter Open Session. Ms. Poplin seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made a motion to revoke the license of Mr. Rigo. Ms. Mitchell seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Jennifer Whitlock

The Commission held a Disciplinary Hearing regarding Jennifer Whitlock. Ms. Whitlock was not present and was not represented by legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Discussion ensued.

MOTION:

Mr. Cox made a motion to revoke the license of Ms. Whitlock. Mr. Rinehart seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Anthony Shands

The Commission held a Disciplinary Hearing regarding Anthony Shands. Mr. Shands was present and was not represented by legal counsel. Mr. Shands requested a continuance of this hearing, based on a letter from his attorney. Discussion ensued.

MOTION:

Mr. Rinehart made a motion to grant a continuance to Mr. Shands. Mr. Cox seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Commissioner Lee left the meeting at 2:45 p.m., however, a quorum was maintained.

David Hight

The Commission held a Disciplinary Hearing regarding David Hight. Mr. Hight was not present and was not represented by legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Discussion ensued.

MOTION:

Mr. Rinehart made a motion to revoke the license of Mr. Hight, and issue a Cease and Desist. Mr. Lockwood seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Tenia Cattles

Ms. Cattles signed a Voluntary Relinquishment prior to this meeting, therefore, no hearing was held on her behalf.

MOTION:

Mr. Cox made a motion to adjourn at 3:25 p.m. Ms. Mitchell seconded the motion, which carried unanimously.