

MINUTES

South Carolina Real Estate Commission

Wednesday, May 14, 2014, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

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

Tony Cox – Chair, 7th Congressional District
David Crigler – Vice-Chair - 4th Congressional District
Candace Pratt – 1st Congressional District
Carl Edwards – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
G. Hamlin O’Kelley – Public Member
Wayne Poplin – At-Large Member
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Holly Beeson, Office of the Director; Lauren Kearney, Office of Disciplinary Counsel; and Robbie Boland, Ken Kitts, Tom Cullinan and Sharon Wolfe, Office of Investigations and Enforcement.

Public Notice:

Chairman Cox 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.

Introduction of Board Members and Staff

Excused Absences:

David C. Lockwood, III, 2nd Congressional District

MOTION:

Ms. Pratt made a motion to excuse this absence. Mr. Crigler seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from April 16, 2014

Two changes will be made: Line 27 – changing “Commissioner O’Kelley” to “Chairman Cox”, and line 171 - changing “Mr.” to “Ms.”.

MOTION:

Mr. Edwards made a motion to approve the minutes of the April 16, 2014 meeting, as amended. Ms. Pratt seconded the motion, which carried unanimously.

Approval of Agenda:

It was decided to move Application Hearings after Disciplinary Hearings, and to move Executive Session to just after Application Hearings.

MOTION:

Mr. Biggers made a motion to approve the agenda, as amended. Mr. Harley seconded the motion, which carried unanimously.

Chairman’s Remarks:

Tony Cox

Chairman Cox noted that the Supreme Court recently ruled to allow prayer at city and county council meetings.

MOTION:

Mr. Biggers made a motion to begin future Commission meetings with prayer. Ms. Pratt seconded the motion, which carried unanimously.

Holly Beeson gave a brief update on the status of pending Bills S75 and H3771. She noted that nothing has changed since the last update. Ms. Beeson indicated that the Bill concerning the fee change proposal is moving forward. There has been no negative feedback. If there is no joint resolution to disapprove, it will “time-out” in 120 days and will automatically move forward. Discussion ensued.

Administrator's Remarks:

Rod Atkinson

1. Licensure Update as of May 7, 2014

• Broker	5231
• Broker In Charge	7424
• Property Manager	1297
• Property Manager In Charge	1135
• Salesman	17397
• Salesman (Provisional)	1537
TOTAL ACTIVE	34,021

• Inactive Broker	1559
• Inactive Property Manager	472
• Inactive Salesman	4803
TOTAL INACTIVE	6834

**TOTAL CURRENT LICENSES
AS OF 5/7/14 40,855**

2. Investigations and Enforcement

Sharon Wolfe, Office of Investigations and Enforcement, presented the Commission with an overview of the opened and closed cases from January 1, 2014 – May 5, 2014, as well as for the previous year.

3. Budget update for April 2014 was reviewed.

4. IRC Report - The Commission reviewed the IRC report from May 5, 2014.

MOTION:

Mr. O'Kelley made the motion to approve the IRC report from May 5, 2014. Mr. Crigler seconded the motion, which carried unanimously.

5. Office Inspections Update - Mr. Robbie Boland and Mr. Ken Kitts addressed the Commission regarding the progress being made to audit Real Estate offices. Mr. Kitts noted that many office inspections are being done in homes, rather than business offices. He also noted that many offices are open, but without activity. It was also mentioned that accounting processes are changing because of the advancement of technology. Many Brokers in Charge are not aware of the proper software programs to purchase that will benefit their needs the most. Overall, the process is successful and the objectives are being realized.

DISCIPLINARY HEARINGS

Julie Van Slambrook

The Commission held a Disciplinary Hearing regarding Ms. Julie Van Slambrook. Ms. Van Slambrook was properly notified of the Hearing. She was present, however, she waived her right to legal counsel. Lauren Kearney, Office of Disciplinary Counsel, represented the State and presented the case. Ms. Kearney advised the Commission that Ms. Van Slambrook had signed a Memorandum of Agreement and presented a copy of same to the Commission members. Discussion ensued.

MOTION:

Mr. Crigler made a motion to enter Executive Session. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Harley made a motion to enter Open Session. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made a motion to revoke the Respondent's license. Mr. Crigler seconded the motion, which carried unanimously.

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

Kevin Mayberry

The Commission held a Disciplinary Hearing regarding Mr. Kevin Mayberry. Mr. Mayberry was properly notified of the Hearing, however, he did not appear before the Commission and waived his right to legal counsel. Lauren Kearney, Office of Disciplinary Counsel, represented the State and presented the case. Discussion ensued.

MOTION:

Mr. Biggers made a motion to enter Executive Session. Mr. Harley seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. O'Kelley made a motion to revoke the Respondent's license and impose a \$1000 fine for each of the seven (7) violations. Mr. Crigler seconded the motion, which carried unanimously.

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

LUNCH BREAK

MOTION:

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

MOTION:

Mr. Biggers made a motion to enter Open Session. Mr. Edwards seconded the motion, which carried unanimously.

APPLICATION HEARINGS

Christopher Ganser

Mr. Ganser did not appear, therefore, no hearing was held.

New Business

Short Sale Offer and Auction – Bryan Crabtree addressed the Commission to present an issue concerning foreclosure sales going to Auction.com and being advertised for much less than the selling price to entice bids. Discussion ensued. The Commission advised that someone should file a written complaint so that a full investigation can be performed to determine the legality of this practice.

Mr. Stackhouse left the meeting at 1:30 p.m. however, a quorum was maintained.

Unfinished Business

Selection of Investigative Review Committee member – The Commission reviewed existing resume's for selection of an additional member of the IRC.

MOTION:

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

MOTION:

Mr. Harley made a motion to enter Open Session. Mr. O'Kelley seconded the motion, which carried unanimously.

MOTION:

Mr. O'Kelley made a motion to select Mr. William L. Beckwith, III, to serve on the IRC. Mr. Crigler seconded the motion, which carried unanimously.

Public Comments:

Mr. Jon B. Sontag (rel. 81389 LAPSED) addressed the Commission to express concern because he is being required to take the Pre-Licensing coursework to obtain his license in South Carolina. Mr. Sontag did not renew his license in 2013, and as a result, his license lapsed on December 31, 2013. Mr. Sontag was reminded that the Real Estate licensing law does not allow a lapsed license to be reinstated, and that he is required to re-qualify for examination, and that involves re-taking the Pre-Licensing coursework.

MOTION:

Mr. Biggers made a motion to adjourn. Mr. Poplin seconded the motion, which carried unanimously.

Adjournment

The meeting was adjourned at 2:30 p.m.