

## **MINUTES**

### **South Carolina Real Estate Commission**

**Wednesday, May 18, 2016, 10:00am**

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

#### **Meeting Called to Order:**

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

David Crigler – Chair – 4<sup>th</sup> Congressional District  
Candace Pratt – 1<sup>st</sup> Congressional District  
David C. Lockwood, III, 2<sup>nd</sup> Congressional District  
Andy Lee – 3<sup>rd</sup> Congressional District  
Manning Biggers – 5<sup>th</sup> Congressional District  
Tony Cox – 7<sup>th</sup> Congressional District (via teleconference)  
Wayne Poplin – At-Large Member  
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Bonita Lambright, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Sharon Wolfe, Office of Investigations and Enforcement; Alex Imgrund, Office of Disciplinary Counsel.

#### **Public Notice:**

Chairman Crigler 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 Mr. Lockwood.

#### **Excused Absences**

G. Hamlin O’Kelley – Vice Chair - Public Member  
Buccie Harley – 6<sup>th</sup> Congressional District

#### **MOTION:**

Mr. Stackhouse made a motion to excuse Mr. O’Kelley and Mr. Harley. Ms. Pratt seconded the motion, which carried unanimously.

**Approval of Agenda:**

**MOTION:**

Mr. Lockwood made a motion to approve the agenda, with the removal of Naranda Miller and Veldon Bates application hearings. Mr. Lee seconded the motion, which carried unanimously.

**Approval of the Meeting Minutes from April 20, 2016**

**MOTION:**

Mr. Lockwood made a motion to approve the minutes of the April 20, 2016 meeting, with one change on line 102, replacing the word “updated” with “new”. Mr. Poplin seconded the motion, which carried unanimously.

**Introduction of Board Members and Staff**

**Chairman’s Remarks:**

*David Crigler*

Mr. Crigler announced that Alex Imgrund, Office of Disciplinary Counsel, will be leaving the agency to go into private practice. It was agreed that Mr. Imgrund has done an outstanding job for the Commission and will be greatly missed.

Mr. Crigler announced that the new license law has been signed by Governor Haley, and will take effect on January 1, 2017. Interpretation and implementation will require a lot of time and resources. Wayne Poplin will chair a task force to put procedures in place as we move forward with this new legislation.

**Administrator’s Remarks:**

*Rod Atkinson*

Mr. Atkinson introduced a new staff member, Bonita Lambright, Administrative Assistant, to the Commission.

Mr. Atkinson welcomed members of the Coastal Carolina Association of Realtors to the meeting.

**1. Licensure Update as of May 13, 2016**

• Broker	5124
• Broker In Charge	7444
• Property Manager	1444
• Property Manager In Charge	1221
• Salesman	20336
• Salesman (Provisional)	2102
<b>TOTAL ACTIVE</b>	<b>37,671</b>

• Inactive Broker	1593
• Inactive Property Manager	503
• Inactive Salesman	5192
<b>TOTAL INACTIVE</b>	<b>7,288</b>

**TOTAL CURRENT LICENSES  
AS OF 5/13/16 44, 959**

**2. Budget** - The board reviewed the budget reports for April, 2016.

Discussion ensued regarding costs that will be incurred in the implementation of the new License Law.

**MOTION:**

Mr. Lee made a motion to approve the purchase of tablets to be used solely by the Real Estate Commission. The agency currently does not have enough tablets to meet the needs of all boards. Mr. Stackhouse seconded the motion, which carried unanimously.

**3. Investigations and Enforcement**

Sharon Wolfe presented the Commission with an overview of the opened and closed cases from January 1, 2016 – May 12, 2016, as well as the same time frame for the previous year.

**4. IRC Report** - The Commission reviewed the IRC report from May 9, 2016.

**MOTION:**

Mr. Stackhouse made the motion to approve the *Dismissals* portion of the IRC report from May 9, 2016. Ms. Pratt seconded the motion, which carried unanimously.

**MOTION:**

Ms. Pratt made the motion to approve the *Cease and Desist* portion of the IRC report from May 9 2016. Mr. Lee seconded the motion, which carried unanimously.

**MOTION:**

Ms. Pratt made the motion to approve the *Formal Complaint* portion of the IRC report from May 9, 2016. Mr. Stackhouse seconded the motion, which carried unanimously.

**MOTION:**

Mr. Lee made the motion to approve the *Letter of Caution* portion of the IRC report from May 9 2016. Ms. Pratt seconded the motion, which carried unanimously.

Mr. Atkinson informed the Commission that investigators will be attending Pre Licensing Broker A and B, and Property Management classes.

5. Alex Imgrund, Office of Disciplinary Counsel, briefly updated the Commission on pending cases.
6. Nick Kremydas, SCR, addressed the Commission concerning the recently passed Real Estate License Law.
7. Mr. Atkinson gave the Commission an overview of the staffing dynamics of the Real Estate Commission, as well as the Agency, as a whole. The Commission discussed the need to have sufficient staff to adequately implement the new license law which will take effect January 1, 2017. This topic will be discussed again at the June 2016 meeting.

## **APPLICATION HEARINGS**

### ***David Barber***

The Commission held an Application Hearing regarding David Barber. Mr. Barber appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

### **MOTION:**

Mr. Lockwood made a motion to allow Mr. Barber to sit for the sales examination. Mr. Lee 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.)*

### ***Derrick Stanley***

The Commission held an Application Hearing regarding Derrick Stanley. Mr. Stanley appeared before the Commission to present testimony and was not represented by legal counsel. This is the second time that Mr. Stanley has appeared before the Commission. His application was denied in August 2015. Discussion ensued.

### **MOTION:**

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

### **MOTION:**

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

### **MOTION:**

Mr. Stackhouse made a motion to allow Mr. Stanley to sit for the examination, with the stipulation that he be required to hold a provisional license for one year, a sales license for three (3) years, and reappear before the Commission, prior to obtaining Broker status. Ms. Pratt seconded the motion, which failed to pass on a 4/2 vote, with one abstention.

### **MOTION:**

Mr. Lockwood made a motion to deny Mr. Stanley application to sit for the examination. Mr. Biggers seconded the motion, which carried on a 6/1 vote.

Mr. Stanley was advised to wait a period of at least one year before reapplying.

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

***Daniel Kirkland***

The Commission held an Application Hearing regarding Daniel Kirkland. Mr. Kirkland appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

**MOTION:**

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

**MOTION:**

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

**MOTION:**

Mr. Lockwood made a motion to deny Mr. Kirkland's application to sit for the examination, and instructed Mr. Kirkland to wait at least one (1) year before re-applying. Mr. Lee 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.)*

***Shamara Gambrell***

The Commission held an Application Hearing regarding Shamara Gambrell. Ms. Gambrell appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

**MOTION:**

Ms. Pratt made a motion to allow Ms. Gambrell to sit for the examination. Mr. Stackhouse 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.)*

***Roy Randy Conner***

The Commission held an Application Hearing regarding Roy Randy Conner. Mr. Conner appeared before the Commission to present testimony and was represented by Morgan Martin, Legal Counsel. Discussion ensued.

**MOTION:**

Mr. Biggers made a motion to allow Mr. Conner to sit for the sales examination. 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.)*

Mr. Lockwood left the meeting at 1:45 p.m., however a quorum was maintained.

***Perry Robinson***

The Commission held an Application Hearing regarding Perry Robinson. Mr. Robinson appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

**MOTION:**

Mr. Lee made a motion to allow Mr. Robinson to sit for the sales examination. Mr. Poplin 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.)*

***Aaron Fisher***

The Commission held an Application Hearing regarding Aaron Fisher. Mr. Fisher appeared before the Commission to present testimony and was not represented by legal counsel. Discussion ensued.

**MOTION:**

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

**MOTION:**

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

Mr. Cox left the meeting at 2:15 p.m., however a quorum was maintained.

**MOTION:**

Mr. Lee made a motion to allow Mr. Fisher to sit for the Property Manager's examination. Mr. Fisher will be required to work under the supervision of a Property Manager in Charge for at least one (1) year prior to applying to become a Property Manager in Charge.

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

*Thomas Fleenor and Lana Cook did not appear today, therefore, their application hearings were not held.*

**MOTION:**

Mr. Lee made a motion to adjourn at 2:30 p.m. Mr. Poplin seconded the motion, which carried unanimously.