

MINUTES

South Carolina Real Estate Commission

Wednesday, August 17, 2011

Synergy Business Park, Kingstree Building, Conference Room 108

110 Centerview Drive, Columbia, South Carolina 29210

1. Meeting Called to Order:

Tony Cox, Chairman, called the regular scheduled meeting of the South Carolina Real Estate Commission to order at 10:05a.m. Other Board members participating in this meeting included: Manning Biggers; Diana Brouthers; Buccie Harley; Carl Edwards; Scott Mosley; Evelyn Young; Hamlin O'Kelley; Jonathan Stackhouse; and Sarah Takacs.

Staff members participating during the meeting included Jay Pitts, Administrator; Jamie Saxon, Advice Counsel; Tracey McCarley, Education Coordinator; Sharon Wolfe, Investigations and Enforcement; Austin Smith; Robbie Boland; Sheila Gibson, Information Resource Coordinator; and Beau Tiller, Education Manager.

2. Public Notice:

Chairman Cox announced that public notice of this meeting was properly posted at the S.C. Board of Environmental Certification 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.

3. Pledge of Allegiance and Invocation:

The Pledge of Allegiance was led by Chairman Cox.

4. Introduction of Board Members and All Persons Attending:

Chairman Cox introduced two new Board members – Hamlin O'Kelly from Mt. Pleasant, SC and Johnathan Stackhouse from Columbia, SC. Both are public members of the Board. With the addition of these two members, the Board now has filled all seats, therefore, having a full Board. The Board members, staff and members attending the meeting introduced themselves.

5. Absences:

There were no absences.

6. Approval of the May 25, 2011 and July 13, 2011 Meeting Minutes:

MOTION:

Ms. Brouthers made a motion to approve the May 25, 2011 and July 13, 2011 meeting minutes. Ms. Young seconded the motion which carried unanimously.

7. Approval of Agenda

MOTION:

Ms. Brouthers made a motion to approve the agenda with changes for August 18, 2011. Ms. Young seconded the motion which carried unanimously.

8. Chairman's Remarks:

Tony Cox

Chairman Cox had no remarks.

9. Administrator's Remarks for Information:

Jay Pitts

Mr. Pitts announced that Board elections will be conducted at the next Real Estate Commission meeting. Also at the next meeting, the agenda will include the matter of North Carolina wishing to terminate the reciprocal agreement with South Carolina. Chairman Cox added that a resolution of appreciation be prepared for former Board member, Scott Moseley.

a. Investigations report – by Sharon Wolfe

Cases received January 1, 2011 through August 16, 2011

• Active Investigations	117
• Closed	23
• Do Not Open Cases	148
• Pending Board Action	48
• Pending Investigation	5
• Pending IRC	3
TOTAL	344
• Timeshare Investigations	156

Cases closed January 1, 2011 through August 17, 2011

• Closed	222
• Do Not Open Cases	151
• Opened	1
• Pending Motion	1
TOTAL	375
• Timeshare Investigations	143

b. Licensure Update

As of August 16, 2011:

• Broker	5,208
• Broker In Charge	7,577
• Inactive Broker	1,671
• Inactive Property Manager	416
• Inactive Salesman	5,843
• Property Manager In Charge	1,009
• Property Manager	1,194
• Salesman	18,325
• Salesman (Provisional)	654
• Vacation Time Share Registrant	53
TOTAL	41,950

Chairman Cox commented and for new member information that the total number of licensees is down approximately 10,000 from this time last year.

c. ARELLO Annual Meeting - September 28 – October 2, 2011 in Baltimore, Maryland.

Mr. Pitts suggested the Board mark their calendars and to notify him of attendance.

d. Online Applications and Transfers

Mr. Pitts discussed the new initiatives implemented to provide as many services, applications and transfers online as possible. Mr. Pitts commented on staffing issues due to discontinuance of the Office of Licensure. All licensing processes are now conducted by the Real Estate Commission staff. He stated that the turn-around time for processing hardcopy applications is 24 to 48 hours of receiving the application. The current workload is heavy and is being handled by a small staff. The new online services provided to real estate licensees went live August 16, 2011 (yesterday).

Austin Smith, Director's Office, introduced himself and commented on streamlining applications processes online. Mr. Smith is working closely with Robbie Boland to provide these services to licensees. Robbie Boland and Shelia Gibson, Information Resource Coordinator, introduced themselves. Mr. Boland demonstrated and explained several online application processes to the Board. Chairman Cox suggested the continuing education information be included in the online renewal process. Mr. Boland commented on the possibilities of the IT department including this formation by the next renewal cycle. The Board thanked Mr. Boland for the presentation.

e. New Website

Mr. Pitts commented on the changes of the LLR web site. He invited the Board to visit the site and offer feedback.

f. Newsletter

Mr. Pitts commented that the limited staff does not have sufficient time to create a newsletter. Mr. Pitts discussed the possibility of outsourcing to accomplish this task. Mr. Pitts open floor to suggestions from the Board as to how a newsletter can be created, as well as content. Chairman Cox was asked to create a task force to work together in order to create a newsletter for the Real Estate Commission. Chairman Cox suggested that a quarterly newsletter would be a sufficient timeframe. Chairman Cox asked for volunteers to head the task force. Mr. Stackhouse volunteered to head the task force. Ms. Brouthers and Mr. O'Kelly agreed to assist.

g. Staffing

Mr. Pitts addressed this issue previously.

Mr. Pitts informed the Board of his upcoming presentations. On August 18, 2011, Mr. Pitts will be presenting information via webinar at the South Carolina Realtors Association. In addition, he will be in Hilton Head Island, SC on September 13, 2011 to present real estate information and in Greenwood, SC in October 2011. Mr. Pitts commented that the LLR Director is in favor of making presentations to the public.

10. New Business:

a. Approval of IRC Reports – June 21, July 11, and August 8, 2011

MOTION:

Ms. Brouthers made a motion to approve IRC reports. Mr. Biggers seconded the motion which carried unanimously.

b. Legislative Task Force Report – David Crigler

Chairman Cox thanked Ms. Brouthers, Chair of Task Force and Ms. Takacs, Co-Chair, as well as the members of the Task Force for the outstanding job. Mr. Pitts commented that due to having new members on the Board a vote will be tabled until the next Board meeting. Mr. Crigler thanked the Task Force for their efforts naming Dianna Brouthers, Sarah Takacs, James Moody Charles Wyatt, Charles Browne, Linda Watts, Naomi Scipio, and Rusty Garrett. He also thanked

Mr. Pitts, and Mr. Tiller. Mr. Crigler then presented a summary of the proposed legislative changes. See document.

MOTION:

Mr. Harley made a motion to defer this information to the next meeting for a formal vote. Mr. Biggers seconded the motion which carried unanimously.

Discussion:

Ms. Brouthers asked if there would be a discussion with new members before a vote is conducted. Mr. Pitts commented that there will be an orientation session for the new Board members. At that time, a discussion could take place regarding the proposed legislative changes. Chairman Cox agreed. Mr. Pitts suggested that a few members of the Task Force could be present at this session. Chairman Cox, Ms. Brouthers, Charles Wyatt, and David Crigler agreed to attend.

11. Application Appearances:

Terry McDonald

The Commission held an Application Hearing regarding Mr. McDonald. Mr. McDonald appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Mr. Biggers made a motion to go into executive session. Mr. Edwards seconded the motion which was carried unanimously.

MOTION:

Ms. Takacs made a motion to return to public session. Ms. Brouthers seconded the motion which was carried unanimously.

MOTION:

Mr. Biggers made a motion to deny Mr. McDonald's application. Mr. Edwards seconded the motion which was carried unanimously.

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

12. Application Appearances:

William B. Taylor

The Commission held an Application Hearing regarding Mr. Taylor. Mr. Taylor appeared before the Commission to present testimony and waived his right to Counsel.

MOTION:

Ms. Takacs made a motion to approve Mr. Taylor's application to obtain his SC Real Estate license. Mr. Harley 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.)

13. Application Appearances:

John Jefferson

The Commission received the additional required documents from Mr. Jefferson prior to the Board meeting.

MOTION:

Ms. Takacs made a motion to allow Mr. Jefferson to sit for the SC Real Estate Sales Exam. Ms. Brouthers 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.)

14. Application Appearances:

Raymond Nenow

The Commission held an Application Hearing regarding Mr. Nenow. Mr. Nenow appeared before the Commission to present testimony and waived his right to Counsel. Mr. Nenow was accompanied by one witness, Ms. Denise Holly, his present employer.

MOTION:

Ms. Brouthers made a motion to go into executive session. Mr. Harley seconded the motion which was carried unanimously.

MOTION:

Mr. Edwards made a motion to return to public session. Mr. Harley seconded the motion which was carried unanimously.

MOTION:

Ms. Takacs made a motion to approve Mr. Nenow's application to obtain a SC Property Manager's license. Mr. O'Kelly seconded the motion which was carried unanimously.

15. Unfinished Business:

1. Mr. Pitts received a letter from Scott Moseley thanking the Board for his time served with the Commission. Everyone on the Board had received the letter previously.
2. Mr. Pitts provided an updated list of contact information of members. A revised list will be provided via email to all Board members.
3. Mr. Pitts provided a list of dates for upcoming Commission Board meetings.
4. Mr. Pitts informed the Board of serious concerns regarding the renewal period next year. In April 2012 we will begin processing renewals for ALL Real Estate and Appraiser licensees as well as all Real Estate and Appraiser providers, courses, and instructors. The LLR is scheduled to move out of the current location to the State Museum building during this same time frame. Mr. Pitts explained the process of staggering renewals of licensees for the following renewal period of 2014 with the Board's permission.
5. Mr. Pitts provided the remaining meeting dates as a reminder:
September 21 – Legislative Task Force meeting and Disciplinary Hearings/Jamie Saxon
October 19 – Application Hearings/Jamie Saxon
November 8 – Business/Sheridon Spoon
December 8 – Business/Jamie Saxon
September 14 – New member orientation
6. Mr. Pitts discussed the issue of administrator travel. Administrators have been asked to provide information as to whether administrators should attend national conferences. Mr. Pitts has a concern due to the fact of handling three different boards, Real Estate Commission, Real Estate Appraisers Board, and the Athletics Commission. Combined, these three boards conduct annual and mid-year meetings resulting in a total of five conferences. He informed the Board that the issue of the administrator's time out of the office is being reviewed. Mr. Pitts reminded the Board members to register and schedule upcoming conferences. Chairman Cox commented on

the email communication between himself, Charlie Ido, and Catherine Templeton regarding the need and importance of administrator travel.

16. Date of Next Meeting:

Real Estate Commission meeting is September 21, 2011 at 10:00am.

17. Adjournment:

The meeting of the SC Real Estate Commission adjourned at 1:10pm.