

MINUTES

South Carolina Real Estate Commission

Wednesday, August 15, 2012, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

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

Tony Cox – 1st Congressional District

Sarah Takacs – 2nd Congressional District

Carl Edwards – 3rd Congressional District

Evelyn Young – 4th Congressional District

Manning Biggers – 5th Congressional District

Buccie Harley – 6th Congressional District

Johnathan Stackhouse – Public Member

Hamlin O'Kelley – Public Member

Staff members participating during the meeting included Tracey McCarley, Administrator; Wanda Cooke, Administrative Assistant; Jamie Saxon, Advice Counsel; Sharon Wolfe, Chief of Investigators; Joi Middleton, Education Coordinator; and Laura Pace, Finance.

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 led by Chairman Cox.

Excused Absences:

NONE

Approval of the May 23, 2012 Meeting Minutes:

Mr. Edwards requested we make an amendment to line 105, regarding the vacant At-Large seat. Interested parties should contact the *Advice Counsel office of LLR*.

MOTION:

Mr. Harley made a motion to approve the May 23, 2012 meeting minutes with the above mentioned amendments. Ms. Young seconded the motion, which carried unanimously.

Approval of Agenda

MOTION:

Mr. O'Kelley made a motion to approved the August 15, 2012 Agenda. Mr. Edwards seconded the motion, which was carried unanimously.

Chairman's Remarks:

Tony Cox

Administrator's Remarks:

Tracey McCarley

1) Introduction of New Staff

Ms. McCarley introduced 2 new staff members: Evelyn Ford, Administrative Assistant and Joi Middleton, Education Coordinator.

2) A Plaque of Appreciation was presented for Dianna Brouthers, who served on the board from 2009 to 2012. Ms. Brouthers was unable to attend, and the plaque was accepted by David Crigler.

3) Licensure Update

As of August 13, 2012:

- Broker 5,593
- Broker In Charge 7,815
- Inactive Broker 1,903
- Inactive Property Manager 545
- Inactive Salesman 6,874
- Property Manager In Charge 1,088
- Property Manager 1,256
- Salesman 18,008
- Salesman (Provisional) 733

TOTAL 43,815

It was noted that 8352 (approximately 20%) have still not renewed.

4) Investigations and Enforcement Update – *Sharon Wolfe*

Cases received January 1, 2012 through August 10, 2012

- Active Investigations 126
- Closed 13
- Do Not Open Cases 87
- Pending Board Action 53
- Timeshare Investigations 101 (included in active investigations)

TOTAL 279

Cases closed January 1, 2012 through May 21, 2012

- Closed 124
- Do Not Open Cases 97

TOTAL 221

- Timeshare Investigations 95

- 5) Budget Update – Tracey McCarley provided the Commission members with the budget for May and June 2012. Laura Pace, Finance Department, answered questions from the board concerning the budget. Discussion ensued.
- 6) Ms. McCarley reminded the Board of the Insurance Reserve Fund Class being held on September 15, 2012, at the South Carolina Fire Academy. Deadline for reserving a spot is September 10, 2012.
- 7) After each IRC, letters of dismissal and letters of caution are sent to licensees. It was discussed whether the Board would prefer the Chairman sign these or the Administrator.

MOTION:

Ms. Takacs made a motion to allow the Administrator to sign all Letters of Dismissal and Letters of Caution. Mr. Stackhouse seconded the motion, which carried unanimously.

- 8) The 2013 Meeting Dates schedule for the SC Real Estate Commission was distributed and reviewed. Discussion ensued.
- 9) The 2012 ARELLO Conference will be held on September 19 – 23, in Halifax, Nova Scotia, Canada. Ms. McCarley informed the Board that the Administrator is approved to attend, along with 2 members of the Commission. Chairman Cox indicated that according to his earlier conversation with the Agency Director, staff should be able to attend, along with any Commission member who wished to attend. Discussion ensued.

MOTION:

Ms. Young made a motion to get approval to fund any Commission Members who wish to attend this Conference. Ms. Takacs seconded the motion, which carried unanimously.

New Business:

- 1) Approval of IRC Report – June/July 2012 – *Sharon Wolfe*

MOTION:

Mr. Edwards made the motion to approve the IRC reports for June/July 2012. Mr. Biggers seconded the motion, which carried unanimously.

MOTION

Mr. Edwards made a motion to approve members of the Investigations Department and Advice Counsel to be funded to attend the ARELLO Conference. Mr. Stackhouse seconded the motion, which carried unanimously.

Ms. Wolfe indicated that the South Carolina Timeshare Laws need to be strengthened. The current law does not allow regulation and enforcement.

2) Election for vacant At-Large Commission seat.

MOTION:

Mr. O'Kelley made a motion to enter Executive Session to receive legal advice. Ms. Takacs seconded the motion, which carried unanimously.

MOTION:

Mr. Biggers made a motion to enter Public Session. Mr. Harley seconded the motion, which carried unanimously. No votes or decisions were made in Executive Session.

MOTION:

Mr. Biggers made a motion to approve the paper form of voting. Mr. Harley seconded the motion, which carried unanimously.

Each of the candidates who were present, were given an opportunity to introduce themselves to the Commission and briefly state why they desire to become a member of the Commission.

Evelyn Young asked to be recused.

Paper ballots were distributed.

First Vote: No majority was reached.

Second Vote: No majority was reached.

Ms. Ashburn announced that she would like to withdraw her application.

Third Vote: Votes were 4 for Wayne Poplin and 3 for Evelyn Young. Mr. Poplin agreed to accept the vacant At-Large seat.

3) Ms. Takacs distributed a letter from the Hilton Head Area Association of Realtors regarding theft of a lock box on Hilton Head Island and the possible need for criminal background reports. This item will be addressed at the next Commission meeting.

Old Business:

1) Property Disclosure Form

Mr. O'Kelley requested input from the South Carolina Association of Realtors before we finalize and publicize a policy on this issue. Mr. Byron King, representative of SCAR was present at the meeting. Mr. King addressed the Commission and indicated that a rough draft has been approved and will be voted on at the SCAR Conference in Savannah, GA, September 9-12, 2012. Discussion ensued.

MOTION:

Mr. Edwards made a motion to send an e-blast and post this information on our website for the licensees to review and respond to, if desired. This motion was rescinded.

MOTION:

Mr. O'Kelley made to motion to post a DRAFT copy of the Property Disclosure Form, which the South Carolina Association of Realtors has prepared, on the Commission's website and accept public comments until September 15, 2012. Mr. Stackhouse seconded the motion, which carried unanimously.

Unfinished Business:

Tracey McCarley

There was no unfinished business.

Public Comments:

Mr. Anthony G. Bryant did not appear.

Adjournment:

The meeting of the SC Real Estate Commission adjourned at 11:50 a.m.