

MINUTES

South Carolina Real Estate Commission

Wednesday, January 20, 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 – 4th Congressional District
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
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Tony Cox – 7th Congressional District
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; 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. Biggers.

Approval of Agenda:

MOTION:

Ms. Pratt made a motion to approve the agenda. Mr. Harley seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from December 16, 2015

MOTION:

Mr. Harley made a motion to approve the minutes of the December 16, 2015, meeting. Mr. Lee seconded the motion, which carried unanimously.

Chairman's Remarks:

David Crigler

Introduction of Board Members and Staff

Administrator's Remarks:

Rod Atkinson

1. **Licensure Update** as of January 12, 2016

• Broker	5085
• Broker In Charge	7359
• Property Manager	1394
• Property Manager In Charge	1180
• Salesman	19375
• Salesman (Provisional)	2052
TOTAL ACTIVE	36,445
• Inactive Broker	1534
• Inactive Property Manager	461
• Inactive Salesman	4980
TOTAL INACTIVE	6,975

**TOTAL CURRENT LICENSES
AS OF 1/12/16 43,420**

Mr. Atkinson noted that there is a slight decline in total licensing numbers. This is due to the number of licensees who did not renew for 2016. It was further noted that this decline is less than it has been in past renewal periods. Measures have been taken to improve the online renewal process and this has resulted in more licensees successfully renewing their licenses.

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

3. **Investigations and Enforcement**

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

4. **IRC Report** - The Commission reviewed the IRC report from January 11, 2016.

MOTION:

Mr. Stackhouse made the motion to approve the *Dismissal* portion of the IRC report from January 11, 2016. Mr. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the *Cease and Desist* portion of the IRC report from January 11, 2016. Ms. Pratt seconded the motion, which carried unanimously.

MOTION:

Mr. Lee made the motion to approve the *Letter of Caution* portion of the IRC report from January 11, 2016. Mr. Cox seconded the motion, which carried unanimously.

MOTION:

Mr. O’Kelley made the motion to approve the *Reconsideration Letter of Caution* portion of the IRC report from January 11, 2016. Mr. Harley seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made the motion to approve the *Relinquishment* portion of the IRC report from January 11, 2016. Mr. Stackhouse seconded the motion, which carried unanimously.

MOTION:

Mr. Poplin made the motion to approve the *Formal Complaint* portion of the IRC report from January 11, 2016. Mr. Lee seconded the motion, which carried unanimously.

Alex Imgrund, Office of Disciplinary Counsel, briefly updated the Commission on pending cases.

5. Mr. Atkinson informed the Commission that, beginning with the February 2016 meeting, we will be using *tablets/electronic documents* for Commission Meetings, in place of notebook binders with paper documents. Members will access a secure website to view documents prior to meeting dates. Board staff will provide one paper copy of all documents for Advice Counsel.
6. The Commission needs to appoint a *Media Designee*, to work with with the Agency’s Communications Coordinator, in responding to media. Discussion ensued. Chairman Crigler appointed Vice-Chair, Hamlin O’Kelley, for this position. This position will be added to the Election of Officers in the future.
7. Mr. Atkinson spoke to the Commission regarding the use of a company called “CE Broker” to provide a means of auditing Continuing Education for licensees. This is currently being utilized successfully in other states. Discussion ensued.
8. The ARELLO Mid-Year Meeting and Investigators Workshop will be held in Atlanta, GA, in April 2016.

MOTION:

Mr. Stackhouse made a motion to approve travel expenses for up to six (6) Investigators, and any staff and Commission Members that wish to attend. Ms. Pratt seconded the motion, which carried unanimously.

9. Mr. Atkinson reminded Commission Members that the 2016 State Ethics Commission filings are due by March 30, 2016. Instructions will be emailed to each Commission member.

APPLICATION HEARINGS

Steve Atkinson

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

MOTION:

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

MOTION:

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

MOTION:

Ms. Pratt made a motion to approve Mr. Atkinson to sit for the examination. Mr. Atkinson is required to submit two (2) character reference letters, a letter from a sponsoring Broker in Charge and an additional criminal background check prior to being issued a license. 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.)

Valerie Stiffler

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

MOTION:

Mr. O'Kelley made a motion to approve Ms. Stiffler to sit for the examination. 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.)

NEW BUSINESS

- 1) Electronic Rent Payment to Unlicensed 3rd Party Clearinghouse

MOTION:

Mr. Stackhouse made a motion to table this topic until the February 2016 meeting. Ms. Pratt seconded the motion, which carried unanimously.

- 2) The topic of *Banks and Real Estate Brokerage Trust Accounts* was discussed. Mr. Atkinson informed the Commission that banks are telling licensees they are not knowledgeable on setting up Trust Accounts and/or they are setting them up incorrectly. It was recommended that the staff send out an eblast and add information to the website, reminding licensees and the public of the proper protocol to follow for trust accounts.
- 3) TRID/RESPA Disclosure Issues – licensees are experiencing problems with the new disclosure forms. It was agreed that this issue will take some time to resolve all of the problems and will be an ongoing topic of discussion.

UNFINISHED BUSINESS

- 1) Legislative Update was discussed briefly. Draft is still being reviewed/revised for accuracy.

MOTION:

Mr. Cox made a motion to adjourn at 12:30 p.m. Mr. Poplin seconded the motion, which carried unanimously.