

## **MINUTES**

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

**Wednesday, August 15, 2018, 10:00am**

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

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

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

Candace Pratt – Chair - 1<sup>st</sup> Congressional District  
Andy Lee – Vice Chair - 3<sup>rd</sup> Congressional District  
David C. Lockwood, III - 2<sup>nd</sup> Congressional District  
David Crigler – 4<sup>th</sup> Congressional District  
John Rinehart – 5<sup>th</sup> Congressional District  
Janelle Mitchell – 6<sup>th</sup> Congressional District  
Scott McNew – 7<sup>th</sup> 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; Gigi Lewis, Office of Advice Counsel; Sharon Cook, Office of Investigations and Enforcement; Rowland Alston, Office of Disciplinary Counsel.

#### **Public Notice:**

Chair Pratt 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 Commissioner Rinehart.

#### **Approval of Absences:**

None

#### **Introduction of Board Members and Staff**

#### **Approval of Agenda:**

New Business item #1 was removed. Disciplinary Hearings #3 & #4 have been Continued.

**MOTION:**

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

**Approval of the Meeting Minutes from July 25, 2018**

**MOTION:**

Mr. Rinehart made a motion to approve the minutes of the July 25, 2018 meeting. Ms. Mitchell seconded the motion, which carried unanimously.

**Chair's Remarks:**

*Candace Pratt*

**Administrator's Remarks:**

*Rod Atkinson*

1. **ARELLO** –Investigator Workshop, October 23-25, 2018, San Antonio, Texas

**MOTION:**

Mr. Lee made a motion to approve ten (10) staff members to attend the 2018 ARELLO Investigator Workshop. Mr. Stackhouse seconded the motion, which carried unanimously.

2. **Regulation Review Task Force** – Mr. Atkinson and Commissioner Rinehart gave a brief report on the Task Force Meeting held on August 8, 2018. Commissioner Rinehart chairs this task force, and is accompanied by Commissioners Lee, Crigler and McNew. Also in attendance were Mr. Atkinson, Legal Counsel Lewis, and members of the public. The task force will meet again before presenting official recommended changes to the Commission for review and approval.

3. **IRC Report** - The Commission reviewed the IRC report, August 6, 2018

**MOTION:**

Mr. Lee made a motion to approve all sections of the IRC report from August 6, 2018. Mr. Poplin seconded the motion, which carried unanimously.

**DISCIPLINARY HEARINGS**

*Latisha Anderson*

The Commission held a Disciplinary hearing regarding Ms. Anderson appeared before the Commission to present testimony, and was not represented by legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. Discussion ensued.

**MOTION:**

Mr. Stackhouse made a motion to enter Executive Session to receive legal advice. Mr. Crigler seconded the motion, which carried unanimously.

**MOTION:**

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

Further testimony and discussion was held.

**MOTION:**

Mr. Lockwood made a motion to enter Executive Session to receive legal advice. Mr. Crigler seconded the motion, which carried unanimously.

**MOTION:**

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

**MOTION:**

Mr. Rinehart made a motion that the State has not met its burden of proof that the Respondent is in violation of items #1, #3, #4, #7, #8 and #10 of the Formal Complaint.

It was further motioned that the State has met its burden of proof that the Respondent is in violation of S.C. Code Ann. 40-57-135 (C)(6) (1976 as amended); S.C. Code Ann. 40-57-145-(A) (4) (1976, as amended); S.C. Code Ann. 40-57-145 (A) (13) (1976, as amended) and S.C. Code Ann. 40-1-110-(1) (f) (1976, as amended).

A public reprimand will be issued. A fine of \$1000 per violation will be imposed, for a total of \$4000, to be paid within 60 days from the date of the Order. Respondent will be required to complete 1) 3D Real Estate and 2) Professional Expectations and Obligations with 60 days from the date of the Order. License will be suspended for two (2) years, stayed, provided the terms of the Order are met. Ms. Mitchell 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.)*

***V.G. Lander***

The Commission held a Disciplinary hearing regarding V. G. Lander. Mr. Lander appeared before the Commission to present testimony, and was not represented by legal counsel. Rowland Alston, Office of Disciplinary Counsel, represented the State, and presented the facts of the case. After some testimony and discussion, it was determined that the Respondent was unable to fully participate in the hearing due to his inability to hear the testimony.

**MOTION:**

Mr. Lockwood made a motion to enter Executive Session to receive legal advice. Mr. Crigler seconded the motion, which carried unanimously.

**MOTION:**

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

**MOTION:**

Mr. Lockwood made a motion to Continue the Hearing of V. G. Lander, until such time as the Respondent is able to obtain hearing aids which will allow him to fully participate in the proceedings. 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.)*

**MOTION:**

Mr. Lee made a motion to adjourn at 3:40 p.m. Mr. Poplin seconded the motion, which carried unanimously.