

MINUTES

South Carolina Real Estate Commission

Wednesday, June 13, 2018, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 204

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 - 1st Congressional District
Andy Lee – Vice Chair - 3rd Congressional District
David Crigler – 4th Congressional District
David C. Lockwood, III - 2nd Congressional District
John Rinehart – 5th Congressional District
Janelle Mitchell – 6th Congressional District
Scott McNew – 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; 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 Mitchell.

Approval of Absences:

none

Introduction of Board Members and Staff

Approval of Agenda:

MOTION:

Mr. Rinehart made a motion to approve the Agenda. Mr. Crigler seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from May 16, 2018

MOTION:

Mr. Lockwood made a motion to approve the minutes of the May 16, 2018 meeting. Mr. Lee seconded the motion, which carried unanimously.

Chair's Remarks:

Candace Pratt

Ms. Pratt noted that the Real Estate industry is very active at the present time.

Administrator's Remarks:

Rod Atkinson

1. Licensure Update as of June 12, 2018

• Broker	5189
• Broker in Charge	7613
• Property Manager	1618
• Property Manager in Charge	1274
• Salesman	26833
TOTAL ACTIVE	42,527
• Inactive Broker	1534
• Inactive Property Manager	656
• Inactive Salesman	6363
TOTAL INACTIVE	8,553

**TOTAL CURRENT LICENSES
AS OF 6/12/18 51,080**

- 2. Budget Update** –The Board reviewed the budget reports for May 2018.
- 3. Investigations and Enforcement** – *Sharon Wolfe* presented the Commission with an overview of the opened and closed cases from January 1, 2018 –June 5, 2018, as well as the same time period for the previous year.
- 4. IRC Report** - The Commission reviewed the IRC report, June 4, 2018.

MOTION:

Mr. Poplin made the motion to approve the *Dismissal* portion of the IRC report from June 4, 2018. Mr. Stackhouse seconded the motion, which carried unanimously.

MOTION:

Mr. Lee the motion to approve the *Dismissal Cease & Desist* portion of the IRC report from June 4, 2018. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Mr. Crigler made the motion to approve the *Formal Complaint* portion of the IRC report from June 4, 2018. Ms. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made the motion to approve the *Letter of Caution* portion of the IRC report from June 4, 2018. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. McNew made the motion to approve the *Formal Complaint/Relinquishment* portion of the IRC report from June 4, 2018. Mr. Rinehart seconded the motion, which carried unanimously.

5. **ODC Report – Rowland Alston** presented the Office of Disciplinary Counsel case load report. Mr. Alston requested that the Commission consider adding additional hearing dates for 2019. Commission staff will research room availability and send information to the Commission members for approval of possible additional dates.

6. **Legislative Update - Mr. Atkinson** gave the Commission a brief update on pending legislation. It was noted that the Legislature has closed for this session. Discussion was held concerning the need to update Regulations that relate to "real estate teams" and other issues. It was decided that a task force would be formed, consisting of Commissioners Rinehart, Crigler and Lee, and chaired by Commissioner Rinehart. A full review of the current Regulations will be made and proposed changes will be presented to the Commission prior to November 2018.

DISCIPLINARY/APPLICATION HEARINGS

Jermaine Jackson

The Commission held a Disciplinary/Application hearing regarding Jermaine Jackson's application to take the Broker's exam. Mr. Jackson 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 to receive legal advice. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Crigler 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 met its burden of proof that the Respondent is in violation of S.C. Code Ann. 40-1-110(1)(a) (1976, as amended); S.C. Code Ann. 40-1-110(1)(h) (1976, as amended) and S.C. Code Ann. 40-1-710 (A)(10) (1976, as amended). The State has not met its burden of proof that the Respondent is in violation of S.C. Code Ann. 40-57-710-(A)(9) (1976, as amended). Mr. Jackson's sales license will be suspended for a period of two (2) years, stayed upon the following conditions: License will be on probation for a period of two (2) years, and a fine of \$500 per violation will be imposed, to be paid within 180 days from the date of the Order. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Crigler made a motion to deny Mr. Jackson's application to take the Broker's 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.)

Henry Wolfe

The Commission held a Disciplinary/Application hearing regarding Henry Wolfe's application to take the Broker's exam. Mr. Wolfe appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Mr. Crigler made a motion to deny Mr. Wolfe's application to take the Broker's examination. Mr. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion that the State has met its burden of proof that the Respondent is in violation of S.C. Code Ann. 40-1-110(1)(a) (1976, as amended); S.C. Code Ann. 40-1-110(1)(h) (1976, as amended) and S.C. Code Ann. 40-57-710-(A)(8) (1976, as amended). The State has not met its burden of proof that the Respondent is in violation of S.C. Code Ann. 40-1-710 (A)(9) (1976, as amended). Mr. Wolfe's sales license will be suspended for a period of one year, and then probation for one additional year. A public reprimand will be issued and a fine of \$500 per violation will be imposed. Respondent will be required to complete the Broker in Charge Duties and Responsibilities course, which cannot be used as continuing education. An updated criminal background report will be required prior to reinstatement of sales license. 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.)

APPLICATION HEARINGS

Charlette Brown

The Commission held an application hearing regarding Charlette Brown's application to take the Real Estate property manager's exam in South Carolina. Ms. Brown appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Ms. Mitchell made a motion to allow Ms. Brown to take the Property Manager's examination. Ms. Brown will be required to re-appear before the Commission prior to applying for a Property Manager in Charge license. Mr. Rinehart 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.)

Jabade Anthony Braswell

The Commission held an application hearing regarding Jabade Anthony Braswell's application to take the Real Estate broker's exam in South Carolina. Mr. Braswell appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Stackhouse made a motion to allow Mr. Braswell to take the Broker's examination. Mr. Crigler 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.)

John Page

The Commission held an application hearing regarding John Page's application to take the Real Estate sales exam in South Carolina. Mr. Page 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. Page to take the sales 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.)

Cheri Abraham

The Commission held an application hearing regarding Cheri Abraham's application to take the Real Estate sales exam in South Carolina. Ms. Abraham appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Lockwood 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. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Lee made a motion to deny Ms. Abraham's application to take 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.)

Terry Bennett III

The Commission held an application hearing regarding Terry Bennett's application to take the Real Estate sales exam in South Carolina. Mr. Bennett appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Rinehart made a motion to allow Mr. Bennett to take the sales examination. Mr. Crigler 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.)

Tameika Pringle

The Commission held an application hearing regarding Tameika Pringle's application to take the Real Estate sales exam in South Carolina. Ms. Pringle appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Lockwood made a motion to deny Mr. Pringle's application to take the sales examination. Mr. McNew 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.)

Brandon Chaves

The Commission held an application hearing regarding Brandon Chaves' application to take the Real Estate sales exam in South Carolina. Mr. Chaves 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. Chaves to take the sales examination. Mr. McNew seconded the motion, which carried on a 6/3 vote.

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

Jesse Odom

The Commission held an application hearing regarding Jesse Odom's application to take the Real Estate sales exam in South Carolina. Mr. Odom 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. Odom to take 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.)

The meeting adjourned at 4:00 p.m.