

MINUTES

South Carolina Real Estate Commission

Wednesday, September 19, 2018 9:00am

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 9:00 a.m. Board members participating in this meeting included:

Candace Pratt – Chair - 1st Congressional District
Andy Lee – Vice Chair - 3rd Congressional District
David C. Lockwood, III - 2nd Congressional District
David Crigler – 4th 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 and Gigi Lewis, Office of Advice 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:

Applicants # 6 and #9 cannot attend today, therefore, they are being removed from the Agenda.

MOTION:

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

Approval of the Meeting Minutes from August 15, 2018

MOTION:

Mr. Lockwood made a motion to approve the minutes of the August 15, 2018 meeting. Mr. Rinehart seconded the motion, which carried unanimously.

RECONSIDERATION HEARING

William Tiller

The Commission held a reconsideration hearing regarding William Tiller's application to reactivate his broker's license in South Carolina. Mr. Tiller was present and was represented by Bobby Kneece, legal counsel.

MOTION:

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

Commissioner Poplin asked to recuse himself from this hearing. Proceedings continued.

Commissioner Lee left the meeting, however, a quorum was maintained.

MOTION

Mr. Rinehart made a motion to approve Mr. Tiller's request to reactivate his Broker's license. 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.)

APPLICATION HEARINGS

Jonathan Cuty

The Commission held an application hearing regarding Jonathan Cuty's application to take the Sales exam in South Carolina. Mr. Cuty 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. Cuty to sit for the sales exam in South Carolina. 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.)

Corry Williams

The Commission held an application hearing regarding Corry Williams' application to take the Sales exam in South Carolina. Mr. Williams 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. Lockwood seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion to enter Open Session. Ms. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to continue the hearing for Corry Williams until further documentation can be presented. 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.)

Kevin Houck

The Commission held an application hearing regarding Kevin Houck's application to take the Sales exam in South Carolina. Mr. Houck 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. Houck to sit for the Sales exam in South Carolina. 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.)

Jason Sumter

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

MOTION:

Mr. Lockwood made a motion to allow Jason Sumter to sit for the Sales exam in South Carolina. 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.)

Althea Mack

The Commission held an application hearing regarding Althea Mack's application to take the Sales exam in South Carolina. Ms. Mack 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. Crigler made a motion to enter Open Session. Ms. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion to allow Althea Mack to take the sales exam in South Carolina upon submission of probation termination letter. 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.)

Kristie Mitchell

The Commission held an application hearing regarding Kristie Mitchell's application to take the Sales examination in South Carolina. Ms. Mitchell appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

Mr. Lockwood made a motion to allow Kristie Mitchell to sit for the Sales exam in South Carolina. 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.)

Roger Hershline

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

MOTION:

Ms. Mitchell made a motion to allow Roger Hershline to take the sales exam in South Carolina. Mr. Lockwood seconded the motion, which carried unanimously. Commission Crigler was not in the room at the time of the vote.

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

Sheldon Havlik

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

MOTION:

Mr. Lockwood made a motion to allow Sheldon Havlik to take the sales exam in South Carolina. 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.)

Chair's Remarks:

Candace Pratt

Administrator's Remarks:

Rod Atkinson

1. **IRC Report** - The Commission reviewed the IRC report from September 10, 2018.

MOTION:

Mr. Poplin made the motion to approve all portions of the IRC report from September 10, 2018. Mr. Stackhouse seconded the motion, which carried unanimously.

2. **Regulations Task Force Update** –The previously scheduled task force meeting was cancelled due to closures from Hurricane Florence. This meeting has been rescheduled for Monday, September 24, 2018.

3. **Tentative Commission Meeting Dates for 2019** - The Commission approved the following tentative meetings dates for 2019:

January 16
February 20*
February 21*
March 20
March 21*
April 17*
May 15
May 16*
June 19*
August 21
September 18*
September 19*
October 16
November 13*
November 14*
December 11
December 12*

***denotes dates reserved for Disciplinary Hearings**

MOTION:

Mr. Stackhouse made a motion to approve the above tentative meeting dates for 2019. Ms. Mitchell seconded the motion, which carried unanimously.

4. **Trust Account Guidelines** - It was decided that a task force should be put in place to discuss and bring recommendations to the Commission concerning the current Trust Account Guidelines. Dianna Brouthers has offered to assist in these efforts.

MOTION:

Mr. Stackhouse made a motion to develop a task force to review and update the current Trust Account Guidelines. This task force will be chaired by Commissioner Poplin. Mr. Crigler seconded the motion, which carried unanimously.

MOTION:

Mr. Crigler made a motion to adjourn at 2:00 p.m. Mr. Stackhouse seconded the motion, which carried unanimously.