

MINUTES

South Carolina Real Estate Commission

Wednesday, April 17, 2019 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

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

Andy Lee – Vice Chair - 3rd Congressional District
David C. Lockwood, III - 2nd Congressional District
David Burnett – 4th Congressional District
John Rinehart – 5th Congressional District
Janelle Mitchell – 6th Congressional District
Johnathan Stackhouse – Public Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Sharon Cook, Office of Investigations and Enforcement; Gigi Lewis, Office of Advice Counsel and Rowland Alston, Office of Disciplinary Counsel.

Public Notice:

Vice Chair Lee 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.

Introduction of Board Members and Staff

Approval of Absences:

Candace Pratt – Chair - 1st Congressional District
Wayne Poplin – At-Large Member

MOTION:

Mr. Lockwood made a motion to approve the absences of Commissioners Pratt and Poplin. Ms. Mitchell seconded the motion, which carried unanimously.

Approval of Agenda:

MOTION:

Mr. Rinehart made a motion to approve the agenda. Mr. Lockwood seconded the motion, which carried unanimously.

Approval of Minutes:

MOTION:

Mr. Lockwood made a motion to approve the March 14, 2019 minutes. Mr. Stackhouse seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to approve the March 20, 2019 minutes. Ms. Mitchell seconded the motion, which carried unanimously.

MOTION:

Mr. Lockwood made a motion to approve the March 21, 2019 minutes. Mr. Rinehart seconded the motion, which carried unanimously.

IRC Report - The Commission reviewed the IRC report from April 8, 2019

MOTION:

Mr. Stackhouse made the motion to accept all portions of the IRC report from April 8, 2019. Mr. Lockwood seconded the motion, which carried unanimously.

DISCIPLINARY HEARING

Cynthia Callen

The Commission held a Disciplinary hearing regarding Cynthia Callen. Ms. Callen did not appear 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. Mr. Alston requested permission to make a scrivener's error, which was approved. Discussion ensued.

MOTION:

Mr. Lockwood made a motion that the State has met its burden of proof that Ms. Callan is in violation of S.C. Code Ann. 40-57-710 (A) (9) (2017 Supp.); S.C. Code Ann. 40-57-710 (A) (10) (2017 Supp.); S.C. Code Ann. 40-1-110 (1) (a) (2011); S.C. Code Ann. 40-1-110 (1) (f) (2011); S.C. Code Ann. 40-1-110 (1) (g) (2011) and S.C. Code Ann. 40-1-110 (1) (h) (2011), and that the license be revoked and a Public Reprimand and Cease and Desist letter be issued. 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.)

NEW BUSINESS

Discussion and Action: Delegation of Authority to issue Cease & Desist for Unlicensed Practice – Advice Counsel

Georgia Lewis informed the Commission that there is an effort to streamline the process of issuing Cease and Desist letters to individuals who have never held a license. This would allow the Chair of the Commission to issue these letters, rather than having them sent through the investigations department.

MOTION:

Mr. Rinehart made a motion to delegate authority to the Commission Chair to issue Cease and Desist Letters to individuals who have never held a real estate license. Mr. Burnett seconded the motion, which carried unanimously.

After further review of the March 21, 2019 minutes, Mr. Burnett noted a change that needed to be made.

MOTION:

Mr. Burnett made a motion to amend the March 21, 2019 minutes to add that Commissioner Lee was recused from the Disciplinary Hearing for John Powell. Mr. Stackhouse seconded the motion, which carried unanimously.

Mr. Atkinson updated the Commission on the following items:

- Dianna Brouthers has completed the revision of the Broker in Charge course. She will offering a trial course on June 3, 2019. All commissioners are invited to attend.
- Renewals begin on May 1, 2019
- Pending Legislation

Commissioner Rinehart gave the Commission an update on the recent ARELLO meeting that he attended in Salt Lake City, UT. A large portion of discussion at this meeting centered on the topic of Virtual Brokerages.

MOTION:

Mr. Lockwood made a motion to adjourn at 12:00 p.m. Ms. Mitchell seconded the motion, which carried unanimously.