

MINUTES

South Carolina Real Estate Commission

Wednesday, August 21, 2019 - 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 - 1st Congressional District
Andy Lee – Vice Chair - 3rd Congressional District
David C. Lockwood, III - 2nd Congressional District
David Burnett – 4th Congressional District
John Rinehart – 5th Congressional District
W. Brown Bethune – 7th Congressional District
Johnathan Stackhouse – Public Member
Wayne Poplin – At-Large Member

Staff members participating during the meeting included Roderick Atkinson, Board Administrator; Wanda Cooke, Administrative Assistant; Gigi Lewis, Office of Advice Counsel; Rodney Pigford, 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:

Janelle Mitchell – 6th Congressional District

MOTION:

Mr. Lee made a motion to approve the absence of Commissioner Mitchell. Mr. Poplin seconded the motion, which carried unanimously.

Introduction of Board Members and Staff

Approval of Agenda:

Application Hearing #4 is being moved to #1.

MOTION:

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

Approval of the Meeting Minutes from June 19, 2019

MOTION:

Mr. Lockwood made a motion to approve the minutes from the June 19, 2019 meeting. Mr. Lee seconded the motion, which carried unanimously.

Chair's Remarks:

Candace Pratt

Administrator's Remarks:

Rod Atkinson

Mr. Atkinson presented a copy of the South Carolina Real Estate Trust Account Guidelines Booklet which was provided by Dianna Brouthers. Ms. Brouthers chaired a task force, which included Commissioner Poplin, to review and revise this document.

Mr. Atkinson advised the Commission that the Real Estate Commission has been granted approval for four (4) additional staff members to assist in the implementation of new policies in 2020.

1. Licensure Update as of August 14, 2019

• Broker	5213
• Broker in Charge	7727
• Property Manager	1704
• Property Manager in Charge	1310
• Salesman	28999
TOTAL ACTIVE	44,953
• Inactive Broker	1693
• Inactive Property Manager	815
• Inactive Salesman	7827
TOTAL INACTIVE	10,335

**TOTAL CURRENT LICENSES
AS OF 8/14/19 55,288**

2. Budget Update –The budget report for July 31, 2019.

3. Investigations and Enforcement – *Rodney Pigford* presented the Commission with an overview of the opened and closed cases from January 1, 2019 –August 21, 2019, as well as the same time period for the previous year.

4. IRC Report - The Commission reviewed the IRC report from August 16, 2019.

MOTION:

Mr. Stackhouse made the motion to approve the Dismissal portion of the IRC report from August 16, 2019. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Lee made the motion to approve the Formal Complaint portion of the IRC report from August 16, 2019. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made the motion to approve the Letters of Caution portion of the IRC report from August 16, 2019. Mr. Lockwood seconded the motion, which carried unanimously.

New Business:

1. Real Estate Contract Flipping/Wholesaling – *Nick Kremydas*

Mr. Nick Kremydas, SCR, addressed the Commission regarding the subject of Real Estate Contract Flipping/Wholesaling. Discussion ensued.

MOTION:

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

MOTION:

Mr. Bethune made a motion to enter Open Session. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Burnett made a motion to refer this matter to a task force for further review to decide if any action needs to be taken. It was recommended that the public be encouraged to file a complaint in these instances so that action can be taken as quickly as possible. Mr. Lee seconded the motion, which carried unanimously.

2. SC Residential Property Condition Disclosures-FEMA & Flood Insurance Claims – *Nick Kremydas*

Mr. Kremydas, SCR, asked the Commission to consider adding a question to the current Disclosure statement regarding FEMA claims. The Commission took this under advisement.

3. Licensee Nicknames – *Nick Kremydas*

Mr. Kremydas, SCR, discussed the topic of the use of nicknames by Real Estate Licensees in advertising. This is a subject that has been talked about quite a bit in recent times. The Commission will explore ways to communicate to licensees, the correct way to advertise when operating under names other than legal names.

APPLICATION HEARINGS

Ryan Antonio Linde

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

MOTION:

Mr. Bethune made a motion to allow Mr. Linde to take the SC real estate sales examination. Mr. Stackhouse seconded the motion, which carried on a 5/1 vote.

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

Danyelle Abieyuma Ohonba

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

MOTION:

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

MOTION:

Mr. Lee made a motion to enter Open Session. Mr. Bethune seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion to deny Ms. Ohonba's request to take the SC real estate 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.)

LUNCH BREAK

Commission Lockwood left the meeting at 12:15 p.m.

Shaquinda Mackia Wilson

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

MOTION:

Mr. Bethune made a motion to allow Ms. Wilson to take the SC real estate 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.)

Benjamin William Nauss

The Commission held an application hearing regarding Benjamin Nauss' application to take the sales examination in South Carolina. Mr. Nauss 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. Bethune 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. Bethune made a motion to allow Mr. Nauss to take the SC real estate sales examination with the following conditions: 1) Probation is completed and 2) no further criminal offenses occur prior to examination. Mr. Stackhouse seconded the motion, which carried on a 5/1 vote.

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

Marion Bond Freeman

The Commission held an application hearing regarding Marion Freeman's application to take the real estate sales examination in South Carolina. Mr. Freeman appeared before the Commission to present testimony, and was not represented by legal counsel. Discussion ensued.

MOTION:

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

MOTION:

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

MOTION:

Mr. Rinehart made a motion to enter into a Closed Hearing. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Lee made a motion to enter Open Session. Mr. Burnett seconded the motion, which carried unanimously.

MOTION:

Mr. Bethune made a motion to allow Mr. Freeman to take the SC Real Estate 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.)

Meredith Jo Johnson

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

MOTION:

Mr. Rinehart made a motion to allow Ms. Johnson to take the SC real estate sales examination. Mr. Burnett 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.)

Jack S. Pryor Jr.

The Commission held an application hearing regarding Jack Pryor Jr.'s application to take the real estate sales examination in South Carolina. Mr. Pryor 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. Pryor to take the SC real estate sales examination, provided that he be required to appear before the Commission again before he will be allowed to upgrade to Broker. Mr. Bethune seconded the motion, which carried on a 5/1 vote.

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

Craig Harlan Sander

The Commission held an application hearing regarding Craig Sanders' application to take the real estate sales examination in South Carolina. Mr. Sander 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. Bethune made a motion to enter Open Session. Mr. Lee seconded the motion, which carried unanimously.

MOTION:

Mr. Bethune made a motion to deny Mr. Sander's request to take the SC real estate sales examination. 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.)

Michael Chad Rider

The Commission held an application hearing regarding Michael Rider's application to take the real estate sales examination in South Carolina. Mr. Rider 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. Lee made a motion to enter Open Session. Mr. Bethune seconded the motion, which carried unanimously.

MOTION:

Mr. Rinehart made a motion to allow Mr. Rider to take the SC real estate sales examination. Mr. Rider will be required to appear before the Commission prior to upgrading to Broker or Property Manager in Charge. Mr. Stackhouse seconded the motion, which carried on a 5/1 vote.

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

New Business (continued):

4. SC Disclosure of Brokerage Relationships Form Recommendations-Howard Jones

Mr. Howard Jones addressed the Commission via teleconference to discuss the SC Disclosure of Brokerage Relationships Form. Discussion ensued.

Public Comments

none

The meeting was adjourned at 4:30 p.m.