



Newsletter

NEWS AND UPDATES FROM THE SOUTH CAROLINA REAL ESTATE COMMISSION



2025 Recap

Page 2

View legislative updates that were enacted in 2025 that may impact your practice.

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Catch up on recent commission guidance and guidelines.

Page 4

The Real Estate Commission welcomed two new commissioners.

Save-the-Date

Renewals Open in April

(for licensees with expiration date of **June 30, 2026**)

Commercial Core Workshop

April 15, 2026 and May 12, 2026

[April 15 Registration](#)

Instructor Development Workshops

(Instructors Only)

May 6 and June 9, 2026

Pre-registration not required, to attend please visit:

[May 6 Zoom Session](#)

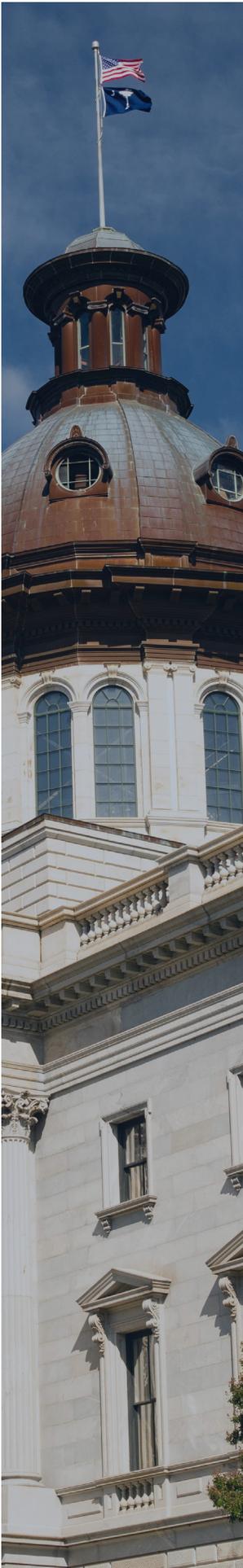
[June 9 Zoom Session](#)

Board Executive's Message

The South Carolina Real Estate Commission is dedicated to safeguarding the public's interests in real estate transactions by effectively regulating the state's real estate industry. By fulfilling this important role, we contribute to the cultivation of trust within the real estate market, fostering a sense of security and reliability for all involved.

Whether you are a licensee or an education provider, your pivotal responsibility lies in upholding ethical and professional standards by staying well-informed and knowledgeable. In this edition of our newsletter, you will find key updates and reminders designed to support you in fulfilling this essential mission. We kindly urge you to take a few moments to peruse the valuable information provided. We extend our heartfelt gratitude for your unwavering dedication, and eagerly anticipate the collective progress we will continue to achieve in the future. ■ *Erica Wade, Board Executive*





Regulatory Review

H.B. 3947 – Continuing Education & Expired Renewals

This bill became law on May 8, 2025 and amended South Carolina Code of Laws Section 40-57-340, relating to biennial continuing education requirements for licensure renewal by the Real Estate Commission, so as to provide nonresident brokers and nonresident associates who successfully satisfy continuing education requirements of their jurisdiction of residence may be exempt from the continuing education requirements of this state with approval of the Commission. As of publication of this newsletter, only Georgia non-resident licensees are eligible for this exemption.

License Law Review

S.C. Code 40-57-135(E)(1)
Duties of broker-in-charge and property manager-in-charge; supervised licensees; office locations; policies and record keeping; management agreements; unlicensed employees.

S.C. Code 40-57-135(E)(1) A licensee may not advertise, market, or offer to conduct a real estate transaction involving real estate owned, in whole or in part, by another person without first obtaining a written listing agreement between the property owner and the real estate brokerage firm with whom the licensee is associated. However, the signature of the owner of real estate is not required for a sublease agreement involving real estate if the lease allows for subletting. Licensees not associated with the listing brokerage firm may advertise real estate owned, in whole or in part, by another person only if they have written authorization from the listing brokerage firm and acknowledge the listing brokerage firm in the advertisement in a clear and conspicuous way. Authorization may be contained and obtained from the owner through the listing agreement.

The advertising and marketing of real property is to be distinguished from the advertising and marketing of a contractual position in a sales agreement to purchase real estate. An advertisement that markets a contractual position to acquire real property from a person with either equitable or legal title and does not imply, suggest, or purport to sell, advertise, or market the underlying real property is permissible under this section.

Commission Guidance

Same Brokerage, Different BICs

The Commission received an inquiry regarding whether licensees that work for the same brokerage, but different Brokers-In-Charge (BIC) may conduct an open house for a listing agent that is supervised by a different BIC.

Based on the rules set forth by the above law, the practice of allowing a supervised licensee to hold an open house for another licensee within the same brokerage, but not within the same BIC supervision, is not permissible under the Real Estate Practice Act.

New Supervision Manual for BICs/PMICs

The Real Estate Commission has developed a manual for Brokers-in-charge/Property Managers-in-charge to use as a guide for compliance with the rule of adequate supervision ([S.C. 40-57-135\(A\)\(1\)](#)).

These recommendations are based upon a practical application of South Carolina laws, Commission rules, and customs, and is intended only to provide general guidance and information (not as an enforceable policy).

COMMISSION GUIDANCE DOCUMENTS

- [BIC/PMIC Supervision Recommended Guidelines](#)
- [Licensees Working for the Same Brokerage, but Performing Services for Different BICs](#)
- [No Builder's Agent Exemption](#)
- [Use of Artificial Intelligence in Real Estate Practice](#)
- [Selling Manufactured \(Mobile\) Homes](#)

→ OTHER ALERTS

Office Inspections

Licensees will be notified of any [change in inspection](#) processes or procedures. The BIC or PMIC registered offices selected for inspection shall be contacted by an LLR Inspector for the Commission. The BIC/PMIC is to cooperate with the Inspector by providing any requested documents and/or scheduling of an in-person inspection. Offices located outside the State are still subject to inspection by the Commission and must provide all requested documents. Failing to make records available, failing to cooperate with inspectors or providing false documentation may result in discipline action being taken (S.C. Code Ann. §40-57-710(A)(25))

[CLICK HERE TO WATCH THE SEMINAR ON HOW TO BE PREPARED FOR ROUTINE INSPECTIONS](#)

Any questions regarding inspections can be sent to contact.rec@llr.sc.gov or April Howe, at April.Howe@llr.sc.gov.



Education

Exam Proctoring

At the May 14, 2025 meeting, the South Carolina Real Estate Commission extended its temporary waiver of the in-person final exam proctoring requirement for distance pre-licensing courses until **June 30, 2026** in accordance with SC Code Regs. 105-6(C). This allows for virtual proctoring of the final examinations required for pre-licensing course completion.

No Soliciting

As a reminder, instructors and providers cannot engage in recruiting, selling promotional materials, or soliciting business during course hours per SC Code Regs. 105-8(D). The Commission may take disciplinary action against the licensed broker in charge or property manager in charge of the brokerage firm or property management office violating this regulation.

Exam Safety

As we move into the future, the use of artificial intelligence (AI) continues to grow rapidly in educational settings. As you offer examination to your students, please consider the following:

- ▶ What steps have you taken to protect the integrity of your exams with AI advancements?
- ▶ Are your proctoring methods sufficient to detect or prevent the use of AI?
- ▶ Have you updated your exam policies or protocols to address the use of AI?
- ▶ Are there procedures in place to identify and address misconduct with students?
- ▶ We appreciate your attention to these considerations and welcome any feedback or ideas you may have.

Course Information

The **core course, Legal Hot Tips, is now available** and accessible for all licensees. The former core, "Disclose, Disclose, Disclose" is now considered an elective course. Please contact the providers to satisfy the requirements and check the schedules of the schools offering the courses. The [Course Calendar](#) of approved providers and courses are available on the Commission's website. The calendar includes some available courses; however, please verify details directly with the provider.

CE Broker is the official CE tracking system of the South Carolina Real Estate Commission. To check the status of your education, you may login to your account. All licensees have access to a [free, basic account](#).

[CLICK HERE TO SEE CONTINUING EDUCATION REQUIREMENTS AND EXEMPTIONS .](#)

Service Appreciation

SCREC honored Candace Pratt and W. Brown Bethune for their outstanding service as members of the Commission, for their efforts to promote professionalism to the real estate practice, and their dedication to public protection.



Candace Pratt / 2013-2025

Pratt is pictured fifth from right.



W. Brown Bethune / 2019-2025

Bethune is pictured third from left.

Two New Commissioners

The South Carolina Real Estate Commission welcomed two new commissioners: Thomas F. Dugas, Esq. and Daniel N. Moskowitz. Commissioner Dugas is an attorney at Horton Law Firm, providing legal services for real estate transactions. Commissioner Moskowitz is broker-in-charge at Dunes Real Estate.



Thomas F. Dugas, Esq.
Public Member



Daniel N. Moskowitz
1st Congressional District

Case #2022-314 – 40 Year Exclusive Listing Agreement

Summary of Facts: Licensee executed a contract binding a property and homeowner to a specific brokerage with exclusive listing rights for forty years in exchange for a promotion fee of \$450.00. The contract allowed the brokerage to file a document with the Recorder of Deeds regarding the contract and specifying that the contract “shall constitute covenants running with the land” and that “bind future successors-in-interest to title to Property.” Licensee admitted that a Disclosure of Brokerage Relationships form was not provided to the homeowner prior to entering into this contract. Despite homeowner properly and timely rescinding the contract with the brokerage, brokerage (under Licensee’s supervision) filed the document with the Register of Deeds. When homeowner listed the property for sale, homeowner received a letter from brokerage reminding homeowner of the forty-year contract. Subsequent communications between homeowner and brokerage confirmed that homeowner had properly and timely rescinded the contract with brokerage. Despite this, a title search about one month later revealed the document was still filed with the Register of Deeds. A termination of the document was not filed with the Register of Deeds until after property buyer’s attorney submitted a demand letter to brokerage requesting a release be issued immediately due to the document delaying closing on the property.

Summary of Law: The above behavior violated the following provisions of law: 1) SC Code §40-57-710(A), which prohibits licensees in the practice of real estate from demonstrating bad faith, dishonesty, untrustworthiness, or incompetency in a manner as to endanger the interest of the public; 2) S.C. Code §40-57-370, due to Licensee failing to provide the Disclosure of Brokerage Relationships form to the homeowner at first substantive contact; 3) S.C. Code §40-1-110(1)(f), which prohibits licensees from committing a dishonorable, unethical, or unprofessional act that is likely to deceive, defraud, or harm the public; and 4) S.C. Code §40-1-110(1)(b), because Licensee’s license to practice real estate in another statute or jurisdiction was revoked.

Discipline Issued: 1) Permanent Revocation of license; and 2) \$5,000 civil penalty for each violation, for a total civil penalty of \$15,000 to be paid within 60 days.

Case #2023-272 – Fraudulent Modification of Offer

Summary of Facts: Homeowner entered into an Exclusive Right to Sell Contract with brokerage with a sale price of \$225,000. Licensee received two separate offers for the property, both for full list price of \$225,000.00. One offer was contingent on FHA financing and the other offer was a cash offer with an escalation clause permitting escalation to \$1,000.00 more than any other competing offer, up to a maximum of \$240,000.00. Licensee altered the FHA financing offer to make it appear that offer had been increased to \$239,900.00 and forged the initials for the offerors beside the price change. Licensee then sent the modified contract to Agent for the cash offer as justification to increase the Cash Offer to the maximum amount of \$240,000.00 permitted in the escalation clause. This case included several significant mitigating factors, including: 1) Licensee’s BIC timely reporting these events to the Commission (reporting within less than 48 hours of becoming aware of the violations); 2) Licensee immediately admitting the misconduct when questioned by their BIC; 3) Licensee’s BIC withheld all of the commission from the sale from Licensee to await the Commission’s disciplinary hearing; 4) Licensee’s cooperation and honesty with Commission staff during the investigation; and 5) Licensee’s admission to the misconduct to the Commission.

Summary of Law: The above behavior violated the following provisions of law: 1) S.C. Code §40-57-710(A)(2) in that Respondent made a substantial misrepresentation involving a real estate transaction. 2) S.C. Code §40-57-710(A)(5) in that Respondent, in the practice of real estate, demonstrated bad faith, dishonesty, untrustworthiness, or incompetency in a manner so as to endanger the interest of the public.

Discipline Issued: 1) Public Reprimand; 2) Six (6) month suspension of license; 3) \$4,000 civil penalty for each violation, for a total civil penalty of \$8,000; and 4) Licensee must take twelve (12) hours of continuing education courses in the subject of ethics. One of the courses must be the three-hour course on Avoiding Deceptive Practices. None of these additional CE hours shall count toward Licensee’s normal CE requirements for license renewal.

Case #2024-144 – Interference with Agency Agreement

Summary of Facts: Homeowner had an exclusive listing agreement signed with a brokerage. While that exclusive listing agreement was still active and with knowledge of the existence of that listing agreement, Licensee contacted Homeowner multiple times to ask about the progress of the sale of the home, including discussions about possible marketing ideas for the home and what a working relationship would look like with Licensee.

Summary of Law: The above behavior violated the following provisions of law: 1) S.C. Code §40-57-710(A)(24), which prohibits any practice or action inconsistent with the agency relationship that other real estate licensees have established with their client.

Discipline Issued: 1) Public Reprimand; 2) \$1,000 civil penalty to be paid within 60 days; and 3) Licensee must take eight hours of continuing education in the subject area of agency within six months (none of these hours to count toward Licensee's normal continuing education requirements).

2023-394 – Improper Attempt to Enter Home to Create Social Media Marketing Materials without Homeowner's Permission

Summary of Facts: Less than nine months after first becoming licensed by the Commission, Licensee and licensee's sister attempted to enter a property listed for sale with another brokerage for purposes of taking photos and video to make social media content to boost licensee's real estate practice. Licensee did not have permission to enter the property, did not make an appointment through Showing Time or with the listing agent, and did not notify the seller or the listing agent of the visit. The property owner confronted Licensee via a video door camera and asked Licensee for their name. Licensee lied and provided a false name and false brokerage to the property owner. Mitigating factors included: 1) Respondent immediately notified a coworker about these events, who told Licensee to report the event to their BIC, and Licensee did so; 2) Licensee's BIC required them to return to the office immediately to surrender their Supra eKEY; 3) Licensee's BIC required Licensee to place their license in an inactive status for 6 months and suspended licensee from the brokerage for 6 months; 4) During their suspension from the brokerage, at the advice of their BIC, licensee took several continuing education courses related to professionalism and how to properly access homes; 5) Licensee's very short period of time as a licensee; and 6) this event took place on the very first day that Licensee was issued a Supra eKey.

Summary of Law: The above behavior violated the following provisions of law: 1) S.C. Code §40-1-110(1)(f) by committing a dishonorable, unethical, or unprofessional act that is likely to deceive or harm the public. 2) S.C. Code § 47-57-710(A)(5) by, in the practice of real estate, demonstrating dishonesty, untrustworthiness, or incompetency in a manner as to endanger the interest of the public.

Discipline Issued: 1) Public Reprimand; and 2) \$500 civil penalty for each violation, for a total civil penalty of \$1,000 to be paid within 90 days.

2022-298 – Application Fraud, New Criminal Conviction, & Failure to Notify Commission of Conviction

Summary of Facts: In 2016, just a few months after having been released from federal prison for multiple felony drug convictions, Licensee applied for a salesperson license. On Licensee's application, Licensee stated they had no criminal convictions. Licensee also submitted a criminal background check to the Commission that did not reveal any criminal conviction history. Licensee did not reveal any of their criminal conviction history in any of their renewal applications. In May 2022, Licensee was arrested and charged with attempted murder. Licensee's license was suspended shortly after that arrest. Licensee pled guilty to Assault and Battery, 1st Degree related to the May 2022 charge for attempted murder. Licensee failed to notify the Commission of this conviction.

Summary of Law: The above behavior violated the following provisions of law: 1) S.C. Code §40-57-710(A)(1) in that Licensee made a substantial misrepresentation on an application for a real estate license. 2) S.C. Code §40-57-710(A)(9) in that Licensee was convicted of a relevant felony offense. 3) S.C. Code §40-57-710(A)(10) in that Licensee failed to report to the Commission, in writing, by certified mail, within ten days, notice of conviction of a felony. 4) S.C. Code §40-1-110(1)(f) in that Licensee committed a dishonorable, unethical, or unprofessional act that is likely to either deceive, defraud, or harm the public.

Discipline Issued: 1) Permanent revocation of license.

NUMBERS FROM THE OFFICE OF INVESTIGATIONS AND ENFORCEMENT

Total Complaints (1/2/25 - 12/31/25)	756
Active Investigations	95
Closed	66
Citations	9

About the Commission

The Real Estate Commission regulates real estate brokers, associates, and property managers. The Commission also administers the registration of timeshare projects and out-of-state subdivided land sales being marketed in South Carolina.

SC LLR can assist you with examination information and materials, continuing education requirements and opportunities, licensure applications and renewals, Commission information, and more.

[COMMISSION HOME PAGE](#)

Commission Members

John D. Rinehart, Chair
5th Congressional District

David A. Burnett, Vice Chair
4th Congressional District

Vacant
7th Congressional District

Thomas F. Dugas, Esq.
Public Member

William A. "Andy" Lee
3rd Congressional District

Janelle S. Mitchell
6th Congressional District

Daniel N. Moskowitz
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Gary A. Pickren, Esq.
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