

MINUTES

South Carolina Real Estate Commission

Wednesday, April 15, 2015, 10:00am

Synergy Business Park, Kingstree Building, Conference Room 105

110 Centerview Drive, Columbia, South Carolina 29210

Meeting Called to Order:

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

David Crigler – Chair - 4th Congressional District
G. Hamlin O’Kelley – Vice Chair - Public Member
Candace Pratt – 1st Congressional District
David C. Lockwood, III, 2nd Congressional District
Andy Lee – 3rd Congressional District
Manning Biggers – 5th Congressional District
Buccie Harley – 6th Congressional District
Tony Cox – 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; Betty Archie, Administrative Assistant; Georgia Lewis, Office of Advice Counsel; Sharon Wolfe, Office of Investigations and Enforcement; Lauren Kearney, Office of Disciplinary Counsel.

Public Notice:

Chairman Crigler 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 David Crigler.

Approval of Agenda:

The Agenda was amended to add Legislative Language Recommendations under Unfinished Business; add Online Brokerage Practice under New Business; move Executive Session to between New Business and Unfinished Business.

MOTION:

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

Approval of the Meeting Minutes from March 11, 2015

MOTION:

Mr. Cox made a motion to approve the minutes of the March 11, 2015, meeting. Mr. Harley seconded the motion, which carried unanimously.

Approval of the Meeting Minutes from March 18, 2015

MOTION:

Ms. Pratt made a motion to approve the minutes of the March 18, 2015, meeting. Mr. Lee seconded the motion, which carried unanimously.

Chairman's Remarks:

David Crigler

Chairman Crigler informed the Commission that he and Rod Atkinson met with Dean Grigg, Deputy Director, regarding the unintended consequences of recent staffing changes. The conversation was constructive and hopefully some relief will be forthcoming, both short and long term.

Introduction of Board Members and Staff

Administrator's Remarks:

Rod Atkinson

Mr. Atkinson introduced Betty Archie, Administrative Assistant. Mr. Atkinson informed the Commission that he will continue to have staff attend and observe the meetings in the future.

1. Licensure Update as of April 9, 2015

• Broker	5172
• Broker In Charge	7374
• Property Manager	1373
• Property Manager In Charge	1162
• Salesman	18440
• Salesman (Provisional)	1841
TOTAL ACTIVE	35,362

• Inactive Broker	1525
• Inactive Property Manager	468
• Inactive Salesman	4810
TOTAL INACTIVE	6,803

**TOTAL CURRENT LICENSES
AS OF 4/9/15 42,165**

2. **Budget** - no budget report was available

3. **Investigations and Enforcement**

Sharon Wolfe presented the Commission with an overview of the opened and closed cases from January 1, 2014 – April 8, 2015, as well as for the previous year.

4. **IRC Report** - The Commission reviewed the IRC report from April 6, 2015.

MOTION:

Mr. Poplin made the motion to approve the IRC report from April 6, 2015. Mr. Harley seconded the motion, which carried unanimously.

5. Mr. Atkinson informed the Commission that he and Richele Taylor, Agency Director, met with the Coastal Carolina Association of Realtors, in Myrtle Beach, SC, to provide a better understanding of the Agency and the Commission. One topic of discussion was pending legislation involving Home Owners Associations.
6. Mr. Atkinson informed the Commission that a Bill has been introduced to amend the Time Share Act.
7. Resolution was filed to recognize Russell and Jeffcoat for their 50th anniversary.

Chairman Crigler has a tentative meeting with Chairman Sandifer on Monday regarding the license law revisions and pending legislation.

APPLICATION HEARINGS

Jason O'Quinn

The Commission held an Application Hearing regarding Jason O'Quinn. Mr. O'Quinn appeared before the Commission to present testimony and was represented by Tracey Green, Attorney. Discussion ensued.

MOTION:

Mr. Lockwood made a motion to allow Mr. O'Quinn to sit for the 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.)

Marcus Wilson

The Commission held an Application Hearing regarding Marcus Wilson. Mr. Wilson appeared before the Commission to present testimony and was represented by Sean Wilson, Attorney. Discussion ensued.

MOTION:

Mr. Cox made a motion to allow Mr. Wilson to sit for the examination. Ms. Pratt 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.)

Pamela Baucom

The Commission held an Application Hearing regarding Pamela Baucom. Ms. Baucom appeared before the Commission to present testimony and waived her right to counsel. Discussion ensued.

MOTION:

Mr. Cox made a motion to enter Executive Session. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

Mr. Stackhouse made a motion to enter Open Session. Mr. Biggers seconded the motion, which carried unanimously.

MOTION:

Ms. Pratt made a motion to allow Ms. Baucom to sit for the examination, provided she furnishes the Commission with a letter from her sponsoring Broker-In-Charge. 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.)

Keon Rhodan

The Commission held an Application Hearing regarding Keon Rhodan. Mr. Rhodan appeared before the Commission to present testimony and waived his right to counsel. Mr. Harley recused himself from this hearing based on a business relationship with the applicant. Discussion ensued.

MOTION:

Mr. Lockwood made a motion to allow Mr. Rhodan to sit for the examination, provided he furnishes the Commission with a letter from his sponsoring Broker-In-Charge. Mr. Cox 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.)

Frank Pompey

Mr. Pompey was not present, therefore his application is dismissed.

MOTION:

Mr. Lockwood made a motion to dismiss Mr. Pompey's application. Ms. Pratt seconded the motion, which carried unanimously.

MOTION FOR RECONSIDERATION

Sonny Ninan

The Commission held a Hearing to consider Mr. Ninan's Motion for Reconsideration. Mr. Ninan appeared before the Commission to present testimony and was represented by James B. O'Connell, Attorney. Lauren Kearney, Office of Disciplinary Counsel, represented the State. Discussion ensued.

MOTION:

Mr. O'Kelley made a motion to enter Executive Session. Mr. Poplin seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Cox made a motion to deny Mr. Ninan's Motion for Reconsideration. Mr. Lockwood seconded the motion, which carried unanimously. Effective date of the Order will be January 13, 2015.

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

New Business

Georgia (Gigi) Lewis, Advice Counsel, addressed the Commission regarding Online Brokerage Practice and modern technology. Communication will be distributed concerning this topic, and an agenda item will be added to the next meeting to review/revise the list of acceptable topics for continuing education.

MOTION:

Mr. Cox made a motion to enter Executive Session. Mr. Pratt seconded the motion, which carried unanimously.

MOTION:

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

Unfinished Business

Legislative Recommendations – recommended language changes to Section 40-57-210.

MOTION:

Mr. Poplin made a motion to approve the recommended language changes to Section 40-57-210. Ms. Pratt seconded the motion, which carried unanimously.

Adjournment

MOTION:

Mr. Biggers made a motion to adjourn. Mr. Harley seconded the motion, which carried unanimously.

The meeting was adjourned at 2:25 pm.