

MINUTES

A meeting of the Alabama Real Estate Commission was held April 19, 2018, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Nancy Wright; Vice Chairman Bill Watts; Commissioners Emmette Barran, Reid Cummings, Cindy Denney, Carole Harrison, Clif Miller, Vaughn Poe and Danny Sharp; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; General Counsel Mandy Lynn; Investigators David Erfman, K.C. Baldwin, and Rickey Fennie. The Hearing Officer was Jim Hampton.

Other staff members in attendance for all or part of the meeting were Public Relations Manager Vernita Oliver-Lane; Public Relations Specialist Lori Moneyham; Education Director Ryan Adair; Licensing Administrator Anthony Griffin; Accounting and Personnel Director Molli Jones; Information Technology Director Brett Scott; Information Technology Specialist Steven Brown and Executive Assistant Barbi Lee.

The meeting, having been duly noticed according to the Alabama Open Meetings Act, was called to order at 9:00 a.m. and a quorum was declared.

Commissioner Harrison made a motion to approve the minutes from the March 22, 2018 meeting. Vice Chairman Watts seconded the motion and it passed unanimously 9-0.

Executive Director Patricia Anderson presented the March 2018 financial report. Revenues are still above projections and expenditures are under estimates. No payouts have been made from the Recovery Fund; however, a request for \$8,000 is expected. Ms. Anderson discussed testing results for salespersons, brokers and reciprocals for March 2018. There were 575 tests administered and 332 (57.73%) passed the examinations.

Ms. Anderson provided information about Dr. John R. Dew, Senior Vice Chancellor of Student Services & Administration for Troy University. Dr. Dew will be facilitating the upcoming Strategic Planning Session for the Commission. Commissioners agreed on the proposed date of Wednesday, June 20, 2018 for the Strategic Planning Session.

A final update from the 2018 Legislative Session was provided by Ms. Anderson. Legislative Acts affecting the Commission directly are state employees will receive a 3% raise effective October 1, 2018 and Act 2018-540 regarding the licensing of Spouses of Active Duty Military Personnel, which is effective January 1, 2019.

COMMISSIONER DISCUSSION

Commissioner Cummings discussed the Digital Marketing Programs at the University of South Alabama. Phase 1 is a Digital Marketing Boot Camp offered live and has been approved

for three (3) hours of continuing education credit. Phase 2 includes a series of online 90-minute modules. As per Rule 790-X-1-.12(3), Commissioner Cummings requested that the one and one-half hour formats for the modules be approved as acceptable for continuing education credit provided all other requirements are met.

Vice Chairman Watts made a motion to approve the USA online courses in a 90-minute format for continuing education as per Rule 790-X-1-.12(3). Commissioner Barran seconded the motion and it passed 8-0. Commissioner Cummings recused himself.

Commissioner Cummings made a motion that the Commissioners conduct disciplinary hearing disposition discussions and decisions in an Open Meeting. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

HEARINGS

Alabama Real Estate Commission vs. Eugene Oliver (Chip) Webber, Formal Complaint No. 3451

Eugene Oliver (Chip) Webber, Salesperson, Ourtown Realty LLC, Montgomery, Alabama, was charged on Count 1 with violating *Code of Alabama* 1975, as amended, Section 34-27-36(a)(16) by submitting an online electronic check in the amount of \$85 for payment of the original salesperson license fee which was returned unpaid. Mr. Webber was charged on Count 2 with violating *Code of Alabama* 1975, as amended Section 34-27-36(a)(16) by submitting an online electronic check in the amount of \$10 for payment of a license certification which was returned unpaid and on Count 3 with violating *Code of Alabama* 1975, as amended Section 34-27-36(a)(16) by submitting an online electronic check in the amount of \$25 for payment of a license activation which was returned unpaid.

Upon discussion of the evidence and testimony presented by Mr. Webber, Commissioner Cummings made a motion to find him guilty on all three counts. The motion was seconded by Commissioner Barran and it passed unanimously 9-0. Commissioner Cummings made a motion to fine Mr. Webber \$100 on each count. Commissioner Poe seconded the motion and it passed unanimously 9-0.

Crystal L. Whitten, Hardship Request for 30-Day Extension to Take and Pass the Salesperson Examination, Investigative File I-15,243

Upon discussion of the evidence and testimony presented by Ms. Whitten regarding her hardship request for a 30-day extension to take and pass the salesperson examination, Commissioner Cummings made a motion to grant her a 60-day extension. Commissioner Denney seconded the motion and it passed unanimously 9-0.

Amin Mokhtari, Application for Salesperson License, Investigative File I-15,247

Upon discussion of the evidence and testimony presented by Mr. Mokhtari regarding his application for a temporary salesperson license, Commissioner Harrison made a motion to approve his request. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

Taleighah Chaney, Hardship Request for Two-Month Extension to Take and Pass the Salesperson Examination, Investigative File I-15,249

Upon discussion of evidence and testimony presented by Ms. Chaney regarding her request for additional time to take and pass the salesperson license examination, Commissioner Cummings made a motion to grant a two-month extension. Commissioner Barran seconded the motion and it passed unanimously 9-0.

Dixanna Savage, Application for Determination of Licensing Eligibility, Investigative File I-15,244

Upon discussion of the evidence and testimony presented by Ms. Savage regarding her application for determination of licensing eligibility, Commissioner Cummings made a motion to approve her application. Commissioner Miller seconded the motion and it passed unanimously 9-0.

Anthony F. Stutts, Application for Determination of Licensing Eligibility, Investigative File I-15,235

Upon discussion of the evidence and testimony presented by Mr. Stutts regarding his application for determination of licensing eligibility, Commissioner Cummings made a motion to deny his application. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Titilayo Ireti Alakija, Application for Temporary Salesperson License, Investigative File I-15,241

Upon discussion of the evidence and testimony presented by Ms. Alakija regarding her application for a temporary salesperson license, Commissioner Cummings made a motion to approve her application. Commissioner Barran seconded the motion and it passed unanimously 9-0.

Richard Feehan, Application for Temporary Salesperson License, Investigative File I-15,252

Upon discussion of the evidence and testimony presented by Mr. Feehan regarding his application for a temporary salesperson license, Commissioner Harrison made a motion to approve his application. Commissioner Denney seconded the motion and it passed unanimously 9-0.

NOT APPEARINGS

Sandra Broaden Michael, Request for Home Operation, Investigative File I-15,251

NOTE: Ms. Michael was originally scheduled for a Not Appearing Hearing; however, she was present and the Commission allowed for a hearing.

Upon review of the testimony presented by Ms. Michael regarding her request for home operation, Vice Chairman Bill Watts made a motion to approve her request. Commissioner Barran seconded the motion and it passed unanimously 9-0.

Shayla Davis, Hardship Request for 6-8 Weeks Extension to Take and Pass the Salesperson Examination, Investigative File I-15,274

Upon review of Ms. Davis' hardship request for an extension to take and pass the salesperson examination and comments made on her behalf by Commissioner Miller, Vice Chairman Watts made a motion to grant her request for a 60-day extension. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

Request to Approve Extension of 90-Day Deadline for June Broker, Reciprocal Broker and Reciprocal Salesperson Examinees to October 1, 2018.

Executive Director Anderson reminded the Commissioners that 2018 is a renewal year for all licensees. Upon discussion of the request to approve a 30-day extension of the 90-day deadline for June Broker, Reciprocal Broker and Reciprocal Salesperson examinees to October 1, 2018, Vice Chairman Watts made a motion to extend the deadline for the June examinees. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

Confirm June Meeting Date and Location for the Record: June 21, 2018, 9:00 a.m. in Montgomery, Alabama

Commissioner Cummings made a motion to approve the June meeting for June 21, 2018 at 9:00 a.m. in Montgomery, Alabama. Commissioner Miller seconded the motion and it passed unanimously 9-0.

Next Commission Meeting: May 24, 2018, 9:00 a.m. in Montgomery, Alabama

There being no further business, the meeting adjourned at 12:20 p.m.

Done this 19th day of April 2018.

Nancy Wright, Chairman

Barbi Lee, Recording Secretary