

MINUTES

A meeting of the Alabama Real Estate Commission was held February 22, 2018, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Nancy Wright; Commissioners Reid Cummings, Cindy Denney, Carole Harrison, Clif Miller, Vaughn Poe and Danny Sharp; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; Assistant General Counsel Mandy Lynn; and Investigators David Erfman, K. C. Baldwin and Rickey Fennie. Vice Chairman Bill Watts and Commissioner Emmette Barran were absent with notice. 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 Mollie Jones; Information Technology Director Brett Scott; and Information Technology Specialist Steven Brown.

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.

Chairman Wright noted a correction to the January 25, 2018 minutes. The date of the November 2017 meeting should have read November 30 instead of November 20 in the January 25 minutes. Commissioner Harrison made a motion to approve the minutes as amended. Commissioner Poe seconded the motion and it passed unanimously 7-0.

Executive Director Patricia Anderson presented the January 2018 financial report. Revenues and expenditures are above last year, but remain below projections. The number of original and temporary licenses issued have increased. One transaction from the Recovery Fund in the amount of approximately \$8,000 is expected. Ms. Anderson shared an overview of the increasing number of salesperson examinations that have been taken between 2011 and 2017.

Ms. Anderson provided a legislative update. Commissioners received a report prepared by Strategic Planning Consultant JDanny Cooper showing the status of bills.

Commissioner Miller 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 7-0.

HEARINGS

Elizabeth Leigh Rendfrey, Request for 90-Day Extension to Take and Pass the Salesperson License Examination, Investigative File I-15,219

Upon discussion of the evidence and testimony presented by Ms. Rendfrey regarding her request for a 90-day extension to take and pass the salesperson examination,

Commissioner Denney made a motion to grant her request. Commissioner Sharp seconded the motion and it passed unanimously 7-0.

Alabama Real Estate Commission vs. Dennis Scott Norton and Rocket City Property Management Services, LLC (Rehearing), Formal Complaint No. 3434

Commissioner Cummings recused himself.

Upon discussion of the evidence and testimony presented by Mr. Norton during his rehearing, Commissioner Poe made a motion to stay the revocation of Mr. Norton's licenses #96336-0 and #96336-1 and the license of Rocket City Property Management Services, LLC #109051 pending Mr. Norton's completion of continuing education classroom courses in both *Risk Management for Brokers* and *Risk Management for Property Managers* and a satisfactory re-audit of Rocket City Property Management Services, LLC within 90 days of the ruling. Commissioner Denney seconded the motion and it passed unanimously 6-0. Commissioner Denney made a motion that Mr. Norton still be required to pay fines of \$2,500 for broker license #96336-1 and \$2,500 for license #109051 for Rocket City Property Management Services, LLC and to withdraw the \$2,500 fine for broker license #96336-0. The total fine of \$5,000 is to be paid within 30 days of the order. Commissioner Harrison seconded the motion and it passed unanimously 6-0.

Whitney Okorley, Request for 60-Day Extension to Take and Pass the Salesperson License Examination, Investigative File I-15,229

Upon discussion of the evidence and testimony presented by Ms. Okorley regarding her request for a 60-day extension to take and pass the salesperson examination, Commissioner Cummings made a motion to grant her request. Commissioner Miller seconded the motion and it passed unanimously 7-0.

John Mark Honea, Application for Determination of Licensing Eligibility, Investigative File I-15,222

Upon discussion of the evidence and testimony presented by Mr. Honea regarding his application for determination of licensing eligibility, Commissioner Sharp made a motion to approve his application. Commissioner Poe seconded the motion and it passed 6-1 with Commissioner Miller voting against the motion.

Emily Michelle Stodola, Request for Extension to Submit Temporary Salesperson License Application, Investigative File I-15,227

Upon discussion of the evidence and testimony presented by Ms. Stodola regarding her request for an extension to submit her temporary salesperson application after failing to meet the 90-day deadline for submission, Commissioner Denney made a motion to grant her request. Commissioner Sharp seconded the motion and it passed unanimously 7-0.

**Alabama Real Estate Commission vs. Elizabeth Cole Woods Montgomery, Formal Complaint
No. 3446**

Elizabeth Cole Woods Montgomery, Qualifying Broker, NorthStar Realty LLC, Birmingham, Alabama, was charged on Count 1 with violating *Code of Alabama* 1975, as amended, Section 34-27-36(a)(19) by failing to comply with Section 34-27-31(j) in that she failed to notify the Alabama Real Estate Commission within 10 days after notice to her of the institution of civil suit against her; charged on Count 2 of violating *Code of Alabama* 1975, as amended, Section 34-27-36(a)(19) by failing to comply with Section 34-27-31(k) in that she failed to notify the Commission in writing by certified mail within 10 days after she received notice of the judgement in a civil suit that had been filed against her; and charged on Count 3, with violating the *Code of Alabama* 1975, as amended, Section 34-27-36(a)(23)b. by having a final money judgment rendered against her which resulted from an act or omission occurring in the pursuit of her real estate business or involving the goodwill of an existing real estate business.

Upon discussion of the evidence and testimony presented by Ms. Montgomery, Commissioner Harrison made a motion to find Ms. Montgomery guilty on all three counts. Commissioner Miller seconded the motion and it passed unanimously 7-0. Commissioner Denney made a motion to issue a reprimand to Ms. Montgomery. Commissioner Cummings seconded the motion and it passed unanimously 7-0.

NOT APPEARINGS

**Gregory Scott Woolfolk -Waiver of Hearing and Guilty Plea for Bad Check, Formal Complaint
No. 3449**

Gregory Scott Woolfolk, Associate Broker, First Choice Real Estate, Madison, Alabama was charged with violating *Code of Alabama* 1975, as amended, Section 34-27-36(a)(16) for presenting to the Alabama Real Estate Commission, as payment for a fee or fine, a check which was returned unpaid by the bank upon which it was drawn. Commissioner Cummings made a motion to find Mr. Woolfolk guilty and fine him \$500. Commissioner Sharp seconded the motion and it passed unanimously 7-0.

**Jennifer Michelle Hillegas -Waiver of Hearing and Guilty Plea for Bad Check, Formal Complaint
No. 3450**

Jennifer Michelle Hillegas, Qualifying Broker, Nice Cribs LLC dba Nice Cribs Realty LLC, Rome, Georgia was charged with violating *Code of Alabama* 1975, as amended, Section 34-27-36(a)(16) for presenting to the Alabama Real Estate Commission, as payment for a fee or fine, a check which was returned unpaid by the bank upon which it was drawn. Commissioner Cummings made a motion to find Ms. Hillegas guilty and fine her \$500. Commissioner Denney seconded the motion and it passed unanimously 7-0.

Confirm April Meeting Date and Location for the Record: April 19, 2018, 9:00 a.m. in Montgomery, Alabama

Commissioner Cummings made a motion to confirm the April meeting for April 19, 2018 at 9:00 a.m. in Montgomery, Alabama. Commissioner Sharp seconded the motion and it passed unanimously 7-0.

Next Commission Meeting: March 22, 2018, 9:00 a.m. in Cullman, Alabama

There being no further business, the meeting adjourned at 12:05 p.m.

Done this 22nd day of March 2018.

Nancy Wright, Chairman

Lori Moneyham, Recording Secretary