

MINUTES

A meeting of the Alabama Real Estate Commission was held July 15, 2011, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery.

Those present were Chairman Sheila Hodges, Vice Chairman Jewel Buford; Commissioners Steve Cawthon, Clif Miller, Jan Morris, Dorothy Riggins-Allen, Danny Sharp, Bill Watts and Nancy Wright; Executive Director Philip Lasater; Assistant Executive Director Patricia Anderson; Deputy Attorney General Charles Sowell; Assistant Attorney General Chris Booth; Education Director Ryan Adair; Licensing Administrator Anthony Griffin; Investigators David Erfman, Chuck Kelly, Phillip Bunch and K.C. Baldwin. Tori Adams served as Hearing Officer.

Other staff in attendance were Public Relations Manager Vernita Oliver-Lane, Public Relations Specialist Lori Moneyham, Accounting and Personnel Manager Molli Jones, Information Technology Manager Nancy Barfield, Assistant Information Technology Manager Brett Scott and Programmer Analyst Matt Davis.

The meeting having been duly noticed according to the Open Meetings Act was called to order at 9:00 a.m. by Chairman Sheila Hodges.

Commissioner Watts made a motion to approve the June minutes as presented. Commissioner Morris seconded the motion and it passed unanimously 9-0.

Executive Director Philip Lasater addressed the June Financial statement. He noted that for the first time a Sunset Committee member referenced the timeshare program. While a small program, there continues to be increased revenue from it. Mr. Lasater pointed out that it is a positive indicator that more licensees have renewed in 2011 than did in 2009 which are comparable periods within the two year renewal cycle. Commissioner Morris commented that the scorecards are an excellent source of information.

In the Executive Director's report Mr. Lasater referenced the Attorney General's ruling as it relates to the requirement for boards and commissions to collect social security numbers for each license renewal, our question to Examiners regarding awarding of grants, posed a question to Commissioners to inquire if they are interested in hiring an additional auditor, and discussed the status of our Website contract with Nine Agency and questions members of the Sunset Committee have about it.

Commissioner Sharp complimented Mr. Lasater on the article about the tornado outbreak in April that he wrote for the summer edition of the Update.

Mr. Lasater asked if Commissioners had a chance to review the proposed calendar for 2012. After brief discussion it was the consensus of the Commission to table adoption until the next meeting.

Commissioner Morris reminded fellow Commissioners that Alabama will host the ARELLO District Conference next month and encouraged everyone to attend. Commission Chair Hodges asked that a memo be sent to former Commissioners to invite them to attend the conference.

Commissioner Morris made a motion that the Commission conduct its disciplinary hearing disposition discussions and decisions in open meeting. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

HEARINGS

Sue B. Brewer, Hardship Application for Renewal of Lapsed Brokers License, I-13,660

Upon discussion of the hardship renewal request presented by Ms. Brewer, Commissioner Cawthon made a motion allow Ms. Brewer to renew as a salesperson, require her to pay all pending license and late fees and require her to complete 15 hours of approved continuing education which must include License Law and Risk Management within the next six months. Commissioner Morris seconded the motion and it passed unanimously 9-0.

Kelli Lovoy, Request for Extension to Complete Salespersons Prelicense Course, I-13,674

Upon discussion of Ms. Lovoy's request for extended time to complete the salesperson's prelicense course, Commissioner Morris made a motion to grant a 45 day extension from the date of this action. Commissioner Watts seconded the motion and it passed unanimously 9-0.

Alabama Real Estate Commission vs. Carole L. Shields; Alton C. Shields, and Infinity LLC dba Infinity Realty Solutions, Formal Complaint No. 3242

Upon discussion of the evidence and testimony presented in the matter of Carole L. Shields, Former Qualifying Broker, Infinity LLC d/b/a Infinity Realty Solutions, Birmingham, Alabama; Alton C. Shields, Former Salesperson, Infinity LLC d/b/a Infinity Realty Solutions, Atlanta, Georgia; Infinity LLC, d/b/a Infinity Realty Solutions, Huntsville, Alabama, address of E.S. Brooks School of Real Estate, and the alleged violation of the Code of Alabama 1975, as amended, Section 34-27-36(a)(8)a. in that Respondents failed, within a reasonable time, to properly account for or remit money coming into their possession which belonged to others, Commissioner Watts made a motion to accept the surrender of Ms. Shields' and Mr. Shields' licenses. Commissioner Buford seconded the motion and it passed unanimously 9-0.

Agnes Stergion-Willis, Applicant for Approval to Hold a Real Estate License After Revocation, I-13,653

Upon discussion of the testimony presented by Ms. Stergion-Willis regarding her request for approval to obtain a reciprocal license after having an Alabama license revoked, Commissioner Morris made a motion to approve her request conditioned upon her paying all fees and fines owed, applying as an original applicant and meeting all current requirements. Commissioner Riggins-Allen seconded the motion and it passed unanimously 9-0.

Bryan R. Welch, Application for Determination of Licensing Eligibility, I-13,667

Upon discussion of the testimony presented by Mr. Welch regarding application for determination of eligibility to be licensed, Commissioner Morris made a motion to approve his request. Commissioner Riggins-Allen seconded the motion and it passed unanimously 9-0.

NOT APPEARING ITEMS FOR RULING

Diane G. Lombard, Waiver of Hearing and Guilty Plea, Formal Complaint No. 3239

Upon review of the evidence and testimony presented in the matter of Diane G. Lombard, Salesperson, Woodland Real Estate, Inc., Madison, Alabama, and the alleged violation of the Code of Alabama 1975, as amended, Section 34-27-36(a)(16) by 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 Buford made a motion to find Ms. Lombard guilty and fine her \$250. Commissioner Miller seconded the motion and it passed unanimously 9-0.

Linda G. Sheffield, Request that Hearing Results not be Published in the Commission's UPDATE Newsletter or Otherwise, Formal Complaint No. 3181

Upon review of the letter from Ms. Sheffield's attorney requesting that the Commission refrain from publishing details of the Commission rulings against her, Commissioner Watts made a motion to deny Ms. Sheffield's request. Commissioner Wright seconded the motion and it passed unanimously 9-0.

Marvin Edison Adams, Jr., Request for Extension of 90-Day Deadline to Have Temporary Salesperson's License Issued, I-13,673

Upon review of Mr. Adams' physical hardship request for late application of a temporary salesperson's license, Commissioner Morris made a motion to approve his request. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

**Confirm Next Meeting Date and Location for the Record: August 24, 2011, 9:00 a.m.,
Montgomery**

Commissioner Morris made a motion to approve the next Commission meeting date and location for August 24, 2011, at 9:00 a.m. in Montgomery, Alabama. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

There being no further business, the meeting adjourned at 11:03 a.m.

Done this 15th day of July, 2011.

Sheila Hodges, Chairman

Patricia Anderson, Recording Secretary