

MINUTES

The Alabama Real Estate Commission met July 20, 2007 in the Commission Hearing Room of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Bill Poole; Vice Chair Sheila Hodges; Commissioners Gordon Henderson, Bobby Hewes, Chester Mallory, Jan Morris, and Dorothy Riggins; Executive Director Philip Lasater; Assistant Executive Director Patricia Anderson; Assistant Counsel Chris Booth; Education Director Ryan Adair; Investigators David Erfman, Chuck Kelly and Phillip Bunch. Walter Turner served as Hearing Officer. Commissioners Buford and Watts were absent with prior notice.

Commissioner Morris moved to approve the June minutes approved as presented. Commissioner Hewes seconded the motion and it passed unanimously 7-0.

The June financial statement was distributed. Revenue trends and fund balances were noted and no action was taken.

On the occasion of Gloria Ingram's retirement, Chairman Poole recognized Commissioner Hodges' motion for resolution with the second by Commissioner Henderson and upon adoption by a 7-0 vote, had Executive Director Philip Lasater read the resolution for presentation. Philip Lasater then recognized Assistant Executive Director Patricia Anderson to read and present a retirement proclamation from Governor Bob Riley. Notes and e-mails were collected by Education staff and those, along with gifts and well wishes, were presented to Gloria. In her acknowledgement of the commendation and congratulations, she expressed appreciation and encouragement for the future of AREC and its entire staff and Commission.

Commission Task Force status reports were received as information with no action taken.

The upcoming instructor training scheduled for August 9 and 10 in Montgomery was highlighted for Commissioners with attendance welcomed and encouraged by those who were interested.

The ARELLO District meeting is upcoming in New Orleans with Commissioners Henderson, Hodges, Mallory, Morris in attendance along with Assistant Executive Director Pat Anderson.

HEARINGS

Sharleen Smith, Alabama Trailing Institute, Auburn University Montgomery Communication Consulting

Commissioner Hodges moved to approve entering an interdepartmental agreement with AUM and moving forward with the proposals outlined with regular status reports and allowance for Commission feedback and redirection. Commissioner Henderson seconded the motion and it passed unanimously 7-0. Commissioner Henderson requested

Commissioner Mallory to Chair the Communication Committee and to hold a meeting on August 23rd to review and consider a plan for allocating the approved budget amount for advertising about unlicensed activity.

David R. Francis, Determination of Annulment or Withdrawal of Salesperson's License, I-12,343

Upon discussion of the determination of annulment or withdrawal of Mr. Francis' license, Commissioner Hodges moved to suspend the license of Mr. Francis for six months. Commissioner Hewes seconded the motion and it passed unanimously 7-0.

Schebisa Tyreece Hampton, Hardship Applicant to Obtain Temporary Salesperson's License, I-12,379

Upon discussion of the hardship circumstances surrounding Mr. Hampton's application for temporary salesperson's license, Commissioner Morris moved to approve the hardship application of Mr. Hampton. Commissioner Henderson seconded the motion and it passed unanimously 7-0.

Alabama Real Estate Commission vs. Deborah T. Hearn, Formal Complaint No. 3007

Upon discussion of the evidence and testimony presented in the matter of Deborah T. Hearn, Inactive Broker, Mobile, Alabama, and the alleged violation of the Code of Alabama 1975, as amended, Section 34-27-36(a)(19) by failing to comply with Section 34-27-35(k) by operating the company with an inactive qualifying broker and performing acts for which an active license is required, Commissioner Hodges moved to accept the affidavit of surrender which renders the license of Deborah Hearn revoked. Commissioner Henderson seconded the motion and it passed unanimously 7-0.

LeAnne Davis, Applicant to Take Real Estate Salesperson's Examination, I-12,380

Ms. Davis' request was taken as a Not Appearing. Upon review of Ms. Davis' request to take the salesperson's exam without having to retake the 60 hour prelicense course, Commissioner Henderson moved to approve Ms. Davis to take the salesperson exam. Commissioner Hodges seconded the motion and it passed unanimously 7-0.

Darrel Pierre McTerry, Application for Determination of Licensing Eligibility, I-12,349

Darrel Pierre McTerry was granted a continuance.

Christopher Dewayne Wigfall, Application for Real Estate Salesperson's Temporary License, I-12,362

Upon discussion of Mr. Wigfall's temporary salesperson's license, Commissioner Henderson moved to approve the temporary sales license of Mr. Wigfall. Commissioner Morris seconded the motion and it passed unanimously 7-0.

Dorothy M. Shepherd, Application for Determination of Licensing Eligibility, I-12,368

Upon review of the application for determination of licensing eligibility submitted by Ms. Shepherd, Commissioner Morris moved to deny the license eligibility of Ms. Sheppard. Commissioner Mallory seconded the motion and it passed unanimously 7-0.

Veronica Peters, Applicant for Original Salesperson's License After Temporary Salesperson's License Lapsed, I-12,386

Upon discussion of Ms. Peters' hardship request for original salesperson's licensure, Commissioner Riggins moved to approve issuance of her original license. Commissioner Hewes seconded the motion and it passed 6-1 with Commissioner Hodges voting no.

NOT APPEARINGS

Dorothy J. Crutcher, Applicant for Temporary Salesperson's License, I-12,326

Upon review of the temporary salesperson's application submitted by Ms. Crutcher, Commissioner Hewes moved to approve the temporary sales application of Ms. Crutcher. Commissioner Henderson seconded the motion and it passed unanimously 7-0.

Alabama Real Estate Commission vs. Hilary Nicole Swearingin, Formal Complaint No. 3012

Upon discussion of the evidence and testimony presented in the matter of Hillary Nicole Swearingin, Salesperson, Century 21 Regency Realty, Inc., Enterprise, 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 Hodges moved to find Ms. Swearingin guilty and to fine her \$250. Commissioner Morris seconded the motion and it passed 6-0 with Commissioner Mallory abstaining.

Kristopher D. Sewell, Applicant for Determination of Licensing Eligibility, I-12,356

Upon review of Mr. Sewell's eligibility for licensure, Commissioner Hewes moved to approve the license eligibility of Mr. Sewell. Commissioner Mallory seconded the motion and it passed unanimously 7-0

Melissa W. Schroeder, Inactive Salesperson's License, I-12,329

Upon discussion of Ms. Schroeder's decision to surrender her salesperson's license in lieu of having a formal complaint hearing, Commissioner Hodges moved to accept the affidavit of surrender by Ms. Schroeder which renders her salesperson license revoked. Commissioner Morris seconded the motion and it passed unanimously 7-0

James E. Ball, Request for Extension of Testing Time, I-12,387

Upon review of the request by Mr. Ball for an extension to the twelve month deadline for taking the salesperson's examination, Commissioner Morris moved to extend the deadline for 90 days. Commissioner Mallory seconded the motion and it passed unanimously 7-0.

Chase B. Pike, Request for 60 Day Extension to Have Original Salesperson's License Issued, I-12,366

Upon discussion of the request by Mr. Pike for an extension to the one year required for applying for an original salesperson's license, Commissioner Mallory moved to approve a 60 day extension to have his original sales license issued. Commissioner Hewes seconded the motion and it passed unanimously 7-0.

Stassa Charmain Austin, Denied Applicant for License Eligibility, I-12,394

Upon discussion of Ms. Austin's eligibility for licensure, Commissioner Henderson moved to approve the license eligibility of Ms. Austin. Commissioner Hodges seconded the motion and it passed unanimously 7-0.

Linda Rabon, Hardship Request for Home Operation, I-12,391

Upon discussion of the home operation request made by Ms. Rabon, Commissioner Morris moved to approve the hardship request for home operation. Commissioner Hodges seconded the motion and it passed unanimously 7-0.

Beth J. Hester, Request for Extension to Take Salesperson's Examination, I-12,392

Upon discussion of the request of Ms. Hester for an extension to the one year deadline for taking the salesperson's examination, Commissioner Mallory moved to approve a 90 day extension to complete the salesperson examination. Commissioner Hodges seconded the motion and it passed unanimously 7-0.

Alabama Real Estate Commission vs. Antoinette Robinson, Waiver of Hearing and Guilty Plea, Formal Complaint No. 3014

Upon discussion of the evidence and testimony presented in the matter of Antoinette Robinson, Salesperson, Elite Ventures Realty, LLC, Columbus, Georgia, 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 Hodges moved to find Antoinette Robinson guilty and to levy a fine of \$250. Commissioner Henderson seconded the motion and it passed 6-0 with Commissioner Mallory abstaining.

William Gregory Gann, Extension Request for Issuance of Broker's License, I-12,394

Upon discussion Mr. Gann's request for an extension to the 90 day deadline for applying for a broker license after passing the exam, Commissioner Hewes moved to approve an extension to broker applicant Gregory Gann. Commissioner Hodges seconded the motion and it passed unanimously 7-0.

Christine Rickey-Krawczyk, Broker Applicant, I-12,403

Upon discussion of the broker application of Ms. Rickey-Krawczyk and her failure to apply for the license within the 12 month period allotted, Commissioner Morris moved to approve the exam results for Ms. Rickey-Krawczyk. Commissioner Mallory seconded the motion and it passed unanimously 7-0.

Helene Towns-Felton, Temporary Salesperson Applicant, I-12,404

Upon review of the temporary salesperson's license application submitted by Ms. Towns-Felton, Commissioner Morris moved to approve licensure for Ms. Towns-Felton. Commissioner Mallory seconded the motion and it passed unanimously 7-0.

There being no further business, the Commission adjourned at 12:09 p.m.

Done this 20th day of July, 2007.

Bill E. Poole, Chairman

D. Philip Lasater, Recording Secretary