

MINUTES

A meeting of the Alabama Real Estate Commission was held Thursday, July 26, 2012, at the Morgan County Association of REALTORS®, Decatur, Alabama.

Those present were Vice Chairman Steve Cawthon; Commissioners Jewel Buford, Reid Cummings, Carole Harrison, Clif Miller, Dorothy Riggins-Allen, Danny Sharp 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; Information Technology Manager Brett Scott; Investigators David Erfman and Phillip Bunch and Auditor Vickie Shackelford. Tori Adams served as Hearing Officer. Chairman Bill Watts was absent with notice.

The meeting, having been duly noticed according to the Open Meetings Act, was called to order at 9:00 a.m. by Vice Chairman Steve Cawthon. He introduced Commissioners and welcomed all the guests.

Commissioner Buford made a motion to approve the June minutes as presented. Commissioner Riggins-Allen seconded the motion and it passed unanimously 8-0.

In the Executive Director's report and Financial Review, Mr. Lasater noted that the third quarter ended with June and those numbers had been posted for Commissioner's review. Revenue projections remain down but the spending has also remained under projection. Mr. Lasater also mentioned that examination numbers appear to have reached bottom and are slowly beginning to trend up which is good news.

Mr. Lasater announced the launch of the new website last week and made Commissioners aware that this is only the beginning of a new interactive site that serves as a basis for many new aspects including mobile applications, tutorials, videos for brokers and licensees and many seeds that will bear fruit in times to come.

Regarding the current renewal period, the Commission is in the process of mailing out just under 18,000 renewal forms to active licensees and about 9,000 renewal forms to inactive licensees. As a result of email notices that were sent out, about 8% of licensees renewed online prior to renewal notices being mailed out.

Vice Chairman Cawthon announced to those attending that this would be Mr. Sowell's last meeting due to his upcoming retirement. He called on Commissioner Cummings to express appreciation to Mr. Sowell on behalf of Commissioners and to read a letter from the Chairs under whom he has served. Having presented the letter, it was adopted by acclamation and shall be so reflected in the minutes of the Alabama Real Estate Commission.

Mr. Sowell asked that Commissioners accept his thanks for a long and terrific relationship and expressed his appreciation for the opportunity to serve as General Counsel of the Commission for the last 27 years.

Vice Chairman Cawthon began the Public Hearing and asked if anyone present would like to speak to the Rule Amendments. Hearing none, the public hearing was closed.

Subsequent to a request from Vice Chairman Cawthon, Hearing Officer Tori Adams gave an overview of the hearing process for the benefit of those in attendance.

Vice Chairman Cawthon asked Commissioners to look at the 2013 calendar provided in their materials. Mr. Lasater offered that the calendar was included to give them opportunity to provide him with any dates that need to be factored and then a proposed calendar will be provided for consideration at a future meeting.

Commissioner Wright made a motion that Commissioners conduct hearing disposition discussions and decisions in an open meeting. Commissioner Harrison seconded the motion and it passed unanimously 8-0.

HEARINGS

Alabama Real Estate Commission vs. Jeffrey King Sandridge and Sweet Homes in Alabama d/b/a EZ Rent to Buy and Quincy Lamar Wiggins, Formal Complaint No. 3267

Upon discussion of the evidence and testimony presented in the matter of Jeffrey King Sandridge, Qualifying Broker, Sweet Homes in Alabama d/b/a EZ Rent to Buy, Huntsville, Alabama; Sweet Homes in Alabama d/b/a EZ Rent to Buy; and Quincy Lamar Wiggins, Temporary Salesperson, and the alleged violation of the *Code of Alabama 1975*, as amended, Count 1: Section 34-27-36(a)(17) by Respondent Sandridge establishing an association by employment or otherwise with Respondent Wiggins who, before becoming a licensed salesperson, was expected or required to act as a licensee, or aiding, abetting, or conspiring to circumvent the requirements of the Alabama Real Estate License Law, as amended; Count 2: Section 34-27-36(c)(2) by Respondent Wiggins performing acts while unlicensed which required him to have an Alabama Real Estate license; the following actions were taken. On Count 1, Commissioner Cummings made a motion to find both Mr. Sandridge and the company guilty and fine Mr. Sandridge \$2,500. The motion as seconded by Commissioner Riggins-Allen. After discussion Mr. Cummings withdrew his motion and Commissioner Riggins-Allen withdrew her second. Commissioner Cummings then made a motion to find both Mr. Sandridge and the company guilty, fine Mr. Sandridge \$2,500 and suspend Mr. Sandridge's license but the stay the suspension for six months during which time Mr. Sandridge is ordered to complete the following 12 hours of continuing education after October 1, 2012: Risk Management - Avoiding Violations, Risk Management for Brokers, License Law and Code of Ethics. If the courses are completed as ordered, and proof thereof provided to the Commission office, the suspension will be permanently stayed. Commissioner Riggins-Allen seconded the motion and it passed 7-1

with Commissioner Buford voting no. On Count 2, Commissioner Buford made a motion to find Mr. Wiggins guilty and fine him \$1,000. Commissioner Wright seconded the motion and it passed unanimously 8-0.

Elizabeth D. Boyd, Applicant for Approval to Hold a Real Estate License After License was Previously Revoked, Investigative File I-13,876

Upon discussion of the evidence and testimony presented in the matter of Elizabeth D. Boyd whose broker license was revoked in 2008, and her request for Commission approval to be re-licensed, Commissioner Buford made a motion to deny the request. Commissioner Harrison seconded the motion and it passed 6-2 with Commissioners Riggins-Allen and Miller voting no.

Vinson L. Lewis, Applicant for Original Salesperson's Real Estate License After Temporary Salesperson's License Lapsed, Investigative File I-13,889

Upon discussion of the evidence and testimony presented in the matter of Vinson L. Lewis and his request to apply for an original salesperson's license after failing to meet the 12 month deadline, Commissioner Buford made a motion to deny Mr. Lewis' request. The motion died for lack of a second. Commissioner Sharp made a motion to approve Mr. Lewis' request to submit his original salesperson's application provided it is done within the next 30 days. Commissioner Riggins-Allen seconded the motion and it passed 7-1 with Commissioner Buford voting no.

NOT APPEARINGS

Ann Oliver Holton, Surrender of License, Investigative File I-13,862

Upon review of the affidavit of license surrender submitted by Ms. Holton, Commissioner Buford made a motion to accept the surrender. Commissioner Miller seconded the motion and it passed unanimously 8-0.

Robert Jackson Belcher, III, Request for Rehearing, Formal Complaint No. 3266

Upon review of the request for rehearing submitted by Mr. Belcher, Commissioner Buford made a motion to grant Mr. Belcher's request. Commissioner Wright seconded the motion and it passed unanimously 8-0.

**Confirm Next Meeting Date and Location for the Record: August 24, 2012, 9:00 a.m.,
Montgomery**

Commissioner Sharp made a motion to approve the next Commission meeting date and location for August 24, 2012, at 9:00 a.m. in Montgomery, Alabama. Commissioner Cummings seconded the motion and it passed unanimously 8-0.

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

Done this 26th day of July, 2012.

Steve Cawthon, Vice Chairman

Patricia Anderson, Recording Secretary