

## MINUTES

A meeting of the Alabama Real Estate Commission was held September 27, 2017, at the offices of the Birmingham Association of REALTORS®, 3501 Independence Drive, Birmingham, Alabama. The purpose of the meeting was to discuss several issues pertinent to the practice of real estate and the protection of the public interest and to consider any statutory changes and additions indicated.

Those present were Chairman Bill Watts, Vice Chairman Steve Cawthon, Commissioners Reid Cummings, Cindy Denney, Danny Sharp and Nancy Wright; Executive Director Patricia Anderson, Assistant Executive Director Teresa Hoffman and Executive Assistant Barbi Lee. Also in attendance were incoming Commissioner Emmette “Em” Barran and Emily Marsh, Advocacy and Policy Manager for the Alabama Association of Realtors. Commissioner Carole Harrison arrived at 1:30 p.m. Absent with notice were Commissioners Clif Miller and Vaughn Poe.

The meeting, having been duly noticed according to the Alabama Open Meetings Act, was called to order at 1:05 p.m. and a quorum was declared.

Commissioner Nancy Wright made a motion to approve the minutes from the August 23, 2017 meeting. Commissioner Sharp seconded the motion and it passed 6-0. Commissioner Harrison was not present for the vote.

Commissioners discussed HomeAway and Airbnb and whether they are engaging in licensed activity since they are now collecting money from customers and paying owners for rentals. The consensus was to research whether any other state real estate commission requires licensure and bring this back up later if research warrants further discussion.

The Executive Director asked Commissioners what the Commission’s role, if any, should be in Coming Soon listings. By consensus, Commissioners agreed that the Commission has no jurisdiction except as it relates to existing advertising statutes and rules that apply to all advertising.

Regarding RECAD, Commissioners agreed that any amendments would require a statutory change. It was suggested that a Task Force be formed to review RECAD for needed updates and improved ways to educate licensees.

Subsequent to a discussion on Homeowner Associations, it was the consensus of Commissioners that the Commission will not pursue legislation to engage in the regulation of HOA’s but will provide input as requested should others pursue legislation.

Commissioners reviewed the legislation that the Commission has either sought passage of or amendments to or watched during the last three regular legislative sessions. It was noted that most of these bills were more state agency and consumer related than real estate industry related.

Commissioners shared information regarding their roles and duties for incoming Commissioner Emmette Barran. Commissioners provided sound advice and invaluable tips to Commissioner Barran as he begins his service to the Alabama Real Estate Commission on October 1, 2017.

Commissioner Sharp made a motion to go into Executive Session at 4:05 p.m. for approximately 10 minutes. Commissioner Wright seconded the motion and the following Commissioners voted in favor of the motion: Danny Sharp, Nancy Wright, Bill Watts, Steve Cawthon, Reid Cummings, Cindy Denney, and Carole Harrison. The Commission returned from Executive Session at 4:30 p.m. with the following Commissioners present: Bill Watts, Steve Cawthon, Reid Cummings, Cindy Denney, Danny Sharp, Carole Harrison and Nancy Wright.

The meeting was adjourned at 4:30 p.m.

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Bill Watts, Chairman

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Barbi Lee, Recording Secretary