

## MINUTES

A meeting of the Alabama Real Estate Commission was held April 26, 2012, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Bill Watts; 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; Investigators David Erfman, Chuck Kelly, Phillip Bunch and K.C. Baldwin. Tori Adams served as Hearing Officer.

Other staff in attendance for part or all of the meeting were Public Relations Manager Vernita Oliver-Lane, Public Relations Specialist Lori Moneyham, Information Technology Manager Brett Scott, Programmer Analyst Associate Matt Davis, Accounting and Personnel Manager DeLois Thigpen, Staff Accountant Margaret Hardin and Education Specialist Julie Norris.

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

Mr. Lasater introduced Ms. Diane Christy who is the Communications Director of the Alabama Society of Certified Public Accountants and is the current president of PRCA (Public Relations Council of Alabama). Ms. Christy presented the Award for Excellence representing the very best of Public Relations Professionals. The award, submitted for consideration by the Commission's Public Relations staff, was originally presented to the Commission at the State PRCA meeting held earlier in April. The award was for organizing and hosting the 2011 ARELLO District Conference in Orange Beach, Alabama. Accepting the award were Public Relations Manager Vernita Oliver-Lane and Public Relations Specialist Lori Moneyham. Mr. Lasater stated that this award was truly a result of team work exhibited by Commissioners and staff in preparation and execution of the District Conference. All were congratulated.

Mr. Lasater shared with Commissioners that our work with The Nine Agency and their presentation today is a culmination of years of developing and implementing a Communications Plans that will result in a new interactive website and establishes a brand for the Alabama Real Estate Commission. Mr. Lasater gave Commissioners background information about the Commission's Web team's work with The Nine Agency and the upcoming soft roll out of the new website. He then called on Public Relations Manager Vernita Oliver-Lane, the Commission's Project Manager, to give an overview of the work and to introduce The Nine Agency team members who will participate in the demonstration. Subsequent to the overview, Ms. Oliver-Lane introduced The Nine Agency President Robby White.

Mr. White introduced the rest of The Nine Agency staff who have been working on this project. He called on Amanda Nicholson who shared the development of the Commission's new

brand – a symbol that represents and contains the words Empower, Connect and Educate. Chase Bowers then showed the components of the new website and explained how it is being developed as a result of user testing and focus groups. Liam Butterworth showed Commissioners how the site will resize for any device such as phones, tablets and laptops. Mr. White explained the web portal and how it will work to benefit licensees and consumers. At the conclusion of the presentation, Commissioner Wright made a motion to approve the brand as developed and presented by The Nine Agency and to move forward with registering the trademark. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

Commissioner Sharp made a motion to approve the March minutes as presented. Commissioner Miller seconded the motion and it passed unanimously 9-0.

In the Executive Director’s Report, Mr. Lasater told Commissioners he thought it was important to thank industry leaders for their roles in contacting legislators to prevent the loss of Commission funds.. We continue to monitor legislation that may affect the Commission.

Chairman Watts called for the Public Hearing on proposed changes to Rule 790-X-1-.11. After sounding the halls and calling for comments, it was determined that no one was present to speak to the proposed changes. Therefore, Chairman Watts closed the Public Hearing.

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

## **HEARINGS AND APPEARINGS**

### **Hayley Catlin Praytor, Applicant for Original Salesperson’s License After Temporary Salesperson’s License Lapsed**

This hearing was postponed at the request of Ms. Praytor.

### **Devereaux L. Williams, Hardship Application for Renewal of Lapsed Broker License, I-13,821**

Upon discussion of the hardship renewal request presented by Mr. Williams, Commissioner Buford made a motion to deny Mr. Williams’ request. The motion was seconded by Commissioner Cawthon. After discussion Commissioner Buford withdrew her motion and Commissioner Cawthon withdrew his second. Commissioner Buford made a motion to allow Mr. Williams to renew his license but as a salesperson rather than as a broker. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

**Brenda Mallette, Applicant for Temporary Salesperson’s License, I-13,843**

Upon discussion of the request by Ms. Mallette for additional time to submit a temporary salesperson’s application after having failed to meet the 90 day deadline for submitting application, Commissioner Cawthon made a motion to grant Ms. Mallette a 90 day extension to submit her temporary salesperson’s application. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

**Alabama Real Estate Commission vs. Marcus Ricks, Formal Complaint No. 3263**

This hearing was postponed because service on Mr. Ricks was not accomplished.

**NOT APPEARING ITEMS FOR RULING**

**Melody Elaine Lyons, Waiver of Hearing and Guilty Plea, Formal Complaint No. 3262**

Upon review of the evidence and testimony presented in the matter of Melody Elaine Lyons, Salesperson, Realty professionals for Crown Communities, Conyers, Georgia, and the alleged violation of the Code of Alabama 1975, as amended, Section 34-27-36(a)(16) in that she presented 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. Lyons guilty and fine her \$250. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

**John Phillips, Waiver of Hearing and Guilty Plea, Formal Complaint No. 3260**

Upon review of the evidence and testimony presented in the matter of John Phillips, Qualifying Broker, The Phillips Group, Huntsville, Alabama, and the alleged violation of the Code of Alabama 1976, 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 dismiss the complaint against Mr. Phillips. Commissioner Miller seconded the motion and it passed unanimously 9-0.

**Kristy Nault Moser, Surrender of License, I-13,826**

Upon review of the affidavit for license surrender submitted by Ms. Moser, Commissioner Buford made a motion to accept the surrender of Ms. Moser’s license. Commissioner Riggins-Allen seconded the motion and it passed unanimously 9-0.

**Peter Christopher Rouveyrol, Hardship Renewal Request of Lapsed Broker License, I-13,837**

Upon review of the hardship renewal request submitted by Mr. Rouveyrol, Commissioner Cawthon made a motion to deny his request. Commissioner Buford seconded the motion and it passed 8-1 with Commissioner Riggins-Allen voting no.

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

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

Chairman Watts reminded Commissioners that the June meeting will be June 12, 2012 at 1:00 p.m. in Orange Beach.

There being no further business, the meeting adjourned at 11:20 a.m.

Done this 26<sup>th</sup> day of April, 2012.

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Bill Watts, Chairman

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Patricia Anderson, Recording Secretary