

MINUTES

A meeting of the Alabama Real Estate Commission was held June 22, 2017, 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 Reid Cummings, Cindy Denney, Carole Harrison, Clif Miller, Vaughn Poe, Danny Sharp and Nancy Wright; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; General Counsel Chris Booth; Assistant General Counsel Mandy Lynn; and Investigators David Erfman, K. C. Baldwin and Rickie Fennie. The Hearing Officer was Jim Hampton.

Other staff members in attendance for all or part of the meeting were Public Relations Manager Vernita Oliver-Lane; Public Relations Specialist Lori Moneyham; Accounting and Personnel Director Mollie Jones; Education Director Ryan Adair; Licensing Administrator Anthony Griffin; and Information Technology Specialist Steven Brown.

The meeting, having been duly noticed according to the Alabama Open Meetings Act, was called to order at 9:00 a.m. and a quorum was declared.

Chairman Watts recognized the guests who were present to observe the meeting: Jeremy Walker, CEO, Alabama Association of REALTORS®; Emily Marsh, Advocacy and Policy Manager, Alabama Association of REALTORS®; and Huntsville licensee Lynn Cawthon.

Commissioner Wright made a motion to approve the minutes from the May 25, 2017 Commission meeting. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

Executive Director Patricia Anderson presented the May 2017 financial report. Revenue is above projections and exceeds April 2017 revenue. May 2017 revenue and expenditures are up, but finances are ahead of where they were in May 2016. There were no Recovery Fund payouts in May.

Commissioners will have a legislative planning session on August 23, 2017 at the Commission offices. Commission staff will provide proposed license law updates and other information to Commissioners in July in preparation for the planning session. The September Commission meeting will be held in Birmingham, Alabama on September 28, 2017 at the Birmingham Association of REALTORS® offices.

Commissioners were reminded to provide their travel plans to Accounting and Personnel Director Mollie Jones for the 2017 ARELLO Annual Convention.

The proposed changes to Rule 790-X-1-.03 were presented for discussion and adoption. A change was made to 790-X-1-.03(1)(h) regarding the collection and escrow of security deposits and rental payments. Additional language was added to 790-X-1-.03(1)(i) based on discussions with other boards and associations and a recommendation from Commissioner Cummings. Commissioner Cawthon raised a question regarding salesperson licensees. After further discussion, Commissioner Wright made a motion to adopt Rule 790-X-1-.03 as amended. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

Commissioners received the 2018 calendar with proposed Commission meeting dates. The calendar will be discussed at the July meeting after Commissioners check their personal calendars to confirm available dates. Redistricting maps will be provided to Commissioners at the conclusion of the meeting.

Assistant Executive Director Teresa Hoffman is working with the Alabama Law Enforcement Agency, Gemalto, which purchased 3M Cogent Inc., and the FBI to finalize a new background check procedure. The new procedure will make background reports available online and, therefore, help to expedite the processing of new licenses. The Commission's licensing applications have been revised to clarify for new licensees the information they need to report to the Commission regarding previous arrests and/or convictions.

Commissioner Wright made a motion that Commissioners conduct disciplinary hearing disposition discussions and decisions in an Open Meeting. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

HEARINGS

Alabama Real Estate Commission vs. Lorenzo (Low) Finley, Formal Complaint #3424

Lorenzo (Low) Finley, Temporary Salesperson, BNB and Associates LLC, Opelika, Alabama, was charged with violating the *Code of Alabama 1975*, as amended, Section 34-27-36(a)(1) by procuring or attempting to procure a license for himself by fraud, misrepresentation, or deceit, or by making a material misstatement of fact in an application for a license.

Commissioner Cawthon made a motion to revoke Mr. Finley's license. Commissioner Poe seconded the motion and it passed 8-1 with Commissioner Sharp voting against the motion.

Alura Leigh Ferguson, Hardship Request to Obtain Original Salesperson's License, Investigative File I-15,055

Upon discussion of the evidence and testimony presented by Ms. Ferguson regarding her hardship request to obtain an original salesperson's license, Commissioner Denny made a motion to grant her 30 days to complete her examination and obtain her license. Commissioner Cawthon seconded the motion and it passed unanimously 9-0.

Richard L. Richards, Hardship Request for Extension to Submit Reciprocal Broker's License Application, Investigative File I-15,056

Upon discussion of the evidence and testimony presented by Mr. Richards regarding his hardship request to submit his reciprocal broker's license application, Commissioner Wright made a motion to grant a 30-day extension. Commissioner Denney seconded the motion and it passed unanimously 9-0.

Sharon Ashley Brunson, Request for Extension to Take and Pass Salesperson’s Examination, Investigative File I-15,079

Upon discussion of the testimony and evidence presented by Ms. Brunson regarding her request for an extension to take and pass the salesperson’s examination, Commissioner Sharp made a motion to grant her a 90-day extension. Commissioner Miller seconded the motion and it passed unanimously 9-0.

Julianna Jacovides, Hardship Request for Extension to Submit Temporary Salesperson’s License Application, Investigative File I-15,057

Upon discussion of the evidence and testimony presented by Ms. Jacovides regarding her hardship request for an extension to submit her temporary salesperson’s license application, Commissioner Cummings made a motion to grant her a 30-day extension. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Alonzo L. McCants, Request to be Relicensed After Revocation, Investigative File I-15,072

Upon discussion of the evidence and testimony presented by Mr. McCants regarding his request to be re-licensed after license revocation, Commissioner Harrison made a motion to deny his request. Commissioner Sharp seconded the motion and it passed unanimously 9-0.

Justine Tyus Richardson, Request for Extension to Take and Pass Salesperson’s Examination, Investigative File I-15,071

Upon discussion of the evidence and testimony presented by Ms. Richardson regarding her request for an extension to take and pass the salesperson’s examination, Commissioner Cawthon made a motion to grant her request. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

Alexander Graf, Request for Extension to Submit Salesperson’s Temporary License Application, Investigative File I-15,066

Upon discussion of the evidence and testimony presented by Mr. Graf regarding his request for an extension to submit his salesperson’s temporary license application, Commissioner Miller made a motion to grant a 30-day extension. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

NOT APPEARINGS

Tommy Pruett, Request for Home Operation, Investigative File I-15,068

Upon review of evidence presented regarding Mr. Pruett’s request for home operation, Commissioner Cawthon made a motion to grant his request. Commissioner Wright seconded the motion and it passed unanimously 9-0.

Confirm August Meeting Date and Location for the Record: August 24, 2017, 9:00 a.m. in Montgomery

Commissioner Miller made a motion to approve the August Commission meeting for August 24, 2017 at 9:00 a.m. in Montgomery.

Next Commission Meeting: July 27, 2017, 9:00 a.m. in Montgomery

There being no further business, the meeting adjourned at 12:25 p.m.

Done this 22nd day of June, 2017.

Bill Watts, Chairman

Lori Moneyham, Recording Secretary