

MINUTES

A meeting of the Alabama Real Estate Commission was held August 24, 2018, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Nancy Wright; Vice Chairman Bill Watts; Commissioners Emmette Barran, Reid Cummings, Cindy Denney, Carole Harrison, Clifton Miller, Vaughn Poe and Danny Sharp; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; General Counsel Mandy Lynn; Investigators David Erfman, K.C. Baldwin and Rickey Fennie. The Hearing Officer was Jim Hampton.

Other staff members in attendance for all or part of the meeting were; Public Relations Director Vernita Oliver-Lane; Public Relations Specialist Lori Moneyham; Education Director Ryan Adair; Education Auditor Julie Norris; Information Technology Director Brett Scott; Information Technology Specialist Steven Brown and Executive Assistant Barbi Lee.

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.

Vice Chairman Watts made a motion to approve the minutes from the July 26, 2018 meeting. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Chairman Wright recognized Susan Smith of Fort Payne and Joyce Harris of Selma who were in attendance. Ms. Smith and Ms. Harris are the newly confirmed Commission members and will take office on October 1, 2018.

Executive Director Patricia Anderson requested adoption of proposed amendments and repeals to rules 790-X-1-.01, 790-X-1-.06, 790-X-1-.07, 790-X-1-.09, 790-X-1-.17, 790-X-1-.21, 790-X-2-.03, 790-X-2-.04, 790-X-2-.07, 790-X-2-.14, 790-X-2-.17, 790-X-3-.01, 790-X-3-.05 and 790-X-3-.08. A public hearing on the amendments/repeals was held on July 26, 2018 and no one appeared to offer comments. There were also no written comments submitted. Commissioner Barran made a motion to approve the proposed rule amendments and repeals. Commissioner Miller seconded the motion and it passed unanimously 9-0.

Executive Director Patricia Anderson presented the July 2018 financial report. Current revenues are ahead of those in 2017 and over estimated projections; expenditures for 2018 are under projections. Payments totaling \$211,000 have been paid to other state entities for services. Ms. Anderson reported that, as of this morning, 17,835 license renewals had been completed with 15,113 done online and 2,722 performed by staff inhouse.

Ms. Anderson expressed her appreciation for the Commissioners' participation at the

Strategic Planning Session on Thursday. She also reminded them of the ARELLO® Conference coming up in September.

COMMISSIONER DISCUSSION

Commissioners discussed the 2019 calendar. Commissioner Sharp made a motion to approve the proposed dates for Commission meetings in 2019. Commissioner Denney seconded the motion and it passed unanimously 9-0. The Commission meeting dates for 2019 are: January 17, February 21, March 21, April 25, May 23, June 20, July 25, August 22, September 26, October 24 and November 21.

General Counsel Mandy Lynn provided an update on Patty Snell's appeals case. The court has affirmed the Commission's decision.

Chairman Wright called for an Executive Session at 11:50 a.m. for ±10 minutes to allow Commissioners to receive advice from General Counsel Mandy Lynn. Vice Chairman Watts made a motion to go into Executive Session for ±10 minutes to receive advice from counsel. Commissioner Harrison seconded the motion and it passed unanimously 9-0. Commissioners reconvened in Open Meeting at 12:03 p.m. with all Commissioners present.

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

HEARINGS AND APPEARINGS

Pamela Carlette Free, Hardship Application for Original Salesperson License after Temporary Salesperson License Lapsed, Investigative File I-15,341

Upon discussion of the hardship request for a 30-day extension to complete the post license course and apply for the original salespersons license presented by Ms. Free, Commissioner Harrison made a motion to deny Ms. Free's request. Commissioner Denney seconded the motion and it passed 7-2 with Commissioners Cummings and Miller voting against the motion.

Matthew Carter, Hardship Application for Renewal of Lapsed Salesperson License, Investigative File I-15,344

Upon discussion of the hardship request presented by Mr. Carter regarding renewal of his lapsed salesperson's license, Commissioner Denney made a motion to deny Mr. Carter's request. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Amber Lynn Mitchell, Application for Determination of Licensing Eligibility, Investigative File I-15,350

Upon discussion of the evidence and testimony presented by Ms. Mitchell regarding her application for determination of licensing eligibility, Commissioner Cummings made a motion to deny Ms. Mitchell's request. Commissioner Barran seconded the motion and it passed 8-1 with Commissioner Poe voting against the motion.

Lauren Henderson, Application for Determination of Licensing Eligibility, Investigative File I-15,350

Upon discussion of the evidence and testimony presented by Ms. Henderson regarding her application for determination of licensing eligibility, Commissioner Cummings made a motion to deny Ms. Henderson's request. Commissioner Poe seconded the motion and it passed 8-1 with Commissioner Barran voting against the motion.

NOT APPEARINGS

Eph Mazer, Requesting Waiver for Home Operation, Investigative File I-15,336

Upon review of the request by Mr. Mazer regarding his request for waiver for home operation, Vice Chairman Watts made a motion to approve Mr. Mazer's request. Commissioner Harrison seconded the motion and it passed 8-1 with Commissioner Poe voting against the motion.

Johnny Stewart, Hardship Request to Renew Lapsed License, Investigative File I-15,359

Upon review of the hardship request submitted by Mr. Stewart regarding renewal of his lapsed license, Vice Chairman Watts made a motion to approve Mr. Stewart's request. Commissioner Miller seconded the motion and passed unanimously 9-0.

Confirm October Meeting Date and Location for the Record: Thursday, October 25, 2018, 9:00 a.m. in Montgomery, Alabama

Commissioner Harrison made a motion to approve the October meeting for October 25, 2018 at 9:00 a.m. in Montgomery, Alabama. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

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

Done this 24th day of August 2018.

Nancy Wright, Chairman

Recording Secretary, Barbi Lee