

MINUTES

The Alabama Real Estate Commission met February 16, 2005, at the University of Alabama, Mary Howell Alston Hall Conference Room #400, in Tuscaloosa.

Those present were Chairman Bill Poole; Vice Chairman Gordon Henderson; Commissioners Roy Bragg, Jewel Buford, Thomas Hays, Bobby Hewes, Lyman Lovejoy and Chester Mallory; Executive Director Philip Lasater; Assistant Executive Director Patricia Anderson; Legal Counsel Charles Sowell. Commissioner Hodges was absent with prior notice.

Chairman Poole called the meeting to order at 1:30 p.m. and declared a quorum present.

Commissioner Henderson moved to approve the January minutes as presented. Commissioner Bragg seconded the motion and it passed unanimously 8-0.

There was not a new financial statement to review.

Executive Director Philip Lasater provided an updated legislative report. Assistant Executive Director Pat Anderson provided a report on the development of future Instructor Training Sessions which are projected to include Risk Management, License Law, Technology and Course Development Workshops. Exact scheduling is pending delivery of chairs for the Training Room of which delivery has been delayed due to the process crossing fiscal years.

It was confirmed the March meeting would be in Jefferson County at the Homewood Library on Oxmoor Road. The June meeting in conjunction with Summer Splash June 19-21 will be reviewed more closely in March.

NOT APPEARING ITEMS FOR RULING

Larry Joe Cable, Reciprocal Salesperson Applicant, I-11,543

Upon discussion of Mr. Cable's application for salesperson's reciprocal license, Commissioner Bragg moved to approve Mr. Cable's reciprocal sales application. Commissioner Henderson seconded the motion and it passed unanimously 8-0.

Daniel Lee Richardson, Applicant for Determination of Licensing Eligibility, I-11,546

Upon discussion of Mr. Richardson's application for licensing eligibility, Commissioner Hewes moved to approve the license eligibility of Mr. Richardson. Commissioner Bragg seconded the motion and it passed unanimously 8-0

Jeffrey D. Marcella, Applicant for Reciprocal Salesperson's License, I-11,548

Upon discussion of Mr. Marcella's application for salesperson's reciprocal license, Commissioner Bragg moved to approve the license eligibility of Mr. Marcella. Commissioner Henderson seconded the motion and it passed unanimously 8-0.

James D. Adams, Sr., Applicant for Determination of Licensing Eligibility, I-11,555

Upon discussion of Mr. Adams' application for licensing eligibility, Commissioner Henderson moved to deny the license eligibility of Mr. Adams. Commissioner Lovejoy seconded the motion and it passed unanimously 8-0.

Carlo DiPrima, Applicant for Determination of Licensing Eligibility, I-11,556

Upon discussion of Mr. DiPrima's application for licensing eligibility, Commissioner Mallory moved to approve the license eligibility of Mr. DiPrima. Commissioner Hewes seconded the motion and it passed unanimously 8-0.

Discussion of Appeal of the Alabama Real Estate Commission's Revocation in the Matter of John G. Moss, (Jay Moss) Formal Complaint #2685 (Result of appeal to Court of Criminal Appeals) It was the consensus to take no additional action at this time.

Alabama Real Estate Commission vs. Angela Turner, Formal Complaint #2853, Surrender of License

Upon discussion of the voluntary surrender of Ms. Turner's license, Commissioner Bragg moved to accept the license surrender of Ms. Turner. Commissioner Hays seconded the motion and it passed unanimously 8-0

Teresa M. Gay, Applicant for Determination of Licensing Eligibility, I-11,509

Upon discussion of Ms. Gay's application for licensing eligibility, Commissioner Hays moved to deny the license eligibility of Ms. Gay. Commissioner Hewes seconded the motion and it passed unanimously. 8-0.

Barbara F. Harrison, Formal Complaint #2858. Complaint alleged Respondent did not have current agency disclosure clause in her sales offer contract forms, had no estimated closing statements in her files, and no broker services disclosure forms in her files which were all discovered in a random and routine audit. Upon Ms. Harrison requesting the Commission propose a settlement in lieu of a hearing; Commissioner Mallory moved to find Ms. Harrison guilty on all counts and to fine her \$200 per count. Commissioner Hays seconded the motion and it passed unanimously 8-0.

There being no further discussion, the Commission adjourned at 2:45 PM.

Done this 16th day of February, 2005.

Bill E. Poole, Chairman

D. Philip Lasater, Recording Secretary