

MINUTES

A meeting of the Alabama Real Estate Commission was held May 22, 2025, at the office of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

The meeting, having been duly noticed according to the Alabama Open Meetings Act, was called to order by Commission Chairman Randy McKinney at 9:00 a.m.

Chairman McKinney called the roll, and the following Commissioners indicated their presence with a spoken "present": Commissioners Kim Barelare, Jimmie Ann Campbell, Jim Dye, Randy McKinney, and Juanita Taggart Jones. Commissioners Em Barran, Terri May, and Debra Lucas Robinson were absent with notice. A quorum was declared.

Commission staff members in attendance for all or part of the meeting were Executive Director Dr. Vaughn T. Poe; Assistant Executive Director Wendy Mae Alkire; Assistant Attorney General Zack Burr; Assistant Attorney General Serena Cronier Grayson; Investigator Marshall Simons; Investigator K.C. Baldwin; Legal Assistant Angie Kidd; Education Director Ryan Adair; Licensing Director Anthony Griffin; Accounting & Personnel Director Jason Clifton; Communications and Public Relations Director Lori Moneyham; Executive Assistant Amber Moore; Information Technology Director Eric Aldridge; and Information Technology Programmer Chris Prestridge. The Hearing Officer was Jim Hampton.

The Pledge of Allegiance was recited in unison.

APPROVAL OF THE MINUTES

Chairman McKinney asked for a motion to approve the minutes from the April 24, 2025, Commission meeting. Commissioner Dye made a motion to approve the minutes from the April 24, 2025, meeting. Commissioner Echols seconded the motion, and the motion passed 4-0-2, with Commissioners Campbell and McKinney abstaining due to their absence from the April meeting.

COMMISSIONER DISCUSSION

HB 225 and HB 382

Director Poe said the passage of HB225 and HB382 during the 2025 legislative session was the result of yearslong effort by the entire Commission staff and a joint negotiation with the Alabama Association of REALTORS® (AAR). He thanked Commission Education Director Ryan Adair, General Counsel Starla Leverette, Assistant Attorney General Zack Burr, Assistant Attorney General Serena Cronier Grayson, and AAR Senior Associate Counsel Franklin Johnson. He added that the staff is working on a strategy to implement, as well as message, the changes that are coming for licensees.

Rule Amendment Regarding Agency/Brokerage Services Disclosure

Assistant Attorney General Zack Burr presented a proposed rule amendment to Rule 790-X-3-.13 to Commissioners for approval. The rule covers agency/brokerage services disclosure and will be modified to reflect the updated language of the statute. He explained that the rule change was the result of legislation approved in 2025 that will impact all aspects of real estate license law. Staff is working diligently to make the necessary modifications to the Commission's administrative rules.

Commissioner Dye made a motion to move forward with the proposed amendment to Rule 790-X-3-.13 and submit it to the Legislative Services Agency for public comment. Commissioner Campbell seconded the motion, and the motion passed unanimously 6-0-0.

Rule Amendment Regarding Advertising Teams

Assistant Attorney General Burr presented a proposed amendment to Rule 790-X-3-16 for approval. This rule amendment is another modification designed to bring the Commission's administrative rule into compliance with the new license law updates. Rule 790-X-3-.16 regarding advertising currently defines the term "prominently" as it relates to real estate marketing. This definition will be codified in the law, effective October 1, 2025; therefore, Commission staff proposes amending the rule to provide guidance on the advertising or marketing of real estate teams, in accordance with the new statute.

Commissioner Dye made a motion to move forward with the proposed amendment to Rule 790-X-3-.16 and submit it to the Legislative Services Agency for public comment. Commissioner Barelare seconded the motion, and the motion passed unanimously 6-0-0.

EXECUTIVE DIRECTOR'S REPORT

Director Poe began his report by stating that Commissioner Campbell had been reappointed to the Commission as of May 6, 2025. He thanked her for her continued service to the Commission and praised her wisdom and insight.

He called on Assistant Executive Director Wendy Mae Alkire to report on progress regarding the roof replacement. Assistant Director Alkire said staff recently met with the project managers, reviewed specifications and architectural drawings, and the draft of the bid advertising. It is hopeful that a contractor will be selected and an estimate of the final cost to the Commission will be known by the end of June 2025

Director Poe announced that new license law books will be printed. This decision resulted from requests by licensees, some of whom prefer a hard copy to an electronic copy of license law. In the past, the Alabama Center for Real Estate (ACRE) has been responsible for printing and selling the books. Director Poe and Assistant Director Alkire will meet with ACRE executive director, Grayson Glaze, to discuss the logistics. Commissioner McKinney requested that a work session also be scheduled to discuss printing new license law books.

Director Poe said the April 2025 financial report demonstrates that the Commission is continuing through the fiscal year with revenues and expenditures as anticipated. There were no Recovery Fund payouts for the past 30 days. The amount paid to other state agencies for FY2025 is \$420,870.22.

He reported the Commission has issued eight new license applications per day, with 249 total new licenses issued in April.

There are currently 913 total education licenses (871 active and 42 inactive) issued, consisting of instructors, administrators, and schools. In April, education staff conducted one school audit and two CE course audits. Our newest education specialist, Cassandra James, will begin auditing on her own in June and that will increase the audit numbers.

An instructor training was held May 2, 2025, in the Commission training room. Craig Grant offered "The Modern Real Estate Instructor." Mr. Grant addressed topics such as professionalism, the modern flipped classroom, instructional material, AI and technology, virtual presentations, and memorable/impactful presentations.

In April, the legal auditors performed 10 company audits. There were no assistance visits. The Commission continues to prioritize and schedule companies that have not been audited in more than three years.

General Counsel Starla Leverette and Assistant Attorney General Zack Burr hosted the latest episode of *Briefly Legal* on May 1, 2025. Nearly 100 attendees tuned in virtually to hear an in-depth discussion of HB230 and what it means for our licensees. The next *Briefly Legal* will be held via Microsoft Teams on August 7, 2025. *Coffee with the Commission* was held on May 21, 2025, and focused on the impact of the HB225 and HB382 legislation for our licensees, as well as education license renewals. Education Director Ryan Adair, Assistant Attorney General Serena Cronier Grayson, and Director Poe were joined by 75 attendees on Teams for the hour-long event with good discussion.

Director Poe concluded his report by reminding Commissioners of upcoming holiday office closures and the Association of Real Estate License Law Officials' 2025 Annual Conference, September 9-11, 2025, in Miami. He added that Assistant Executive Director Alkire will be sworn in as 2026 ARELLO president at the Annual Conference.

HEARINGS – 9:30 a.m. Docket

Jerry Tortorigi – Hardship Request for Home Operation, Case Number 25-313

Upon discussion of the evidence and testimony presented in this matter, Commissioner Campbell made a motion to deny Mr. Tortorigi's request. Commissioner Echols seconded the motion, and the motion passed unanimously 6-0-0.

Lederrius Dickerson - Application for Real Estate Temporary Salesperson License, Case Number 25-177

Assistant Attorney General Serena Cronier Grayson advised Commissioners that this hearing had been continued to June 26, 2025.

Anthony Ziobrowski – Hardship Request for Home Operation, Case Number 25-304

Upon discussion of the evidence and testimony presented in this matter, Commissioner Dye made a motion to deny Mr. Ziobrowski's request. Commissioner Taggart Jones seconded the motion, and the motion passed unanimously 6-0-0.

Loretta Ferguson - Application for Real Estate Temporary Salesperson License, Case Number 25-270

Upon discussion of the evidence and testimony presented in this matter, Commissioner Echols made a motion to deny Ms. Ferguson's application. Commissioner Barelare seconded the motion, and the motion passed unanimously 6-0-0.

Sade Martin - Application for Determination of Licensing Eligibility, Case Number 25-221

Assistant Attorney General Serena Cronier Grayson advised Commissioners that this hearing had been continued to June 26, 2025.

Keith H. Turner II - Application for Real Estate Temporary Salesperson License, Case Number 24-271

Upon discussion of the evidence and testimony presented in this matter, Commissioner Campbell made a motion to deny Mr. Turner's application. Commissioner Echols seconded the motion, and the motion passed the motion passed 5-1-0, with Commissioner Dye voting against the motion.

Alabama Real Estate Commission VS. Pamela Bass and Virtuous Realty Group, Case Number 25-256

Pamela Bass, Qualifying Broker of Virtuous Realty Group, Madison, Alabama and Virtuous Realty Group, Company, Madison, Alabama were charged on **Count 1** for violating *Code of Alabama, 1975*, Section 34-27-36(a)(19) by violating or disregarding an order of the Commission.

Upon discussion of the evidence and testimony presented in this matter, Commissioner Dye made a motion to find Pamela Bass and Virtuous Realty Group guilty. Commissioner Taggart Jones seconded the motion, and the motion passed unanimously 6-0-0. Commissioner Campbell made a motion to impose a fine of \$2,500 each and to require Ms. Bass to complete six hours of in-person continuing education consisting of Broker Management (3 hours) and License Law (3 hours), within 90 days. These continuing education hours are in addition to the 15 hours the Commission requires for license renewal. Commissioner Dye seconded the motion, and the motion passed 5-1-0, with Commissioner Echols voting against the motion.

CONSENT DECREES

Alabama Real Estate Commission VS. Jason Wayne Dixon, Case Number 25-140

Alabama Real Estate Commission VS. Tammy Lynn Plamondon, Case Number 25-240

Alabama Real Estate Commission VS. Pamela Bass, Case Number 25-212

Alabama Real Estate Commission VS. Shanica Capri Frazier, Case Number 24-517

Alabama Real Estate Commission VS. Giulliana Caceres Porter, Case Number 25-200

Alabama Real Estate Commission VS. Jonathan J. Brody, Case Number 25-127

Alabama Real Estate Commission VS. Nikita Patrick-Thomas, Case Number 25-201

Alabama Real Estate Commission VS. Angela Dala Phomsavanh, Case Number 24-526

Alabama Real Estate Commission VS. Lenda Lacey Wagner, Case Number 25-213

Alabama Real Estate Commission VS. Twana Bates Ivory, Case Number 25-151

Alabama Real Estate Commission VS. Frederick DeJere McCall, Case Number 25-141

Alabama Real Estate Commission VS. Ashton Lynn Wade, Case Number 25-239

Alabama Real Estate Commission VS. Angela Degadillo, Case Number 25-077

Alabama Real Estate Commission VS. Veronica A. Brewer, Case Number 25-219

Alabama Real Estate Commission VS. Kevis Jerrell Ellison, Case Number 25-003

Alabama Real Estate Commission VS. Nicki Ann Sneed, Case Number 25-237

Alabama Real Estate Commission VS. Loren Paige Thornton, Case Number 25-128

Commissioner Barelare made a motion to accept the Consent Decrees. Commissioner Taggart Jones seconded the motion, and the motion passed unanimously 6-0-0.

The Commission will determine whether it conducts its disciplinary hearing disposition discussions and decisions in an Open Meeting or call an Executive Session.

Chairman McKinney asked for a motion to remain in open session or go into executive session to deliberate these cases in accordance with the Alabama Open Meetings Act, *Code of Alabama* 36-25A-7(a)(9). Commissioner Echols made a motion that Commissioners go into executive session until 11:20 a.m. to deliberate these cases in accordance with the Alabama Open Meetings Act, *Code of Alabama* 36-25A-7(a)(9). Commissioner Barelare seconded the motion, and the motion passed unanimously 6-0-0.

At 11:23 a.m., Commissioners returned with all Commissioners named during the initial 9:00 a.m. roll call present. Chairman McKinney asked for a motion to return to open session. Commissioner Campbell made a motion to return to open session. Commissioner Barelare seconded the motion, and the motion passed unanimously 6-0-0.

Confirm July 24, 2025, Meeting Date and Location for the Record: Thursday, July 24, 2025, 9:00 a.m., in Montgomery, Alabama, if needed. Pending a review of the June 26, 2025, docket, Commissioners will decide at the June 26, 2025, meeting if a July Commission meeting is warranted.

Next Commission Meeting: Thursday, June 26, 2025, at 9:00 a.m. in Montgomery, Alabama.

There being no further business, Commissioner Barelare made a motion to adjourn the meeting at 11:31 a.m. Commissioner Echols seconded the motion, and the motion passed unanimously 6-0-0.

Done this 22nd day of May 2025.

Randy McKinney, Chair

Amber Moore, Recording Secretary