

## **MINUTES**

A meeting of the Alabama Real Estate Commission was held May 23, 2019, at the offices of the Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama.

Those present were Chairman Bill Watts; Vice Chairman Danny Sharp; Commissioners Reid Cummings, Cindy Denney, Joyce Harris, Carole Harrison, Vaughn Poe, and Susan Smith; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; General Counsel Mandy Speirs; Investigators David Erfman, K.C. Baldwin, Rickey Fennie and Marshall Simons. The Hearing Officer was Jim Hampton. Commissioner Emmette Barran was absent with notice.

Other staff members in attendance for all or part of the meeting were Public Relations Specialist Lori Moneyham; Education Director Ryan Adair, Education Specialist Julie Norris; Accounting and Personnel Director Molli Jones, Senior Accountant Pam Garner, Staff Accountant Hattie Thomas; Information Technology Director Brett Scott; Licensing Administrator Anthony Griffin 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 Sharp made a motion to approve the minutes from the April 25, 2019 meeting. Commissioner Harrison seconded the motion and it passed unanimously 8-0.

Chairman Watts welcomed Ms. Kim Carroll to the meeting. Ms. Carroll is paralegal to Hearing Officer Jim Hampton.

Chairman Watts recognized Commissioner Joyce Harris and presented her a certificate of appreciation from the National Association of Real Estate Brokers for her presentation in Mobile at Community Wealth Building Day on April 13, 2019.

State Auditor Jim Zeigler presented a Certificate of Commendation to Executive Director Patricia Anderson, Property Manager Hattie Thomas and Senior Accountant Pam Garner in recognition of a perfect property audit.

Executive Director Patricia Anderson presented the April 2019 financial report. She gave Commissioners an update on revenues and expenditures in the operating and recovery fund accounts.

General Counsel Mandy Speirs provided an appeals update. The judge ruled that one case was not filed in a timely manner and dismissed the appeal. Two briefs have been filed in another case with a hearing scheduled in two weeks.

## **COMMISSIONER DISCUSSION**

Ms. Anderson provided the legislative update to Commissioners. She stated the bills that have been of great concern to the Commission and other boards and commissions have been withdrawn from consideration for this session. AARB will work with legislators during the summer to work out a plan for the 2020 legislative session. The 2019 legislative session is scheduled to end by May 31.

Chairman Watts called for a discussion relating to the consideration of investigative, licensing and education files and how they are presented. Ms. Anderson stated these types of cases will be presented at the preference of the Commissioners. At the end of the discussion, the consensus was to not make any changes at this time.

Vice Chairman Sharp made a motion that Commissioners conduct disciplinary hearing disposition discussions in an Open Meeting. Commissioner Smith seconded the motion and it passed unanimously 8-0.

#### **HEARINGS AND APPEARINGS**

##### **Sunday Hosch, Application for Determination of Licensing Eligibility, Investigative File I-15,479**

This hearing was removed from the agenda since Ms. Hosch would not accept service.

##### **Cassandra Grant, Application for Determination of Licensing Eligibility, Investigative File I-15,480**

Upon discussion of the evidence and testimony presented in the matter regarding her application for determination of licensing eligibility, Commissioner Denney made a motion to deny her application. Commissioner Harris seconded the motion and it passed 7-1 with Commissioner Poe voting against the motion.

##### **Darren Lee Flott, Application for Determination of Licensing Eligibility, Investigative File I-15,530**

This hearing was continued.

##### **Michael D. Bedsole, Request Approval to Hold a Real Estate License After License was Previously Revoked, Investigative File I-15,551**

Mr. Bedsole requested and was granted a continuance.

#### **NOT APPEARINGS**

##### **Leigh Ann Black, Request for Extension of Deadline to Pass the Salesperson License Examination, Education File ED2019-015**

Upon review of the request from Ms. Black for an extension of the deadline to pass the salesperson license examination, Commissioner Cummings made a motion to grant her a 45-day extension from date of service. Commissioner Denney seconded the motion and it passed unanimously 8-0.

**Justin Davidson, Request for Extension of Deadline to Pass the Salesperson License Examination, Education File ED2019-016**

Upon review of the request from Mr. Davidson for an extension of the deadline to pass the salesperson license examination, Vice Chairman Sharp made a motion to grant him a 30-day extension from date of service. Commissioner Harrison seconded the motion and it passed 5-3 with Commissioners Denney, Poe and Smith voting against the motion.

**Brittnay Cattaneo, Request for Extension of Deadline to Pass the Salesperson License Examination, Education File ED2019-017**

Upon review of the request from Ms. Cattaneo for an extension of the deadline to pass the salesperson license examination, Commissioner Harris made a motion to deny her request. Commissioner Cummings seconded the motion and it passed unanimously 8-0.

**Arminda Robertson, Request for Extension of Deadline to Complete the Salesperson Prelicense Course, Education File ED2019-018**

Upon review of the request from Ms. Robertson for an extension of the deadline to complete the salesperson prelicense course, Vice Chairman Sharp made a motion to grant her a 30-day extension from date of service. Commissioner Smith seconded the motion and it passed 5-3 with Commissioners Denney, Harris and Poe voting against the motion.

**Cyrus Givianpour, Request for Extension of Deadline to Submit the Original Salesperson Application and Fee, Licensing File LC2019-011**

Upon review of the request from Mr. Givianpour for an extension of the deadline to submit the original salesperson application and fee, Commissioner Cummings made a motion to approve his request. Commissioner Harris seconded the motion and it passed unanimously 8-0.

**Confirm July Meeting Date and Location for the Record:** July 25, 2019, 9:00 a.m. in Montgomery, Alabama

Vice Chairman Sharp made a motion to approve the July meeting for July 25, 2019 at 9:00 a.m. in Montgomery, Alabama. Commissioner Cummings seconded the motion and it passed unanimously 8-0.

**Next Commission Meeting:** Thursday June 20, 2019, 9:00 a.m. in Montgomery, Alabama

There being no further business, the meeting adjourned at 10:20 a.m.

Done this 23<sup>rd</sup> day of May 2019.

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Bill Watts, Chairman

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Barbi Lee, Recording Secretary