

MINUTES

A meeting of the Alabama Real Estate Commission was held October 26, 2017, at the offices of the Alabama Real Estate Commission.

Those present were Chairman Bill Watts; Commissioners Emmette Barran, Reid Cummings, Cindy Denney, Carole Harrison, Clif Miller, Vaughn Poe, Danny Sharp and Nancy Wright; Executive Director Patricia Anderson; Assistant Executive Director Teresa Hoffman; Assistant 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 Manager Vernita Oliver-Lane; Public Relations Specialist Lori Moneyham; Education Director Ryan Adair; Licensing Administrator Anthony Griffin; 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.

The oath of office was administered to new Commissioner Emmette Barran by Executive Director Patricia Anderson. Ms. Anderson also presented Commissioner Denney with a certificate from ARELLO® (Association of Real Estate License Law Officials) congratulating her on completing the Commissioner College.

In accordance with Section 34-27-7(f) of the License Law, Chairman Watts asked for a motion to elect a Commission chairman and vice chairman. Commissioner Denney nominated Commissioner Wright for chairman and Commissioner Watts for vice chairman. Commissioner Sharp seconded the motion and it passed unanimously 9-0. The gavel was passed to Chairman Wright and she conducted the remainder of the meeting.

Commissioner Sharp made a motion to approve the minutes from the August 23, 2017 license law work session, the September 27, 2017 legislative planning session and the September 28, 2017 Commission meeting. Commissioner Denney seconded the motion and it passed unanimously 9-0.

Ms. Anderson presented the September 2017 financial report. Revenues have increased slightly over the past two years. There were 30,268 licensees, including active and inactive individuals and companies, as of October 25, 2017. The Recovery Fund is still doing well. Since its inception in 1979, the Recovery Fund amount has never decreased to the point that licensees have had to be assessed.

Ms. Anderson presented the FY2019 budget. Commissioner Denney made a motion to approve the budget. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Commissioners discussed Alabama License Law Section 34-27-36(a)(14). It was determined there is a need to clarify this Section so that all companies and qualifying brokers

are disbursing funds received from their agents in the same manner. The Commission staff will draft a clarifying rule for the Commissioners to review.

Assistant General Counsel Mandy Lynn provided an update on the Tommy Praytor case. Commissioners were informed that Mr. Praytor will be able to maintain an active license under his second broker's license since that license was not charged in the original complaint.

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

HEARINGS

Napolean Bracy Jr., Hardship Request to Renew Lapsed Salesperson License, Investigative File I-15,169

Upon discussion of the evidence and testimony presented by Mr. Bracy regarding his hardship request to renew his lapsed salesperson license, Commissioner Watts made a motion to approve his request. Commissioner Miller seconded the motion and it passed 8-1 with Commissioner Harrison voting against the motion.

Reginald Seay, Request to be Relicensed After Revocation, Investigative File I-15,138

Mr. Seay was not present and the hearing was conducted in his absence. Upon discussion of the evidence and testimony presented regarding Mr. Seay's request to be relicensed after license revocation, Commissioner Denny made a motion to deny his request. Commissioner Poe seconded the motion and it passed unanimously 9-0.

Chelsea Danielle French, Application for Determination of Licensing Eligibility, Investigative File I-15,139

Upon discussion of the evidence and testimony presented by Ms. French regarding her application for determination of licensing eligibility, Commissioner Watts made a motion to approve her request pending the end of her supervised release. Commissioner Sharp seconded the motion and it passed 8-1 with Commissioner Poe voting against the motion.

Roderick Jerome Tate, Jr., Application for Determination of Licensing Eligibility, Investigative File I-15,128

Mr. Tate was not present and the hearing was conducted in his absence. Upon discussion of the evidence and testimony presented regarding Mr. Tate's application for determination of licensing eligibility, Commissioner Harrison made a motion to deny his request. Commissioner Barran seconded the motion and it passed unanimously 9-0.

NOT APPEARINGS

Yvonne Venable, Request for Home Operation, Investigative File I-15,160

Upon review and discussion of Ms. Venable's hardship request for home operation, Commissioner Cummings made a motion to approve her request to work from her home for 60 days until she can relocate to a new office. Commissioner Miller seconded the motion and it passed 5-3. Commissioners Wright, Barran, Poe, Miller and Cummings voted in favor of the motion and Commissioners Harrison, Sharp and Denney voted against the motion. Commissioner Watts recused himself.

Marvia Summers, Request for Home Operation, Investigative File 1-15,161

Upon review and discussion of Ms. Summers' hardship request for home operation, Commissioner Watts made a motion to approve her request. Commissioner Cummings seconded the motion and it passed unanimously 9-0.

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

Commissioner Poe made a motion to confirm the January meeting for January 25, 2018 at 9:00 a.m. in Montgomery. Commissioner Harrison seconded the motion and it passed unanimously 9-0.

Next Commission Meeting: November 30, 2017, 9:00 a.m. in Montgomery

There being no further business, the meeting adjourned at 11:09 a.m.

Done this 26th day of October 2017.

Nancy Wright, Chairman

Lori Moneyham, Recording Secretary