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KENTUCKY REAL ESTATE COMMISSION
(KREC)

MEETING MINUTES

May 19, 2022

Mayo-Underwood Hearing Room 133CE

*** This meeting also occurred via Zoom Teleconferencing, pursuant to KRS 61.826***

Commission Members Present

Commissioner Chair, Lois Ann Disponett
Commissioner Larry Disney
Commissioner James Simpson
Commissioner Jennifer Brown-Day
Commissioner Anthony Sickles

KREA Staff

Robert Astorino, Executive Director
Molly Cassady, General Counsel
Hannah Carlin, Education Coordinator
Brian Travis, Investigator
Terri Hulette, Executive Administrative Secretary
Angie Reynolds, Administrative Specialist III
Aaliyah Boller, KREC Intern

Guests Present

Tom Cox	Douglas Meyers	Norman Jones
Stephen Zogelman	Joyce Sterling	Rene Rogers
Virginia Lawson	Dennis Stigers	Richard Wilson
Janie Wilson	Nicole Knudtson	Sumei Zhang
Justyn Harris	Casey Goins	
Jim DeMaio	Demetria Bush	

Call to Order and Guest Welcome

The Kentucky Real Estate Commission meeting was called to order through video teleconference by Commission Chair, Lois Ann Disponett, at 9:00 a.m. on May 19, 2022. Roll call was taken, and a quorum was present. Guests in attendance were welcomed and introductions of guests, staff, and Commissioners were made.

Approval of Meeting Minutes

Commissioner Disney made a motion to approve the **April 21, 2022** KREC Meeting Minutes Commissioner Simpson seconded the motion. With all in favor, the motion carried.

Education and Licensing Report

Ms. Carlin presented the Commission the following:

1. PSI Testing Statistics

2022 April (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	0	0.00	5	100.00	5
License Reciprocity- Salesperson	7	53.85	6	46.15	13
Broker- National	0	0.00	2	100.00	2
Broker- State	0	0.00	2	100.00	2
Salesperson- National	96	68.57	44	31.43	140
Salesperson- State	68	48.57	72	51.43	140
TOTAL	171	56.62	131	43.38	302

2022 April (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	5	71.43	2	28.57	7
License Reciprocity- Salesperson	9	75.00	3	25.00	12
Broker- National	2	66.67	1	33.33	3

Broker- State	1	50.00	1	50.00	2
Salesperson- National	32	29.63	76	70.37	108
Salesperson- State	64	45.39	77	54.61	141
TOTAL	113	41.39	160	58.61	273

2022 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	16	55.17	13	44.83	29
License Reciprocity- Salesperson	62	60.19	41	39.81	103
Broker- National	80	59.70	54	40.30	134
Broker- State	79	56.03	62	43.97	141
Salesperson- National	532	52.99	464	47.01	987
Salesperson- State	534	47.72	585	52.28	1,119
TOTAL	1,294	51.49	1,219	48.51	2,513

2. Licensing Statistics

As of May 11, 2022

Type	Active	Inactive	TOTAL
Sales Associate	12,127	4,647	16,774
Broker	3,830	629	4,459
TOTAL	15,957	5,276	21,233

Licenses cancelled in April 2022: 49 (11 brokers, 38 sales associates)

New Licenses Issued in 2022 (by month)

Month	Sales Associate	Broker	Total
January	132	11	143
February	39	14	53
March	190	56	246
April	171	13	184
TOTAL	532	94	626

Instructors

- Nathan Bellows

- Matt Given
- Leonard Nathaniel Moore
- Timothy Moore

Sales Associate Pre-license Courses

Homeservices Real Estate Academy

Course Name- Course Number	Instructors	Pre-License Hours
Kentucky 96-Hour Salesperson Pre-License (23530)	William Tom Huber, Donna Miller, Bill Miracle	96

Continuing Education and Post-License Education Courses

Kentucky Realtor Institute

Course Name- Course Number	Instructors	CE Hours	PLE Hours
EKAR Orientation (23538)	Pam Featherstone, Nicole Knudtson, Dennis Stilger	4 elective, 4 law	1 elective, 1 contracts, 1 disclosure, 1 fair housing, 4 risk management
Market Like a Pro Workshop Part 1 – Offline Marketing (23531)	Craig Grant	3 elective	1 advertising, 2 agency
Market Like a Pro Workshop Part 2 – Digital/Online Marketing (23532)	Craig Grant	3 elective	1 advertising, 2 agency
NKAR Orientation (23539)	Pam Featherston, Nicole Knudtson, Dennis Stilger	4 elective, 4 law	1 elective, 1 contracts, 1 disclosure, 1 fair housing, 4 risk management

Lexington Bluegrass Association of Realtors

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Negotiate Like a Pro (23536)	Matt Given	3 elective	3 elective

Continuing Education Courses

HomeServices Real Estate Academy

Course Name- Course Number	Instructors	CE Hours
Becoming a Market Historian (23537)	Timothy Moore	3 elective

McKissock

Course Name- Course Number	Instructors	CE Hours
Real Estate Market Cycles and Trends (23535)	Robert Fleck	3 elective

Northern Kentucky Association of Realtors

Course Name- Course Number	Instructors	CE Hours
REALTOR to REALTOR: Professionalism as a Business Tactic (23533)	Leigh Brown	3 elective
Substance Over Ego 2.0 (23534)	Leigh Brwn	3 elective

Southern Indiana Realtor Association

Course Name- Course Number	Instructors	CE Hours
Cultural Intelligence for Real Estate Professionals (23540)	Dr. Leonard Nathaniel Moore	2 elective

The May 2022 Continuing Education Applications were reviewed for compliance with 201 KAR 11:170 and recommended to the Commission for approval by Hannah Carlin.

Commissioner Simpson made a motion to approve the list of applications. Commissioner Sickles seconded the motion. Commissioners Disney and Day abstained from the discussion and the vote. Remaining all in favor, motion carried.

Ms. Carlin presented the May 2022 licensing requests:

1. **218969:** Commissioner Simpson made the motion to deny. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

2. **277443:** Commissioner Simpson made the motion to deny. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
3. **277484:** Commissioner Simpson made the motion to deny. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
4. **277533:** Commissioner Disney made the motion to approve. Commissioner Day seconded the motion. Having all in favor, the motion carried.
5. **277606:** Commissioner Simpson made the motion to deny. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
6. **Temporary Broker Request:** Commissioner Simpson made the motion to approve. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Executive Director Comments

Director Astorino introduced Aaliyah Boller, KREC's new legal intern. He then gave a brief update on license renewals. Approximately 91% of licensees renewed in 2022. He complimented Ms. Carlin and staff for executing the renewal process with minimal issues.

Director Astorino encouraged education providers to consider applying for approval with multiple KREA boards to promote cross-training opportunities.

Director Astorino concluded his report by mentioning an upcoming meeting he has with the Cabinet budget specialist to review the 2023 operating budget. He stated he would provide an update for the commissioners at next month's meeting.

Committee Reports

Diversity, Equity, & Inclusion Committee

Commissioner Sickles summarized the committee meeting and distributed drafts of the scholarship application and flyer. The Committee will continue to develop the program in the following weeks.

Applicant Review Committee

Commissioner Simpson read the report of the Application Review Committee and the Committee's recommended action on each licensee:

1. To approve license application of W.S.
2. To approve license application of D.B.
3. To approve license application of J.H.

Complaint Review Committee

Commissioner Day read the report of the Complaint Review Committee:

1. 18-C-035 – Recommendation: Approval of proposed Agreed Order.
2. 18-C-043 – Recommendation: Informal reprimand for the Agent/Broker and dismissal with caution for the Principal Broker.
3. 19-C-034 – Recommendation: Dismissal.
4. 19-C-046 – Recommendation: Three (3) hours of CE in agency for both the Agent and Principal Broker.
5. 19-C-047 – Recommendation: Dismissal.
6. 19-C-086 – Recommendation: Three (3) hours of CE in agency for the Agent.
7. 19-C-103 – Recommendation: Dismissal.
8. 21-C-034 – Recommendation: Dismissal for failure to supplement.
9. 21-C-035 – Recommendation: Dismissal for failure to supplement.
10. 22-C-023 – Recommendation: Allow complaint to be withdrawn.

Executive Session Legal Matters and Case Deliberations

At 9:30 a.m. Commissioner Simpson made a motion to enter executive session, pursuant to KRS 61.810(1)(c) and (j), and KRS 61.815 to deliberate on individual adjudications and to discuss the 3 new applications as offered by the ARC Committee and ten (10) complaints as offered by the CRC Committee.

Commissioner Disney seconded the motion and the Commission entered into executive session discussion.

Reconvene Open Session and Committee Recommendations

Commissioner Disney motioned for the Commission to come out of executive session. Commissioner Simpson seconded the motion. Commission Chair Disponett resumed the full Commission meeting at 10:49 a.m. and welcomed everyone in attendance back to the teleconference Commission meeting.

Commissioner Simpson made the motion to adopt the **Applicant Review Committee** recommendations regarding W.S., D.B., and J.H. as previously recommended to the Commission. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner Day made the motion to adopt the **Complaint Review Committee** items as presented to the Commission.

- **18-C-035** - The Committee found evidence of violations and recommend approval of proposed Agreed Order.

- Respondent One: Private Informal Reprimand, a \$1,000 fine, six (6) hours of C.E. (3 in ethics and 3 in law), and six months' probation from the date of the adoption of the Agreed Order.
- Respondent Two: Private Informal Reprimand.
- **18-C-043** - The Committee found evidence of violations and makes the following recommendation:
 - Respondent One: Informal Reprimand.
 - Respondent Two: Dismissal with caution.
- **19-C-034** - Recommendation: Dismissal
- **19-C-046** - The Committee found evidence of violations and makes the following recommendation:
 - Three (3) hours of C.E. in agency for both Respondents.
- **19-C-047** - Recommendation: Dismissal
- **19-C-086** - The Committee found evidence of violations and makes the following recommendation:
 - Three hours of C.E. in agency.
- **19-C-103** – Recommendation: Dismissal
- **21-C-034** – Recommendation: Dismissal for failure to supplement.
- **21-C-035** – Recommendation: Dismissal for failure to supplement.
- **22-C-023** – Recommendation: Allow Withdrawal of Complaint.

Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

Public Comment

There were no Public Comments at this time.

Legal Report

Legal Staff Update

General Counsel Cassidy gave a brief update regarding the job posting for the new staff attorney. She anticipates someone will be hired shortly. General Counsel also stated she successfully mediated a case in Bowling Green. The final order for that case will be issued within the next few days. To conclude her report, General Counsel reminded commissioners to activate their government email accounts.

New Business

Arellano Annual Conference

Commissioner Simpson made a motion to ask approval for Staff and Commissioners to attend the Arellano Annual Conference August 29th – Sept. 2nd in Nashville, TN. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

UofL Request for Reimbursement from Recovery Fund

Dr. Sumei Zhang submitted a request to the Commission to offer the recovery fund education grant as they have in years past.

Commissioner Disney made a motion to approve the **Request for Reimbursement from Recovery Fund** being offered for interested Universities and Colleges that want to apply. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

Testing Contract Update

Ms. Carlin reported that KREC submitted a request for proposals for the licensing exam contract. Bidding concluded last week and staff were reviewing the proposal. Ms. Carlin anticipates KREC will have a new testing contract before next month's meeting.

Licensee Concern

General Counsel reported that KREC received a letter from a licensee who is concerned about out-of-state licensees representing Kentucky consumers. He states that these out-of-state licensees have never met their clients or personally viewed the properties. He believes that the advertisements for these properties are full of inaccuracies. She states that KREC's statutes and regulations do not prohibit this practice. However, if there are advertising concerns with respect to certain properties and/or licensees, interested parties are encouraged to file a complaint so that the Commission can take appropriate action.

Approval Per Diem

1. Commissioner Disney made a motion to approve the per diem for Commissioners Simpson and King for the May 18, 2022 ARC Meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Day seconded the motion. Having all in favor, the motion carried.
2. Commissioner Simpson made a motion to approve the per diem for Commissioners Day and Sickles for the attendance of the May 18, 2022 Complaint Review Committee meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Disney seconded the motion. Having all in favor, the motion carried.
3. Commissioner Simpson made a motion to approve the per diem for the May 19, 2022 KREC Regular meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Day seconded the motion. Having all in favor, the motion carried.
4. Commissioner Simpson made a motion to approve the per diem and travel for May 9, 2022 for mediation for the Commissioner Disney and Chairperson Disponett. Because it was teleconferenced, there were no travel expenses. Commissioner Day seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

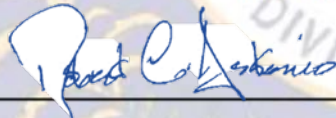
The next KREC meeting will be June 16, 2022 at 9:00 a.m. for the regular meeting. Watch for a zoom link.

Commissioner Disney made a motion to adjourn the meeting. Commissioner Simpson seconded. Meeting adjourned at 11:13 a.m.

I, Robert Astorino, Executive Director of the Kentucky Real Estate Authority, have reviewed and pursuant to KRS 324B.060, have (Approved or Disapproved) the expenditures of the Kentucky Real Estate Commission (Insert name of Board) as described in these attached minutes.

Meeting Date May 19, 2022.

I have not reviewed, nor did I participate in discussions, deliberations, or decisions regarding, the actions of the Board as it relates to individual disciplinary matters, investigations, or applicant reviews.



Robert Astorino, KREA Executive Director

Date June 16, 2022