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Kentucky Real Estate Commission

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Natalie W. Brawner
Executive Director

**KENTUCKY REAL ESTATE COMMISSION
(KREC)**

MEETING MINUTES

December 15, 2022

**Mayo-Underwood Conference Room 229NE
500 Mero Street, Frankfort, Kentucky 40601**

*** 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 Raquel Carter
Commissioner Anthony Sickles

Commission Members Absent

Commissioner James King

KREA Staff

Natalie Brawner, Executive Director
August Pozgay, General Counsel
Hannah Carlin, Deputy Executive Director
René Rogers, Staff Attorney III
Terri Hulette, Executive Administrative Secretary

The Kentucky Real Estate Commission meeting was called to order by Commission Chair, Lois Ann Disponett, at 9:03 a.m. on **December 15, 2022**. Roll call was taken, and a quorum was present. Guests were welcomed introductions of staff and Commissioners were made.

Approval of Meeting Minutes

Commissioner Disney made a motion to approve the **November 17, 2022** KREC Meeting Minutes, Commissioner Sickles seconded the motion. With all in favor, the motion carried.

Kentucky Real Estate Authority Report

Executive Director reminded commissioners to check their state-issued email accounts frequently. Meeting notices are only sent to those accounts. She thanked Commission staff for their hard work.

Education and Licensing Report

Deputy Director Carlin presented the Commission the following licensing and education statistics:

1. PSI Testing Statistics

2022 November (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	0	0.00	0	0.00	0
License Reciprocity-Salesperson	4	26.67	11	73.33	15
Broker- National	4	57.14	3	42.86	7
Broker- State	2	28.57	5	71.43	7
Salesperson- National	61	57.01	46	42.99	107
Salesperson- State	55	51.40	52	48.60	107
TOTAL	126	51.85	117	48.15	243

2022 November (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	1	50.00	1	50.00	2
License Reciprocity-Salesperson	7	63.64	4	36.36	11
Broker- National	0	0.00	1	100.00	1
Broker- State	2	100.00	0	0.00	2
Salesperson- National	31	33.33	62	66.67	93
Salesperson- State	38	40.86	55	59.14	93
TOTAL	79	39.11	123	60.89	202

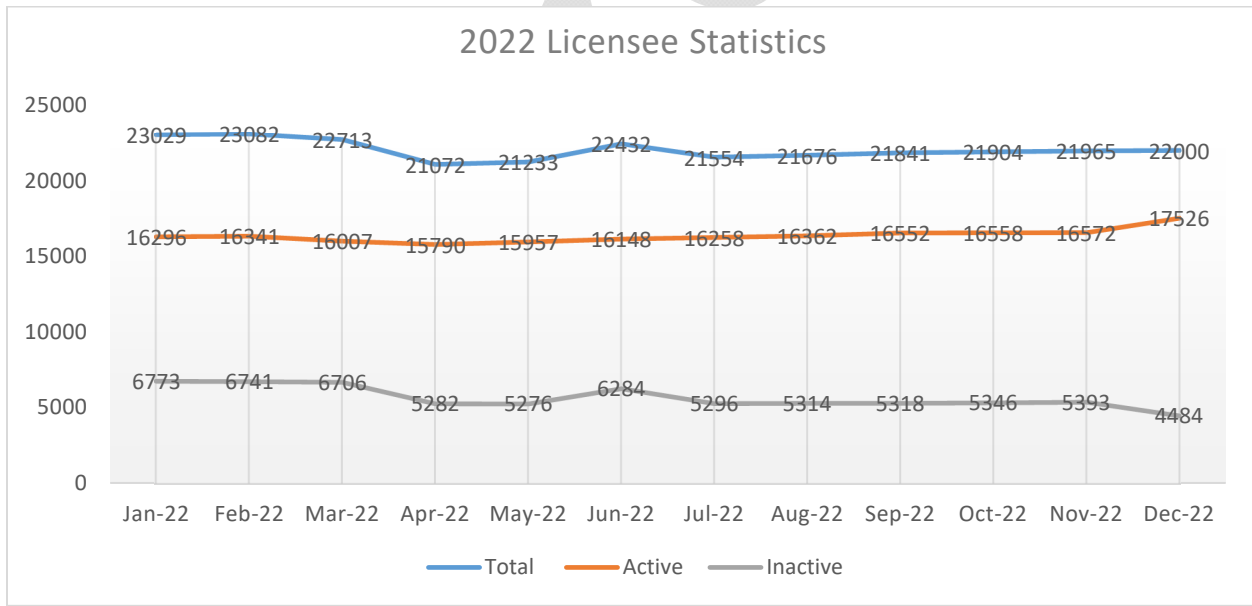
2022 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	41	51.90	38	48.10	79
License Reciprocity- Salesperson	179	59.47	122	40.53	301
Broker- National	95	59.38	65	40.63	160
Broker- State	94	51.93	87	48.07	181
Salesperson- National	1395	52.46	1264	47.54	2659
Salesperson- State	1417	48.16	1525	51.84	2942
TOTAL	3221	50.95	3101	49.05	6322

2. Licensing Statistics

As of December 12, 2022

Type	Active	Inactive	TOTAL
Sales Associate	12,739	4,777	17,516
Broker	3,842	642	4,484
TOTAL	16,581	5,419	22,000



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
May	145	3	148
June	132	1	133
July	127	5	132
August	146	4	150
September	130	9	139
October	143	4	147
November	81	7	88
December			
TOTAL	1,436	127	1,563

Deputy Director Carlin indicated there were approximately 6,000 licensees that needed to complete their annual education on or before December 31, 2022. Staff were prepared to send regular email reminders to licensees whose education was incomplete.

3. Education Applications Presented for Approval

The following education applications were reviewed for compliance with 201 KAR 11:170 and recommended to the Commission for approval by Hannah Carlin:

Instructors

- John N. Billings

Education Providers

- Campbellsville University Liberty

Sales Associate Pre-License Courses

Campbellsville University Liberty

Course Name- Course Number	Instructors	Pre-license Hours
Real Estate Principles (25522)	Bill Miracle	96 hours

Broker Elective Courses

Kentucky Realtor Institute

Course Name- Course Number	Instructors	Broker Elective Hours
Sales and Marketing 101 for Real Estate Professionals (25527)	Nicole Knudtson, Dennis Stilger	36 hours (0 CE; 0 PLE)

Continuing Education and Post-License Education Courses

Bluegrass Realtors

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Offer to Purchase Contract (25530)	John Billings, Cindy Crutcher, Maria Gnas, Kristy Gooch, John Groft, Jonah Mitchell, Carole Schoo, Tara Smith, Lucy Waterbury, Linda Wiley	3 elective	3 technology and data security

Redd, Brown, & Williams Real Estate Services

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Basics of 1031 Exchange (25529)	Paul David Brown	3 law	3 contracts
Real Estate Contract Law & Contract Completion (25530)	Paul David Brown	3 law	3 contracts

Continuing Education Courses

Kaplan Real Estate Education

Course Name- Course Number	Instructors	CE Hours
Principle-Centered Real Estate Online Video Course V1.0 (25528)	Ted Highland	3 elective

Northern Kentucky Association of Realtors

Course Name- Course Number	Instructors	CE Hours
Ethics from Beginning to Today (25523)	Sherry Courtney	3 elective
RPR – Advanced Course (25526)	Sherry Courtney	3 elective

RPR – Basic Course (25524)	Sherry Courtney	3 elective
RPR – Intermediate Course (25525)	Sherry Courtney	3 elective

Commissioner Simpson made a motion to approve the education applications as listed above. Commissioner Carter seconded the motion. All in favor, the motion carried. Commissioner Day and Commissioner Disney abstained from the discussion and vote.

Legal Report

General Counsel August Pozgay provided an update on the regulation 201 KAR 11:121 in process.

Committee Reports

Diversity, Equity, and Inclusion (DEI) Committee

Commissioner Carter reported there is no new information to share to the full Commission, but asked that the DEI Committee continue to be listed on the agenda and board packet to move forward with the potential scholarship opportunity.

Applicant Review Committee

Commissioner Disney presented the following recommendations of the Application Review Committee:

- To authorize KREA legal staff to draft an agreed order containing the provisions that were presented and authorize the chair to execute such an agreed order when drafted and reviewed.
- To approve license application of J.N.
- To approve license application of Z.M.
- To approve license application of T.G.
- To defer the license application of T.S. until the next meeting of the Committee.
- To defer the license application of C.R. until the next meeting of the Committee.
- To defer the license application of S.N. until the next meeting of the Committee.
- To defer the license application of J.C. until completed materials are received by Commission staff.

Complaint Screening Committee

Commissioner Day read the report of the Complaint Screening Committee:

- **19-C-093 and 19-C-094:** refer for further investigation
- **22-C-059:** dismiss
- **In Re: M. from Owensboro:** dismiss
- **In Re: Self Report of B.D. and M.S.:** authorize counsel to offer agreed order of voluntary surrender with disciplinary terms and limitations on reapplying for licensure.

Closed Session Legal Matters and Case Deliberations

At 9:30 a.m. Commissioner Carter moved to enter closed session, with agency staff and counsel, pursuant to KRS 61.810(1)(c) and (j), and KRS 61.815, to discuss proposed pending litigations and deliberate on individual adjudications regarding the following matters: the eight (8) recommendations of the ARC Committee; the four (4) recommendations by the CRC Committee; the license renewal of T.K., and the education request of L.H. Commissioner Day seconded the motion and the Commission entered into closed session.

Reconvene Open Session and Committee Recommendations

Commissioner Simpson moved for the Commission to come out of closed session. Commissioner Sickles seconded the motion. Commission Chair Disponett resumed the full Commission meeting at 10:30 a.m. and welcomed everyone in attendance back to the Commission meeting.

Commissioner Disney moved to adopt the **Applicant Review Committee** recommendations as presented to the Commission, and recited the recommendations as listed above in these minutes. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

Commissioner Day moved to adopt the **Complaint Screening Committee** items as presented to the Commission, and recited those recommendations as listed above in these minutes. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

In Re: License Renewal of T.K.: Commissioner Carter made a motion to deny the request, Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

In Re: Education Request of L.H.: Commissioner Carter made a motion to approve the request for L.H., Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

Commissioner Day motioned to authorize counsel and staff to draft a letter that includes the advertising regulation and send to licensees with the Chair's approval, Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Old Business

201 KAR 11:121

General Counsel Pozgay presented draft revisions to material incorporated by reference (MIR) into regulation 201 KAR 11:121 for review by the Commission. The revisions included fixing typographical errors and incorporating standardized formatting as requested by the Commission. The revisions for the Agency Consent Agreement forms also included the addition of a sentence that indicates Part B of the form supersedes Part A if and when completed, as requested by the Commission at the previous meeting. The presented drafts received approval from the Public Protection Cabinet.

Commissioner Carter moved to approve filing the forms as presented, Commissioner Disney seconded. Having all in favor, the motion carried.

Commissioner Disney moved to have the Chair decide which Commission shall attend the January 10, 2023 meeting of the Administrative Regulations Review Subcommittee (ARRS), Commissioner Day seconded the motion. Having all in favor, the motion carried.

Commissioner Day moved to authorize counsel to send the approved forms through RegWatch once they were filed with the ARRS, Commissioner Disney seconded. Having all in favor, the motion carried.

Disclosure of Military Installations

General Counsel Pozgay informed the Commission that KREA staff met with Steven Bullard regarding the potential disclosure of military installations as discussed at prior Commission meetings. Mr. Bullard indicated the interested military parties will be looking to coordinate with local trade associations to address the issue. Commissioner

Disney moved to table the discussion of disclosure of military installations; Commissioner Carter seconded. Having all in favor, the motion carried.

Public Comment

Tom Cox identified himself and asked the Commission to share copies of documents to attendees so they could follow along.

Approval Per Diem

1. Commissioner Day made a motion to approve the per diem and travel expenses for the December 6, 2022 DEI meeting for Commissioners Carter, Disney, and Sickles. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
2. Commissioner Simpson made a motion to approve the per diem and travel expenses for the December 14, 2022 ARC Meeting for Commissioners Disney and Disponett. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
3. Commissioner Disney made a motion to approve the per diem and travel expenses for the December 14, 2022 CSC Meeting for Commissioners Day and Sickles. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
4. Commissioner Simpson made a motion to approve the per diem and travel expenses for the December 16, 2022 KREC Regular meeting. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

Commissioner Simpson made a motion to adjourn the meeting. Commissioner Simpson seconded. Meeting adjourned at 11:02 a.m.

Next Meeting

The next meeting will be held on January 19, 2023.

Pursuant to KRS 324B.060, I, Natalie W. Brawner, Executive Director of the Kentucky Real Estate Authority (KREA), have reviewed and Approved the expenditures for the meeting of the Kentucky Real Estate Commission (the Commission) held on December 15, 2022. This Approval is based upon my review of the expenditures as described in the minutes and in greater detail as on file with the KREA. I did not review, nor did I participate in discussions, deliberations, or decisions regarding the actions taken by the Commission at this meeting related to individual disciplinary matters, investigations, or applicant reviews. The Commission approved the minutes of its December 15, 2022 meeting at its meeting held on January 19, 2023.

Natalie W. Brawner 2/3/2023
KREA Executive Director/Date