



**Andy Beshear**  
Governor

**Ray A. Perry**  
Secretary

## **PUBLIC PROTECTION CABINET**

### **Kentucky Real Estate Commission**

Mayo-Underwood Building  
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Frankfort, Kentucky 40601  
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<https://krec.ky.gov>

**Jacqueline Coleman**  
Lieutenant Governor

## **KENTUCKY REAL ESTATE COMMISSION (KREC)**

### **MEETING MINUTES**

**June 15, 2023**

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

**\* This meeting also occurred via Zoom video teleconference, pursuant to KRS 61.826\***

#### **Commission Members Present**

Commissioner Chair, Lois Ann Disponett  
Commissioner Anthony Sickles  
Commissioner James King  
Commissioner James Simpson (present at 9:05 a.m.)  
Commissioner Jennifer Brown-Day

#### **Commission Members Absent**

Commissioner Raquel Carter  
Commissioner Larry Disney

#### **KREA Staff**

August Pozgay, General Counsel  
Hannah Carlin, Deputy Executive Director  
René Rogers, Staff Attorney III  
Gerald Florence, KREA Investigator  
Terri Hulette, Executive Administrative Secretary  
Seth Branson, Executive Administrative Secretary  
Angie Reynolds, Administrative Specialist III

The Kentucky Real Estate Commission (“KREC” or “Commission”) meeting was called to order by Commission Chair, Lois Ann Disponett, at 9:00 a.m. on **June 15, 2023**. Roll call was taken, and a quorum was present. Guests were welcomed and an introduction to staff and Commissioners were made.

**Approval of Meeting Minutes**

Commissioner Day made a motion to approve the **May 31, 2023** KREC Special Meeting Minutes, Commissioner Sickles seconded the motion. With all in favor, the motion carried.

Commissioner Day made a motion to approve the **April 20, 2023** KREC Meeting Minutes as amended, Commissioner Sickles seconded the motion. With all in favor, the motion carried.

**Kentucky Real Estate Authority Report**

Kentucky Real Estate Authority (“KREA”) Deputy Executive Director, Hannah Carlin welcomed everyone. She reminded Commissioners to check their state emails on a regular basis. She thanked KREA employees for all their hard work.

**Education and Licensing Report**

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

**1. PSI Testing Statistics**

**2023 May (First Time)**

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	3	42.86	4	57.14	7
License Reciprocity-Salesperson	15	62.50	9	37.50	24
Broker- National	3	75.00	1	25.00	4
Broker- State	2	50.00	2	50.00	4
Salesperson- National	97	72.93	36	27.07	133
Salesperson- State	77	57.46	57	42.54	134
<b>TOTAL</b>	<b>197</b>	<b>64.38</b>	<b>109</b>	<b>35.62</b>	<b>306</b>

**2023 May (Repeat)**

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	5	62.50	3	37.50	8
License Reciprocity-Salesperson	6	50.00	6	50.00	12
Broker- National	0	0.00	2	100.00	2
Broker- State	3	50.00	3	50.00	6
Salesperson- National	38	33.93	74	66.07	112
Salesperson- State	63	42.86	84	57.14	147
<b>TOTAL</b>	<b>115</b>	<b>40.07</b>	<b>172</b>	<b>59.93</b>	<b>287</b>

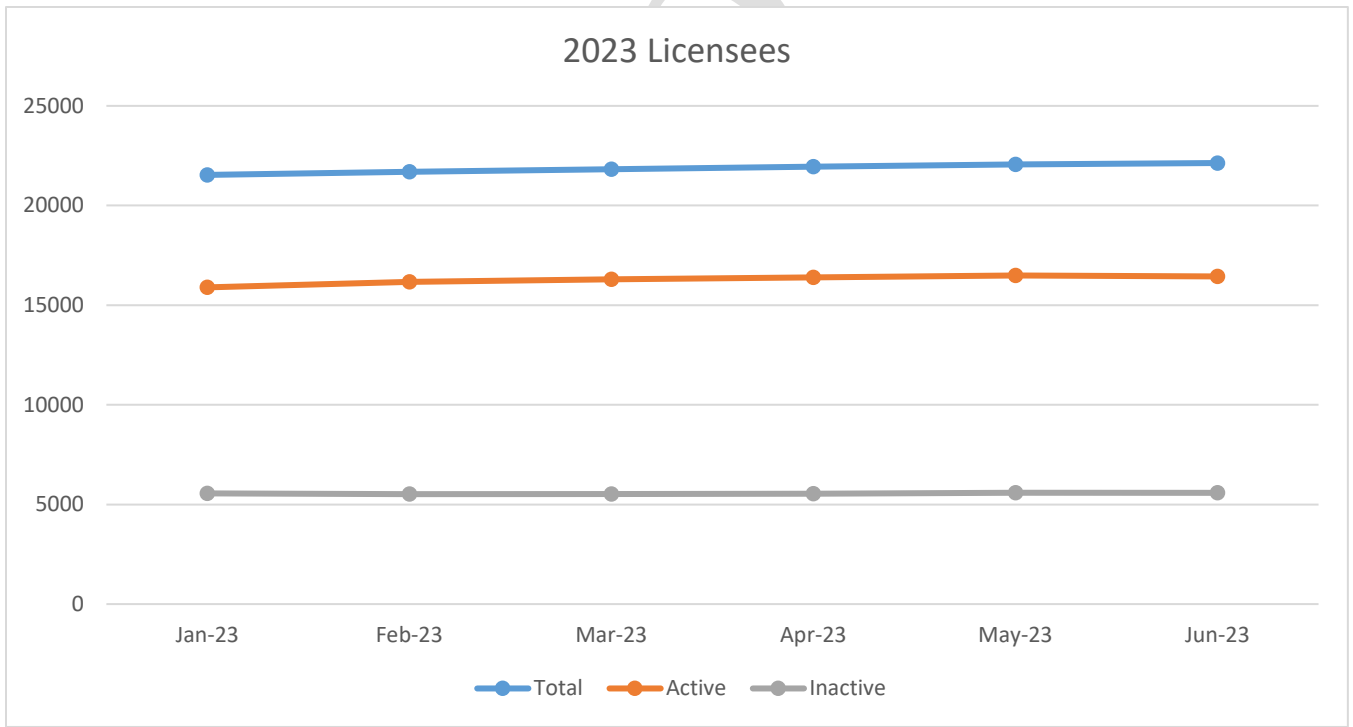
**2023 (Cumulative)**

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	27	50.00	27	50.00	54
License Reciprocity-Salesperson	83	58.45	59	41.55	142
Broker- National	24	66.67	12	33.33	36
Broker- State	23	58.97	16	41.03	39
Salesperson- National	692	53.15	610	46.85	1302
Salesperson- State	685	47.05	771	52.95	1456
<b>TOTAL</b>	<b>1534</b>	<b>50.64</b>	<b>1495</b>	<b>49.36</b>	<b>3029</b>

**2. Licensing Statistics**

**As of June 12, 2023**

Type	Active	Inactive	TOTAL
Sales Associate	12,773	4,917	17,690
Broker	3,776	666	4,442
<b>TOTAL</b>	<b>16,549</b>	<b>5,583</b>	<b>22,132</b>



**New Licenses Issued in 2023 (by month)**

<b>Month</b>	<b>Sales Associate</b>	<b>Broker</b>	<b>Total</b>
January	74	2	76
February	117	8	125
March	112	13	125
April	144	4	148
May	98	0	98
<b>TOTAL</b>	<b>545</b>	<b>27</b>	<b>572</b>

**Instructors**

1. M.H.
2. A.A.
3. L.T.B.

**Continuing Education and Post-License Education Courses**

1. Kentucky Realtor Institute – 1 Course
2. Kentucky Real Estate College – 2 Courses

Commissioner Sickles made a motion to approve the education applications as presented by Deputy Director Carlin, Commissioner King seconded the motion.

**Legal Report**

General Counsel Pozgay requested to provide an update on case 23-CI-473 (Franklin Circuit Court) and to provide legal advice regarding the approval of an education provider at the prior meeting of the KREC and HB 62, during closed session in accordance with KRS 61.810(1)(c), (k) and KRE 503.

**Committee Reports**

**Applicant Review Committee (“ARC”)**

Chairperson Disponett presented the following recommendations of the ARC:

1. To approve the license application of J.C.M.
2. To approve the license application of R.W.I.
3. To approve the license application of C.E.M.
4. To approve the license application of T.T.H.
5. To approve the license application of W.D.H.
6. To approve the license application of A.L.S.
7. To approve the license application of A.M.M. subject to completion of ARC packet.

The following applications were **administratively approved**:

8. In Re: Application of H.E.H.
9. In Re: Application of M.R.R.
10. In Re: Application of A.N.R.
11. In Re: Application of M.A.B.

12. In Re: Application of S.R.M.
13. In Re: Application of J.N.T.
14. In Re: Application of S.A.P.
15. In Re: Application of A.D.F.
16. In Re: Application of B.B.B.
17. In Re: Application of B.A.B.
18. In Re: Application of M.H.I.
19. In Re: Application of K.T.
20. In Re: Application of J.R.L.
21. In Re: Application of G.E.Y.
22. In Re: Application of W.N.W.

23. In Re: Application of A.M.W.
24. In Re: Application of W.H.K.
25. In Re: Application of S.J.O.
26. In Re: Application of K.D.R.
27. In Re: Application of C.L.H.
28. In Re: Application of R.S.B.
29. In Re: Application of R.B.H.
30. In Re: Application of P.M.E.
31. In Re: Application of K.A.H.
32. In Re: Application of S.Y.B.
33. In Re: Application of E.D.B.

### **Complaint Screening Committee (“CSC”)**

Commissioner Day presented the report of the CSC:

1. **In Re: Self-Reporting of S.W.** – Send letter to licensee to confirm receipt and that the information provided will be added to their license file.
2. **In Re: Complaint against Education Provider A.W** – Refer for further investigation.
3. **In Re: M.T.K. Agreed Order** – Refer without a committee recommendation, to the full Commission.

### **Closed Session Legal Matters and Case Deliberations**

At 9:14 a.m. Commissioner Sickles moved to enter closed session, with agency staff and counsel, pursuant to KRS 61.810(1)(c), (j), to deliberate on individual adjudications in the matter of M.T.K. Agreed Order, regarding the pending litigation of case 23-CI-473 (Franklin), quasi-judicial deliberations regarding the thirty-three (33) recommendations of the ARC regarding applicants H.E.H., M.R.R., A.N.R., M.A.B., S.R.M., J.N.T., S.A.P., A.D.F., B.B.B., M.H.I, K.T., J.R.L., G.E.Y., W.N.W., A.M.W., W.H.K. S.J.O. K.D.R., C.L.H., R.S.B., R.B.H., P.M.E., K.A.H., S.Y.B., E.D.B. and the three (3) recommendations by the CSC regarding complaints S.W., A.W., M.T.K., and the licensee requests of C.F., C.T., H.B., J.H., J.D.H., K.B., L.S., M.F., O.L.P. P.A.B., S.P., B.T., G.G., C.L., and A.K.; and KRS 61.810(1)(k) and KREC 503, to receive legal advice regarding HB 62 and the education provider M.K. at the May 18, 2023 meeting. Commissioner Day seconded the motion and the Commission entered into closed session.

### **Reconvene Open Session and Committee Recommendations**

Commissioner King moved for the Commission to come out of closed session. Commissioner Simpson seconded the motion. The motion carried. Commission Chair Disponett resumed the full Commission meeting at 11:36 a.m. and welcomed everyone in attendance back to the Commission meeting.

### **Applicant Review Committee (“ARC”)**

1. **The license application of J.C.M.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
2. **The license application of R.W.I.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Commissioner King voted ‘nay’. Remaining all in favor, motion carried.

3. **The license application of C.E.M.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
4. **The license application of T.T.H.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
5. **The license application of W.D.H.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
6. **The license application of A.L.S.** – Chairperson Disponett made a motion to approve the application, Commissioner Simpson seconded the motion. Commissioner King voted ‘nay’. Remaining all in favor, motion carried.
7. **The license application of A.M.M.** – Chairperson Disponett made a motion to approve the application, subject to KREC receiving a completed ARC packet, Commissioner Simpson seconded the motion. Commissioner King voted ‘nay’. Remaining all in favor, motion carried.

Chairperson Disponett moved to adopt the **Applicant Review Committee** recommended actions as presented to the Commission for the **Administratively Approved** items 8 through 33, and recited the recommendations as listed above in these minutes. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

#### **Complaint Screening Committee (“CSC”)**

1. **In Re: Self-Reporting of S.W.** – Commissioner Day made a motion to send a letter to the licensee to confirm receipt and that the information provided will be added to their license file. No disciplinary action will be taken. Commissioner King seconded the motion. Having all in favor, the motion carried.
2. **In Re: Complaint against Education Provider A.W.** – Commissioner Day made a motion to refer for further investigation. Commissioner King seconded the motion. Having all in favor, the motion carried.
3. **In Re: M.T.K. Agreed Order** – Commissioner Day made a motion for violation of an Agreed Order to suspend the licensee’s license for 60 days, Commissioner King seconded the motion. Having all in favor, the motion carried.

Commissioner King made a motion to issue a notice of withdrawal to course provider **M.K.** for course approval given at the May 18, 2023 KREC monthly meeting. No additional action to be taken at this time. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

#### **Applicant and Licensee Requests**

Commissioner Simpson made the following motions in regard to the:

1. **Application of C.F.** - To deny.
2. **License of C.T.** - To take no action and refund payment.
3. **License of H.B.** – To take no action and refund payment.
4. **Application of J.H.** – To deny.
5. **Application of J.D.H.** – To deny.
6. **Education of K.B.** - To deny.
7. **Application of L.S.** - To deny.
8. **Application of M.F.** - To deny.
9. **Application of O.L.P.** - To deny.
10. **Application of P.A.B.** - To deny.

11. **License of S.P.** – To take no action and refund payment.
12. **Application of S.W.** - To deny.
13. **Application of B.T.** – Authorize staff to contact PSI and allow applicant to retest.
14. **Application of G.G.** - To deny.
15. **Application of C.L.** – To take no action and refund payment.
16. **Application of A.K.** – To deny.

Commissioner King seconded the motions as made. Having all in favor, the motion carried.

Commissioner King made a motion to reverse the determination made by KREC regarding course provider **M.K.** at the May 18, 2023 KREC monthly meeting, and take no action related to the determination. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

Commissioner Sickles made a motion to authorize KREC staff to notify applicants to retest or to obtain a new background check when not in compliance with **201 KAR 11:210 (6)** as identified by KREC staff. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

Commissioner Simpson made a motion to accept the settlement as offered in the cases of **22-CI-04296 (Jefferson Circuit Court)** and **23-CI-00473 (Franklin Circuit Court)**. Commissioner Day seconded the motion. Having all in favor, the motion carried.

### **New Business**

Commissioner King made a motion to issue a statement on **HB 62 (2023)** as drafted by counsel, to have counsel read the statement at the present meeting, and to have it added to the KREC website under “Latest News.” Commissioner Day seconded the motion. Having all in favor, the motion carried. The statement was read.

### **Public Comment**

Oxana Lopetegui-Pineda offered comment regarding the prelicensing education and license application process.

Joseph Back requested legal guidance regarding HB 62 (2023). At the invitation of Chairperson Disponett, General Counsel referred Mr. Back to the language of the bill; that Mr. Back would need to obtain advice regarding interpreting that bill as applied to his specific situation, from his own attorney; and that Mr. Back is welcome to submit comments or questions in writing.

### **Approval Per Diem**

1. Commissioner Sickles made a motion to approve the per diem and travel expenses for the June 13, 2023 ARC Meeting for Commissioner Carter and Chairperson Disponett. Commissioner Day seconded the motion. Having all in favor, the motion carried.
2. Commissioner Sickles made a motion to approve the per diem and travel expenses for the June 13, 2023 CSC Meeting for Commissioner Day and Commissioner Simpson. Commissioner King seconded the motion. Having all in favor, the motion carried.

3. Commissioner Sickles made a motion to approve the per diem and travel expenses for the June 15, 2023 KREC Regular meeting. Commissioner King seconded the motion. Having all in favor, the motion carried.

**Meeting Adjournment**

Commissioner Simpson made a motion to adjourn the meeting. Commissioner Sickles seconded. With all in favor, the meeting adjourned at 11:55 a.m.

**Next Meeting**

The next Commission meeting will be Thursday, July 20, 2023 at 9:00 a.m.

