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Natalie W. Brawner
Executive Director

**KENTUCKY REAL ESTATE COMMISSION
(KREC)**

MEETING MINUTES

February 16, 2023

**Mayo-Underwood Conference Room 239CW
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 Larry Disney
Commissioner Jennifer Brown-Day
Commissioner Raquel Carter
Commissioner Anthony Sickles
Commissioner James Simpson

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
Seth Branson, Executive Administrative Secretary
Angie Reynolds, Administrative Specialist III

The Kentucky Real Estate Commission meeting was called to order by Commission Chair, Lois Ann Disponett, at 9:00 a.m. on **February 16, 2023**. Roll call was taken, and a quorum was present. Guests were welcomed introductions of staff and Commissioners were made.

Approval of Meeting Minutes

Commissioner Carter made a motion to approve the **January 19, 2023** KREC Meeting Minutes, Commissioner Day seconded the motion. With all in favor, the motion carried.

Kentucky Real Estate Authority Report

Executive Director Natalie W. Brawner welcomed everyone. She stated that staff was still working on processing outstanding travel and if anyone had any questions to please let her know.

Education and Licensing Report

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

1. PSI Testing Statistics

2023 January (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	2	50.00	2	50.00	4
License Reciprocity- Salesperson	6	75.00	2	25.00	8
Broker- National	1	100.00	0	0.00	1
Broker- State	0	0.00	1	100.00	1
Salesperson- National	95	67.38	46	32.62	141
Salesperson- State	67	46.85	76	53.15	143
TOTAL	171	57.38	127	47.62	298

2023 January (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	4	66.67	2	33.33	6
License Reciprocity- Salesperson	5	41.67	7	58.33	12
Broker- National	2	100.00	0	0.00	2
Broker- State	1	100.00	0	0.00	1
Salesperson- National	37	36.27	65	63.73	102
Salesperson- State	50	38.76	79	61.74	129
TOTAL	99	39.29	153	60.71	252

2023 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	6	60.00	4	40.00	10
License Reciprocity- Salesperson	11	55.00	9	45.00	20
Broker- National	3	100.00	0	0.00	3

Broker- State	1	50.00	1	50.00	2
Salesperson- National	132	54.32	111	45.68	243
Salesperson- State	117	43.01	155	56.99	272
TOTAL	270	49.09	280	50.91	250

2. Licensing Statistics

As of February 14, 2023

Type	Active	Inactive	TOTAL
Sales Associate	12,425	4,863	17,288
Broker	3,744	654	4,398
TOTAL	16,169	5,517	21,686

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	81	7	88
TOTAL	1,517	134	1,651

New Licenses Issued in 2023 (by month)

Month	Sales Associate	Broker	Total
January	74	2	76
February			
March			
April			
May			
June			
July			

August			
September			
October			
November			
December			
TOTAL	74	2	76

Instructors

1. W.D.
2. D.D.
3. J.M.

Continuing Education and Post-License Education Courses

1. Bluegrass Realtors - 2 Courses
2. Kaplan Real Estate Education – 1 Course
3. Kentucky Realtor Institute – 3 Courses
4. Northern Kentucky Association of Realtors – 1 Course
5. Southern Indiana Realtors Association – 1 Course

Continuing Education Courses

1. The CE Shop

Reciprocal License Courses

1. Kentucky Realtor Institute

Broker Curriculum Courses

1. Kentucky Real Estate College

Instructor Training Courses

1. Greater Louisville Association of Realtors

Commissioner Carter made a motion to approve the Education Applications and requests as presented by Deputy Director Carlin, Commissioner Sickles seconded the motion. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

Legal Report

General Counsel August Pozgay reported that regulation **201 KAR 11:121** was referred to the Licensing, Occupation and Administrative Regulations Committee on February 1, 2023. General Counsel will be notified if the forms and regulation are listed on any of the upcoming Committee’s meeting agendas. If reviewed and approved by the Committee, the changes will go into effect at the adjournment of the Committee meeting. If not listed on any of the Committee’s agenda the changes will go into effect after the 90-day period, ending May 2, 2023.

General Counsel inquired how the Commission would like to ‘roll out’ the new forms and regulation changes to the licensees. He suggested a letter sent via email, explaining the details and the changes, with one or two reminders prior to going into effect in April.

Commissioner Disney made a motion to approve General Counsel to draft a letter to be sent to licensees for Chairperson Disponett’s review and approval prior to the effective date. Commissioner Simpson seconded the motion.

At the request of the Commission, General Counsel provided a brief legislative update on the status of **House Bill 62** (RS 2023).

Committee Reports

Diversity, Equity, and Inclusion Committee (“DEI Committee”)

The DEI Committee did not meet this month.

Applicant Review Committee (“ARC”)

Commissioner Sickles presented the following recommendations of the ARC:

1. To approve license application withdrawal request of **K.K.**
2. To approve license application withdrawal request of **H.K.**
3. To approve license application of **J.M.**
4. To defer the license application of **J.A.C.** until the March committee meeting. Applicant to provide complete ARC package with notarized referrals.
5. To approve license application of **I.H.**
6. To defer the license application of **A.E.** until the March committee meeting. Applicant to provide a written letter of explanation.
7. To approve license application of **N.M.**
8. To approve license application of **B.R.**
9. To defer the license application of **J.L.C.** until the March committee meeting, when the Principal Broker can be present.
10. To approve license application of **D.N.**
11. To defer the license application of **J.S.C.** until the March committee meeting. Applicant to provide a complete ARC package with notarized referrals.
12. To approve license application of **E.S.**
13. To approve license application of **S.C.**
14. To approve license application of **B.T.**
15. To approve license application of **J.B.**
16. To approve license application of **L.D.**
17. To approve license application of **J.M.**

Complaint Screening Committee (“CSC”)

Commissioner Carter presented the report of the CSC:

- **18-C-035** – Recommendation to the Commission to approve the two (2) Agreed Orders as presented.
- **18-C-043** - Recommendation to the Commission to approve and send an Informal Reprimand letter as drafted by General Counsel.
- **In Re: Alleged Unlicensed Brokerage Activity of B.L.** – Recommendation for further investigation.

Closed Session Legal Matters and Case Deliberations

At 9:28 a.m. Commissioner Sickles 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 seventeen (17) recommendations of the ARC; the three (3) recommendations by the CSC; the twenty (20) Applicant and Licensee Requests. Commissioner Carter 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 Disney seconded the motion. The motion carried. Commission Chair Disponett resumed the full Commission meeting at 11:12 a.m. and welcomed everyone in attendance back to the Commission meeting.

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

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

Applicant and Licensee Requests:

- **In Re: Education of M.A.S.** – Commissioner Disney made a motion to activate the licensee and defer matter for consideration at the next meeting regarding potential discipline. Commissioner Day seconded the motion. Commissioner Carter voted Nay. Remaining all in favor, motion carried.

Commissioner Carter moved to take the following listed actions and deferrals regarding the remaining Applicant and Licensee Requests:

- **In Re: Application of M.W.** - To accept the new application and table her prior application.
- **In Re: Education of J.S.** - Waive fee. Accept the education extension to April 30, 2023.
- **In Re: Education of T.F.** - Waive fee. Accept the education extension to April 30, 2023.
- **In Re: Education of S.L.** - Waive fee. Accept the education extension to April 30, 2023.
- **In Re: Education of V.G.** - Must get ERP and pay inactive fee of \$10 and waive fine.
- **In Re: Education of J.M.** - Offer inactive status if ERP is obtained and waive fine.
- **In Re: Education of M.C.** - Waive fee. Accept the education extension to April 30, 2023.
- **In Re: Education of W.P.** - Deny request.
- **In Re: Education of E.D.** - Deny request.
- **In Re: Education of L.C.** - Deny request.
- **In Re: Education of K.H.** - Deny request.
- **In Re: Education of J.J.S.** - Deny request.
- **In Re: Education of J.E.** - Deny request.
- **In Re: Education of R.M.** - Defer consideration of requests. Licensee is to provide documentation to support hardship claim prior to the KREC March meeting, with the option to pay fine now or defer.
- **In Re: Education of D.M.C.** - Defer consideration of requests. Licensee is to provide documentation to

support hardship claim prior to the KREC March meeting, with the option to pay fine now or defer.

- **In Re: Education of R.R.** - Deny request.
- **In Re: Education of N.B.** - Defer consideration of requests. Licensee is to provide documentation to support hardship claim prior to the KREC March meeting, with the option to pay fine now or defer.
- **In Re: Education of L.G.** - Defer consideration of requests. Licensee is to provide documentation to support hardship claim prior to the KREC March meeting, with the option to pay fine now or defer.
- **In Re: Education of N.P.** - Deny request.
- **In Re: Education of B.H.** - Deny request.

Commissioner Simpson seconded the motion to take the above-listed actions and deferrals regarding Applicant and Licensee requests. Having all in favor, the motion carried.

New Business

Arelllo Annual Conference

Commissioner Simpson made a motion to send Staff and Commissioners as needed to attend the 2023 Arelllo Mid-Year Conference in Boston Massachusetts, scheduled for April 26-28, 2023. Commissioner Carter seconded the motion. Having all in favor, the motion carried.

Chairperson Disponett asked the Commissioners if they would like to continue to rotate sitting on the KREC subcommittees or would they rather be appointed. The consensus was that they prefer the rotation and the decision to host the subcommittee meetings on a Tuesday, as opposed to the day before the main meeting as they have done in the past.

Public Comment

No public comments received.

Approval Per Diem

1. Commissioner Disney made a motion to approve the per diem and travel expenses for the February 14, 2023 ARC Meeting for Chairperson Disponett and Commissioner Sickles. Commissioner Carter 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 February 14, 2023 CSC Meeting for Commissioners Carter and Day. Commissioner Disney 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 February 16, 2023 KREC Regular meeting. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

Commissioner Sickles made a motion to adjourn the meeting. Commissioner Simpson seconded. Meeting adjourned at 12:31 p.m.

Next Meeting

The next Commission meeting will be Thursday, March 16, 2023 at 9:00 a.m.

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 February 16, 2023. 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 February 16, 2023 meeting at its meeting held on March 16, 2023.


KREA Executive Director

Date: 3/16/2023