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PUBLIC PROTECTION CABINET

Kentucky Real Estate Commission

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KENTUCKY REAL ESTATE COMMISSION (KREC)

MEETING MINUTES

November 16, 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 Jennifer Brown-Day
Commissioner Raquel Carter
Commissioner Larry Disney
Commissioner James King
Commissioner Denise Hamilton

KREA Staff

Hannah Carlin, Deputy Executive Director
August Pozgay, General Counsel
René Rogers, Staff Attorney III
Terri Hulette, Executive Administrative Secretary
Seth Branson, Procedures Development Specialist I
Cathy Buckley, Administrative Specialist III
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 **November 16, 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 King made a motion to approve the **October 26, 2023** KREC Special Meeting Minutes, Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Kentucky Real Estate Authority Report

Kentucky Real Estate Authority (“KREA”) Deputy Executive Director, Hannah Carlin welcomed and congratulated Commissioner Hamilton on her recent appointment to the Commission. She also congratulated Commissioner Disney on his reappointment. Deputy Director Carlin thanked Commissioner James Simpson for his service to the Commission.

Deputy Director Carlin provided brief staffing updates, including introducing Cathy Buckley, KREC’s new Administrative Specialist III.

Deputy Director Carlin reported that she and other staff members had been appointed to various subcommittees on the Association for Real Estate Law Officials (ARELLO). Commissioners Disney was appointed to the chair of the Investigator committee; KREA staff attorney, René Rogers was appointed to the Law and Regulation committee; KREA Investigator, Gerald Florence was appointed to the Investigator committee. Deputy Executive Director, Hannah Carlin, will serve as the chair of the Examination & Accreditation committee. She was also appointed to the Law and Regulation committee.

Licensing Report

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

1. PSI Testing Statistics

2023 October (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	6	75.00	2	25.00	8
12License Reciprocity- Sa4lesperson	10	66.67	5	33.33	15
Broker- National	4	80.00	1	20.00	5
Broker- State	2	50.00	2	50.00	4
Salesperson- National	81	44.02	103	55.98	184
Salesperson- State	45	36.89	77	63.11	122
TOTAL	148	43.79	190	56.21	338

2023 October (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	3	75.00	1	25.00	4
License Reciprocity- Salesperson	0	0.00	3	100.00	3
Broker- National	0	0.00	0	0.00	0

Broker- State	2	66.67	1	33.33	3
Salesperson- National	20	46.51	23	53.49	43
Salesperson- State	51	45.95	60	54.05	111
TOTAL	76	46.34	88	53.66	164

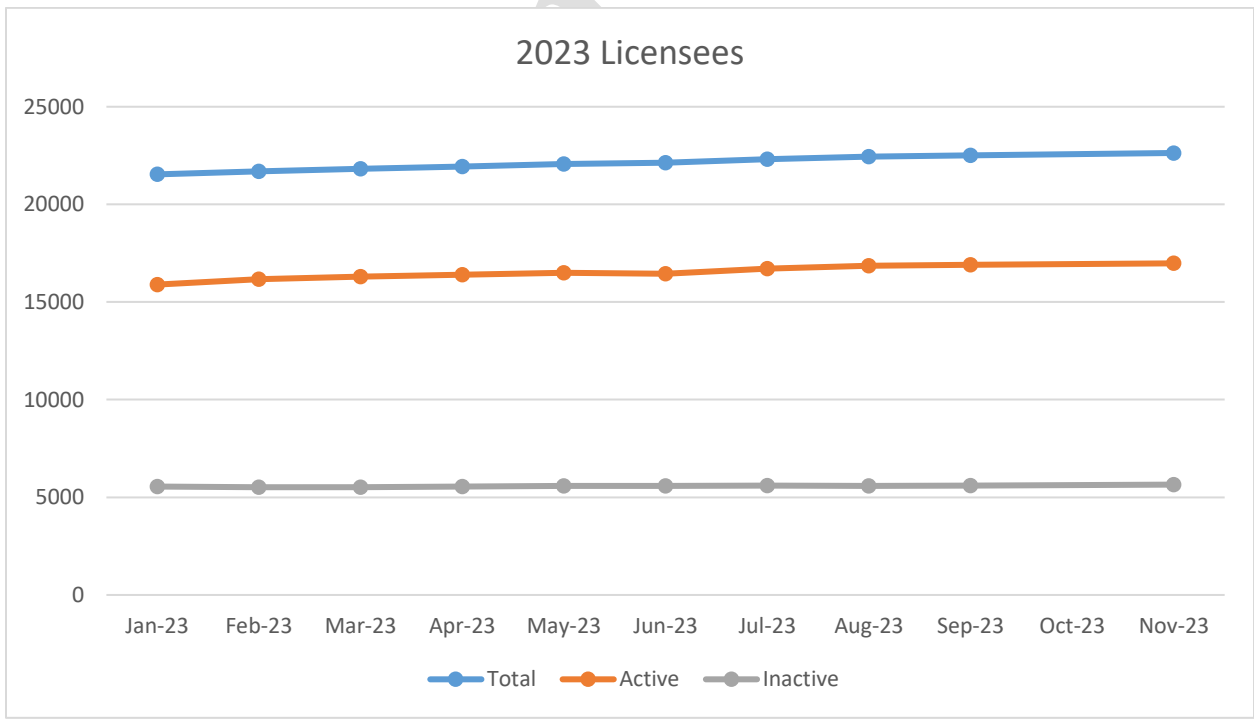
2023 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	48	48.98	50	51.02	98
License Reciprocity- Salesperson	132	57.64	97	42.36	229
Broker- National	51	66.23	26	33.77	77
Broker- State	48	50.00	48	50.00	96
Salesperson- National	1,321	51.82	1,228	48.18	2,549
Salesperson- State	1,316	47.39	1,461	52.61	2,777
TOTAL	2,916	50.05	2,910	49.95	5,826

2. Licensing Statistics

As of November 14, 2023

Type	Active	Inactive	TOTAL
Sales Associate	13,190	4,974	18,164
Broker	3,790	677	4,467
TOTAL	16,980	5,651	22,631



New Licenses Issued in 2023 (by month)

Month	Sales Associate	Broker	Total
January	74	2	76
February	117	8	125
March	112	13	125
April	144	4	148
May	98	0	98
June	168	6	174
July	204	3	207
August	121	10	131
September	111	7	118
October	98	12	110
TOTAL	1,247	65	1,312

At 9:12 a.m. Commissioner Deni Hamilton joined the meeting via Zoom and was welcomed by the Commissioners and staff.

Education

1. Instructors
 - a) J.B.
 - b) S.G.
 - c) J.A.R.
 - d) V.B.
 - e) K.W.
 - f) C.H.

2. Continuing Education, Post-License Education and Pre-Licensing Education Courses
 - a) Dennis Badger & Associates, Inc. – 3 Courses
 - b) Greater Louisville Association of Realtors - 10 Courses
 - c) Kentucky Heritage Council – 1 Course
 - d) Kaplan Education – 1 Course
 - e) McKissock – 1 Course
 - f) Colibri Real Estate, LLC – 11 Courses
 - g) Kentucky Realtor Institute – 2 Courses

3. Pre-Licensing Course
 - h) Kentucky Realtors Institute – 1 Course

Per 201 KAR 11:170 Commissioner King made a motion to approve the education course applications presented by Deputy Director Carlin: Dennis Badger & Associates, Inc., Greater Louisville Association of Realtors, Kentucky Heritage, Kaplan Education, McKissock, Colibri Real Estate, LLC, Kentucky Realtor Institute, and instructor applications of J.B., S.G., J.A.R., V.B., K.W. and C.H., Commissioner Carter

seconded the motion. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

Legal Report

Commissioner Carter made the motion to discuss the following matters and any updates with General Counsel Pozgay in closed session regarding: the licensing applications of T.S., S.M., the inquiry from B.O., and the broker application of A.N., the alleged unlicensed activity of L.G., the education provider regarding A.P.W. 1 & A.P.W. 2, Administrative Action regarding 20-KREC-003 and Complaint details of 23-C-054. Commissioner Day seconded the motion. Having all in favor, the motion carried.

Committee Reports

Applicant Review Committee (“ARC”)

Commissioner Carter presented the following recommendations of the ARC:

- 1) Motion to recommend to one-year probationary period for the license application of J.B.R.
- 2) Motion to recommend to approve the license application of B.S.C.
- 3) Motion to recommend to defer K.R.I. for further investigation.
- 4) Motion to recommend to defer J.R.W. for further investigation.
- 5) Motion to recommend to defer K.D.H. for further investigation.
- 6) Motion to recommend to approve the license application of K.D.P.
- 7) Motion to recommend to defer G.D. for further investigation.
- 8) Motion to recommend to approve the license application of J.Y.P.
- 9) Motion to recommend to approve the license application of H.E.W.
- 10) Motion to recommend to defer M.B. for further investigation.
- 11) Motion to recommend to approve the license application of A.N.Q.

The following applications were **administratively approved**:

- | | |
|----------------------------------|----------------------------------|
| 12) In Re: Application of J.A.S. | 28) In Re: Application of A.K.F. |
| 13) In Re: Application of D.M. | 29) In Re: Application of R.O.W. |
| 14) In Re: Application of L.K.W. | 30) In Re: Application of C.N.M. |
| 15) In Re: Application of A.N.S. | 31) In Re: Application of R.S.B. |
| 16) In Re: Application of A.L.B. | 32) In Re: Application of C.D.J. |
| 17) In Re: Application of K.J. | 33) In Re: Application of M.R.G. |
| 18) In Re: Application of K.M.I. | 34) In Re: Application of B.J.S. |
| 19) In Re: Application of C.R.T. | 35) In Re: Application of T.L.S. |
| 20) In Re: Application of S.M.F. | 36) In Re: Application of G.M.P. |
| 21) In Re: Application of S.K.S. | 37) In Re: Application of W.R.B. |
| 22) In Re: Application of P.S. | 38) In Re: Application of Z.K.V. |
| 23) In Re: Application of M.S.B. | 39) In Re: Application of J.B.M. |
| 24) In Re: Application of B.L.C. | 40) In Re: Application of L.C. |
| 25) In Re: Application of J.C.B. | 41) In Re: Application of M.A.J. |
| 26) In Re: Application of B.C.W. | 42) In Re: Application of T.M.B. |
| 27) In Re: Application of Z.S.C. | 43) In Re: Application of W.D.P. |

Complaint Screening Committee (“CSC”)

Commissioner Day presented the report of the CSC:

- 1) 15-044 – Recommendation to the Commission to accept Agreed Order as presented.
- 2) 16-077 – Recommendation to the Commission to dismiss.
- 3) 17-003 – Recommendation to the Commission to accept Agree Order as presented by the Respondents.
- 4) 18-C-061 – Recommendation to the Commission to dismiss.
- 5) 18-C-062 – Recommendation to the Commission to accept Agree Order as presented.
- 6) 19-C-041 – Recommendation to the Commission to accept Agree Order as presented.
- 7) 19-C-104 – Recommendation to the Commission to accept Agree Order as presented.
- 8) 20-C-002– Recommendation for the Commission to offer an Agreed Order including six (6) hours of additional education (CORE) class; and a formal reprimand.
- 9) 21-C-041 – Recommendation to the Commission to dismiss.
- 10) 21-C-056 – Recommendation for the Commission to offer an Agreed Order with terms of discipline to include six (6) hours of additional education: three (3) in agency and three (3) hours in professional responsibility or standards of practice; six (6) hours of CORE course; a fine of a \$1000; and a formal reprimand.
- 11) 23-C-001 – Recommendation to the Commission to dismiss.
- 12) 23-C-007 – Recommend to send to the licensee for a sworn answer.
- 13) 23-C-023 – Recommendation to the Commission to dismiss.
- 14) 23-C-036 – Recommendation to the Commission to accept the withdrawal as requested and close the complaint.
- 15) 23-C-038 – Recommendation to the Commission to dismiss.
- 16) 23-C-040 – Recommendation to the Commission to dismiss.
- 17) 23-C-042 – Recommend to request a sworn answer from the licensees.
- 18) 23-C-044 – Recommendation to the Commission to dismiss.
- 19) In Re: B.R.G. – Recommendation to the Commission to decline to open a Commission complaint.
- 20) In Re: R.T. – Recommendation to the Commission revocation of R.T.’s license.

Closed Session Legal Matters and Case Deliberations

At 9:25 a.m. Commissioner Carter moved to enter closed session, with agency staff and counsel, pursuant to KRS 61.810(1)(j), to deliberate on individual adjudications in the following matters: the recommendations of the ARC regarding applicants as listed in the ARC report; the recommendations of the CSC regarding complaints as listed in the CSC report; in re: A.P.W. 1, in re: A.P.W. 2, 20-KREC-003, 23-C-054, in re: inquiry from B.O., in re: Application of T.S., in re: the License of S.M.; and pursuant to KRS 61.810(1)(k) to receive legal advice regarding a recent Circuit Court decision. Commissioner Day seconded the motion and the Commission entered into closed session.

Reconvene Open Session and Actions Taken

Commissioner Day moved for the Commission to come out of closed session. Commissioner King seconded the motion. The motion carried. Commission Chair Disponett resumed the full Commission meeting at 11:31 a.m. and welcomed everyone in attendance back to the Commission meeting. At this

time Commissioner Carter excused herself from the meeting.

Applicant Review Committee (“ARC”)

Commissioner Sickles moved to take the actions recommended by the **Applicant Review Committee**, as listed above in these minutes, except that the application of **K.D.H.** shall be approved. Commissioner King seconded the motion. Having all in favor, the motion carried.

Complaint Screening Committee (“CSC”)

Commissioner Day moved to take the actions recommend by the **Complaint Screening Committee**, as listed above in these minutes. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner King moved to refer **A.P.W. 1 and A.P.W. 2** for further investigation. Commissioner Day seconded the motion. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

Commissioner King moved to authorize counsel and staff to research potential resolutions regarding **20-KREC-003** and to report their findings back to the Commission. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner King moved to refer **23-C-054** for further investigation. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner King moved that KREC staff inform applicant **B.O.** that applicant B.O. may apply through KRS 12.245 by completing the following: complete six (6) hours of KY CORE courses; obtaining the required criminal history background check; passing the KY law portion of the state examination; by completing an application for licensure; and submitting all documentation required by KRS 12.245(2). Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner King moved to deny the request **In Re: Application of T.S.** Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Commissioner King moved to approve the request **In Re: License of S.M.** Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Recovery Fund Education Grant Presentations

Commission Chair Disponett invited Mr. Said Ghezal of the **Western Kentucky University (WKU)** to present regarding WKU’s grant proposal to the Commission.

Commission Chair Disponett invited Mr. Heath Keller of the **Murray State University (MSU)** to present regarding the MSU’s grant proposal to the Commission.

Commissioner Day made a motion to approve the **WKU’s** Grant Proposal as presented. Commissioner

King seconded the motion. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

Commissioner Sickles made a motion approved the MSU's Grant Proposal as presented. Commissioner Hamilton seconded the motion. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

New Business

Commissioner Day made to motion to amend and replace the prior motion made regarding **J.B.R.** as follows: KREC to offer an agreed order with a probationary license to issue, probation term to last under pending charges are disposed; applicant to quarterly submit Administrative Office of the Court (AOC) reports showing no new charges. Commissioner Sickles seconded the motion. Remaining all in favor, motion carried.

Commissioner Sickles made a motion approved the travel expenses of Deputy Executive Director Hannah Carlin and Commissioner Disney as to attend the Association of Real Estate License Law Officials (ARELLO) 2024 Leadership Symposium being held in Miami Florida in January 2024. Commissioner Day seconded the motion. Remaining all in favor, motion carried.

Chairperson Disponett noted that the **2024 calendar** would stay the same and that the Commission would continue to meet every third Thursday of the month.

Commission Chair Disponett welcomed and congratulated Commissioner Hamilton to her post with the KREC. Commission Chair Disponett thanked Commissioner Disney for his years of service and congratulated him on his reappointment. Though absent, she also thanked Commissioner Simpson for his dedicated years of service.

Commission Chair Disponett thanked both staff and Commissioners for their support and the honor of serving as Chairperson of the KREC.

Public Comment

J.R.W. introduced himself and asked for clarification regarding his application. Deputy Executive Director Carlin informed J.R.W. that he would receive official correspondence detailing the Commission's decision within the following week.

Approval Per Diem

1. Commissioner King made a motion to approve the per diem and travel expenses for the November 14, 2023 ARC Meeting for Commissioner Carter and Commissioner Sickles. Commissioner Disney seconded the motion. Having all in favor, the motion carried.
2. Commissioner King made a motion to approve the per diem and travel expenses for the November 14, 2023 CSC Meeting for Commissioner Disney and Commissioner Day. Commissioner Sickles 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 November 14, 2023 KREC Regular meeting. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

Chair Disponett announced that the meeting was adjourned at 11:56 a.m.

Next Meeting

The next Commission meeting will be Thursday, January 18, 2024 at 9:00 a.m.

Pursuant to KRS 324B.060, I, Kristen Lawson, Acting Executive Director,
for 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 November 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 November 16, 2023 meeting at its meeting held on
December 21, 2023.

Kristen Lawson, 4/18/2024