



Andy Beshear
Governor

Jacqueline Coleman
Lieutenant Governor

PUBLIC PROTECTION CABINET

Kentucky Real Estate Commission

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Ray A. Perry
SECRETARY

Robert L. Astorino, Sr.
EXECUTIVE DIRECTOR

KENTUCKY REAL ESTATE COMMISSION (KREC)

MEETING MINUTES

August 18, 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 James King
Commissioner Jennifer Brown-Day
Commissioner Raquel Carter
Commissioner Anthony Sickles

KREA Staff

Robert Astorino, Executive Director
August Pozgay, General Counsel
Molly Cassady, General Counsel
Hannah Carlin, Deputy Executive Director
René Rogers, Staff Attorney III
Brian Travis, Investigator
Terri Hulette, Executive Administrative Secretary
Seth Branson, Executive Administrative Secretary
Angie Reynolds, Administrative Specialist III
Aaliyah Boller, KREC Intern

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 **August 18, 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 **July 21, 2022** KREC Meeting Minutes Commissioner Day seconded the motion. With all in favor, the motion carried.

Commissioner Carter made a motion to approve the **August 2, 2022** KREC Public Comment Hearing Minutes Commissioner Sickles 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 July (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	2	66.67	1	33.33	3
License Reciprocity- Salesperson	12	66.67	6	33.33	18
Broker- National	1	100.00	0	0.00	1
Broker- State	0	0.00	1	100.00	1
Salesperson- National	109	77.86	31	22.14	140
Salesperson- State	77	55.00	63	45.00	140
TOTAL	201	66.34	102	33.66	303

2022 July (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	1	20.00	4	80.00	5
License Reciprocity- Salesperson	6	50.00	6	50.00	12
Broker- National	1	25.00	3	75.00	4
Broker- State	1	16.67	5	83.33	6
Salesperson- National	34	31.78	73	68.22	107
Salesperson- State	59	44.03	75	55.97	134
TOTAL	102	38.06	166	61.94	268

2022 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	26	47.27	29	52.73	55
License Reciprocity- Salesperson	108	60.00	72	40.00	180
Broker- National	83	58.45	59	41.55	142
Broker- State	82	53.95	70	46.05	152
Salesperson- National	928	53.18	817	46.82	1,745
Salesperson- State	939	48.15	1,011	51.85	1,950
TOTAL	2,166	51.28	2,058	48.72	4,224

1. Licensing Statistics

As of August 11, 2022

Type	Active	Inactive	TOTAL
Sales Associate	12,527	4,681	17,208
Broker	3,835	633	4,468
TOTAL	16,362	5,314	21,676

Licensees cancelled in July 2022: 34 (4 brokers, 30 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
May	145	3	148
June	132	1	133
July	127	5	132
August			
September			
October			
November			

December			
TOTAL	936	103	1,041

Education Providers

- Agent Academy

Instructors

- Vickie Grimes

Sales Associate Pre-license Course

Agent Academy

Course Name- Course Number	Instructors	Pre-license Hours
SA Pre-license (23594)	Vickie Grimes	96

Continuing Education and Post-License Education Courses

Agent Academy

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Disclosures: Seller's Disclosure and Lead Base Paint (23595)	Vickie Grimes	3 law	3 disclosure
Listing Contracts (23596)	Vickie Grimes	3 law	3 contracts
Real Estate Agency (23597)	Vickie Grimes	3 law	3 agency

Kaplan Real Estate Education

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Property Management and Managing Risk V6.0 (23599)	Ted Highland	6 law	6 risk management

Kentucky Realtor Institute

Course Name- Course Number	Instructors	CE Hours	PLE Hours
MCCBOR Orientation (23600)	Pam Featherstone, Nicole Knudtson, Dennis Stilger	4 law, 4 elective	1 contracts, 1 disclosure, 1 elective, 1 fair housing, 4 risk management

Continuing Education Courses

Kaplan Real Estate Education

Course Name- Course Number	Instructors	CE Hours
Understanding Credit and Improving Credit Scores: What You Need to Know V3.0 (23598)	Ted Highland	3 elective

WebCE, Inc.

Course Name- Course Number	Instructors	CE Hours
Fair Housing: It's Just Good Business (23601)	Tom Jensen	3 law

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

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

Ms. Carlin presented the July 2022 licensing requests:

1. **209039:** Commissioner Sickles made a motion to approve the licensee's request. Commissioner King seconded the motion. Having all in favor, the motion carried.
2. **279124:** Commissioner Sickles made a motion to deny the licensee's request. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

3. **279461:** Commissioner Simpson made a motion to deny the licensee's request. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

Executive Director Comments

Director Astorino made welcoming comments and thanked everyone present for attending the meeting. He was proud to report that KREA has grown into a staff of sixteen full time and one intern of very competent and knowledge-based individuals. He feels that the agency is now structured, in his opinion, to fulfill the job the way the statute intended. He offered a special thanks to General Counsel Molly Cassady and Deputy Executive Director Carlin for their assistance in assembling this team. He feels KREA has a very solid staff.

It is with reluctance that he reports that KREA will be losing General Counsel, Molly Cassady. Ms. Cassady has been reappointed to the Department of Housing, Buildings and Construction (HBC) within the Public Protective Cabinet. They have an urgent need for her assistance.

KREA has a new General Counsel, August Pozgay. Mr. Pozgay comes from the Department of Professional Licensing, where he represented state boards of licensure. He thanked the Commission and looks forward to working with them.

Director Astorino noted that he and staff were still working towards a reciprocity agreement with Illinois. He thanked Commissioner Disney for introducing him to the Deputy Director of the Georgia Real Estate Commission, who expressed an interest in an agreement with Kentucky. Georgia is a recognition state. He will be meeting with them soon.

Committee Reports

Applicant Review Committee

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

1. To approve a probationary license with conditions for M.K.
2. To defer the license application of J.Z. until next month.
3. To approve a probationary license with conditions for K.J.
4. To approve license application of A.A.

Complaint Review Committee

Commissioner Carter read the report of the Complaint Review Committee:

1. **20-C-027** – Recommendation: Dismissal.
2. **20-C-042** – Recommendation: Dismissal.
3. **21-C-039** – Recommendation: Dismissal without prejudice.

Licensee is no longer active. Flag Licensee's file for any future activity.

4. **21-C-040** – Recommendation: Dismissal.
5. **21-C-044** – Recommendation: Dismissal.

Executive Session Legal Matters and Case Deliberations

At 9:27 a.m. Commissioner Disney 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, to discuss the four (4) new applications as offered by the ARC Committee and five (5) complaints as offered by the CRC Committee, and to discuss pending administrative cases 22-KREC-004, 21-KREC-002, and 22-KREC-001.

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

Reconvene Open Session and Committee Recommendations

Commissioner King moved for the Commission to come out of executive session. Commissioner Sickles seconded the motion. Commission Chair Disponett resumed the full Commission meeting at 10:36 a.m. and welcomed everyone in attendance back to the teleconference Commission meeting.

Commissioner King made a motion to adopt the **Applicant Review Committee** recommendations regarding **M.K., J.Z., K.J., and A.A.** as previously recommended to the Commission. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

Commissioner Carter made a motion to adopt the **Complaint Review Committee** items as presented to the Commission:

1. **20-C-027** – Recommendation: Dismissal.
2. **20-C-042** – Recommendation: Dismissal.
3. **21-C-039** – Recommendation: Dismissal without prejudice.
Licensee is no longer active. Flag Licensee's file for any future activity.
4. **21-C-040** – Recommendation: Dismissal.
5. **21-C-044** – Recommendation: Dismissal.

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

Pending Administrative Cases

1. **21-KREC-002** – Commissioner Disney made a motion to approve the recommended order of default judgment as presented in Executive Session. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.
2. **22-KREC-001** - Commissioner Disney made a motion to approve the Agreed Order and its contents as presented in Executive Session. As per the terms of the Agreed Order, additional items will be listed in next month's meeting minutes. Commissioner Carter seconded the motion. Having all in favor, the motion carried.
3. **22-KREC-004** – Commissioner Disney made a motion to approve the terms as presented by the applicant. Commissioner Simpson seconded the motion. Having all in favor, the motion carried. The applicant's proposed terms will be incorporated into a proposed Agreed Order.

Legal Report

Ms. Cassady took the opportunity to express how much she had enjoyed working for the Authority. She stated that there is an amazing staff who all work very, very hard for each of the boards at KREA. While saddened to be leaving she felt that she has left KREA in good hands with the new legal team. She thinks that they're going to do amazing things. She thanked everyone for how well she had been treated during her tenure. If ever needed she will on the first floor of the building.

General Counsel Pozgay thanked Ms. Cassady for her kind words and for doing such a terrific job for the Authority.

A statement of consideration was filed on August 15, 2022 concerning 201 KAR 11:121. Material incorporated by reference remains under legal review. The forms will need to be submitted to the Administrative Regulation Review Subcommittee as an agency amendment after review and approval by the Commission. Counsel recommended deferral of the regulation package to the following Administrative Regulation Review Subcommittee meeting so the Commission can review the forms.

Commissioner Carter made a motion to authorize General Counsel to request deferral of the forms until the following Administrative Regulation Review Subcommittee meeting. Commissioner Day seconded the motion. Having all in favor, the motion carried.

At this time the Commission and its members thanked General Counsel Cassady for her service.

New Business

KREC Recovery Fund Grant

Ms. Carlin reminded the Commissioners that a couple of months ago they had voted to offer the Education Recovery Fund Grants to any in-state institution that wanted to participate. Those requirements were sent out to contacts who participated in the program last time that it was offered, which was Fall 2020. This is a reimbursement grant. Each university has provided their proposal and their estimated costs.

The following schools each made a short presentation to the Commission.

- a. University of Louisville – Presenter Sumei Zhang
- b. Western University - Presenter Said Ghezal
- c. Marray State University - Presenter Heath Keller

Commissioner Disney made the motion to approve all three presentations as presented before the Commission. Commissioner Carter seconded the motion. Having all in favor, the motion carried.

Public Comment

There were no public comments at this time.

Approval Per Diem

1. Commissioner Sickles made a motion to approve the per diem for Commissioners Simpson and King for the August 17, 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 Disney and Carter for the attendance of the August 17, 2022 Complaint Review Committee meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
3. Commissioner Carter made a motion to approve the per diem for the August 18, 2022 KREC Regular meeting. Because it was teleconferenced, there were no travel expenses. Commissioner King seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment


The next KREC meeting will be at the KYR Convention Wednesday, September 28, 2022 at the Hyatt Regency & Central Bank Center in the Regency Ballroom from 1:00 to 3:00 p.m. There will not be any subcommittee meetings for the month of September.

Commissioner Simpson made a motion to adjourn the meeting. Commissioner King seconded. Meeting adjourned at 11:05 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 August 18, 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 September 28, 2022