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PUBLIC PROTECTION CABINET

Kentucky Real Estate Commission

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Ray A. Perry
Secretary

**KENTUCKY REAL ESTATE COMMISSION
(KREC)**

MEETING MINUTES

September 28, 2022

**Hyatt Regency & Central Bank Center in the
Regency Ballroom, Lexington KY**

Commission Members Present

Commissioner Chair, Lois Ann Disponett
Commissioner Larry Disney
Commissioner James Simpson
Commissioner James King
Commissioner Raquel Carter

KREA Staff

Robert Astorino, Executive Director
August Pozgay, General Counsel
Hannah Carlin, Deputy Executive Director
René Rogers, Staff Attorney III
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 by Commission Chair, Lois Ann Disponett, at 1:02 p.m. on **September 28, 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 Carter made a motion to approve the **August 18, 2022** KREC Meeting Minutes, as drafted without the names of guest attendees, Commissioner Disney 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 August (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	5	50.00	5	50.00	10
License Reciprocity- Salesperson	8	42.11	11	57.89	19
Broker- National	4	100.00	0	0.00	4
Broker- State	0	0.00	4	100.00	4
Salesperson- National	99	60.74	64	39.26	163
Salesperson- State	82	50.00	82	50.00	164
TOTAL	198	54.40	166	45.60	364

2022 August (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	2	50.00	2	50.00	4
License Reciprocity- Salesperson	13	86.67	2	13.33	15
Broker- National	0	0.00	0.00	0.00	0
Broker- State	3	50.00	3	50.00	6
Salesperson- National	34	33.01	69	66.99	103
Salesperson- State	54	41.54	76	58.46	130
TOTAL	106	41.09	152	58.91	258

2022 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	33	47.83	36	52.17	69
License Reciprocity-Salesperson	129	60.28	85	39.72	214
Broker- National	87	59.59	59	40.41	146
Broker- State	85	52.47	77	47.53	162
Salesperson- National	1,059	52.66	952	47.34	2,011
Salesperson- State	1,072	47.77	1,172	52.23	2,244
TOTAL	2,465	50.87	2,381	49.13	4,846

2. Licensing Statistics

As of September 22, 2022

Type	Active	Inactive	TOTAL
Sales Associate	12,674	4,685	17,359
Broker	3,848	634	4,482
TOTAL	16,522	5,319	21,841

Licensees cancelled in August 2022: 33 (3 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	146	4	150
September			
October			
November			
December			
TOTAL	1,082	107	1,191

Instructors

- Krista McIver
- Adam Rowe
- Eric Shadowens
- Gregory Solomos
- Cynthia Whitmer

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

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Fair Housing (25498)	Vickie Grimes	3 law	3 fair housing

Dennis Badger and Associates, Inc.

Course Name- Course Number	Instructors	CE Hours	PLE Hours
ANSI Measurement Z765-2021 (25502)	Dennis Badger, Larry Disney	3 law	3 elective
Real Estate Mortgage Fraud and Questionable Practice (25503)	Dennis Badger, Larry Disney	3 law	3 finance

Kaplan Real Estate Education

Course Name- Course Number	Instructors	CE Hours	PLE Hours
Twenty Cost-Effective Home Improvements Online Video Course V2.0 (25501)	Ted Highland	4 elective	4 elective

Kentucky Realtor Institute

Course Name- Course Number	Instructors	CE Hours	PLE Hours
CKAR Orientation (25500)	Pam Featherstone,	4 law, 4 elective	1 contracts, 1 disclosure, 1 elective, 1 fair

	Nicole Knudtson, Dennis Stilger		housing, 4 risk management
HABOR Orientation (25499)	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

Southern Indiana Realtor Association

Course Name- Course Number	Instructors	CE Hours
Basics of the 1031 Exchange (25497)	Eric Shadowens	3 elective

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

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

Executive Director Comments

Director Astorino made welcoming comments and thanked everyone present for attending the meeting. He provided an update on KREA staffing levels and vacancies. He also announced his retirement from KREA at the end of September 2022. Director Astorino complimented agency staff and expressed his gratitude for their service.

The Commissioners thanked the Director for his service.

Committee Reports

No Committees met this month.

Legal Report

General Counsel August Pozgay reported that KREA has an investigator temporarily detailed to KREA.

Mr. Pozgay provided an update regarding regulation 201 KAR 11:121, amendment in process. Commissioner Carter made a motion to authorize General Counsel to defer review of proposed regulation amendment 201 KAR 11:121 to the November 2022 Administrative Regulation Review

Subcommittee meeting. Commissioner King seconded the motion. With all in favor, the motion carried.

Mr. Pozgay updated the Commission regarding his meeting with a potential drug testing and monitoring program with further details to be provided at the October, 2022 meeting of the Commission.

Mr. Pozgay provided an update on a lawsuit filed against the Commission.

Mr. Pozgay brought to the Commission his review of the proposed Illinois Reciprocity Agreement. Commissioner Disney made a motion to approve the Illinois Reciprocity Agreement as presented. Commissioner Simpson seconded the motion. With all in favor, the motion carried. Chairperson Disponett thanked Ms. Carlin for her assistance with the Illinois Reciprocity agreement.

Mr. Pozgay updated the Commission on discussions with various agencies and legislators regarding military installations. He requested that the Commission authorize him to continue those preliminary discussions. Commissioner Carter made a motion to authorize General Counsel Pozgay to continue those preliminary discussions. Commissioner Simpson seconded the motion. With all in favor, the motion carried.

New Business

Commissioners Disponett, Disney, Simpson, Day, Ms. Carlin, staff attorney René Rogers recently attended Arello in Nashville, TN. Commissioners Simpson and Disney provided an update regarding their attendance and experience at the conference. Commissioner Simpson stated that he found it to be a great resource. He highly recommends the Commission's continued attendance. Commissioner Disney concurred.

Ms. Carlin announced the Real Estate Authority had a booth at the trade show and to please stop by and visit staff.

Public Comment

Tom Waldrop, former KREC Commissioner, introduced himself and thanked the Commissioner Members for their involvement of Arello and encouraged them to continue their relationship with the organization and that they are doing a good job.

Spencer Arsenault, a senior claims specialist from Rice Insurance, introduced herself and wanted to let the Commission or any of its members have any questions regarding the E&O insurance plan to please see her or a representative at their booth.

Elizabeth Monarch of KYR, introduced herself and, on behalf of Mike Inman and their new CEO Josh Summers, thanked the Commission for meeting at the conference. Ms. Monarch indicated KYR appreciates the Commission's attendance at the conference. She congratulated Director Astorino on his retirement and thanked him for his service

Kathy Corbet introduced herself and asked about how to obtain information regarding the military installation discussion. Mr. Pozgay indicated Ms. Corbet may email him or meet with him.

Steve Denny introduced himself and asked about potential reciprocity with Indiana. His office neighbors Evansville, Indiana; he indicated if there is anything that he can help with in regard to making that happen he would be glad to assist.

Approval Per Diem

1. Commissioner Simpson made a motion to approve the per diem and travel expenses for the September 28, 2022 KREC Regular meeting. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

The next KREC meeting will be October 20, 2022 at 9:00 a.m. for the regular meeting. Watch for a zoom link.

Commissioner Carter made a motion to adjourn the meeting. Commissioner Simpson seconded. Meeting adjourned at 1:36 p.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 September 28, 2022. Although I was not present at this meeting, my 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 September 28, 2022 meeting at its meeting held on October 20, 2022.

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