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KENTUCKY REAL ESTATE COMMISSION
(KREC)

MEETING MINUTES

June 16, 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
Jacob Walbourn, Executive Director, Office of Legal Services
Hannah Carlin, Deputy Executive Director
Brian Travis, Investigator
Terri Hulette, Executive Administrative Secretary
Angie Reynolds, Administrative Specialist III
Aaliyah Boller, KREC Intern

Guests Present

Tom Cox	John Mitchell	Janie Wilson
Dennis Stigers	Joyce Sterling	Ron Smith
Alex Lee	Desiree Merritt	Renee Rogers
Elizabeth Monarch	Richard Wilson, KYR	LuChyna Kimbrel
Justin Stone	Nicole Knudtson	
Virginia Lawson	Jim DeMaio, RASK	

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 **June 16, 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 **May 19, 2022** KREC Meeting 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 May (First Time)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	1	33.33	2	66.67	3
License Reciprocity-Salesperson	8	66.67	4	33.33	12
Broker- National	0	0.00	1	100.00	1
Broker- State	0	0.00	1	100.00	1
Salesperson- National	93	63.70	53	36.30	146
Salesperson- State	72	49.32	74	50.68	146
TOTAL	174	56.31	135	43.69	309

2022 May (Repeat)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity-Broker	1	14.29	6	85.71	7

License Reciprocity- Salesperson	2	66.67	1	33.33	3
Broker- National	0	0.00	0	0.00	0
Broker- State	1	100.00	0	0.00	1
Salesperson- National	28	23.53	91	76.47	119
Salesperson- State	55	44.35	69	55.65	124
TOTAL	87	34.25	167	65.75	254

2022 (Cumulative)

Type of Exam	Passed	% Passed	Failed	% Failed	Total Exams
License Reciprocity- Broker	17	43.59	22	56.41	39
License Reciprocity- Salesperson	72	61.02	46	38.98	118
Broker- National	80	59.26	55	40.74	135
Broker- State	80	55.94	63	44.06	143
Salesperson- National	644	51.40	609	48.60	1,253
Salesperson- State	660	47.48	730	52.52	1,390
TOTAL	1,553	50.45	1,525	49.55	3,078

1. Licensing Statistics

As of June 14, 2022

Type	Active	Inactive	TOTAL
Sales Associate	12,315	5,655	17,970
Broker	3,833	629	4,462
TOTAL	16,148	6,284	22,432

Licenses cancelled in May 2022: 18 (7 brokers, 11 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			

July			
August			
September			
October			
November			
December			
TOTAL	677	97	774

Instructors

- Richard Ashton
- Jennifer J. Cave
- Greg Charmoli
- Randy Childress
- Todd Cordrey
- Wes Crowdis
- Paul Grisanti
- David Lee Hardy
- William Harshaw
- Clay Hunt
- Robert William (Bill) Johnston
- Emily Meyer
- Brittany Nickerson
- Nicholas Pregliasco
- Tom Sims
- Jacob Smith
- Powell Spears
- Josh Stearns
- James Troth
- Laura Troth
- Megan Tyson
- Mark Wardlaw

Instructor Training Courses

- Lexington Bluegrass Association of Realtors, *2022 Real Estate Instructor Professionalism* (Craig Grant)

Continuing Education and Post-License Education Courses

Kentucky Realtor Institute

Course Name- Course Number	Instructors	CE Hours	PLE Hours
KREC Licensee Compliance (23570)	Pam Featherstone	3 law	3 licensee compliance

Lexington Bluegrass Association of Realtors

Course Name- Course Number	Instructors	CE Hours	PLE Hours
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Tech Risk Management (23568)	Craig Grant	3 law	3 technology and data security
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Continuing Education Courses

KY CCIM Chapter

Course Name- Course Number	Instructors	CE Hours
2022 Current Office Market Trends (23552)	Rick Ashton, Brent Dolen, Tony Fluhr, David Hardy	1 elective
2022 Economic Update (23554)	Uric Dufrene	1 law
2022 Finance Panel (23549)	Randy Childress, Wes Crowdis, Emily Meyer	1 law
2022 Industrial Real Estate Panel (23547)	Greg Charmoli, Dalton Dreisbach, Tom Sims, Powell Spears, Steven Stein, Mark Wardlaw	1 elective
Ethical Considerations in a Post Pandemic Market (23548)	Emily Meyer, Megan Tyson	1 law
Implications of Soil Vapor Intrusion – Common Mistakes and Lessons (23551)	William Harshaw, Bill Johnston	1 elective
Kentucky Land Use: Zoning, Conditional Uses, Variances, and Appeals (23550)	Nicholas Pregliasco	1 law
Navigating Metro Government: Planning and Zoning to Construction Review (23554)	Nicholas Pregliasco	1 law
Panel Discussion: Commercial Leasing 2022 (23553)	Clay Hunt, Doug Owen, Tandy Patrick, Tony Schnell	1 law
Real Estate Investment: Choice of Entity and Structure (23558)	Jake Smith, Josh Stearns	

McKissock

Course Name- Course Number	Instructors	CE Hours
Implicit Bias Awareness and Cultural Competency (23557)	Robert Fleck	4 elective

Preferred Systems, Inc.

Course Name- Course Number	Instructors	CE Hours
Air Quality Testing for Real Estate Agents (23567)	Judson Faust, James Troth, Laura Troth	2 elective

Common Mistakes Made by Real Estate Rookies and the Rest of Us (23559)	Todd Cordrey	3 elective
Lead Safety: What Real Estate Agents Need to Know (23562)	Judson Faust, James Troth, Laura Troth	1 elective
Pests and Environmental Hazards for Real Estate Professionals (23565)	Judson Faust, James Troth, Laura Troth	3 elective
Radon and Real Estate Transactions (23563)	Judson Faust, James Troth, Laura Troth	2 elective
Recognizing Discrimination in Fair Housing (23560)	Todd Cordrey	3 law
Residential Water Testing for Real Estate Agents (23564)	Judson Faust, James Troth, Laura Troth	2 elective
The 10 Most Common Home Defects: For Real Estate Professionals (23561 online) (23566 classroom)	Judson Faust, James Troth, Laura Troth	2 elective

Web CE, Inc.

Course Name- Course Number	Instructors	CE Hours
Avoiding Costly Mistakes in Your Real Estate Career (23569)	Tom Jensen	3 elective

The June 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 Day seconded the motion. Commissioners Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

Commissioner Disney asked Ms. Carlin to set up an ‘Item Review of the State Exam’ meeting. Suggesting that it might be a good time to work with the exam providers. Ms. Carlin responded she would contact the testing provider about scheduling the review this fall.

Ms. Carlin presented the June 2022 licensing requests:

1. **T.B.:** Commissioner Sickles made the motion to deny. Commissioner Simpson seconded the motion. Commissioner Carter opposed. Having the majority in favor, the motion carried.
2. **T.J.:** Commissioner Carter made the motion to approve an extension, not to exceed 30 days. With the caveat that, due to the medical hardship of the requester, the Commission may need to be revisit at a later date. Commissioner Disney seconded the motion. Having all in favor, the motion carried.
3. **181103:** Commissioner Carter made the motion to deny. Commissioner Simpson seconded the motion. Having all in favor, the motion carried.

4. **220929:** Commissioner Simpson made the motion to deny. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
5. **222460:** Commissioner Simpson made the motion to deny. Commissioner King seconded the motion. Having all in favor, the motion carried.
6. **278194:** Commissioner Simpson made the motion to deny. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
7. **278239:** Commissioner Sickles made the motion to deny. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

Ms. Carlin announced that the public comment hearing for the proposed amendments to 201 KAR11:121 and the previously promulgated forms will be on June 22, 2022 at 10:00 a.m. in PPC Conference Room 127CW, here at the Mayo Underwood building. A zoom link will also be posted to the website for those interested in attending.

Ms. Carlin stated that the public comment period doesn't end until June 30, 2022. Once the public comment period concludes, the Commission will call a special meeting to formulate an official response to each comment received.

Executive Director Comments

Director Astorino gave a brief update on KREA staffing and the upcoming relocation of the Kentucky Real Estate Appraisers Board to Frankfort.

Director Astorino concluded his report by summarizing his visit with the National Association of Real Estate Brokers (NAREB), which is an organization focused on diversity in the real estate industry. He plans to continue a developing a relationship with that group to further KREC diversity, equity, and inclusion initiatives.

Committee Reports

Diversity, Equity, & Inclusion Committee

Commissioner Carter provided additional information about NAREB, which began because minority real estate licensees were not allowed to become members of the National Association of Realtors. The existence of groups, such as NAREB, is vital to community outreach.

Commissioner Disney contacted someone at Berea College regarding the DEI scholarship. The Berea College representative seemed interested in the initiative and wanted to discuss it further once campus opened this fall.

Commissioner Sickles reached out to Simmons College. They have asked KREC to come speak and do presentations on real estate careers at their business school and other organizations.

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 the license application of J.S.
2. To approve the license application of D.M.
3. To approve the license application of M.H.
4. To defer the license application of L.K. for further investigation.

Complaint Review Committee

Commissioner Disney read the report of the Complaint Review Committee:

1. 21-C-013 – Recommendation: Dismissal.
2. 21-C-020 – Recommendation: Dismissal.
3. 21-C-031 – Recommendation: Dismissal.
4. 21-C-042 – Recommendation: Dismissal with Caution.

Executive Session Legal Matters and Case Deliberations

At 9:46 a.m. Commissioner Sickles 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 and to discuss the four (4) new applications as offered by the ARC Committee and four (4) complaints as offered by the CRC Committee.

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

Reconvene Open Session and Committee Recommendations

Commissioner Simpson motioned for the Commission to come out of executive session. Commissioner King seconded the motion. Commission Chair Disponett resumed the full Commission meeting at 10:56 a.m. and welcomed everyone in attendance back to the teleconference Commission meeting.

Commissioner King made the motion to adopt the **Applicant Review Committee** recommendations regarding J.S., D.M., M.H., and L.K. as previously recommended to the Commission. Commissioner Simpson seconded the motion. Commissioner Carter opposed, having all the majority in favor, the motion carried.

Commissioner Disney made the motion to adopt the **Complaint Review Committee** items as presented to the Commission.

- **21-C-013** – Recommendation: Dismissal.
- **21-C-020** – Recommendation: Dismissal.
- **21-C-031** – Recommendation: Dismissal.

- **21-C-042** – Recommendation: Dismissal with Caution.

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

Public Comment

Tom Cox summarized his issues with obtaining a reciprocal license in Florida. The Florida Real Estate Commission won't grant him a reciprocal license because he obtained his Kentucky license through a reciprocal agreement with Indiana in 1997. .

LuChyna Kimbrel asked in reference to the decision made by the Commissioners, what is she supposed to do to move forward. Counsel Walburn informed her that she would be receiving written determination that will contain additional information about what would happen next.

Joyce Sterling asked if the testing services was still PSI? Ms. Carlin affirmed PSI is still the Commission's testing provider.

Richard Wilson, KYR asked if the public comment results meeting would be the same as the regularly scheduled July meeting? Ms. Carlin noted that the decision had yet to be made, but information would be posted to the website once it was decided.

Legal Report

There was no Legal report at this time.

New Business

There was no New Business at this time.

Approval Per Diem

1. Commissioner Carter made a motion to approve the per diem for Commissioners Simpson and King for the June 15, 2022 ARC Meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Disney seconded the motion. Having all in favor, the motion carried.
2. Commissioner Simpson made a motion to approve the per diem for Commissioners Carter and Disney for the attendance of the June 15, 2022 Complaint Review Committee meeting. Because it was teleconferenced, there were no travel expenses. Commissioner King seconded the motion. Having all in favor, the motion carried.
3. Commissioner Carter made a motion to approve the per diem for the June 16, 2022 KREC Regular meeting. Because it was teleconferenced, there were no travel expenses. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.

4. Commissioner Sickles made a motion to approve the per diem for upcoming the June 22, 2022 KREC Public Comment Hearing. Because it was teleconferenced, there were no travel expenses. Commissioner King seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

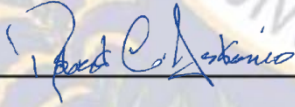
The next KREC meeting will be July 21, 2022 at 9:00 a.m. for the regular meeting. Watch for a zoom link.

Commissioner Disney made a motion to adjourn the meeting. Commissioner Sickles seconded. Meeting adjourned at 11:09 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 June 16, 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 July 21, 2022