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**KENTUCKY REAL ESTATE COMMISSION  
Complaint Review Committee**

**MEETING MINUTES**

**October 20, 2021**

**2:00 p.m.**

**\* This meeting occurred via Zoom Teleconferencing, pursuant to KRS 61.826\***

**Committee Members Present**

Commissioner Raquel Carter  
Commissioner Larry Disney

**KREA Staff**

Molly Cassady, General Counsel  
John Hardesty (former General Counsel), Director of Claims and Appeals  
Brian Travis, Investigator  
Angie Reynolds, Board Administrator  
Marcus Lee, Legal Intern

**Call to Order and Guest Welcome**

A meeting of the Complaint Committee was called to order by Commissioner Disney at 2:03 p.m. on October 20, 2021.

**Committee Meeting Minutes**

Commissioner Carter made a motion to approve the April 18, 2021 and August 18, 2021 Complaint Committee Meeting Minutes. Commissioner Disney seconded the motion. With all in favor, the motion carried.

### **Executive Session Case Deliberations**

Commissioner Carter made a motion for the Complaint Committee to enter executive session, pursuant to KRS 61.815(1) and 61.810(1)(c) and (1)(j) at 2:05 p.m. to discuss proposed or pending litigation and deliberate on individual adjudications in:

- 18-C-035
- 20-C-040
- 21-C-011
- Instructor

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

### **Reconvene in Open Session**

At 3:42 p.m. Commissioner Disney motioned for the Complaint Committee to come out of executive session. Commissioner Carter seconded the motion.

### **Committee Recommendations**

Commissioner Carter made a motion for the Complaint Committee to recommend disposition of the following cases to the full Commission in the following manner. Commissioner Disney seconded the motion. Having all in favor, the motion carried.

### **Final Adjudication**

1. **20-C-040** – The Complainant claims that respondent is engaged in unlicensed real estate brokerage services by offering to pay a finder’s fee to people who referred potential sellers to him. The respondent is not a licensed broker in Kentucky and there were no real estate transactions at issue in this complaint. Respondent states that he buys property directly from property owners and denies acting as a real estate broker or offering to pay a finder’s fee to real estate brokers. Respondent’s actions do not rise to the level of unlicensed real estate brokerage. **The Committee recommends dismissal of the complaint for lack of jurisdiction over respondent.**

### **Pending Actions**

1. **18-C-035** – The Committee recommends referral of case to mediation with a Cabinet hearing officer. Further, the Committee recommends that General Counsel be given authority to resolve the case in accordance with discipline discussed in executive session.
2. **21-C-011** – The Committee found evidence of violations and recommends an informal reprimand, a \$500 fine, 12 hours of CE (6 in law and 6 in agency) in addition to existing CORE requirements. The Committee also recommends that KREC file a complaint against the respondent’s principal broker.
3. **Instructor** – The Committee recommends a 60-day suspension followed by a 12-month probationary period. Courses to be monitored and notice of disciplinary action sent to education providers as required by regulation. All previous settlement offers withdrawn.

**Meeting Adjournment**

Commissioner Disney made a motion to adjourn the meeting of the Complaint Review Committee. Commissioner Carter seconded the motion. There being no objection, the meeting was adjourned at 3:47 p.m.

**Next Scheduled Meeting**

The next regular meeting of the Kentucky Real Estate Commission's Complaint Review Committee is to be determined.

Approved