

**Andy Beshear** Governor

**Jacqueline Coleman** Lieutenant Governor PUBLIC PROTECTION CABINET

**Kentucky Real Estate Commission** Mayo-Underwood Building 500 Mero Street, 2NE09 Frankfort, Kentucky 40601 Phone: (502) 564-7760 https://krec.ky.gov

Ray A. Perry Secretary

**DJ** Wasson Deputy Secretary

# **KENTUCKY REAL ESTATE COMMISSION Kentucky Real Estate Commission Meeting**

# **MEETING MINUTES**

**October 17, 2024** 9:00 a.m. EST **Mayo-Underwood Conference Room 229NE** 500 Mero Street, Frankfort, Kentucky 40601

\*This meeting occurred via Microsoft Teams Meeting video teleconference, pursuant to KRS 61.826\*

# **Commission Members Present**

**Commissioner Anthony Sickles** Commissioner Jennifer Brown-Day **Commissioner Raquel Carter** Commissioner Denise Hamilton **Commissioner Anne Butler** Commissioner Larry Disney

# **KREA Staff**

Tracy Carroll, Executive Director Gerald Florence, Deputy Executive Director Patrick Riley, General Counsel Seth Branson, Procedures Development Specialist I Randy Kloss, KREA Investigator Terri Hulette, Executive Administrative Secretary Dréa Helton, Paralegal Libby Johnson, Administrative Specialist



# Call to Order and Guest Welcome

The Kentucky Real Estate Commission meeting was called to order by Commissioner Chairperson, Larry Disney, at 9:00 a.m. on **October 17, 2024**. 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 Carter made a motion to approve the **September 19, 2024**, Committee Meeting Minutes as presented, and including Commissioner Sickles' recommendation to correct any use of bold font in the case numbers. Commissioner Sickles seconded the motion. With all in favor, the motion carried.

# KREA Update

Executive Director, Tracy Carroll, thanked everyone for their time and attendance. She made mention that the website committee met this week to discuss updating the website for all four of the real property boards. The committee discussed highlighting the meeting links and correcting any typos on the website as well. Ms. Carroll also stated that the Kentucky Real Estate Authority is establishing board training for all of our board members. The training will be annually and will consist of the logistics and legal matters that are important as the boards are evolving and changing. Deputy Executive Director, Gerald Florence, introduced Libby Johnson as our new staff member. Ms. Johnson will be doing some work with the Kentucky Real Estate Commission as well as working with the other boards within the division of real property. She will be doing some record retention items as well as board work and processing licensing applications at various times throughout the year.

Deputy Executive Director, Gerald Florence, reviewed the current budget with the Commissioners and those in attendance.



	Real Estate Commission 58-677-677A-677E-JEE0-13N8						
		FY23 Actual	FY24 Actual	FY25 Operating Budget 7/2024	FY25 YTD 10/1/24		
	Source of Funds						
	Restricted Funds						
	Balance Forward	1,826,814.29	1,565,978.02	2,822,100.00	2,822,101.4		
R382	License Examination Fee		60.00				
R383	Initial License Fee	99,302.00	91,370.00	100,000.00	20,810.0		
R384	Renewal License Fee	7,380.00	1,199,170.00	25,000.00	4,944.0		
R385	Reinstatement License Fee	27,290.00	16,960.00	40,000.00	3,601.0		
R386	Other Fees Related To Licenses	54,420.00	64,019.00	60,000.00	9,677.0		
R404	General Fees From Public	37,035.00	174,095.00	50,000.00	9,675.0		
R701	Fines	189,150.00	355,000.00	150,000.00	22,800.0		
R839	Other Deposits	180.00	51.68				
	Total Revenue	414,757.00	1,900,725.68	425,000.00	71,507.0		
	Cash to Real Estate Authority	(817,000.00)	(817,000.00)	(1,415,000.00)	(353,600.0		
	Total Balance Forward + Revenue - Cash	1,424,571.29	2,649,703.70	1,832,100.00	2,540,008.4		
	Evaparar						
	Expenses	24 200 00	20,100,00	24,200,00	C 000 0		
E114	Per Diem (Boards & Comm)	34,200.00	29,100.00	34,200.00	6,900.0		
E121	Employers FICA	2,616.30	2,226.15	2,600.00	527.8		
	Total Per Diem and Fringe Benefits	36,816.30	31,326.15	36,800.00	7,427.8		
	Other Personnel Costs	(186,094.64)	(204,204.50)	62,800.00	(39,527.5		
	Total Personnel Costs	(149,278.34)	(172,878.35)	99,600.00	(32,099.6		
	Total Operating Costs	7,871.61	480.57	21,800.00	269.5		
	Total Expenditures	(141,406.73)	(172,397.78)	121,400.00	(31,830.1		
	Total Revenue + Balance Forward minus						
	Total Expenditures	1,565,978.02	2,822,101.48	1,710,700.00	2,571,838.6		
Notes:							
** Tota	l allotment (spending authority) for FY25 is \$.	121,400.					
** Appr	oximate salary and fringe of employees assi	aned to KREC - \$40	9.068.22.				

\*\* Operating Costs include travel.



	58-677-677A-677E-JEF0-13N5					
		FY23 Actual	FY24 Actual	FY25 Operating	FY25 YTD	
				Budget 7/2024	10/1/24	
	Source of Funds					
	Restricted Funds					
	Balance Forward	4,393,603.76	4,518,154.61	5,962,200.00	5,962,175.05	
R382	License Examination Fee				120.00	
R383	Initial License Fee	959,520.00	84,970.00	70,000.00	19,440.00	
R384	Renewal License Fee	7,500.00	1,204,080.00	10,000.00	4,860.00	
R385	Reinstatement License Fee	(370.00)	(40.00)			
R386	Other Fees Related To Licenses	(20.00)	(455.00)			
R404	General Fees from Public		(40.00)			
R701	Fines	1,000.00	(3,000.00)			
R771	Interest Income	74,962.41	246,132.19	185,000.00	75,427.45	
	Total Revenue	1,042,592.41	1,531,647.19	265,000.00	99,847.45	
	Cash to Real Estate Authority	-		-	-	
	Total Balance Forward + Revenue - Cash	5,436,196.17	6,049,801.80	6,227,200.00	6,062,022.50	
	Expenses					
E114	Per Diem (Boards & Comm)	-	-	-	-	
E121	Employers FICA	-	-	-	-	
	Total Per Diem and Fringe Benefits					
	Other Personnel Costs	7,000.00		10,000.00		
	Total Personnel Costs	7,000.00	-	10,000.00	-	
	Total Operating Costs	47,471.56	87,626.75	50,000.00	7,653.13	
	Total Expenditures	54,471.56	87,626.75	60,000.00	7,653.13	
	Total Revenue + Balance Forward minus Total Expenditures	5,381,724.61	5,962,175.05	6,167,200.00	6,054,369.3	
Notes:						

# **Education and Licensing Report**

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Deputy Executive Director, Gerald Florence, presented to the Commission the following licensing and education statistics:



# 1. PSI Testing Statistics

PSI Report For the Period of 01/01/14 - 10/08/24						
KY Broker	KY Real Estate Broker - State	KY Real Estate Broker - National				
First time Passes:	554 (56.53 %)	694 (70.82 %)				
First time Fails:	426 (43.47%)	286 (29.18%)				
Repeat Passes:	417 (56.35%)	285 (49.22%)				
Repeat Fails:	323 (43.65%)	294 (50.78%)				
Total	1720	1559				
KY License Reciprocity Broker	KY License Reciprocity Broker - State					
First time Passes:	331 (57.07%)					
First time Fails:	249 (42.93 %)					
Repeat Passes:	211 (62.06 %)					
Repeat Fails:	129 (37.94%)	7				
Total	920					
KY License Reciprocity Salesperson	KY License Reciprocity Salesperson - State					
First time Passes:	1230 (72.4 %)					
First time Fails:	469 (27.6 %)					
Repeat Passes:	393 (63.8 %)					
Repeat Fails:	223 (36.2%)					
Total	2315					
KY Sales Associate	KY Real Estate Sales Associate - State	KY Real Estate Sales Associate - National				
First time Passes:	9494 (62.8%)	10470 (69.28%)				
First time Fails:	5623 (37.2%)	4643 (30.72%)				
Repeat Passes:	5191 (48.22%)	3616 (34.42 %)				
Repeat Fails:	5575 (51.78%)	6890 (65.58%)				
Total	25883	25619				



# **Education Instructors and Applications**

Seth Branson reported the following educational and instructor requests with exception of A.C. who will be discussed in closed session:

- 1. Providers
  - a. Appraisal & Real Estate Career Academy
- 2. Instructors
  - **a.** Greta Nunnally Pittenger

# 3. Continuing Education & Post-Licensing Education Courses

- Appraisal & Real Estate Career Academy Association Ethics Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Hours: 3 PLE Hours: 3 Electives
- Avoiding Deceptive Practices
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human
   CE Hours: 3 Law
   PLE Hours: 3 Advertising
- c. Investment Property Practice and Management Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human CE Law: 6, 3 Elective PLE Hours: 3 Contract, 3 Finance, 3 Agency
- Kentucky Real Estate Principles Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human PL Hours: 96
- e. Law Chronicles Episode 1 Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Finance
- f. Liars, Cheaters, and Thieves: Averting Client Catastrophe Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human CE Law: 3, 1 Elective PLE Hours: 3 Disclosure, 1 Elective



- g. New Hope for the Housing Market?
   Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human CE Law: 3, 1 Elective PLE Hours: 3 Finance, 1 Elective
- h. Principle-Centered Real Estate Instructor(s): Nicole Knudtson, Cora Henderson, Kelly Human CE Law 3 PLE Hours: 3 Elective
- Protecting Elders from Real Estate Scams
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Elective
   PLE Hours: 3 Technology & Data Security, 1 Finance
- j. Real Estate Contracts: Essentials and Beyond Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 6 PLE Hours: 6 Contracts
- k. Red Flags: Property Inspection Guide Instructor (s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 6 Elective
- I. The CIC Paper Chase Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Disclosure
- m. The Truth About Mold Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 3 Disclosure, 2 Risk Management, 1 Elective
- n. The Twenty Most Cost-Effective Home Improvements Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Elective PLE Hours: 4 Elective



- Understanding Credit and Improving Credit Scores: What You Need to Know Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Finance
- p. Buyer Representation in Real Estate Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 6 Agency
- q. Environmental Issues in Your Real Estate Practice Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 3 Disclosure, 2 Risk Management, 1 Elective
- r. Essentials of Technology and Data Security Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Technology & Data Security
- Everyday Ethics in Real Estate Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 6 Elective
- Fair Housing Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Fair Housing
- Foreclosures, Short Sales and REOs Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 3 Contracts, 3 Finance
- v. Houses: Why Bad Things Happen to Good Houses Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Elective PLE Hours: 6 Electives



- w. How to Measure Real Property Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Elective
- Introduction to Commercial Real Estate Sales
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Electives
   PLE Hours: 3 Advertising, 3 Finance
- y. Kentucky Commission Compliance Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Licensee Compliance
- Kentucky Core Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 6
- aa. Kentucky Real Estate Finance Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Finance
- bb. Millennials: Challenging the Traditional Real Estate Model Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Elective PLE Hours: 4 Electives
- cc. Property Management & Managing Risk Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Electives PLE Hours: 4 Agency, 2 Risk Management
- dd. Real Estate Bloopers: Preventing Client Horror Stories Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Electives PLE Hours: 2 Agency, 2 Disclosure
- Real Estate Finance Today Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Electives PLE Hours: 3 Finance, 1 Electives



- ff. Real Estate and Taxes: What Every Agent Should Know Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 3 Electives PLE Hours: 1 Elective, 3 Finance, 2 Risk Management
- gg. Repurposing Property: Friend, Foe, or the American Dream? Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Electives PLE Hours: 1 Elective, 3 Finance
- hh. R-E-S-P-E-C-T RESPA to Avoid Penalties and Loss of License Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Electives
   PLE Hours: 1 Electives, 3 Finance
- Risk Management
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Hours: 3, 3 Electives
   PLE Hours: 1 Electives, 3 Disclosure, 2 Risk Management
- jj. Solving the Downpayment Dilemma Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3 PLE Hours: 3 Finance
- kk. The Tiny House: Is it a Phase or Craze? Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Electives PLE Hours: 4 Electives
- II. Unconscious Bia: Barrier to Service?
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 2 PLE Hours: 2 Fair Housing
- mm. Understanding 1031 Tax-Free Exchanges
   Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human
   CE Law: 3, 1 Elective
   PLE Hours: 1 Elective, 3 Finance



- nn. Water: How it Affects Property Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 3, 1 Elective PLE Hours: 4 Electives
- Your Client's Financing: Dos and Don't's Instructor(s): Nicole Knudston, Cora Henderson, Kelly Human CE Law: 2 PLE Hours: 2 Finance

# 4. Pre-Licensing Education Courses

 a. Century Real Estate School Principles & Practices 96 hrs Classroom Instructor(s): Steve Medved, Lucy T. Brooks PL Hours: 96

Commissioner Carter made a motion to approve the education applications as presented. The motion was seconded by Commissioner Butler. With all in favor, the motion carried. Commissioner Disney abstained from the discussion and the vote. Remaining all in favor, motion carried.

#### KREA Legal Update

General Counsel, Patrick Riley, advised the board that yesterday was Boss's Day and thanked all the Commissioners for their service. He also thanked Executive Director, Tracy Carroll, for her service to the Authority. General Counsel, Patrick Riley, advised the Commission that going forward the KREC Statue Change Committee and the KREC Testing and Education Committee will need to publish and continue to publish meeting minutes and agendas.

#### **Committee Reports**

#### **Applicant Review Committee (ARC)**

Commissioner Sickles presented the following recommendation of the ARC meeting:

- 1. Recommend approval of Probationary License for **B.M.**
- 2. Recommend approval of **W.M.D.**
- 3. Recommend approval of J.R.M.

#### **Complaint Screening Committee (CSC)**

Commissioner Carter presented the following recommendations of the CSC meeting:

- 1. 22-C-044 Recommend to the full board for further investigation.
- 2. **24-C-012** Recommend to the full board to request a response.



- 3. 22-C-042 Recommend to the full board for further investigation.
- 4. 22-C-018 Recommend to the full board for further investigation.
- 5. **20-C-036** Recommend to the full board for dismissal.
- 6. **22-C-020** Recommend to the full board for dismissal.
- 7. **23-C-041** Recommend to the full board for further investigation.
- 8. **23-C-047** Recommend to the full board for further investigation.
- 9. **24-KREC-001** Recommend to the full board approval of the six-month deadline for the completion of 12 hours of CE courses upon full execution of the agreed order.

# **Statue Change Committee (SCC)**

The committee did not meet.

# **Education and Testing Committee**

Commissioners Butler, Hamilton, and Sickles met this week to define the purpose of the Education and Testing Committee. The main goal for the next meeting is to be able to explain to the new board members the purpose of this committee.

# Licensees Request

Commissioner Sickles made a motion to discuss the licensee requests of **A.H.** and **T.M.** in closed session. Commissioner Hamilton seconded the motion. With all in favor, the motion carried.

# **Closed Session**

At 9:26 a.m., Commissioner Hamilton made a motion to enter closed session, pursuant to KRS 61.815 and KRS 61.810(1)(c) and (j), with board staff and counsel, to discuss proposed or pending litigation and deliberate individual adjudication in the items as listed in the above-listed committee reports and/or the following matters, as presented: including but not limited to a status update regarding the investigative reports of **B.M.**, **W.M.D.**, **application of J.R.M.**, cases **22-C-044**, **24-C-012**, **22-C-042**, **22-C-018**, **20-C-036**, **22-C-020**, **23-C-041**, **23-C-047**, **and 24-KREC-001**; and the licensees requests of **A.H.** and **T.M.** No action will be taken in closed session. All motions will be made when the Commission reconvenes in open session. Commissioner Butler seconded the motion, and the Commissioners entered in to closed session.

# **Reconvene Open Session**

Commissioner Carter moved to come out of closed session and Commissioner Butler seconded the motion. The Kentucky Real Estate Commission Meeting resumed in open meeting session at 10:19 a.m.

# Applicant Review Committee (ARC)

Commissioner Sickles moved to adopt the Applicant Review Committee's full recommendations



as discussed in closed session, and recited the recommendations as listed above in these minutes. Commissioner Hamilton seconded the motion. Having all in favor, the motion(s) carried.

# **Complaint Screening Committee (CSC)**

Commissioner Carter moved to adopt the **Complaint Screening Committee's** recommendations as presented to the Commission, and recited the recommendations as listed above in these minutes; with **the addition of assigning 24-C-012 for investigation**. Commissioner Day seconded the motion. Having all in favor, motion carried.

## Licensee Requests

Commissioner Carter made a motion to table the request of qualifying experience of **A.H.** and **T.M.** until a complete application is submitted along with the legal staff drafting a response to licensees. Commissioner Sickles seconded this motion.

## New Business

The 2025 KREC meeting schedule was presented to the board for review. Chairperson Disney recommended that there be at least one in person meeting for the board members next year.

## Public Comments

No public comments

## Approval Per Diem

- 1. Commissioner Carter made a motion to approve the per diem and travel expenses for the October 15, 2024, ARC Meeting for Commissioner Sickles and Commissioner Hamilton. Commissioner Day seconded the motion. Having all in favor, the motion carried.
- 2. Commissioner Sickles made a motion to approve the per diem and travel expenses for the October 15, 2024, CSC Meeting for Commissioner Day and Commissioner Carter. Commissioner Butler seconded the motion. Having all in favor, the motion carried.
- 3. Commissioner Carter made a motion to approve the per diem and travel expenses for the October 17, 2024, **KREC** Regular meeting. Commissioner Sickles seconded the motion. Having all in favor, the motion carried.
- 4. Commissioner Carter made a motion to approve the per diem and travel expenses for the October 8, 2024, SCC Meeting for Commissioner Day. Commissioner Butler seconded the motion. Having all in favor, the motion carried.
- 5. Commissioner Carter made a motion to approve the per diem and travel expenses for the October 10, 2024, ETC Meeting for Commissioner Sickles, Commissioner Butler and Commissioner Hamilton. Commissioner Day seconded the motion. Having all in favor, the motion carried.



## **Meeting Adjournment**

Commissioner Carter made a motion to adjourn the meeting. Commissioner Butler seconded the motion. Having all favor, the motion carried. The meeting was adjourned at 10:34 a.m. EST.

#### Next Scheduled Meeting

The next regular meeting of the Kentucky Real Estate Commission is at 9:00 a.m. on November 14, 2024.



