



Andy Beshear
Governor

Jacqueline Coleman
Lieutenant Governor

PUBLIC PROTECTION CABINET
Kentucky Real Estate Authority
Kentucky Real Estate Commission
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Frankfort, KY 40601
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Ray A. Perry
Secretary
DJ Wasson
Deputy Secretary

KENTUCKY REAL ESTATE COMMISSION
(KREC)

MEETING MINUTES

August 15, 2024

9:00 a.m.

Mayo-Underwood Conference Room 270SE

500 Mero Street

Frankfort, Kentucky 40601

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

Commission Members Present

Commissioner Chairman, Larry Disney
Commissioner Anthony Sickles
Commissioner Deni Hamilton
Commissioner Anne West Butler
Commissioner Jennifer Brown-Day

KREA Staff

Tracy Carroll, Executive Director
Gerald Florence, Deputy Executive Director
Patrick Riley, General Counsel
René Rogers, Staff Attorney III
Seth Branson, Procedures Development Specialist I
Randy Kloss, KREA Investigator
Terri Hulette, Executive Administrative Secretary
Angie Reynolds, KREC Board Coordinator
Calee Carroll, KREA Intern
Andrea Helton, Paralegal

Call to Order and Guest Welcome

The Kentucky Real Estate Commission meeting was called to order by Commission Chairman, Larry Disney, at 9:02 a.m. on **August 15, 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 Hamilton made a motion to approve the **July 18, 2024**, KREC Meeting Minutes. Commissioner Butler seconded the motion. Having all in favor, motion carried.

KREA Executive Director Update

Deputy Executive Director, Gerald Florence, introduced our new Paralegal Andrea Helton. At this time, he reviewed the current budget with the Commissioners and those in attendance.

Executive Director, Tracy Carroll, thanked everyone for their time and attendance.

Education and Licensing Report

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

1. PSI Testing Statistics

KENTUCKY REAL ESTATE EXAMINATION STATISTICS SUMMARY CUMULATIVE

For the Period of 07/01/24 - 07/31/24

Printed on 08/09/24

Page: 1

KY Broker	KY Real Estate Broker - State	KY Real Estate Broker - National
	Candidates	Candidates
First time Passes:	2 (33.33 %)	6 (100.0 %)
First time Falls:	4 (66.67 %)	0 (0.0 %)
Repeat Passes:	7 (58.33 %)	3 (100.0 %)
Repeat Falls:	5 (41.67 %)	0 (0.0 %)
Total	18	9

KY License Reciprocity Broker	KY License Reciprocity Broker - State
	Candidates
First time Passes:	3 (60.0 %)
First time Falls:	2 (40.0 %)
Repeat Passes:	3 (50.0 %)
Repeat Falls:	3 (50.0 %)
Total	11

APPK

KY Sales Associate	KY Real Estate Sales Associate - State	KY Real Estate Sales Associate - National
	Candidates	Candidates
First time Passes:	53 (50.48 %)	72 (66.57 %)
First time Fails:	52 (49.52 %)	33 (31.43 %)
Repeat Passes:	47 (40.17 %)	37 (30.08 %)
Repeat Fails:	70 (59.83 %)	86 (69.92 %)
Total	222	228

KY License Reciprocity Salesperson	KY License Reciprocity Salesperson - State
	Candidates
First time Passes:	8 (53.33 %)
First time Fails:	7 (46.67 %)
Repeat Passes:	4 (40.0 %)
Repeat Fails:	6 (60.0 %)
Total	25

Seth Branson, Procedures Development Specialist I, reported the following educational requests:

1) **Instructors**

- | | |
|---------------|---------|
| a) A.J.D. | g) M.M. |
| b) B.B. | h) R.K. |
| c) C.H. | i) S.D. |
| d) G.N.S. | j) W.T. |
| e) J.B. (Buk) | k) W.C. |
| f) J.B. (Bun) | |

2) **Continuing Education & Post-Licensing Education Courses**

- a. Greater Louisville Association of Realtors
 Real Estate Negotiation Expert (RENE)
 Instructor(s): M.H.
 Broker Electives: 16
 CE Law: 6
 CE Hours: 3
 PLE Hours: 3 Contracts, 3 Disclosure, 3 Agency

b. The CE Shop

Upholding Fair Housing Laws

Instructor(s): S.J.M. and A.A.B.
Electives: 3

c. Kentucky CCIM Chapter

Kentucky Land Use Law Update
Instructor(s): C.A.
CE Law: 1

d. 2024 Commercial Real Estate Tax Update

Instructor(s): A.A.
Stephen Lukinovich
CE Law: 1

e. WebCE Inc.

Redefining Buyer Representation in the Digital Age
Instructor(s): A.H.
CE Hours: 3

Mr. Branson requested the Commission's approval of the education and instructors' applications as presented, excluding the application of **G.N.S.** which will be discussed in closed session.

Commissioner Sickles made a motion to approve the education applications excluding the application of **G.N.S.** as presented by Mr. Branson; Commissioner Hamilton seconded the motion. Chairman Disney abstained from the discussion and the vote. Remaining four Commissioners in favor and establishing a quorum motion carried.

Deputy Director Gerald Florence presented the details of an **Education Recovery and Research Fund Grant Application** presented to the Commission on the behalf of **Murry State University (MSU)**.

Commissioner Sickles made a motion to approve the **Murry State University (MSU) Real Estate Education Grant Application** details as presented. Commissioner Day seconded the motion. All in favor, motion carried.

Legal Report

General Counsel Patrick Riley reported that Jefferson Court matter **24-CI-001928** regarding complaint 21-C-057 would be discussed in closed session.

Committee Reports

Applicant Review Committee (ARC)

Commissioner Sickles presented the following recommendation of the **ARC** meeting:

1. Recommend further investigation of **G.T.**

Complaint Screening Committee (CSC)

Chairman Disney and Day both presented the following recommendations of the CSC meeting:

1. **20-C-023** – Recommend to dismissal by Commissioner Disney. (Commissioner Day abstained from the discussion and vote).
2. **19-C-101** – Recommend deferring to September 17, 2024, meeting
3. **19-C-105** – Recommend defer to September 17, 2024, meeting
4. **21-C-001** – Recommend for initiate Investigation
5. **21-C-004** – Recommend dismissal.
6. **21-C-005** – Recommend for initiate Investigation
7. **21-C-015** – Recommend for initiate Investigation
8. **21-C-017** – Recommend for initiate Investigation
9. **21-C-048** – Recommend for initiate Investigation
10. **22-C-010** – Recommend for initiate Investigation
11. **24-C-001** – Recommend dismissal.
12. **24-C-021** – Recommended to request a Sworn Answer from the Respondent(s).
13. **24-C-025** – Recommended to request a Sworn Answer from the Respondent(s).
14. **24-C-026** – Recommended to request a Sworn Answer from the Respondent(s).
15. **24-C-009** – Recommended to request a Sworn Answer from the Respondent(s).
16. **24-C-019** – Recommended to request a Sworn Answer from the Respondent(s).
17. **24-C-006** – Recommended to request a Sworn Answer from the Respondent(s) and send a cease-and Desist letter to Respondent.

General Counsel Riley will provide a status update regarding complaints **20-C-023** and **21-C-057** in closed session.

KREC Statute Change Committee

Chairman Disney, Commissioners Carter, and Day met on July 29, 2024, to discuss KRS 324.281, KRS 324B.045, and KRS 324B.050. The Committee reviewed the current staffing and the suggested requirements for the future. The Committee acknowledged the recent staffing adjustments in observance of the new statutory requirements. Chairman Disney advised that the Committee focused on formulating the necessary recommendations, including actively engaging industry, consumers, KREC Commissioners, and KREA staff to inform the decisions of the Chair for recommendations to be presented to the Secretary of the Public Protection Cabinet. Chairman Disney expressed his appreciation for the ongoing hard work of the Kentucky Real Estate Commission staff.

With KREA staff to review adjustments staff had already in place observing regulation revisions. Discussion centered on revisions to regulations within Kentucky Revised Statutes Chapters 324 and 324B. Specifically, analyzing and formulating a process in the furtherance of the KREC Board Chairman Disney arriving at his “staffing needs” recommendation (now required per statute) to the Secretary of the Public Protection Cabinet. The committee is collectively focusing on a proactive foundation of actively engaging industry, consumers, KREC Commissioners, and KREA staff for Chairman Disney to produce a qualified staffing recommendation in support of KREC.

Closed Session Legal Matters and Case Deliberations

At 9:37 a.m., Commissioner Day moved 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 on individual adjudications in the items as listed in the above-listed committee reports and/or the following matters: **24-CI-001928**, **21-C-057**, the application of **G.T.**, Course and License Instructor's application of **G.N.S.** as presented; Commissioner Sickles seconded the motion and the Commissioner entered closed session.

Reconvene Open Session

Commissioner Hamilton moved for the Commission to come out of closed session. Commissioner Sickles seconded the motion. The motion carried. Commission Chairman Disney resumed the full Commission meeting at 10:44 a.m. and welcomed everyone in attendance back to the Commission meeting.

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.

Complaints Screening Committee (CSC)

Chairman Disney made a motion of dismissing complaint **20-C-023**, Commissioner Hamilton seconded Commissioner Day abstained from the discussion and the vote. Remaining four Commissioners were all in favor and established a quorum, the motion carried.

Commissioner Day moved to adopt the **Complaint Screening Committee's** remaining sixteen (16) recommendations as presented to the Commission, and recited the recommendations as listed above in these minutes. Commissioner Hamilton seconded the motion. Having all in favor, motion carried.

Commissioner Sickles made a motion to accept the Settlement Agreement order for **24-CI-001928**. Commissioner Hamilton seconded the motion. Having all in favor, the motion carried.

Commissioner Day made a motion to deny the request of the course provider and the instructor application of **G.N.S.** The instructor failed to meet the statutory and regulatory criteria. Commissioner Hamilton seconded the motion. Having all in favor, the motion carried.

New Business

Deputy Executive Director, Florence, asked for board approval for himself, and six (6) other individuals to attend the ARELLO Conference in Chicago, Illinois. Chairman Disney will not be

attending this year. Commissioner Sickles made a motion to approve permission for attendance of seven (7) individuals. Commissioner Hamilton seconded the motion. Having all in favor, the motion carried.

Public Comment

There was no public comment at this time.

Approval Per Diem

1. Commissioner Day made a motion to approve the per diem and travel expenses for the August 13, 2024, **ARC** Meeting for Commissioner Sickles and Commissioner Hamilton. Commissioner Hamilton 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 August 13, 2024, **CSC** Meeting for Chairman Disney, and Commissioner Day. Commissioner Hamilton seconded the motion. Having all in favor, the motion carried.
3. Commissioner Sickles made a motion to approve the per diem and travel expenses for the August 15, 2024, **KREC** Regular meeting. Commissioner Day seconded the motion. Having all in favor, the motion carried.
4. Commissioner Sickles made a motion to approve the per diem and travel expenses for the July 29, 2024, **HB 403** Committee for Chairman Disney, Commissioners Day, and Carter. Hamilton seconded the motion. Having all in favor, the motion carried.

Meeting Adjournment

Commissioner Sickles made a motion to adjourn the meeting. Commissioner Hamilton seconded. With all in favor, the meeting adjourned at 10:58 a.m.

Next Meeting

The next Commission meeting will be Thursday, September 19, 2024, at 9:00 a.m.

Pursuant to KRS 324B.060, I, Tracy Carroll, Executive Director for 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 August 15, 2024. This 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 meeting at its meeting held on September 19, 2024

Tracy Carroll

Date: 9/20/24