



Matthew G. Bevin
Governor

K. Gail Russell, Secretary
Public Protection Cabinet

H.E. Corder II, Executive Director
Kentucky Real Estate Authority

Kentucky Real Estate Authority
656 Chamberlin Avenue, Suite B
Frankfort, Kentucky 40601
Telephone: (502) 564-7760
Fax: (502) 564-3969

VOTING COMMISSIONERS
Lois Ann Disponett, Chair
Billy Joe Beckham, Smiths Grove
Shirley W. Wiseman, Lexington
Joseph Hayden, Louisville
Steve K. Cline, Bowling Green

NON-VOTING COMMISSIONERS
Tom Waldrop, Mayfield

SPECIAL MEETING
Kentucky Real Estate Commission
MEETING MINUTES
April 18, 2019

Commission Members Present

Commissioner Chair, Lois Ann Disponett
Commissioner Steve Cline
Commissioner Joseph Hayden
Commissioner Shirley Wiseman
Commissioner Tom Waldrop

Commission Members Non- Present

Commissioner Billy Beckham

KREA Staff

H.E. Corder II, Executive Director
Heather Becker, General Counsel
Alex Gaddis, Deputy General Counsel
Maryellen Mullikin, Administrative Coordinator
Hannah Carlin, KREC Licensing Coordinator
Michael Spann, Investigator
Shannon Buzard, Board Administrator

Guests Present

Steve Stevens, KY Realtors
Richard Wilson, KY Realtors
Angie Cline, KY RRC
Joyce Sterling, CDC
Rhonda Richardson, HomeService KY, Inc
Dennis Stilger, GLAR
Virginia Lawson, McBrayer
Lisa Stephenson, GLAR
Jeff Davis, Exit Realty Heartland
Cindy Rice Grissom, RICE Insurance Services Co

Michael Jarrell, First Nations Realty
Pam Featherstone, Heart of KY Assoc of Realtors
Kathy Wolfe, KW
Justin Landon, LBAR
Stephanie Gilezan, EXP Realty
Mike Parker, Huff Realty
Paul Ogden, Re/Max
Debra Fox, KW Bluegrass

Call to Order and Guest Welcome

The Kentucky Real Estate Commission meeting was called to order by Commission Chair, Lois Ann Disponett, at 10:29 am on Thursday, April 18, 2019. Guests in attendance were welcomed and introductions of guests, staff, and commissioners were made that included special guests of the Chair, daughter, Anna Marie and Father, Dave Disponett. Roll call was taken and a quorum was present.

Approval of Meeting Minutes

Commissioner Hayden made a motion to approve the March 21, 2019 Full Commission Meeting Minutes. Commissioner Wiseman seconded the motion. All were in favor and the motion carried.

Commissioner Hayden made a motion to approve the March 8, 2019 Special Regulatory Review Commission Meeting Minutes. Commissioner Wiseman seconded the motion. All were in favor and the motion carried.

Commissioner Hayden made a motion to approve the March 12, 2019 Special Regulatory Review Commission Meeting Minutes. Commissioner Wiseman seconded the motion. All were in favor and the motion carried.

Commissioner Hayden made a motion to approve the March 15, 2019 Special Regulatory Review Commission Meeting Minutes. Commissioner Wiseman seconded the motion. All were in favor and the motion carried.

Education and Licensing Report

April 2019 Continuing Education Courses were reviewed and recommended for approval by Hannah Carlin. Commissioner Hayden made a motion to approve the “attached list of courses.” Commissioner Wiseman seconded the motion. All were in favor and the motion carried.

April 2019 Instructor Applications list of instructors were presented by Ms. Carlin with the recommendation for approval. Commissioner Hayden made a motion to approve “the attached list of March 2019 Instructors”. Commissioner Cline seconded. All were in favor and the motion carried.

Ms. Carlin presented “the attached” April 2019 education and licensing statistics.

The Commission had extensive discussion regarding how to improve the process for notifying licensees that their license has been cancelled, including notifications to the former principal broker. General Counsel Becker recommended crafting an email to notify all cancelled licensees and their principle brokers that practicing real estate is not allowed until their license is in full compliance of Kentucky real estate licensing law.

Applicant Review Committee

The Applicant Review Committee made the following recommendations to the full Commission:

- William Higginson to be issued a license
- Britteny Whiteside to be issued a license
- Jesse Bolles to be issued a license
- Jessica Barkley be deferred to the May meeting
- Nicholas Bentley be deferred to the May meeting

Complaint Review Committee

The Complaint Committee meeting was cancelled and made no recommendations to the full Commission.

Legal Report

General Counsel Becker continued recapping efforts of current Regulatory Review Committees outlining continued committee dates with the goal to schedule a Special Commission in April to finalize the proposed regulations recommended by the committees. The Commission reviewed the draft advertising regulation regarding content requirements and accepted public comments regarding changes in the proposed draft.

General Counsel Becker addressed to the Commission three emails seeking clarification regarding issue of disclosing methamphetamine decontamination in sales contracts, advertising compliance with #hashtag samples and an out of state licensee seeking KREC law clarification for transactional coordinators. Counsel Becker also introduced a lifecycle diagram created by the complaint committee to be used as a guide for the processing of complaints.

After meeting with Ms. Rice of RICE Insurance Corporation, Counsel Becker gave an update regarding the biannual regulation for renewals and insurance. In conclusion licensees will be renewing their insurance annually and the license would be biannual per the approval of new regulation. The Commission agreed the issue needed further review.

Real Estate Authority Director Comments

Director Corder stated over 2000 licensees renewed last day or missed the 2019 renewal deadline with more work to be done encouraging early renewal. Director Corder gave an announcement of a new goal to create and post an official KREC news letter. The Board of Home Inspectors will be rolling out new online functionalities soon after having updated their administrative regulations. Director Corder gave praise to KREC staff and volunteers in the audience for their dedication and participation for the regulatory review process.

Commissioner Shirley Wiseman gave a statement offering praise and recognition to the new Public Protection Cabinet Secretary, Gail Russel with additional excitement to her being another woman leading in a prominent role.

KREC Chair and Other Comments

Commissioner Disponett offered special recognition and gratitude to KREC staff for hard work at the Commission. Commissioner Disponett gave an announcement and instructions to the public in attendance of the meeting regarding the upcoming executive session.

Approval of Travel & Per Diem

Commissioner Hayden moved to approve travel and per diem for regular and special meeting dates March 29 – April 18, 2019. Commission Wiseman seconded the motion. With all in favor, motion carried.

Executive Session Legal Matters and Case Deliberations

- Commissioner Cline made a motion to enter executive session, pursuant to KRS 61.810(1)(c) and (j), and KRS 61.815 to discuss proposed or pending litigation and deliberate on individual adjudications in 16-INF-40. Commissioner Wiseman seconded the motion and the Commission entered into closed session discussion.

Reconvene in Open Session

Commissioner Wiseman made a motion to reconvene in open session. Commissioner Hayden seconded the motion and it carried.

Counsel Becker gave recommendations to the Commission to approve 16-INF-40.

Commissioner Wiseman made a motion to approve 16-INF-40. Commissioner Cline seconded the motion. Motion carried.

Commission Recess

Commissioner Chair, Disponett recessed meeting for brief lunch and reconvened the meeting at 1:17pm.

Commission Regulation Review Discussions

General Counsel Becker began discussion reviewing and clarifying the current regulation process by stating the specific goals for the Commission being the following:

To finalize 201 KAR 11:011, Definitions, 201 KAR 11:105, Advertising, 201 KAR 11:121, Professional standards of conduct, 201 KAR 11:170, Education providers, 201 KAR 11:190, Complaints and discipline, 201 KAR 11:210, Licensing, 201 KAR 11:220, Insurance to meet the June regulation filing date.

Discussion of 201 KAR 11:011, Definitions, 201 KAR 11:105, Advertising, 201 KAR 11:121, Professional standards of conduct, included all sections with changes and corrections being established by KREC Commissioners with the assistance of legal guidance of the KREA General Counsel and members of the public in attendance.

Next Committee Meeting

The next Special Regulation Commission meeting will be held April 25, 9am at Kentucky Real Estate Authority, 656 Chamberlin Avenue, Suite B Frankfort, Kentucky 40601.

Meeting Adjournment

Commissioner Wiseman made a motion to adjourn the meeting, Commissioner Cline seconded the motion. All in favor, the meeting was adjourned at 4:18 PM.