

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION

July 18, 2019

The Louisiana Real Estate Commission held its regular meeting on Thursday, July 18, 2019, at 9:00 a.m., at 9071 Interline Ave, Baton Rouge, Louisiana, according to regular call, of which all members of the Commission were duly notified, at which meeting the following members were present:

COMMITTEE

Richman Reinauer, Chairman
Patrick Roberts, Jr., Vice Chairman
Lacy Baaheth, Secretary
Jeffrey Donnes
Jeff Free
Eloise Gauthier
Rodney Greenup
Steven Hebert
Matt Ritchie
Evelyn Wolford

STAFF

Bruce Unangst, Executive Director
Arlene Edwards, Attorney
Summer Mire
Ryan Shaw
Damien Smart
Tom Devillier
Nikki Senegal
Logan Cockerham
Telly Hollis
Mark Gremillion
Debbie DeFrates
Dusty Evans

GUESTS

Tim Tullos
Lisa Baker – Burk Baker School of Real Estate and Appraisal

Commissioner Norman was unable to attend.

Chairman Reinauer led the invocation; Commissioner Hebert led the Pledge of Allegiance.

MINUTES

Commissioner Gauthier made motion, seconded by Commissioner Wolford, to approve the minutes of the meeting of June 20, 2019. Motion passed without opposition.

(Attachment A)

PERSONAL APPEARANCES (SEE OFFICIAL COURT TRANSCRIPT FOR RECORD):

1. Napoleon Crane – requesting authorization to obtain a real estate license. Commissioner Wolford made motion, seconded by Commissioner Donnes, to deny Mr. Crane’s request to obtain a real estate license. Motion carried 5-4, with Commissioner Baaheth, Donnes, Free, and Greenup voting in opposition.
2. Tahari Ephrom – requesting authorization to obtain a real estate license. Commissioner Gauthier made motion, seconded by Commissioner Baaheth, to allow Ms. Ephrom to obtain a real estate license. Motion carried with no opposition.
3. Loretha Green – requesting authorization to obtain a real estate license. Commissioner Hebert made motion, seconded by Commissioner Gauthier, to allow Ms. Green to obtain a real estate license. Motion carried with no opposition.
4. Tracy Jessamy – requesting authorization to obtain a real estate license. Commissioner Gauthier made motion, seconded by Commissioner Greenup, to allow Ms. Jessamy to obtain a real estate license. Motion carried with no opposition.
5. Tiffanie Lee (second appearance) – requesting authorization to obtain a real estate license. Commissioner Roberts made motion, seconded by Commissioner Free, to allow Ms. Lee to obtain a real estate license. Motion failed 4-5, with Commissioners Ritchie, Gauthier, Baaheth, Wolford, and Donnes voting in opposition.
6. Rhonda Maberry – requesting authorization to obtain a real estate license. Commissioner Greenup made motion, seconded by Commissioner Roberts, to allow Ms. Maberry to obtain a real estate license. Motion carried 6-2, with Commissioners Gauthier and Free voting in opposition and Commissioner Hebert abstaining.
7. Kirsten Wallace – requesting authorization to obtain a real estate license. Commissioner Roberts made motion, seconded by Commissioner Donnes, to allow Ms. Wallace to obtain a real estate license. Motion carried 7-1, with Commissioner Gauthier voting in opposition and Commissioner Hebert abstaining.
8. David Scanlan – requesting authorization to obtain a real estate license. Commissioner Hebert made motion, seconded by Commissioner Gauthier, to deny Mr. Scanlan’s request to obtain a real estate license. Motion carried 8-1, with Commissioner Donnes voting in opposition.

9. Scott Weber – requesting authorization to obtain a real estate license. Commissioner Gauthier made motion, seconded by Commissioner Greenup, to allow Mr. Weber to obtain a real estate license. Motion carried 7-2, with Commissioners Hebert and Wolford voting in opposition.
10. Lester Williams II – requesting authorization to obtain a real estate license. Commissioner Roberts made motion, seconded by Commissioner Ritchie, to allow Mr. Williams to obtain a real estate license. Motion carried with no opposition.
11. Winnie Guillory – requesting authorization to obtain a pre-license instructor certification. Commissioner Wolford made motion, seconded by Commissioner Hebert, to deny Ms. Guillory's request to obtain a pre-license instructor certification. Motion carried 8-1, with Commissioner Free voting in opposition.

COMMITTEE REPORTS:

1. Budget – Commissioner Free reviewed the proposed budget with the Commissioners. He stated that there are a couple of changes to the budget from the previous one, but that it is fairly similar. He also stated that the annual audit is currently going on and will be completed for review at the next meeting.

Commissioner Free made motion, seconded by Commissioner Gauthier, to approve the revised budget for fiscal year 2019-2020 and the projected budget for fiscal year 2020-2021. Motion carried with no opposition.

(Attachment B)

Commissioner Free stated that Ms. Mire sent the Commissioners the Louisiana Compliance Questionnaire for review and approval. Commissioner Gauthier made motion, seconded by Commissioner Wolford, to approve the Louisiana Compliance Questionnaire as completed. Motion carried with no opposition. Chairman Reinauer and Secretary Baaheth executed the document for approval.

(Attachment C)

2. Education/Research/Publication – No report
3. Legal/Legislative/Timeshare – Commissioner Ritchie thanked the Commissioners and staff members who attended the first meeting to discuss developing a commercial license designation. He stated that the first meeting went well and that a second meeting will be held to discuss the definitions, education requirements, etc. regarding this license type. He stated that the next meeting would be held on the Wednesday prior to the August meeting.
4. Standardized Forms – Commissioner Roberts stated that the Commissioners received an email from Commissioner Norman regarding the draft of the Property Disclosure Document. He stated that Commissioner Norman expressed concerns with the change to referencing during ownership and prior to ownership. He stated that this has already existed as a question on the document and was recently expanded to other areas of the document. He stated that he has never heard of any issues or litigation related to this type of question.

He stated that Commissioner Norman also expressed concern that the document may be too harsh. He stated that he does not agree that the document is too cumbersome for homeowners to complete. He stated that much of the language was taken from other states' disclosure documents and gives more thorough information to the potential buyer of a property.

Commissioner Roberts made motion, seconded by Commissioner Gauthier, to add an agenda item for voting on the draft of the Property Condition Disclosure as no other comments or changes were received. Motion passed unanimously without opposition.

Commissioner Roberts made motion, seconded by Commissioner Gauthier, to approve the draft of the Property Disclosure Document and to make it available on the website on September 1, 2019 with a mandatory date of January 1, 2020. Motion passed without opposition.

5. Strategic Planning – No report.
6. Errors & Omissions – Mr. Unangst stated that he sent the Commissioners a report from Rice Insurance reviewing the most recent quarter. He stated that claims are down and the program is working well.
7. Technology – Commissioner Greenup introduced Mr. Cross from Multiply Marketing. Mr. Cross gave the Commissioners an update on Multiply Marketing's work on LREC's social media account. Mr. Cross reviewed a report of the fiscal year 18-19, highlighting the growth of the LREC's Facebook presence and reach.

Mr. Unangst stated that the IT department is working to upgrade staff workstations by bringing in newer machines and larger monitors. He also stated that work on the new scanning system and server upgrades has been completed.

DIRECTORS REPORT:

Mr. Unangst introduced the recently-hired Director of Investigations, Tom Devillier. He stated that he had previous interaction with Mr. Devillier when he served as a legislative staff attorney for the House Commerce Committee. He stated that Mr. Devillier's past has given him a depth of knowledge on the Administrative Procedures Act, rule promulgation, and the legislative process. He stated that Mr. Devillier is already making an impact on the Investigations Division by digitizing processes and reorganizing job duties. Mr. Unangst also stated that Mr. Devillier will be conducting a review of the LREC's laws and rules and making suggestions for edits and clean ups.

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commissioner Donnes made motion, seconded by Commissioner Gauthier, to approve the stipulation and consent order for Case No. 2018-1520: Jason C. Adams. Motion passed 9-1, with Commissioner Roberts voting in opposition.

Commissioner Roberts made motion, seconded by Commissioner Gauthier, to approve the stipulation and consent order for Case No. 2018-1607: Jeffrey S. Furniss. Motion carried without opposition.

EXECUTIVE SESSION

None

There being no further business, Commissioner Roberts made motion, seconded by Commissioner Gauthier, to adjourn. Motion passed without opposition.

RICHMAN REINAUER, CHAIRMAN

LACY BAAHETH, SECRETARY