

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION

April 20, 2017

The Louisiana Real Estate Commission held its regular meeting on Thursday, April 20, 2017, 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

Evelyn Wolford, Chairman
Steven Hebert, Vice Chairman
Richman Reinauer, Secretary
Lacy Baaheth
Jeffrey Donnes
Kelly Ducote
Jeff Free
Eloise Gauthier
Deanna Norman
Lynda Nugent Smith
Patrick Roberts, Jr.

STAFF

Bruce Unangst, Executive Director
Arlene C. Edwards, Legal Counsel
Summer Mire
Ryan Shaw
Mark Gremillion
Robert Maynor
Chad Mayo
Henk vanDuyvendijk
Debbie DeFrates
Dusty Evans
Jenny Yu

GUESTS

None

Commissioner Reinauer led the Invocation; Commissioner Hebert led the Pledge of Allegiance.

SWEARING IN OF NEW COMMISSIONER JEFF FREE

Chairman Wolford administered the swearing in oath to new Commissioner Jeff Free.

MINUTES

Commissioner Baaheth made motion, seconded by Commissioner Nugent Smith, to approve the minutes of the meeting of March 16, 2017. Motion passed without opposition.

(Attachment A)

COMMITTEE REPORTS:

1. Budget – Commissioner Reinauer reviewed the budget report with the Commissioners. He stated that cash flow is good due to an increase in licensees. He stated that both operating expenses are down. He congratulated the staff, especially Executive Director Unangst, on the good shape of the budget.

(Attachment B)

2. Education/Research/Publication – Commissioner Gauthier brought the Commission’s attention to the 2018 mandatory course draft. She stated that the Commissioners need to review it and prepare for a discussion and vote next month. Mr. Unangst stated that the outline will also be shared with vendors for their input and advice. Mr. Unangst stated that a vote in May would allow time for staff to send out a request for proposal quicker, which will allow for course development and Commission review before the end of the year. Commissioner Reinauer asked that the document be emailed to the Commissioners. Commissioner Gauthier asked that Commissioners email comments back via email within two weeks.

(Attachment C)

Commissioner Gauthier requested that staff compile a list of brokers who have not yet taken the 2017 Broker Mandatory course so that there can be some outreach done to ensure that all brokers are aware of the course and complete it before the end of the year. Mr. Unangst stated that there is a plan in place to work with local association boards throughout the state to ensure that all brokers are aware.

3. Legal/Legislative/Timeshare – Commissioner Nugent Smith stated that SB 108 was heard before committee yesterday regarding out-of-state brokers conducting business in Louisiana without a license. She stated that the bill made it through committee with a few tweaks, but is on its way to passing. Mr. Unangst stated that the results of the bill would be that the LREC Investigative Staff can take more action against out-of-state, unlicensed brokers by sending violators to the District Attorney’s office. Commissioner Nugent Smith asked when the tweaks will be made to the bill. Mr. Unangst stated that the language changes requested in committee will be made very quickly and that Commissioners can track the bill on the legislature’s website. Commissioner Nugent Smith drew the Commissioner’s attention to other bills that could affect the real estate business: SB 205, which would change the adjudicatory procedure for hearings. HB 120 deals with leases and evictions, which might give owners/landlords trouble. HB 469 deals with condominium laws and insurance requirements. HB 628 deals with taxes on

commercial services which would include real estate services. Mr. Unangst stated that SB 205 would eliminate state boards and commissions' ability to adjudicate complaints and issues. Ms. Edwards stated that she does not believe the bill will pass because it would be very costly.

4. Standardized Forms – Chairman Wolford stated that she has had multiple suggestions that if the issue of who holds deposits is not decided by the next edit of the contract, that a line be added stating that there are no safety guidelines if the deposit is held by a title company.
5. Strategic Planning – Commissioner Ducote stated that the Strategic Planning Committee will be meeting following the Regular Business meeting from 1:00 – 5:00 at the office of former commissioner, Paul Burns.
6. Errors & Omissions – Commissioner Norman stated that the E&O bid is ready to go out. She stated that Cindy Rice was consulted regarding the bid language to ensure that the correct legal insurance terminology was used. Ms. Mire stated that the bid will be uploaded to the website next Tuesday if the Commissioners were agreeable to that.
7. Technology – Commissioner Donnes asked if the IT position will be filled. Mr. Unangst stated that a search for a candidate is ongoing. Mr. Unangst updated the Commission on the launch of the new website, which has been delayed due to having no IT support staff in the office.

DIRECTORS REPORT:

Mr. Unangst stated that the investigative staff has been traveling throughout the state giving a presentation regarding advertising to promote compliance. He stated that if any Commissioners had suggestions for places for staff to travel and give this presentation, they should let him know and events can be scheduled.

PUBLIC COMMENT:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Commissioner Hebert made motion, seconded by Commissioner Norman, to approve the stipulation and consent orders for Case No. 2016-744 and Case No. 2016-1050 – 2nd and 3rd time CE Offenders. Motion passed without opposition.

Commissioner Hebert made motion, seconded by Commissioner Reinauer, to approve the stipulation and consent orders for Case No. 2015-530 – Candice Leigh-Medina Skinner.

After discussion, Commissioner Hebert withdrew his motion with Commissioner Reinauer in agreement.

Commissioner Ducote made motion, seconded by Commissioner Gauthier, that the case be moved to a formal hearing. Motion passed without opposition.

(Attachment D)

EXECUTIVE SESSION

None

Ms. Mire brought the Commissioners' attention to the fact that there are 18 or 19 felony applicants to appear in May. She asked if the Commissioners wanted to move the meeting to Wednesday, May 24, which is the day before the regular business meeting. The Commissioners agreed to hear the felony applicants on Wednesday, May 24 at 1:00 p.m. barring any unexpected changes.

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

EVELYN WOLFORD, CHAIRMAN

RICHMAN REINAUER, SECRETARY