

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION

December 19, 2013

The Louisiana Real Estate Commission held its regular meeting on Thursday, December 19, 2013, 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:

COMMISSION

Paul Burns, Vice Chairman
James Gosslee, Secretary
Tim Flavin
Steven Hebert
Lynda Nugent Smith
Cynthia Stafford
Frank Trapani
Evelyn Wolford

STAFF

Bruce Unangst, Executive Director
Arlene Edwards, Legal Counsel
Summer Mire
Debbie Defrates
Mark Gremillion
Chad Mayo
Robert Maynor
Ryan Shaw
Marsha Stafford
Jenny Yu

GUESTS

Brent Lancaster – Bob Brooks School of Real Estate
Norman Morris – Louisiana REALTORS
Dr. Roy Ponthier
Malcolm Young – Louisiana REALTORS

Chairman Caffery was unable to attend the meeting therefore Vice-Chairman Burns acted as Chairman. Commissioner Carraway was unable to attend the meeting.

Commissioner Flavin led the Invocation; Commissioner Gosslee led the Pledge of Allegiance.

MINUTES

Commissioner Nugent Smith made motion, seconded by Commissioner Flavin, to approve the minutes of the meeting of November 21, 2013. Motion passed without opposition.

COMMITTEE REPORTS:

1. Budget – Commissioner Stafford reviewed the budget report with Ms. Yu. See Attached budget report.

(Attachment A)
2. Education/Research/Publication – Commissioner Trapani stated that the committee needs to revisit the requirements for continuing education in regard to course approvals. Mr. Unangst

stated that the committee had previously developed course approval guidelines that may need to be updated due to courses that involve technology. As of now, many courses that involve technology are not approved as some are construed as self-help type courses. These courses and guidelines should be looked at with a fresh set of eyes so that technology courses can be reviewed and given credit for if necessary. Commissioner Trapani suggested that the committee meet on this topic and report back to the Commission.

3. Legal/Legislative/Timeshare – No report.
4. Standardized Forms – Commissioner Burns noted that the request received from Herb Gomez at GBRAR regarding the property disclosure form and the page numbering may have been a misunderstanding. The form is a two-part form with the first page listing the exemptions. The second part of the form begins with the actual form itself for those that must fill it out. Commissioner Flavin stated that he recently had a real-life scenario with the property disclosure form recently in that there is no line for the buyer to sign the first page. He feels that the contract might take care of this issue but it may be something to review and look at.
5. Strategic Planning – Commissioner Nugent Smith stated that there will be a meeting with consultant Robin Kistler, LSU, to discuss the planning of the strategic plan and moving forward.
6. Errors & Omissions – No report.

DIRECTORS REPORT:

Mr. Unangst reminded the Commissioners that the annual Christmas luncheon was directly following the business meeting.

Mr. Unangst reviewed the current licensee renewal numbers and stated that the numbers are about 25% ahead of last year. He estimated that around 90% of renewals have been online renewals. Staff did follow through with a paper mailing to remind licensees of the renewal date and user id and password information. He alerted Commissioners that there has been a small hiccup with renewals in regards to online renewals and a glitch between CAVU and the most recent Internet Explorer update. Not a huge number of people have been affected by the glitch but there are detailed instructions by the IT department on the website for a workaround. He stated that CAVU was aware of the update but did not notify staff that the change needed to be made. If staff were to make the updates now, it would shut down the website for up to three days. Mr. Unangst stated that staff has met with a local developer in hopes of possibly obtaining quotes for a new licensing software system that can meet the needs to the Commission.

Mr. Unangst reported that the Commission has been receiving complaints about licensees opening an office without the appropriate signage and broker's information. He provided Commissioners with a flow chart on the past rules regarding branch offices. He recommended that the issue be referred to the Legal/Legislative committee. Commissioner Stafford noted that some brokers have their offices at home but neighborhood restrictions and covenants do not allow for signage at their home. Commissioner Gosslee noted that he has observed the bigger issue in his area of Shreveport in which agents open up offices and do not have any brokerage information on the office. Commissioner Trapani made motion, seconded by Commissioner Nugent Smith, to refer the item to Legal/Legislative committee. Motion carried without opposition.

Mr. Unangst discussed administrative changes being made to the felony applicant appearance process. Changes were made in an effort to further streamline the process. Appearances will now be handled quarterly at the meetings with the next scheduled meeting for January. Applicants must submit proof showing cause for needing an appearance. A court reporter will be in attendance to handle the cases more like a formal hearing in the event that anyone appeals the decision made by the Commission. As of now, only three people have scheduled for January and there is a deadline for receiving submissions and paperwork.

PUBLIC COMMENT:

Commissioner Flavin recognized the staff of the LREC and thanked them for their hard work throughout the year. He also recognized Ms. Edwards for her dedication and work with the Commission. Mr. Unangst thanked the Commissioners for their efforts and hard work over the year. Commissioner Trapani thanked Mr. Unangst for his effort and hard work with the Commission. He has seen a vast

improvement since Mr. Unangst has been in his position. Commissioners Trapani and Flavin both expressed their gratefulness for having the opportunity to serve in the past 6 years.

UNFINISHED BUSINESS:

Election of 2014 Commission Officers:

Commissioner Flavin made motion, seconded by Commissioner Trapani, to nominate Commissioner Burns as Chairman for 2014. No other nominations were made and motion carried without opposition.

Commissioner Flavin made motion, seconded by Commissioner Nugent Smith, to nominate Commissioner Gosslee as Vice-Chairman for 2014. No other nominations were made and motion carried without opposition.

Commissioner Flavin made motion, seconded by Commissioner Trapani, to nominate Commissioner Nugent Smith as Secretary for 2014. No other nominations were made and motion carried without opposition.

GBRAR Request:

Sellers Response to Property Inspection Form – referred to the Legal/Legislative committee for discussion.

Team Member Names in Advertising – referred to the Legal/Legislative committee for discussion.

NEW BUSINESS:

Commissioner Wolford made motion, seconded by Commissioner Trapani, to approve the stipulation and consent orders as presented to the Commission. Motion carried without opposition.

(See Attachment B)

EXECUTIVE SESSION

Commissioner Nugent Smith made motion, seconded by Commissioner Gosslee, to enter into executive session to discuss personnel matters. Motion carried without opposition.

Commissioner Stafford made motion, seconded by Commissioner Gosslee, to enter back into the regular business meeting. Motion carried without opposition.

Commissioner Nugent Smith made motion, seconded by Commissioner Stafford, to add to the agenda the discussion of an employment agreement between LREC and Mr. Bruce Unangst, Executive Director. After a roll call vote, motion carried unanimously.

Commissioner Trapani made motion, seconded by Commissioner Stafford, to adopt the employment agreement specific between the Commission and Bruce Unangst (Executive Director) as amended by the Commission. Motion carried without opposition.

(See Attachment C)

Acting Chairman Burns thanked the Commission for their support and stated that he looked forward to serving as chairman in 2014.

There being no further business, Commissioner Nugent Smith made motion, seconded by Commissioner Stafford, to adjourn. Motion passed without opposition.

PATRICK T. CAFFERY, JR., CHAIRMAN

JAMES D. GOSSLEE, SECRETARY