

**MINUTES OF MEETING**  
**OF**  
**LOUISIANA REAL ESTATE COMMISSION**  
**AUGUST 19, 2010**

The Louisiana Real Estate Commission held its regular meeting on Thursday, August 19, 2010, 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**

Judy Songy, Chairman  
Frank Trapani, Vice Chairman  
Mike Bono, Secretary  
Paul Burns  
Pat Caffery  
Archie Carraway  
Tim Flavin  
Cynthia Stafford

**STAFF**

J.C. Willie, Executive Director  
Arlene C. Edwards, Legal Counsel  
Stephanie Boudreaux  
Debbie Debrates  
Mark Gremillion  
Ann Major  
Robert Maynor  
Summer Mire  
Marsha Stafford  
Malissa Wright

**GUESTS**

Dan Kyle  
Mark Norsworthy, school owner  
Ryan Pearce Family

Chairman Songy called for a moment of silent prayer and requested remembrance for Al Rowe's mother and prayer for R.C. McCormick; Commissioner Trapani led the Pledge of Allegiance.

Commissioner Trapani made motion, seconded by Commissioner Burns, to approve the Minutes of Meeting of July 15, 2010, as written and circulated. Motion passed without opposition.

**PERSONAL APPEARANCES:**

1. Ryan Pearce – Mr. Pearce appeared before the Louisiana Real Estate Commission in connection with his request to sit for the real estate sales exam.

On December 17, 2004, Mr. Pearce pled guilty to distribution of ecstasy. For this offense, he was sentenced to eight (8) years in the Tennessee Department of Corrections. On June 11, 2007, Mr. Pearce was released on parole supervision from out of state. He will be under parole supervision until September 26, 2013.

Mr. Pearce stated that since being released he has received his undergraduate degree in Finance and received his Masters of Business Administration. Currently, Mr. Pearce is working with his

mother at her freight brokerage business. He stated that during his incarceration he did attend drug counseling and therapy classes.

After hearing Mr. Pearce's responses to questions from the commissioners, Commissioner Trapani made motion, seconded by Mr. Flavin, to approve Mr. Pearce's request to sit for the real estate sales exam. Motion passed by majority vote, with Commissioner Caffery voting in opposition.

2. William T. Willard, III – Mr. Willard appeared before the Louisiana Real Estate Commission in connection with his request to sit for the real estate sales exam.

On January 23, 2003, Mr. Willard pled guilty to possession with intent to distribute GHB. For this offense, he was sentenced to five (5) years of hard labor with the Louisiana Department of Corrections. The court also recommended the IMPACT program and further ordered Mr. Willard to pay a fine in the amount of \$2,500. Mr. Willard graduated from the IMPACT program on October 23, 2003.

Currently, Mr. Willard is employed as an assistant to a realtor at Keller Williams.

Commissioner Stafford made motion, seconded by Commissioner Trapani, to approve Mr. Willard's request to sit for the real estate sales exam. Motion passed by majority vote, with Commissioner Caffery voting in opposition.

3. Ricky Chapman – Mr. Chapman appeared before the Louisiana Real Estate Commission in connection with his request to sit for the real estate sales exam.

On September 1, 1996, Mr. Chapman pled guilty to possession of a controlled dangerous substance, to wit: Cocaine. For this offense, he was sentenced to three (3) years of hard labor at the Louisiana Department of Corrections with credit for time served. This sentence was suspended and Mr. Chapman was placed on two (2) years active and supervised probation. Mr. Chapman successfully completed his probation on July 7, 1999.

Currently, Mr. Chapman owns a hair salon in Lake Charles and has for the past 28 years.

Commissioner Trapani made motion, seconded by Commissioner Bono, to approve Mr. Chapman's request to sit for the real estate sales exam. Motion passed by majority vote, with Commissioner Caffery voting in opposition.

#### **COMMITTEE REPORTS:**

1. Budget – Executive Director Willie stated that the budget report would be the same as last month as the Louisiana Real Estate Commission is currently going through the audit for the fiscal year 2009/2010. The audit should be completed by the end of August.
2. Education/Research/Publication – Commissioner Trapani reported that the committee met on August 18, 2010, and completed the revisions for Chapter 55 of the Rules and Regulations. Commissioner Flavin made motion, seconded by Commissioner Caffery, that the Commission approve the changes made to Chapter 55. Motion passed without opposition.
3. Legislative/Legal/Timeshare - Commissioner Flavin reported that the committee met jointly on August 18, 2010 and August 19, 2010, with the Education Committee. Commissioner Flavin noted that the staff was commended for preparing the changes for the committee. Commissioner Burns made motion, seconded by Commissioner Stafford, that the Commission approves the changes made to Chapter 55 and the subsequent related changes to Chapter 9 of the Rules and Regulations. Motion passed without opposition. \*\* See Attachments A and B\*\*

Commissioner Flavin requested that no other issues be brought before the Education/Research/Publication and Legislative/Legal/Timeshare committees so that the staff has time to complete the changes before the end of the year.

4. Standardized Forms – Commissioner Carraway reported that on August 18, 2010, he met with the task force at Louisiana Realtors to review the Buy/Sell Agreement and Disclosure form.

Several changes were made and Louisiana Realtors should be compiling the changes to be presented at the September Commission meeting.

5. Strategic Planning – Commissioner Caffery reported that the committee will present items they would like to see in the Strategic Plan at the September or October Committee meeting.

#### **DIRECTORS REPORT:**

Mr. Willie reported the loan for the building closed on August 16, 2010. Commissioner Trapani made motion, seconded by Commissioner Caffery, to approve the resolution for the loan closing. Motion passed without opposition. \*\* See Attachment C\*\*

Mr. Willie reported that the agency is experiencing personnel changes. Paperwork has been submitted to Civil Service to create a Compliance Investigator 4-A position which will encompass duties currently contained in the hearing examiner job description plus other responsibilities within the agency. Summer Mire, formerly an employee of the Investigative Division, applied for and was chosen to replace Ann Major upon her retirement. Shawn Davis, an employee of the Investigative Division, also resigned. The positions have been posted with Civil Service to be filled.

#### **UNFINISHED BUSINESS:**

Commissioner Flavin addressed a letter written by Martha Van Cleave, licensed broker. Mr. Willie stated that a mistake had been made by an employee by the input of the wrong license number. Commissioner Flavin feels that the error should have been researched by the broker prior to the writing of the letter. Commissioner Trapani noted that the forms have been changed to address the licensee's legal name and DBA name.

Chairman Songy requested that an email and website notification be sent to licensees that addresses them to check their LREC email regularly. Commissioner Burns stated that licensees should be encouraged to forward their LREC email to their main email address. Staff commented that numerous letters, emails, and newsletters have been sent to licensees directing them with instructions for the forwarding. Mark Norsworthy, school owner, stated that he feels another letter should be sent out addressing the email changes due to the fact that many licensees are older and not abreast in technology. Commissioner Trapani stated that it is the licensee's responsibility to keep up with the changes and technology.

Commissioner Bono addressed a letter written by Rosalind Allemond, school owner, which discussed the issue of reciprocal licenses. Mr. Willie stated that ARELLO created a model reciprocal agreement, which LREC adopted. The agreement states that if a licensee complies with the licensing and education requirements of their state, they can then apply for a reciprocal license with Louisiana. Mr. Willie requested that research be performed by the Commission before making any changes to the agreements. Commissioner Caffery agreed with Mr. Willie on the issue and feels that another look should be taken at the reciprocal agreement. Mr. Norsworthy also addressed a major concern that some states are broker only states. Commissioner Caffery stated that he would like to include this issue with the strategic planning.

#### **NEW BUSINESS:**

Commissioner Caffery inquired about the changes to the Escrow Deposit language in the Rules. Stephanie Boudreaux stated language has been adopted but it will not be in effect until the Rule package is approved.

Chairman Songy discussed her trip to Des Moines in which she represented District 2/3 at ARELLO. She found that many other states are experiencing similar issues of LREC. She stated that Alabama has passed an emergency law that allows licensees to receive commissions directly from BP and do not have to go through their sponsoring broker. This was due to all the resort properties in the area and the amount was based on the realtor's annual income. Some of the upcoming ARELLO meeting may be taking place in the Gulf Coast area.

Meeting went into Executive Session.

**MEETING RECONVENED**

There being no further business, Commissioner Trapani motioned to adjourn meeting, seconded by Commissioner Stafford. Motion passed without opposition.

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JUDY SONGY, CHAIRMAN

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MIKE BONO, SECRETARY