

MINUTES OF MEETING
OF
LOUISIANA REAL ESTATE COMMISSION

JUNE 17, 2010

The Louisiana Real Estate Commission held its regular business meeting on Thursday, June 17, 2010, at 10:30 a.m., at 9071 Interline Avenue, 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
Gretchen Ezernack
Tim Flavin
Cynthia Stafford

STAFF

J. C. Willie, Executive Director
Arlene C. Edwards, Legal Counsel
Shawn Davis
Debbie DeFrates
Mark Gremillion
Ann Major
R. C. McCormick
Al Rowe
Nikki Senegal
Marsha Stafford

GUESTS

Amy Fennell, Louisiana Realtors
Malcolm Young, Louisiana Realtors

Jennifer Lanasa, member, was unable to attend the meeting.

Commissioner Caffery gave the invocation; Commissioner Carraway led the Pledge of Allegiance.

Birthday wishes were extended to J. C. Willie.

Commissioner Stafford made motion, seconded by Commissioner Bono, to approve the Minutes of Meeting of May 20, 2010, as written and circulated. Motion passed without opposition.

STIPULATIONS AND CONSENT ORDERS:

Commissioner Stafford made motion, seconded by Commission Trapani, that the Commission approve the Consent Orders proposed as a result of informal adjudicatory proceedings conducted in the cases specified in a Memorandum dated June 8, 2010, (See Attachment A), from the Executive Director to the Commission and that the Executive Director be authorized to execute the Consent Orders in the name of the Louisiana Real Estate Commission. Motion passed without opposition.

COMMITTEE REPORTS:

1. Budget - Commissioner Stafford briefly reviewed financial reports for period ending 05/31/2010. She directed questions to Al Rowe, accountant. Mr. Rowe advised auditors have begun conducting preliminary audit, and therefore, requested all outstanding expense reports be filed by June 30th (end of fiscal year).

Further Commissioner Stafford referred Commission to licensee count report.

2. Education/Research/Publication - Commissioner Trapani reported the committee met this date to discuss proposed rule changes; however, further discussions were tabled pending review of all information provided by staff.
3. Legislative/Legal/Timeshare - Commissioner Flavin reported the committee met this date and adopted a few minor changes to the rules and regulations. Staff will forward to commissioners a complete revision of all the rules and regulations prior to the next committee meeting, and amended rules/regulations will be ratified by full Commission at a future meeting.
4. Standardized Forms - Commissioner Ezernack requested notice for comments on Buy/Sell Agreement and Agency Disclosure Form be published on Commission's website with deadline date of August 15, 2010.
5. Strategic Planning - Commissioner Caffery advised the he and Commissioner Lanasa are still discussing various topics of interest to be included in the plan; however, presentation will be deferred until amended rules/regulations have been finalized.

DIRECTORS REPORT:

J. C. Willie advised that HB 435 (relative to the Real Estate Research and Education Fund) is awaiting signature of the Governor with an anticipated effective date of 07/01/10.

Willie reported he and Meredith Hathorn, bonding attorney, appeared before the Bond Commission this date. The Bond Commission approved the LREC's loan application. A loan proposal from an alternate bank will be forthcoming next week, at which time a comparison will be made between the two proposals. The Commission may need to call for a special meeting to approve an amended resolution.

With regards to the Education audit for licensee's non-compliance of continuing and post licensing education, Mr. Willie advised that investigative files have been opened on the identified licensees. These licensees will receive correspondence accompanied by a form to complete and return to the office within a certain time frame indicating whether they have or have not obtained the required education to renew for the 2010 licensing period. If a licensee indicates they did in fact obtain the hours, they will be required to furnish proof. If they indicate otherwise, the file will be referred to the Hearing Examiner to initiate a Consent Order.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Legal Counsel addressed one item for the Commission's consideration. Ms. Edwards advised that currently censures, suspensions and revocations of licensees are published in the Commission's newsletter, Boundary Lines. She said that suspensions and revocations appear for the purpose of informing other licensees that someone is not licensed to practice real estate, but other than embarrassment, she sees no purpose in publishing censures. Ms. Edwards requested the Commission consider changing the current policy and only publish suspensions and revocations.

After discussion of pros and cons, Commissioner Ezernack made motion, seconded by Commissioner Burns, to publish names of licensees who have received suspensions or revocations, and only publish statistical data on censures, omitting licensee's names. Motion passed by a majority vote, with Commissioners Bono and Trapani voting in opposition.

There being no further business, Commissioner Ezernack made motion, second by Commissioner Stafford, to adjourn.

JUDY SONGY, CHAIRMAN

MIKE BONO, SR., SECRETARY