



STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
TENNESSEE REAL ESTATE COMMISSION
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243
615-741-2273
<http://www.tn.gov/commerce/section/real-estate-commission>

MINUTES

The Tennessee Real Estate Commission held a meeting December 06, 2017 at 8:30 a.m. CST in Room 1A of the Davy Crockett Tower located at 500 James Robertson Parkway Nashville, TN 37243. The Meeting was called to order by Chairman John Griess.

Chairman Griess welcomed everyone to the Board meeting.

Executive Director Caitlin Maxwell read the public disclaimer and called roll. The following Commission Members were present: Chairman Griess, Vice Chairman Commissioner Austin McMullen, Commissioner Diane Hills, Commissioner Fontaine Taylor, Commissioner Bobby Wood, Commissioner Marcia Franks, Commissioner Gary Blume and Commissioner Rick Douglass. Quorum Confirmed. Others present: Assistant General Counsel Sarah Mathews, Assistant General Counsel Erica Smith, paralegal Lillian Watson, Executive Director Caitlin Maxwell, Education Director Ross White, and Commission staff Denarius Stinson and Sherry Brame.

The December 06, 2017 board meeting agenda was submitted for approval.

Motion to approve the agenda as amended was made by Commissioner Taylor and seconded by Commissioner Hills. Motion passed unanimously.

Minutes for the November 08, 2017 board meeting were submitted for approval.

Motion to approve the November 08, 2017 minutes as presented was made by Commissioner Franks and seconded by Commissioner Taylor. Motion passed unanimously.

EDUCATION REPORT- (Attachment A)

Education Director Ross White presented the Education Report to the Commission.

Motion to approve courses D1 – D25 was made by Commissioner Franks and seconded by Commissioner Hills. Motion passed unanimously.

Motion to approve the four (4) Instructors presented was made by Commissioner Franks and seconded by Commissioner Hills. Motion passed unanimously.

EXECUTIVE DIRECTORS REPORT- (Attachment B)

Review of Financial and Statistical Reports

Outreach

Executive Director Maxwell discussed outreach presentations and alerted the Commissioners that she did run the idea of a simulcast by Assistant Commissioner Carter Lawrence. The Assistant Commissioner believes that offering a simulcast presentation is a good tool in reaching a larger group of licensees and Executive Director Maxwell will look into it further from a technology standpoint.

TREC staff updates

Executive Director Maxwell alerted the Commission that TREC does have a temporary employee on staff, Amy Brown, who has been a great help.

2019 Commission Meeting Dates

Executive Director Maxwell presented the proposed 2019 meeting dates for TREC; she discussed how she tried to stay in line with the 2018 dates, keeping meetings on the second Wednesday of the month with the exceptions of May, October and December. Commissioner Franks noted that the 2019 Mid-Year ARELLO conference dates in April conflict with the meeting dates of April 10 and 11, 2019. Executive Director Maxwell suggested moving the April meeting to April 3 and 4, 2019. The purpose of presenting the 2019 dates this far in advance is to get those dates scheduled and the meeting room reserved; the Commission can revisit the dates in June 2018 to make sure there are no further conflicts.

Commissioner Griess mentioned the possibility of not holding a December meeting in 2018 or 2019. Assistant General Counsel Sarah Mathews noted that there is no backlog and no statute requiring the Commission to meet monthly.

2018 East/West TN meeting locations

Executive Director Maxwell alerted the Commission that the Northeast Tennessee Association of Realtors has formally invited TREC to hold its October 4, 2018 Commission meeting in Gray, TN. Motion to have the Fall 2018 meeting in upper East Tennessee was made by Commissioner Hills and seconded by Commissioner Taylor. Motion passed unanimously.

Chairman Griess mentioned that he has called and left a message for the Executive Director of the Central West Tennessee Association of Realtors in Jackson as that the Commission would like to hold the May 10, 2018 Commission meeting. At this time, Chairman Griess has not heard back from them.

CE for meeting attendance

Executive Director Maxwell noted that she's been working on Commissioner Blume's request from the November meeting that CE credit for meeting attendance be advertised more. Executive Director Maxwell noted that it is posted on the website and that she has been working with the Communications Director to put together a PDF flyer as well.

Agreed Citations

Executive Director Maxwell discussed agreed citations for advertising. Commissioner Griess asked that she give a brief history to lead into the discussion; Executive Director Maxwell noted that it was her understanding that the current Agreed Citation schedule for advertising were voted on and adopted on June 14, 2017. Assistant General Counsel Mathews went into further detail, stating that it was first presented to the Commission in June 2016 by Assistant General Counsel Mallorie Kirby, the Commission pushed it back to July 2016, then to August 2016 and it was voted on in September 2016. It was originally presented as clear violations of the advertising rules be handled as follows with the 1st offense being a letter of warning, 2nd offense a \$250 civil penalty and the 3rd offense would be sent to legal and proceed through the normal complaint process; the Commission voted against that and voted on the 1st offense being a \$250 civil penalty, 2nd offense a \$750 civil penalty and the 3rd offense would be sent to legal and proceed through the normal complaint process. During that time is when the Commission was told to not review advertising complaints due to rule making changes and this kind of went on hiatus until the new rules went into effect. In June 2017 the Commission revisited and voted on the 1st offense being a \$500 civil penalty, 2nd offense a \$1,000 civil penalty and the 3rd offense would be sent to legal and proceed through the normal complaint process. Executive Director Maxwell discussed where things have been since she has taken over and noted that the Centralized Complaints Department Director pulled a report from September through November 2017 and there were 12 agreed citations issued during that time; 10 were violations of 1260-02-12(3)(b) with them primarily being the firm name not being the largest thing on the advertising or the firm phone number not being on there or as listed with the commission; 1 being a violation of 1260-02-12(5)(a); and one had multiple violations of 1260-02-12(3)(b) and 1260-02-12(c). Executive Director Maxwell noted that in reviewing these, she has run into several instances where it is hard to determine when the firm name is bigger or not and suggests that the agreed citations be changed to issuing a letter of warning for the 1st offense and a steeper penalty for the 2nd offense.

Assistant General Counsel Sarah Mathews suggested that if the violations were too close to call that they be sent through the normal channels instead of issuing agreed citations.

The Commissioners suggested stating in the letter of warning what the 2nd and 3rd offense would be and that the issues need to be fixed immediately; Executive Director Maxwell agreed. Assistant General Counsel stated that she could add it but that the wording would need to be approved by the chain of command.

Commissioner Wood noted that he does not agree with the letter of warning because we need to remain consistent.

Motion was made by Commissioner McMullen and seconded by Commissioner Douglass that clear violations of the advertising rules be handled as follows: 1st offense being a letter of warning, 2nd offense a \$500 civil penalty and the 3rd offense would be sent to legal and proceed through the normal complaint process with non-clear violations going to the legal department. Motion failed on a tie vote with Commissioners Franks, Hills, Taylor and Wood voting against; and Commissioners Blume, Douglass, McMullen and Griess voting for.

Motion to leave agreed citations for violations of the advertising rules as is and move on to the next item on the agenda made by Commissioner McMullen and seconded by Commissioner Hills. Motion passed unanimously.

Bill Tune Award

Executive Director Maxwell noted that TREC has already put in the quote request for the Bill Tune Award and if everyone is in agreeance we can move forward with the ordering.

Commissioner Griess suggested presenting the award at the March TN REALTORS ® Spring Conference.

Complaint for Review

Executive Director Maxwell noted that there was a complaint from the November meeting that needs additional review and is requesting a Commissioner review the complaint file as a subject matter expert and present a summary and recommendation at the January meeting. Commissioner Griess made the motion to have Commissioner Franks be the Commissioner to

review the complaint, seconded by Commissioner McMullen. Motion passed unanimously with Commissioner Franks abstaining.

Commissioner Taylor noted that in the past there was a monthly letter that went out recapping all violations. Assistant General Counsel Mathews noted that we still do that but it is posted to the website and is called the Disciplinary Action Report and shows every discipline and citation for each Commission; she also noted that it could be sent out by email to the Commissioners. Commissioner Blume suggested getting that sent out to licensees instead of only posting on the website; Assistant General Counsel Mathews stated that it could be sent out via e-notify but that will only go to those signed up to receive e-notify.

INFORMAL APPEARANCE-

Carl Points appeared before the Commission along with Principal Broker Leigh E. Shepherd. Mr. Points was requesting permission to test and apply for his Affiliate Broker license.

Motion to deny the request was made by Commissioner Franks and seconded by Commissioner McMullen. Motion passed unanimously.

COMMISSION DISCUSSIONS-

Difficult Cases

Commissioner Griess suggested that on particularly difficult complaint cases that one Commissioner be appointed to review the material and then present an overview to the Commission during the Commission meeting, as has been done in the past, with the Commissioner assigned being precluded from voting.

CE Rule amendment 1260-05-.12 update

Assistant General Counsel Mathews noted that when the proposed rule went up the administrative chain it was mentioned that there needed to be a clear definition of what the

CORE course was. The following verbiage was added to the proposed rule change at the end of paragraph one (1) “as used in this Rule, CORE course refers to a six (6) hour continuing education course covering specific topics to be approved annually by the Commission”. Assistant General Counsel Mathews noted that the proposed rule was not stopped, but amended in order to keep it moving through the internal review process, but the Commission needs to vote to accept the amendment. Motion to accept the amendment to CE Rule 1260-05-.12 was made by Commissioner McMullen and seconded by Commissioner Hills. Motion passed unanimously.

Business Cards

Assistant General Counsel Mathews noted that in order to discuss this, administration wanted to give the licensees a 30 day notice that this will be discussed. Because we were already in the 30 day period before the December meeting it was pushed out as a topic of discussion for the January meeting.

Principal Broker being TN residents

Assistant General Counsel Mathews noted that the legal department did discuss this topic but at this time they felt that it was not something that should be proposed.

Commissioner Taylor suggested discussing making the Principal Broker reside within 50 miles of the firm they are the Principal Broker of at the February meeting.

LEGAL REPORT

Consent Agenda

The following cases were presented to the Commission via a Consent Agenda. All cases were reviewed by legal, legal has recommended dismissal. Commissioner Griess requested to remove cases 2017039181, 2017039211 and 2017043461 for further discussion. Commissioner Hills made the motion to accept the recommendation of legal counsel for cases 1-23, 26-38 and 40-45, seconded by Commissioner Franks. Motion passed unanimously.

After further discussion by the Commission, Commissioner Franks made the motion to accept the recommendation of legal counsel to dismiss case 2017039181, seconded by Commissioner Wood. Motion passed unanimously.

After further discussion by the Commission, Commissioner Franks made the motion to accept the recommendation of legal counsel to dismiss case 2017039211, seconded by Commissioner Wood. Motion passed unanimously.

After further discussion by the Commission, Commissioner McMullen made the motion to issue a \$6000 civil penalty and a cease and desist order for case 2017043461, seconded by Commissioner Hills. Motion passed unanimously.

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|-----------------------|-----------------------|-----------------------|
| 1. 2017039551 | 15. 2017042871 | 29. 2017041391 |
| 2. 2017039511 | 16. 2017043791 | 30. 2017041451 |
| 3. 2017039531 | 17. 2017043831 | 31. 2017041571 |
| 4. 2017052941 | 18. 2017044311 | 32. 2017041651 |
| 5. 2017039411 | 19. 2017044331 | 33. 2017042341 |
| 6. 2017041231 | 20. 2017045651 | 34. 2017042611 |
| 7. 2017041261 | 21. 2017045731 | 35. 2017042631 |
| 8. 2017041331 | 22. 2017046431 | 36. 2017043231 |
| 9. 2017042401 | 23. 2017039911 | 37. 2017043411 |
| 10. 2017042421 | 24. 2017039181 | 38. 2017042921 |
| 11. 2017043171 | 25. 2017039211 | 39. 2017043461 |
| 12. 2017043191 | 26. 2017039741 | 40. 2017043581 |
| 13. 2017043211 | 27. 2017039801 | 41. 2017043851 |
| 14. 2017041801 | 28. 2017041161 | 42. 2017043641 |

43. 2017044201

45. 2017046151

44. 2017046131

Legal Report

Robyn Ryan presented by Erica Smith

1. 2017040031
Opened: 6/21/17
Type of License: Unlicensed
History: None

Recommendation: \$1,000 civil penalty for violation of T.C.A. § 62-13-301 engaging in real estate capacity without a license.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed unanimously.

2. 2017040051
Opened: 6/21/17
Type of License: Unlicensed
History: None

Recommendation: \$1,000 civil penalty for violation of T.C.A. § 62-13-301 engaging in real estate capacity without a license.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Taylor and seconded by Commissioner Blume. Motion passed unanimously.

3. **2017040271**
Opened: 6/22/17
Type of License: Unlicensed
History: None

Recommendation: \$1,000 civil penalty for violation of T.C.A. § 62-13-301 engaging in real estate capacity without a license.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed unanimously.

4. **2017040641**
Opened: 6/23/17
First Licensed: 9/8/92
Expiration: 10/13/19
Type of License: Principal Broker
History: None

Recommendation: Litigation monitoring consent order.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Blume and seconded by Commissioner Franks. Motion passed unanimously.

5. **2017040661**
Opened: 6/23/17
First Licensed: 7/28/95
Expiration: 5/24/18
Type of License: Affiliate Broker
History: None

Recommendation: Litigation monitoring Consent Order.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed

unanimously.

6. **2017043041**
 Opened: 7/5/17
 First Licensed: 4/23/15
 Expiration: 4/22/19
 Type of License: Affiliate Broker
 History: None

Recommendation: Letter of warning regarding T.C.A. 62-13-312(19) unauthorized practice of law.

Decision: Commission votes to dismiss

Motion by Commissioner Wood and seconded by Commissioner Taylor. Motion passed unanimously.

7. **2017043111**
 Opened: 7/5/17
 First Licensed: 4/13/16
 Expiration: 4/12/18
 Type of License: Principal Broker
 History: None

Recommendation: Dismiss

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Wood and seconded by Commissioner Griess. Motion passed unanimously.

8. **2017044941**
 Opened: 7/10/17
 First Licensed: 11/1/13
 Expiration: 1/5/18
 Type of License: Principal Broker
 History: None

Recommendation: \$500 civil penalty for violation of T.C.A. §62-13-312(8) failure to provide copy of listing agreement at time of execution of same.

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed unanimously.

9. **2017044961**
 Opened: 7/10/17
 First Licensed: 8/5/85
 Expiration: 1/20/19
 Type of License: Real Estate Broker
 History: None

Recommendation: Dismiss

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed unanimously.

10. **2017044821**
 Opened: 7/11/17
 Type of License: Unlicensed
 History: None

Recommendation: This Respondent is not in Tennessee and there is no address to deliver any consent order. Issue a consent order for \$1,000.00 for unlicensed practice, but this will be in litigation and it will be difficult to impossible to secure service.

Decision: Commission votes to issue a consent order for a \$1,000 civil penalty for violation of T.C.A. § 62-13-301 (engaging in real estate capacity without a license) and referral to appropriate district attorney's office.

Motion by Commissioner Wood and seconded by Commissioner Franks. Motion passed

unanimously.

Erica Smith

11. 2017039991

Opened: 6/21/17

First Licensed: 11/7/07

Expiration: 4/2/17

Type of License: Affiliate Broker

History: 2016 Final Order: \$2,000 Civil Penalty, Downgraded to Affiliate Broker, 12 month suspension of Affiliate Broker, 60 hours continuing education, and hearing costs- Improper dealing, fraudulent, dishonest dealing, accepting valuable consideration outside firm

Recommendation: Discuss

Decision: The Commission voted to defer this case pending further investigation.

Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passed unanimously.

12. 2017040011

Opened: 6/21/17

First Licensed: 12/7/15

Expiration: 12/6/17

Type of License: Real Estate Firm

History: None

Recommendation: Dismiss

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Griess and seconded by Commissioner Wood. Motion passed unanimously.

13. 2017041131

Opened: 6/26/17

First Licensed: 11/7/07

Expiration: 4/2/17

Type of License: Affiliate Broker

History: 2016 Final Order: \$2,000 Civil Penalty, Downgraded to Affiliate Broker, 12 month suspension of Affiliate Broker, 60 hours continuing education, and hearing costs- Improper dealing, fraudulent, dishonest dealing, accepting valuable consideration outside firm

Recommendation: Discuss

Decision: The Commission voted to issue a \$1,000 civil penalty for violation of T.C.A. § 62-13-301 (engaging in real estate without a license).

Motion by Commissioner Griess and seconded by Commissioner Franks. Motion passed unanimously.

**14. 2017045551
Opened: 7/12/17
Type of License: Unlicensed
History: None**

Recommendation: Consent Order assessing a civil penalty in the amount of \$1,000 for unlicensed activity.

Decision: The Commission voted to assess a civil penalty in the amount of \$6,000 for violations of T.C.A. § 62-13-301 (engaging in real estate without a license)

Motion by Commissioner Franks and seconded by Commissioner Wood. Motion passed unanimously.

**15. 2017048971
Opened: 7/25/17
First Licensed: 9/22/88
Expiration: 1/10/19
Type of License: Principal Broker
History: 2011 Consent Order: \$1,000 Civil Penalty**

Recommendation: Complaint to be referred to the County District Attorney's Office and revocation of Respondent's license for multiple violations of TCA §62-13-312(b)(5)(failing to remit or account for money)

Decision: The Commission voted to merge Complaints 2017048971, 2017049921, 2017050971, 2017059141 and 2017059681, and to issue a Consent Order for

revocation and a \$5,000 civil penalty for violations of TCA §62-13-312(b)(5) (failing to remit or account for money)

Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passed unanimously.

16. 2017049921
Opened: 7/27/17
First Licensed: 9/22/88
Expiration: 1/10/19
Type of License: Principal Broker
History: 2011 Consent Order: \$1,000 Civil Penalty

Recommendation: Complaint to be referred to the County District Attorney's Office and revocation of Respondent's license for multiple violations of TCA §62-13-312(b)(5)(failing to remit or account for money)

Decision: The Commission voted to merge Complaints 2017048971, 2017049921, 2017050971, 2017059141 and 2017059681, and to issue a Consent Order for revocation and a \$5,000 civil penalty for violations of TCA §62-13-312(b)(5) (failing to remit or account for money)

Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passed unanimously.

17. 2017050971
Opened: 7/31/17
First Licensed: 9/22/88
Expiration: 1/10/19
Type of License: Principal Broker
History: 2011 Consent Order: \$1,000 Civil Penalty

Recommendation: Complaint to be referred to the County District Attorney's Office and revocation of Respondent's license for multiple violations of TCA §62-13-312(b)(5)(failing to remit or account for money)

Decision: The Commission voted to merge Complaints 2017048971, 2017049921, 2017050971, 2017059141 and 2017059681, and to issue a Consent Order for revocation and a \$5,000 civil penalty for violations of TCA §62-13-312(b)(5) (failing to remit or account for money)

Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passed

unanimously.

- 18. 2017059141**
Opened: 9/5/17
First Licensed: 9/22/88
Expiration: 1/10/19
Type of License: Principal Broker
History: 2011 Consent Order: \$1,000 Civil Penalty

Recommendation: Complaint to be referred to the County District Attorney's Office and revocation of Respondent's license for multiple violations of TCA §62-13-312(b)(5)(failing to remit or account for money)

Decision: The Commission voted to merge Complaints 2017048971, 2017049921, 2017050971, 2017059141 and 2017059681, and to issue a Consent Order for revocation and a \$5,000 civil penalty for violations of TCA §62-13-312(b)(5) (failing to remit or account for money)

Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passed unanimously.

- 19. 2017059681**
Opened: 9/7/17
First Licensed: 9/22/88
Expiration: 1/10/19
Type of License: Principal Broker
History: 2011 Consent Order: \$1,000 Civil Penalty

Recommendation: Complaint to be referred to the County District Attorney's Office and revocation of Respondent's license for multiple violations of TCA §62-13-312(b)(5)(failing to remit or account for money)

Decision: The Commission voted to merge Complaints 2017048971, 2017049921, 2017050971, 2017059141 and 2017059681, and to issue a Consent Order for revocation and a \$5,000 civil penalty for violations of TCA §62-13-312(b)(5) (failing to remit or account for money)

Motion by Commissioner Griess and seconded by Commissioner Taylor. Motion passed unanimously.

20. 2017039181
Opened: 6/19/17
First Licensed: 11/1/04
Expiration: 11/2/19
Type of License: Affiliate Broker
History: None

Recommendation: Dismiss

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Griess and seconded by Commissioner Wood. Motion passed unanimously.

21. 2017039211
Opened: 6/19/17
First Licensed: 5/17/89
Expiration: 9/17/18
Type of License: Principal Broker
History: 2011 Consent Order: \$500 Civil Penalty
2011 Agreed Citation

Recommendation: Dismiss

Decision: Commission votes to accept counsel's recommendation.

Motion by Commissioner Griess and seconded by Commissioner Wood. Motion passed unanimously.

22. 2017043461
Opened: 7/5/17
Type of License: Unlicensed
History: None

Recommendation: Dismiss

Decision: Commission votes to authorize a \$6,000 civil penalty for violations of T.C.A. § 62-13-301 (engaging in real estate capacity without a license)

Motion by Commissioner McMullen and seconded by Commissioner Hills. Motion passed unanimously.

Meeting adjourned by Chairman Griess at 1:35 p.m.

ATTACHMENT A

TENNESSEE REAL ESTATE COMMISSION

Education Agenda **December 6, 2017**

CR = Classroom
Webinar=W

I = Internet
PP = Paper & Pencil

Courses Presented for Commission Evaluation

Sponsor/Address/ Contact	Title/Statutory &/or Rule Addressed	Comment	Instructor(s)	Hours
BAM Education Systems #1519 Brent Maybank	2017-2018 Tennessee REALTORS Forms Update(CR) Rule 1260-05-.03(5)(a) D1	To inform and update licensees of the most recent changes/updates to the Tennessee REALTORS forms that happened in August of 2017 as well as January of 2018.	Brent Maybank PREVIOUSLY APPROVED	4
CCIM Memphis Metro Chapter #1282 Susan Evans	Real Estate and the Chinese(CR) Rule 1260-05-.03(5)(a) D2	Equip Realtors with specific knowledge and skills to better collaborate with Chinese investors to increase TN's share of the globalized market place by utilizing unrestricted boundaries for capital flow and investment.	Pius K. Leung NEED APPROVAL	7
Chattanooga Association of Realtors #1073 Jessica Snyder	Professional Standards Education Seminar(CR) Rule 1260-05-.03(5)(a) D3	This all day workshop is designed for Grievance Committees, Professional Standards Committee and Boards of Directors of local State Associations of REALTORS to understand their respective roles.	Diane K. Disbrow NEED APPROVAL	7
Ed Mathews #1378 Ed Mathews	2018 TN REALTORS Purchase and Sales Agreement(CR) TCA 62-13-312; 403(I); 404 (3)(A)(iii)(iv); Rule 1260-05-.03; Rule 1260-02- .08, .09, .11 D4	Instructs students to enable them to properly prepare offers, counteroffers, contracts, and related documents using the most current version necessary forms.	Ed Mathews PREVIOUSLY APPROVED	4

Ed Mathews continued...	<p>Overview of 2018 TN REALTORS Residential Forms Base(CR)</p> <p>TCA 62-13-312; 403(I); 404 (3)(A)(iii)(iv); Rule 1260-05-.03; Rule 1260-02-.08, .09, .11</p> <p>D5</p>	<p>Instructs students in proper preparation, documentation, and negotiation that enables licensees to better handle transactions in a manner that reduces risk to the consumer and to the licensee.</p>	<p>PREVIOUSLY APPROVED</p>	<p>4</p>
<p>Memphis Real Estate School #1350</p> <p>Felicia Roddy</p>	<p>Navigating the Path Through Settlement(I)</p> <p>Rule 1260-05-.03(5)(a)10; 1260-05-.12(3)(a); 1260-05-.11(1)(b)</p> <p>D6</p>	<p>The licensee will gain insight into the settlement process with specific focus on the roles and responsibilities of the lending institution and the title company. Licensees learn how to better explain and support their clients through the loan application and underwriting process and how to assist with obtaining the requirements for the Loan Estimate and Closing Disclosure.</p>	<p>Felicia Roddy</p> <p>PREVIOUSLY APPROVED</p>	<p>4</p>
	<p>Running a Small Brokerage Firm(I)</p> <p>Rule 1260-05-.03(5)(a); 1260-05-.12(3)(a); 1260-05-.11(1)(b)</p> <p>D7</p>	<p>Provides an overview of the responsibilities, liabilities, employee setup and compliance, and the expense and risk involved to operate a firm.</p>		<p>3</p>
	<p>Real Estate Disclosure: Buyer and Seller Obligations(I)</p> <p>Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b)</p> <p>D8</p>	<p>The course covers the fundamentals and obligations of disclosure as it relates to buyers, sellers, and real estate agents. Reviews the “as is” clause, and the significance of material facts disclosure.</p>		<p>3</p>

Memphis Real Estate School.....continued	Real Estate Contracts(I) Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D9	The course covers the different classifications and status of contracts and the requirements to form a valid contract. Also covers what constitutes a breach of contract, and how to remedy a breach.	Felicia Roddy....continued	4
	Social Media Ethics(I) Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D10	To establish the appropriate and ethical use for licensees to ensure compliance while using social media and technology. The course incorporates the REALTOR Code of Ethics to show the licensee how to decipher social media issues and protect their reputation.		3
	Tennessee Residential Core 2017-2018(I) Rule 1260-05-.11; Rule 1260-05-.03(5)(a) D11	Course updates licensees on law changes, rules and regulations for Tennessee. The course further identifies improper or problematic issues in the process of conducting real estate business for which the licensee may not have knowledge. Mandatory 6 hour continuing education course required to renew a license every 2 years.		6
	Property Tax and Mortgage Valuation(I) Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D12	Provides a practical view of the relationship of agents and appraisers along with the uses of property taxes and appraisal. Addresses the uses of property taxes and how they are assessed as well as how an appraiser assesses property value.		3
The Residential Contract: Issues, Disputes and Solutions(I) Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D13	The course identifies the most common items addressed in the residential contract, suggestions for effectively working with them and certain red flags in both the listing and the purchase and sale agreement. Additionally, stressing how you should assist and advise clients in their due diligence during inspection periods, the financing process, title, escrow and earnest money, plus case law examples.		4	

<p>Memphis Real Estate School continued...</p>	<p>NAR: May the Code be With You(I)</p> <p>Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D14</p>	<p>Education designed to specify the ethical practices and decision making for licensees as set forth in the National Association of Realtors, Code of Ethics. Additionally, this course satisfies the Code of Ethics quadrennial requirements for NAR members.</p>	<p>Felicia Roddy continued...</p>	<p>4</p>
	<p>Keeping it Real: Property Law and Case Studies(I)</p> <p>Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D15</p>	<p>The course reviews the basic concepts that relate to property, including ownership interests, conveyances, property rights, and restrictions on those rights. The licensee will apply their knowledge through presentations of legal cases on casebriefs.com, and be able to advise clients in their due diligence during inspection periods, the financing process, title, escrow and earnest money.</p>		<p>4</p>
	<p>Exploring Agency Concepts and Disclosure(I)</p> <p>Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D16</p>	<p>The course explains what type of relationship a sales agent has with buyers and sellers, including factors relating to confidential information prior to disclosure of how a licensee works in a real estate transaction.</p>		<p>4</p>
	<p>Evaluating Current Standards in Fair Housing(I)</p> <p>Rule 1260-05-.03(5)(a); Rule 1260-05-.12(3)(a); Rule 1260-05-.11(1)(b) D17</p>	<p>The course outlines problems that can occur from fair housing violations as well as the duties and responsibilities to treat all parties fairly and equally under the law. The course explores the different views for the parameters of the Fair Housing Amendments Act of 1980 and the Communications Act of 1996 through rulings in actual court cases.</p>		<p>4</p>
<p>North American Title Insurance Company #1677</p> <p>Celeste Wagner</p>	<p>Getting Your Deal Closed- Underwriting Common Title Issues(CR)</p> <p>Rule 1260-05-.03(a)(b)(c) D18</p>	<p>To renew and instruct attendees regarding underwriting guidelines related to title issues in closing a real estate transaction including calculating rates, curing title defects, estates and probates, property held by trusts, unreleased mortgages, bankruptcy and liens against real property, divorce, power of attorney, and more.</p>	<p>Mike Bates</p> <p>NEED APPROVAL</p>	<p>2</p>

Sharp, Robbins & Popwell #1667 Andy Holt	Mold Assessment & Remediation(CR) Rule 1260-05-.03(5)(a) D19	To educate property managers/site level apartment managers of risks associated with fungal contamination and the proper approach to effectively remove mold from a building.	Dave Robbins PREVIOUSLY APPROVED	4
Success Real Estate School #1585 Von Richcreek	Facebook Marketing for the Real Estate Professional(CR) Rule 1260-05-.03(2),(5); Rule 1269-05-.01 D20	Introduce and advance knowledge of social media marketing and advertising for real estate agents to help grow their personal business and brand.	Eric Able PREVIOUSLY APPROVED	3
Sumner Association of REALTORS #1130 Niva Johnson	Selling HUD Homes Successfully(CR) Rule 1260-05-.03 D21	To gain a full understanding of the HUD sales process and increase successful sales.	Cindi Malone NEED APPROVAL	3
TAR #1110 Steve McDonald	The Real Estate Agent Business Plan(CR) Rule 1260-05-.03(5)(a) D22	This course will help agents understand the concept of putting profit first. “It’s not about the money you make, it’s about the money you keep.” Accounting and basic bookkeeping is a powerful tool for an agent.	Brent Lancaster PREVIOUSLY APPROVED	4
John Rochford #1370 John Cobb Rochford	Avoiding Real Estate Lawsuits(CR) Rule 1260-05-.03 D23	To train real estate agents on best practices to keep themselves and their clients out of court.	John Rochford PREVIOUSLY APPROVED	4
	Fundamentals of Commercial Real Estate Closings(CR) Rule 1260-05-.03 D24	To train real estate agents to understand Commercial real estate closings.		4

	Understanding the Residential Real Estate Closing in Tennessee(CR) Rule 1260-05-.03 D25	To train real estate agents to understand Residential real estate closings.		4
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Courses Requiring Discussion

Sponsor/Address/ Contact	Title	Comment	Instructor(s)	Hours

TREC INSTRUCTOR BIOS

DECEMBER 6, 2017

- Pius K. Leung- Owned and operated brokerage 1991-2006; represented International investors from Hong Kong, Taiwan, Japan, China, Switzerland, and Germany; CCIM Institute, instituted a trade mission between US and China realtors; NAR Faculty Emeritus for Certified International Property Specialist.
- Diane K. Disbrow- New Jersey Broker since 1985; CRB, CRS, GRI, ABR, RSPS SFR, SRS, SRES; Certified Instructor for NAR; NAR Professional Standards Committee 1994-2016.
- Michael Bates- University of Tennessee Law grad 1976; worked in the Title Industry for over 40 years as underwriting counsel and opened Realty Title & Escrow Company, Inc. in Brentwood, TN in 1984, sold in 2002 and began his underwriting career as counsel in several southeastern states.
- Cindi Malone- Has been a Realtor and member of SAR since 1999; spearheads the firm's REO work for HUD; she has ranked in the top 1% of agents in Coldwell Banker for 5 years, and top 10 agents for 2012-2015 in the Southeast region;

Executive Director's Report

Tennessee Real Estate Commission

Outreach Education Events:

Future 2017 Outreach			
Association	Location	Date	Time
RCAR	Springfield, TN	12/12/2017	1:00 PM

Staffing:

Caitlin Maxwell	Executive Director
Ross White	Education Director
Melissa Fox	Office Manager and Processing Coordinator
Rachel Fowler	Visitor Liaison & Licensing
Sherry Brame	Commission Liaison, Manages CE Roster submissions, Customer Service, & Licensing
Ahmad Lewis	Auditor
Aaron Smith	Customer Service, Errors and Omissions, Informal Appearances, & Licensing
Liza Bennich	Customer Service, Licensing, and Visitor Liaison, Ticket Distribution
Cherita Okoro	Customer Service, Licensing, Coding
Rhonda Brown	Customer Service, Licensing, Mail Distribution, and Claim Refunds
Denarius Stinson	Customer Service, Licensing, and Bad Checks

November Statistical Report:

Profession	Count
Acquisition Agent License	149
Acquisition Agent Registration	42
Acquisition Representative Registration	2330
Affiliate Broke	27192
Designated Agent	98
RE Broker	7726
Real Estate Firm	4099
Time Share Exempt	140
Time Share Registration	32
Time Share Sale	964
Vacation Lodging Service	104

License Type	Status	Count
Individual	Active	32646
Individual	Broker Release	2
Individual	Inactive	1
Individual	Retired	5812
Individual	Suspended	646
Individual	Vol Surrendered	3533
Firm	Active	4346
Firm	Retired	71

Exams Taken by License Type Cumulative (1/1/2017-11/30/2017):

Test	Tested	Pass	Fail	Percentage Passed	Percentage Failed
TN Acquisition Agent	88	54	34	61.36%	38.64%
TN Affiliate Broker- National	7324	4103	3221	56.02%	43.98%
TN Affiliate Broker- State	6651	4820	1831	72.47%	27.53%
TN Broker- National	486	462	224	53.91%	46.09%
TN Broker- State	511	401	110	78.47%	21.53%
Timeshare Salesperson	618	431	187	69.74%	30.26%

Opened and Closed Complaint Report:

Month	Opened Cases	Closed Cases	Sanctions
01/01/17 - 01/31/17	70	67	11
02/01/17 - 02/28/17	62	105	-
03/01/17 - 03/31/17	56	85	-
04/01/17 - 04/30/17	52	66	-
05/01/17 - 05/30/17	57	41	5
06/01/17 - 06/30/17	87	86	14
07/01/17 - 07/31/17	70	39	2
08/1/2017- 8/31/2017	91	113	39
9/1/2017- 9/29/2017	63	35	9
10/1/2017-10/31/2017	69	61	9
11/1/2017- 11/30-2017	-	-	-

*sanctions include complaints closed with consent orders and agreed orders.

Discussion:

- 2019 Meeting Dates
- Fall Meeting
- Promoting TREC Meetings for CE

Proposed 2019 TREC Commission Meeting Dates

*All dates below are the second Tuesday and Wednesday of the Month
except when noted(May, October, & December).*

01/9 – 01/10

02/13 -02/14

03/13 – 03/14

04/10 – 04/11

05/9 - 05/10 in West TN location TBD (Thursday and Friday)

06/12 – 06/13

07/10 – 07/11

08/14 – 08/15

09/11 – 09/15

10/10 – 10/11 in East TN location TBD (Thursday and Friday)

11/13 – 11/14

12/04 – 12/05 (Second Tuesday is 12/11 and 12/12)

Events that influenced the proposed 2019 calendar:

TR Spring Conference Franklin March 18, 2019 – March 19, 2019

Arelo: Not Posted

NAR Washington meetings May 15, 2019 – May 16, 2019

CMA Festival Nashville Not posted yet, tends to be second weekend in June

TR Fall meetings Knoxville September 18, 2019 – September 21, 2019

Arelo Not Posted