



**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 February 7, 2018 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 Vice Chairman Austin McMullen.

Vice Chairman McMullen welcomed everyone to the Board meeting.

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

The February 7, 2018 board meeting agenda was submitted for approval.

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

Minutes for the January 10, 2018 board meeting were submitted for approval.

Motion to approve the January 10, 2018 minutes as amended was made by Commissioner Taylor and seconded by Commissioner Hills. Motion passed unanimously.

### **APPEARANCE OF ANTHONY WILLOUGHBY**

Assistant General Counsel Erica Smith conducted a Summary Suspension Informal Conference against Mr. Anthony Willoughby on January 10, 2018. Upon the recommendation of the legal department, the Commission voted to summarily suspend Mr. Willoughby's license until a formal hearing, which is set for March 7, 2018. Mr. Willoughby was not present at the January meeting and requested to appear before the Commission on February 7, 2018 to present his response to the complaints and request that the Commission remove the suspension until the formal hearing. Chief Counsel Mark Green and Assistant General Counsel Erica Smith represented a history of the complaints. Motion to uphold the summary suspension was made by Commissioner Taylor and seconded by Commissioner Douglass. Motion passed unanimously.

### **INFORMAL APPEARENCE**

Justin Jones appeared before the Commission along with his Principal Broker, Travis Patterson. Mr. Jones was requesting permission to apply for licensure.

Request for licensure was approved. Motion made by Commissioner Horne and seconded by Commissioner Taylor. Commissioner McMullen and Commissioner Franks were absent. Motion carried unanimously.

### **EDUCATION REPORT- (Attachment A)**

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

Motion to approve courses F1 – F24 was made by Commissioner Douglass and seconded by Commissioner Hills. Commissioner McMullen abstained on F1. Motion passed unanimously.

Motion to approve the seven (7) Instructors presented was made by Commissioner Douglass and seconded by Commissioner Hills. Commissioner McMullen abstained on Mr. Bart Kempf. Motion passed unanimously.

## **EXECUTIVE DIRECTORS REPORT-** (Attachment B)

### **Staff Updates**

Executive Director Caitlin Maxwell updated the Commission on the work of the staff and noted that she is currently applying for another temporary employee.

### **Complaint Updates**

Executive Director Caitlin Maxwell updated the Commission on the breakdown of the complaint numbers. Questions were presented about licensees with disciplinary action based on failure to pay student loans and child support. Assistant General Counsel Sarah Mathews stated that this was a statutory requirement.

### **Spring TR Conference**

Commissioners discussed topics of conversation for the Spring ARELLO conference and which Commissioners will be in attendance.

## **LEGAL REPORT**

### **Consent Agenda Cases:**

- |               |                |                |
|---------------|----------------|----------------|
| 1. 2017055541 | 6. 2017056201  | 11. 2017057471 |
| 2. 2017056241 | 7. 2017056761  | 12. 2017058611 |
| 3. 2017056501 | 8. 2017057551  | 13. 2017058661 |
| 4. 2017056561 | 9. 2017057571  | 14. 2017058751 |
| 5. 2017056181 | 10. 2017057751 | 15. 2017058771 |

16. 2017060461	33. 2017064631	50. 2017056411
17. 2017060561	34. 2017064651	51. 2017057591
18. 2017060181	35. 2017064671	52. 2017057181
19. 2017060201	36. 2017064891	53. 2017057521
20. 2017060361	37. 2017065941	54. 2017058121
21. 2017060421	38. 2017067391	55. 2017058381
22. 2017055651	39. 2017068391	56. 2017058401
23. 2017055671	40. 2017068351	57. 2017058561
24. 2017060261	41. 2017055361	58. 2017059751
25. 2017060791	42. 2017055401	59. 2017059771
26. 2017060811	43. 2017055301	60. 2017059301
27. 2017061211	44. 2017055221	61. 2017059331
28. 2017061601	45. 2017055271	62. 2017060011
29. 2017063141	46. 2017056431	63. 2017060031
30. 2017063361	47. 2017056581	
31. 2017064321	48. 2017056601	
32. 2017063381	49. 2017056351	

## Legal Report

### Robyn Ryan

1. 2017056641  
 Opened: 8/23/2017  
 First Licensed: 5/23/2003  
 Expires: 10/15/2019  
 Type of License: Affiliate Broker  
 History: None

**Recommendation: Dismiss**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passed 7-0.

2. **2017056661**

**Opened: 8/23/2017**

**First Licensed: 2/13/2002**

**Expires: 10/8/2019**

**Type of License: Principal Broker**

**History: None**

**Recommendation: Letter of instruction on importance of filing own response.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 5-2 with Commissioner Blume and Commissioner Taylor voting against.

3. **2017056781**

**Opened: 8/24/2017**

**First Licensed: 3/27/1975**

**Expires: 10/15/2018**

**Type of License: Principal Broker**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. § 52-13-404 failure to be loyal to interest of the client, \$1,000 civil penalty for violation of T.C.A. §62-13-312(a) acting for more than one party in transaction without knowledge and consent in writing of all parties.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed 7-0.

4. **2017058321**

**Opened: 8/30/2017**

**First Licensed: 5/14/2009**

**Expires: 5/13/2019**

**Type of License: Affiliate Broker**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. §62-13-313 failure to respond.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passed 7-0.

5. **2017058261**  
**Opened: 8/30/2017**  
**First Licensed: 8/28/1998**  
**Expires: 1/2/2019**  
**Type of License: Principal Broker**  
**History: None**

**Recommendation: Dismiss**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passed 7-0.

6. **2017059241**  
**Opened: 9/1/2017**  
**Type of License: Unlicensed**  
**History: None**  
**Recommendation: Close and flag should there be any additional information or complaints filed.**  
**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed 7-0.

7. **2017062921**  
**Opened: 9/22/2017**  
**First Licensed: 2/14/2007**  
**Expires: 2/13/2019**  
**Type of License: Affiliate Broker**  
**History: None**  
**Recommendation: Dismiss**  
**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 5-2 with Commissioner Blume and Taylor voting against.

8. **2017062951**  
**Opened: 9/22/2017**  
**First Licensed: 8/27/2010**  
**Expires: 8/26/2018**  
**Type of License: Principal Broker**  
**History: None**  
**Recommendation: \$1,000.00 civil penalty for violation of T.C.A. §62-13-313 failure to respond.**

**Decision: Commission voted to authorize a \$500.00 civil penalty for violation of T.C.A. §62-13-313 failure to respond.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 7-0.

**9. 2017061241**

**Opened: 9/14/2017**

**First Licensed: 9/17/2013**

**Expires: 6/18/2019**

**Type of License: Principal Broker**

**History: None**

**Recommendation: Dismiss**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passed 7-0.

**10. 2017061221**

**Opened: 9/14/2017**

**First Licensed: 4/29/2016**

**Expires: 4/28/2018**

**Type of License: Affiliate Broker**

**History: None**

**Recommendation: Dismiss**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passed 7-0.

**11. 2017062631**

**Opened: 9/19/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Close and flag so that if another complaint comes in or address is found, matter can be pursued.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 7-0.

**12. 2017063811**

**Opened: 9/25/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Close and flag so that if another complaint comes in or address is found, matter can be pursued**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 7-0.

**13. 2017062681**

**Opened: 9/19/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Close and flag so that if another complaint comes in or address is found, matter can be pursued.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed 7-0.

**14. 2017065181**

**Opened: 10/2/2017**

**First Licensed: 5/11/2012**

**Expires: 5/10/2018**

**Type of License: Affiliate Broker**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. §62-13-312(8) failing to provide copy of contract at execution.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Horne. Motion passed 7-0.

**15. 2017065201**

**Opened: 10/2/2017**

**First Licensed: 1/22/1997**

**Expires: 7/19/2019**

**Type of License: Principal Broker**

**History: None**

**Recommendation: Dismiss**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Horne. Motion passed 7-0.

**16. 2017065571**

**Opened: 10/3/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. §62-13-301 unlicensed practice.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed 7-0.

**17. 2017065631**

**Opened: 10/3/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. §62-13-301 unlicensed practice.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passed 7-0.

**18. 2017066381**

**Opened: 10/6/2017**

**First Licensed: 8/17/1992**

**Expires: 10/05/2018**

**Type of License: Principal Broker**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. §6-13-313 failure to respond.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed 7-0.

**19. 2017067021**

**Opened: 10/9/2017**  
**First Licensed: 2/21/2017**  
**Expires: 2/20/2019**  
**Type of License: Affiliate Broker**  
**History: None**

**Recommendation: Letter of warning.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Horne and seconded by Commissioner Hills. Motion passed 7-0.

**20. 2017067301**

**Opened: 10/9/2017**  
**First Licensed: 11/07/2007**  
**Expires: 11/6/2019**  
**Type of License: Principal Broker**  
**History: None**

**Recommendation: Dismiss**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Taylor. Motion passed 7-0.

**21. 2017067171**

**Opened: 10/10/2017**  
**First Licensed: 2/20/2001**  
**Expires: 9/3/2019**  
**Type of License: Affiliate Broker**  
**History: None**

**Recommendation: Litigation Monitoring**

**Decision: The Commission voted to accept Counsel's recommendation**

Motion by Commissioner Blume and seconded by Commissioner Taylor. Motion passed 7-0.

**22. 2017067191**

**Opened: 10/10/2017**  
**First Licensed: 4/8/1987**  
**Expires: 4/8/1987**

**Type of License: 12/22/2018**

**History: None**

Respondent is principal broker to above and did file a response.

**Recommendation: Litigation Monitoring**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Horne and seconded by Commissioner Franks. Motion passed 7-0.

**23. 2017068051**

**Opened: 10/12/2017**

**First Licensed: 5/16/1988**

**Expires: 3/27/2017**

**Type of License: Principal Broker (Revoked)**

**History: 2016 Sent to Collections and Revocation; 2015 Consent Order; 2011 Civil Penalty \$1,500; 2010 Civil Penalty \$2,000; 2002 Letter of Warning**

**Recommendation: \$1,000 civil penalty for violation of T.C.A §62-13-301, and referral to district attorney for criminal action for unlicensed practice and theft.**

**Decision: Commission voted to allow a \$2,000 civil penalty for violation of T.C.A §62-13-301, and referral to district attorney for criminal action for unlicensed practice and theft.**

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed 7-0.

**24. 2017068091**

**Opened: 10/12/2017**

**First Licensed: 3/6/2014**

**Expires: 9/7/2018**

**Type of License: Principal Broker**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. § 62-13-313 failure to respond.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Horne. Motion passed 7-0.

**Representations:**

These two matters were presented in December.

**25. 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.**

**UPDATE:**

**New Recommendation: Close and Flag should any address be found or if a new complaint is filed.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Taylor. Motion passed 7-0.

**26. 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.**

**New Recommendation: Close and Flag should any address be found or if a new complaint is filed.**

**Decision: The Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Franks and seconded by Commissioner Hills. Motion passed 7-0.

**Erica Smith**

**27. 2017056741**

**Opened: 8/24/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Consent Order with \$1,000 civil penalty for unlicensed activity and a cease and desist statement.**

**Decision: The commission voted to authorize a \$3,000 civil penalty for unlicensed activity and a cease and desist statement. (open administrative complaint against PB)**

Motion by Commissioner Blume and seconded by Commissioner Taylor. Motion passed 5-2 with Commissioner Hills and Commission McMullen voting against.

**28. 2017057611**

**Opened: 8/25/2017**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Consent Order with \$1,000 civil penalty for violation of Tenn. Code Ann. §62-13-302**

**Decision: Commission voted to authorize a Letter of Warning to be issued.**

Motion by Commissioner Blume and seconded by Commissioner Douglass. Motion passed 5-2.

**29. 2017059991**

**Opened: 9/7/2017**

**First Licensed: 4/3/2006**

**Expires: 4/2/2019**

**Type of License: Vacation Lodging Service Firm**

**History: None**

**Recommendation: Consent Order with a \$1,000 civil penalty for failure to respond.**

**Decision: Commission voted to accept Counsel's recommendation.**

Motion by Commissioner Hills and seconded by Commissioner Franks. Motion passed 7-0.

**Meeting adjourned by Vice Chairman Austin McMullen.**

**TENNESSEE REAL ESTATE COMMISSION**

Education Agenda **February 7, 2018**

**CR = Classroom  
Webinar=W**

**I = Internet  
PP = Paper & Pencil**

**Courses Presented for Commission Evaluation**

<b>Sponsor/Address/ Contact</b>	<b>Title/Statutory &amp;/or Rule Addressed</b>	<b>Comment</b>	<b>Instructor(s)</b>	<b>Hours</b>
Bradley Arant Boulton Cummings LLP #1328  Christy Roach	Breakfast For Brokers(CR)  Rule 1260-05-.03(5)(a) <b>F1</b>	To educate commercial real estate professionals/brokers on TN law, pertaining to commercial real estate.	Bart Kempf  <b>NEED APPROVAL</b>	2
Center for Executive Education at Belmont University #1682 <b>NEW</b>  Bobbie Jo Beach	Strategic Inbound Marketing Program(CR)  Rule 1260-05-.03(5)(a) <b>F2</b>	This course develops the skills Real Estate professionals need to ethically disperse information to their clients/business leads and understanding the correct message/content to showcase online. Professionals can do extreme damage to the profession/reputation when not understanding these new principles of online marketing.	Dr. Kyle Huggins  <b>NEED APPROVAL</b>	35
Independent Bank #1683 <b>NEW</b>  Ludy Callaway	VA Mortgage Loans-What Realtors Must Know to Represent/Negotiate for Military Veteran Buyer Clients(CR)  Rule 1260-05-.03(5)(a) <b>F3</b>	This class will prepare beginning and experienced Realtors to better understand the benefits and requirements of the VA Loan product and to more effectively negotiate for and provide proper counsel to their Military Veteran buyer clients.	Ludy Callaway  <b>NEED APPROVAL</b>	2
	FHA Mortgage Loans-What Realtors Must Know to Properly Represent/Negotiate for Buyer/Seller Clients(CR)  Rule 1260-05-.03(5)(a) <b>F4</b>	This class will prepare beginning and experienced Realtors to more easily understand an FHA Loan and to more effectively negotiate for and provide proper counsel to their Buyer/Seller clients when dealing with FHA Purchase Contracts.		2

Independent Bank continued.....	Conventional Mortgage Loans-What Realtors Must Know to Properly Represent/Negotiate for Buyer/Seller Clients(CR)  Rule 1260-05-.03(5)(a) <b>F5</b>	This class will prepare beginning and experienced Realtors to more easily understand a Conventional Mortgage Loan and to more effectively negotiate for and provide proper counsel to their Buyer/Seller clients when dealing with Conventional Loan Contracts.	Ludy Callaway	2
McKissock #1338  Nichole Boston	Online Correspondence: Finding Your Focus: Niche Marketing for Real Estate(PP)  Rule 1260-05-.03(1) <b>F6</b>	This course is designed to help agents identify a niche that they may want to specialize in to be able to market themselves as an expert so that all customers are receiving the best care possible.	Robert Fleck  PREVIOUSLY APPROVED	3
National Association of Residential Property Managers-Nashville Chapter  Alicia Brim	Advanced Risk Management(CR)  Rule 1260-05-.03(5)(a) <b>F7</b>	To educate property managers on risk management, tort law, company structure, and insurance needs for a Property Management Company.	Bart Sturzl  <b>NEED APPROVAL</b>	6
Real Estate Coaching Simplified, LLC #1681  Michelle Moore	Selling Simplified: Jump-Start Your Success(CR)  Rule 1260-05-.03(5)(a) <b>F8</b>	To help real estate agents help more clients buy and sell real estate, and become more business minded.	Michelle Moore  PREVIOUSLY APPROVED	2
	How to Boost Your Income with a Simple Listing Presentation(CR)  Rule 1260-05-.03(5)(a) <b>F9</b>	To help real estate agents increase converting seller leads into actual seller clients by helping agents to deliver a simple (and effective) listing presentation.		2
Tennessee Realtors #1110  Steve McDonald	Fair Housing(CR)  Rule 1260-05-.03(5)(a) <b>F10</b>	Provide history of Fair Housing and learn by case study, discerning explicit and implicit bias, and examine shifting demographics in USA.	Nate Johnson  <b>NEED APPROVAL</b>	1

Tennessee Realtors continued.....	Diversity(CR) Rule 1260-05-.03(5)(a) <b>F11</b>	Licenses will examine financial impact realized with demographic shift, and how to advertise and embrace diversity and Fair Housing in their community.	Nate Johnson continued....	1
	Flintstones vs Jetsons: A New Take on Old School Best Practices(CR) Rule 1260-05-.03(5)(a) <b>F12</b>	Licenses will learn how to implement technology into their business.	Valerie Garcia  <b>NEEDS APPROVAL</b>	1
	Business Planning & Goal Setting(CR) Rule 1260-05-.03(5)(a) <b>F13</b>	Licenses will learn how to manage their time, finances, and business pipeline. Instructor provides an experiential learning activity.		1
	Starting With Why: Communication & Purpose(CR) Rule 1260-05-.03(5)(a) <b>F14</b>	Licenses will explore how customers behave, communicate, and expect from a licensee.		1
	TREC Panel at Spring Conference(CR) Rule 1260-05-.03(5)(a) <b>F15</b>	TREC panel will provide updates on policy information from the Commission to licensees at the Conference.		TREC and Staff  APPROVED
	QPR: Question, Persuade, and Refer(CR) Rule 1260-05-.03(5)(a) <b>F16</b>	Licenses review common warning signs of suicide, and are educated on resources across TN to help.	Joanne Perley  <b>NEEDS APPROVAL</b>	1
	Farm & Ranch: Land Value & Trends(CR) Rule 1260-05-.03(5)(a) <b>F17</b>	Educate licensees on current land value & trends across Tennessee.	Bob Turner  PREVIOUSLY APPROVED	1

	Diamond in the Rough: Transitioning Land for Development(CR)  Rule 1260-05-.03(5)(a) <b>F18</b>	Educate licensees that focus on land by providing definitions of land type to develop and review of case studies to illustrate transitions in use.	Bob Turner continued...	1
	Legislative News Flash(CR)  Rule 1260-05.03(5)(a) <b>F19</b>	To educate licensees on legislative matters that impact real estate business in Tennessee.	Russ Farrar  PREVIOUSLY APPROVED	1
	5 Simple Steps to Double Your Production(CR)  Rule 1260-05-.03(5)(a) <b>F20</b>	This course will teach agents to have a comprehensive business plan by analyzing their current practice and results. They will learn successful financial formulas, and how they benefit their customers.	Chandra Hall  PREVIOUSLY APPROVED	1
	Master Multiple Offers(CR)  Rule 1260-05-.03(5)(a) <b>F21</b>	This course will describe and define the role of the listing and buyer's agent in multiple offers. Agents will learn the critical questions and learn to serve their client effectively in negotiations.		1
	Top Tips and Techniques for the Expert Negotiator(CR)  Rule 1260-05-.03(5)(a) <b>F22</b>	This course will define negotiation as a concept and in practice. It will help agents define the role of communication and plan their negotiation process. They will learn high-impact scripts and dialogues.		1
Ward Elliot Institute #1312  Ward Elliot	Fair Housing & Property Management(CR)  Rule 1260-05-.03(CR) <b>F23</b>	Emphasis on effective application of Fair Housing laws to assure professional and legal property management performance.	Ward Elliot  PREVIOUSLY APPROVED	3
	Construction & Negotiation of Purchase Contracts(CR)  Rule 1260-05-.03(CR) <b>F24</b>	Emphasis of correct contract construction, negotiation, and management.		4

**Courses Requiring Discussion**

<b>Sponsor/Address/ Contact</b>	<b>Title</b>	<b>Comment</b>	<b>Instructor(s)</b>	<b>Hours</b>

## **FEBRUARY 2018 INSTRUCTOR BIOS**

- Bart Kempf-** Attorney with diverse practice involving litigation, state regulatory and agency proceedings, land use, real estate environmental law and many more. Member Tennessee and American Bar Associations.
- Dr. Kyle Huggins** Belmont University Associate Professor of Marketing; PhD University of Arkansas; member American Marketing Association.
- Ludy Callaway** 23 years in the Mortgage industry; host of the “Mortgage Lady” radio show; 2013 to present Independent Bank Vice President mortgage Division; experienced in teaching Residential Mortgage classes to Realtors, New Originators and clients.
- Bart Sturzl** Owner and Broker of Bella Real Estate in Texas; holds Marketing and Management Degrees; was the 2015 President Elect and former Regional Vice President for the National Association of Real Estate Property Managers.
- Nate Johnson** President of the Real Estate Solutions Group ; Director of Agent Development for Redkey Realty Leaders; manages a sales staff while overseeing daily operations. Speaker for over a decade, as a certified Instructor for NAR; also instructs other Courses including Fair Housing, Ethics, and Business Planning. St. Louis Association of Realtors member; ABR, GRI, CRS, SRES, WHS.
- Valerie Garcia** An international Real Estate speaker and consultant; worked with Real Estate brands RE/MAX, Century 21, Royal LePage, in the US, Canada, Europe, and Australia and has spent over 17 years educating and teaching Real Estate professionals and delivered education initiatives to thousands of associates across North America. Named as an Inman Top 100 Influencer and Top 20 Social Influencer she is considered to be a key voice in the Real Estate Industry.
- Joanne Perkey** Masters in Public Health, University of Alabama 2014; Trainer in Suicide Prevention; Middle Tennessee Regional Coordinator, Suicide Prevention Network. Member of American Association of Suicidology.



## Executive Director's Report

### 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

\*requesting an additional temporary employee

### December Statistical Report:

Profession	Count
Acquisition Agent License	149
Acquisition Agent Registration	42
Acquisition Representative Registration	2330
Affiliate Broke	27552
Designated Agent	102
RE Broker	7713
Real Estate Firm	4129
Time Share Exempt	146
Time Share Registration	28
Time Share Sale	915
Vacation Lodging Service	108

License Type	Status	Count
Individual	Active	32639
Individual	Broker Release	3
Individual	Inactive	1
Individual	Retired	6121
Individual	Suspended	605
Individual	Vol Surrendered	3545
Firm	Active	4379
Firm	Retired	74

**Exams Taken by License Type Cumulative (1/1/2018-1/31/2018):**

Test	Tested	Pass	Fail	Percentage Passed	Percentage Failed
TN Acquisition Agent	5	4	1	80%	20%
TN Affiliate Broker- National	568	292	276	51.41%	48.59%
TN Affiliate Broker- State	464	349	115	75.22%	24.78%
TN Broker- National	49	26	23	53.06%	46.94%
TN Broker- State	51	39	12	76.47%	23.53%
Timeshare Salesperson	39	33	6	84.62	15.38

**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	58	51	4
12/1/2017-12/31/2017	56	73	6
1/1/2018-1/31/2018	57	59	5

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

**Discussion:**

# TREC

## SURPLUS/DEFICIT

FISCAL YEAR BEGINS: JUL 2017

	JUL-17	AUG-17	SEP-17	OCT-17	NOV-17	DEC-17	JAN-18	FEB-18	MAR-18	APR-18	MAY-18	JUN-18	YEARLY
<b>TREC Revenues</b>													
	<b>TREND</b>												
Licensing Revenue	\$ 201,695	\$ 226,335	\$ 204,465	\$ 217,580	\$ 195,625	\$ 186,671							\$ 1,232,371
Case Revenue	\$ 14,866	\$ 20,600	\$ 6,151	\$ 14,166	\$ 6,459	\$ 5,540							\$ 67,782
State Reg Fee	\$ (20,480)	\$ (23,430)	\$ (17,530)	\$ (22,340)	\$ (19,360)	\$ (20,970)							\$ (124,110)
<b>TOTAL REVENUE</b>	<b>\$ 196,081</b>	<b>\$ 223,505</b>	<b>\$ 193,086</b>	<b>\$ 209,406</b>	<b>\$ 182,724</b>	<b>\$ 171,241</b>	<b>\$ -</b>	<b>\$ 1,176,043</b>					
<b>TREC Expenses</b>													
	<b>TREND</b>												
Edison Expenditures	\$ 51,772	\$ 60,684	\$ 65,423	\$ 76,652	\$ 66,046	\$ 67,002							\$ 387,579
Admin Costbacks	\$ 28,664	\$ 33,869	\$ 25,855	\$ 51,434	\$ 37,768	\$ 33,681							\$ 211,271
Legal Costbacks	\$ 42,779	\$ 45,581	\$ 40,124	\$ 45,144	\$ 44,077	\$ 47,584							\$ 265,288
Investigations	\$ -	\$ 465	\$ 22	\$ 13	\$ 24	\$ 31							\$ 555
Field Enforcement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -							\$ -
Customer Service Center	\$ 11,215	\$ 14,908	\$ 8,053	\$ 14,257	\$ 13,408	\$ 18,611							\$ 80,454
<b>TOTAL EXPENDITURES</b>	<b>\$ 134,430</b>	<b>\$ 155,507</b>	<b>\$ 139,477</b>	<b>\$ 187,500</b>	<b>\$ 161,323</b>	<b>\$ 166,909</b>	<b>\$ -</b>	<b>\$ 945,147</b>					
<b>Net Surplus/Deficit</b>	<b>\$ 61,651</b>	<b>\$ 67,998</b>	<b>\$ 53,609</b>	<b>\$ 21,906</b>	<b>\$ 21,401</b>	<b>\$ 4,332</b>	<b>\$ -</b>	<b>\$ 230,897</b>					

### Historical Trend

#### Licensing & Case Revenue

FY 2017	\$ 162,301	\$ 187,191	\$ 173,498	\$ 182,554	\$ 206,142	\$ 223,954	\$ 226,253	\$ 198,906	\$ 234,358	\$ 183,979	\$ 215,993	\$ 218,633	\$ 2,413,762
FY 2016	\$ 250,958	\$ 202,639	\$ 151,324	\$ 179,479	\$ 144,717	\$ 168,954	\$ 186,351	\$ 199,162	\$ 248,430	\$ 196,883	\$ 190,786	\$ 197,262	\$ 2,316,942

#### Expenditures

FY 2017	\$ 142,992	\$ 187,648	\$ 173,665	\$ 169,636	\$ 179,914	\$ 157,762	\$ 139,689	\$ 175,039	\$ 158,497	\$ 201,728	\$ 188,598	\$ 154,924	\$ 2,030,091
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Notes:

Notice of the January 10, 2018 meeting of the Real Estate Commission including date, time and location has been noticed on the Tennessee Real Estate website since November 01, 2017; additionally this



**Tennessee Real Estate Commission**

Notice of Formal Hearing Meeting  
Davy Crockett Tower Room 1A  
500 James Robertson Parkway  
Nashville, TN 37243

**Notice of Formal Hearing  
Before the Tennessee Real Estate Commission**

Board: Real Estate Commission

Respondent: Van McCormack

Date: Thursday, February 8, 2018

Time: 9:00 CST AM

Location: Nashville, TN Davy Crockett Tower Room 1A

Decision: Commission voted to Dismiss