



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND**  
**INSURANCE TENNESSEE REAL ESTATE**  
**COMMISSION**  
**500 JAMES ROBERTSON PARKWAY**  
**NASHVILLE, TN 37243**  
**615-741-2273**  
<https://www.tn.gov/commerce/regboards/trec.html>

**MINUTES**

The Tennessee Real Estate Commission held a meeting August 14, 2019 at 8:30 a.m. CST in Room 1-A of the Davy Crockett Tower located at 500 James Robertson Parkway, Nashville, TN 37243. The Meeting was called to order by Vice-Chair Marcia Franks.

Chairman John Griess welcomed everyone to the Board meeting.

Executive Director Caitlin Maxwell read the public disclaimer and called the roll. The following Commission Members were present: Chairman John Griess, Commissioner Diane Hills, Commissioner Geoffrey Diaz, Commissioner Fontaine Taylor, Commissioner Jon Moffett, Vice-Chair Marcia Franks, Commissioner Bobby Wood, and Commissioner Richard Douglass. Quorum Confirmed. Others present: Executive Director, Caitlin Maxwell, Associate General Counsel Anna D. Matlock, Associate General Counsel Kelsey J. Bridges, paralegal Amanda Dean, Administrative Manager Rianna Womack, Education Director Ross White, and TREC Staff member Aaron Smith.

The August 14, 2019 board meeting agenda was submitted for approval.

Motion to approve the agenda was made by Commissioner Diaz, and seconded by Vice Chair Franks. Motion passed 8-0.

Minutes for the July 14, 2019 board meeting were submitted for approval.

Motion to approve the July 14, 2019 minutes with edit to the Opening of the meeting by Vice Chair Franks, and removal of Chief Counsel Denard Mickens was made by Commissioner Diaz, and seconded by Commissioner Hills. Motion passed unanimously.

## **INFORMAL APPEARANCES**

Richard Nash appeared before the Commission along with his Principal Broker Phyllis Sissum. Mr. Nash requested approval to obtain his Time Share Salesperson license.

Motion to approve Mr. Nash was made by Commissioner Diaz, and seconded by Commissioner Douglass. Motion passed 5-3, Commissioner Wood, Commissioner Taylor, and Vice Chair Franks voting against.

Jeremy Bennett appeared before the Commission along with his Principal Broker Randy Worcester. Mr. Bennett requested approval to obtain his Affiliate Broker license.

Motion to approve Mr. Bennett was made by Vice Chair Franks, and seconded by Commissioner Hills. Motion passed unanimously.

Clinton Douglas appeared before the Commission along with his Principal Broker Elizabeth “Betsy” Taylor. Mr. Douglas requested approval to obtain his Affiliate Broker license.

Motion to approve Mr. Douglas was made by Commissioner Wood, and seconded by Commissioner Taylor. Motion passed unanimously.

Christian Gregory appeared before the Commission along with his Principal Broker Christopher “Chris” Clabough. Mr. Gregory requested approval to obtain his Time Share Salesperson license.

Motion to approve Mr. Gregory was made by Vice-Chair Franks, and seconded by Commissioner Wood. Motion passed unanimously.

## **EDUCATION REPORT**

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

Motion to approve courses A1-A16 with exception of A9 was made by Commissioner Wood, and seconded by Commissioner Diaz. Motion passed unanimously.

After further discussion Motion was made Vice-Chair Franks, and seconded by Commissioner Wood to Approve Course A9. Motion passed unanimously.

Education Director Ross White presented Instructor Biographies to the Commission.

Motion to approve instructors was made by Vice-Chair Franks, and seconded by Commissioner Diaz. Motion passed unanimously.

### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Maxwell updated the commission on the upcoming Sunset Hearing. In addition to clarification regarding travel for ARELLO with regards to Vice Chair Franks, nomination for ARELLO President-Elect. The commission finalized the 2020 TREC Meeting calendar. Also, discussion regarding the possibility of passing grades added to the PSI application.

### **COMMISSION DISCUSSION**

Commissioner Taylor made a motion to present former Commissioner Austin McMullen with the Bill Tune Award, seconded by Commissioner Hills. Motion passed unanimously.

### **CONSENT AGENDA & 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. The Commission pulled the following cases for further discussion: 2019013291, 2019019021, 2019020241, 2019021641, and 2019018871.

After further discussion by the Commission, Commissioner Wood made the motion to accept legal's recommendation to dismiss complaints 2019013291, seconded by Commissioner Diaz. Motion passed unanimously.

After further discussion by the Commission, Commissioner Wood made the motion to accept legal's recommendation to dismiss complaints 2019019021, seconded by Commissioner Diaz. Motion passed unanimously.

After further discussion by the Commission, Commissioner Taylor made the motion to accept legal's recommendation to dismiss complaints 2019020241, seconded by Commissioner Wood. Motion passed unanimously.

After further discussion by the Commission, Commissioner Wood made the motion to accept legal's recommendation to dismiss complaints 2019021641, seconded by Commissioner Diaz. Motion passed unanimously.

After further discussion by the Commission, Commissioner Hills made the motion to accept legal's recommendation to dismiss complaints 2019018871, seconded by Commissioner Wood. Motion passed unanimously.

1.) 2019013291	15.) 2019020241	29.) 2019015981
2.) 2019013831	16.) 2019020301	30.) 2019015771
3.) 2019014011	17.) 2019019991	31.) 2019016821
4.) 2019014221	18.) 2019021641	32.) 2019014481
5.) 2019015291	19.) 2019018871	
6.) 2019015341	20.) 2019018361	
7.) 2019015831	21.) 2019018531	
8.) 2019015621	22.) 2019018711	
9.) 2019016791	23.) 2019019401	
10.) 2019018721	24.) 2019013581	
11.)2019018541	25.) 2019013501	
12.)2019018821	26.) 2019014731	
13.)2019019021	27.) 2019014721	
14.)2019019931	28.) 2019014991	

**LEGAL REPORT:**

**COMMISSIONER BOBBY WOOD**

**1. 2019008581**

**Opened: 1/30/2019**

**First Licensed: 6/5/2003**

**Expires: 7/31/2020**

**Type of License: Real Estate Firm**

**History: None**

**Recommendation: Dismiss complaint against the principal broker and open a complaint against the listing agent.**

**Decision: The Commission voted to accept the recommendation.**

**Motion made by Commissioner Diaz, seconded by Vice-Chair Franks. Motion passed 7-0 with Commissioner Wood abstaining.**

**Motion made by Commissioner Diaz, and seconded by Commissioner Hills to open complaint against listing agent. Motion passed 7-0 with Commissioner Wood abstaining.**

**KELSEY J. BRIDGES**

**2. 2019013541**

**Opened: 2/19/2019**

**First Licensed: 6/30/2008**

**Expires: 2/4/2020**

**Type of License: Time Share Salesperson – E&O Suspension**

**History: None**

**Recommendation: Dismiss.**

**Decision: The Commission voted to issue a \$500 civil penalty for failure to exercise reasonable skill and care.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**3. 2019016611**

**Opened: 2/28/2019**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Dismiss.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for unlicensed activity.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**4. 2019018771**

**Opened: 3/8/2019**

**First Licensed: 8/10/2018**

**Expires: 8/9/2020**

**Type of License: Real Estate Firm**

**History: None**

**Recommendation: Dismiss.**

**Decision: The Commission voted to issue a \$500 civil penalty for advertising violations.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**5. 2019013561**

**Opened: 2/19/2019**

**First Licensed: 3/10/2017**

**Expires: 3/9/2021**

**Type of License: Real Estate Firm**

**History: None**

**Recommendation: Letter of Instruction.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for failure to respond.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

- 6. 2019013381**  
**Opened: 2/21/2019**  
**First Licensed: 12/13/2006**  
**Expires: 12/12/2020**  
**Type of License: Real Estate Firm**  
**History: None**

**Recommendation: Letter of Warning.**

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

Motion made by Vice-Chair Franks, seconded by Commissioner Diaz. Motion passed unanimously.

- 7. 2019015671**  
**Opened: 2/25/2019**  
**First Licensed: 5/15/2002**  
**Expires: 12/15/2019**  
**Type of License: Affiliate broker**  
**History: None**

**Recommendation: \$1,000 civil penalty.**

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

Motion made by Commissioner Wood, seconded by Commissioner Taylor. Motion passed unanimously.

- 8. 2019019901**  
**Opened: 3/13/2019**  
**First Licensed: 9/25/2009**  
**Expires: 9/24/2021**  
**Type of License: Real Estate Firm**  
**History: None**

**Recommendation: Letter of Warning.**

**Decision: The Commission voted to issue a \$500 civil penalty for the violation of T.C.A. § 62-13-312(b)(5).**

Motion made by Commissioner Taylor, seconded by Vice-Chair Franks. Motion passed unanimously.

- 9. 2019021151**
  - Opened: 3/15/2019**
  - First Licensed: 11/29/2018**
  - Expires: 11/28/2020**
  - Type of License: Affiliate Broker**
  - History: None**

**Recommendation: Discuss.**

**Decision: The Commission voted to issue a \$500 civil penalty for advertising violations and a \$500 civil penalty for failure to disclose Respondent's licensee status.**

Motion made by Commissioner Taylor, seconded by Commissioner Wood. Motion passed unanimously.

- 10. 2019021331**
  - Opened: 3/17/2019**
  - First Licensed: 10/19/1994**
  - Expires: 12/20/2020**
  - Type of License: Real Estate Broker**
  - History: None**

**Recommendation: \$500 civil penalty.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for failure to return earnest money.**

Motion made by Commissioner Diaz, seconded by Vice-Chair Franks. Motion passed unanimously.

- 11. 2019019851**
  - Opened: 3/12/2019**
  - First Licensed: 7/3/2000**
  - Expires: 2/8/2021**
  - Type of License: Affiliate Broker**

**History: None**

**Recommendation: Letter of Warning advising Respondent not to advertise in any way which could give the impression that they are operating their own firm.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for violation of §62-13-309.**

Motion made by Commissioner Hills, seconded by Commissioner Wood. Motion passed unanimously.

**12. 2019020081**

**Opened: 3/13/2019**

**Type of License: Unlicensed**

**History: None**

**Recommendation: \$1,000 civil penalty for violation of T.C.A. § 66-32-205.**

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

Motion made by Commissioner Wood, seconded by Commissioner Diaz. Motion passed unanimously.

**13. 2018080771**

**Opened: 11/15/2018**

**Type of License: Unlicensed**

**History: None**

**Recommendation: \$1,000 civil penalty and language directing Respondent to cease and desist.**

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

Motion made by Commissioner Wood, seconded by Commissioner Diaz. Motion passed unanimously.

### **Re-Presents**

**14. 2018082881**

**Opened: 11/27/2018**

**First Licensed: 6/18/2013**

**Expires: 6/17/2019**

**Type of License: Real Estate Broker**

**History: None**



**Recommendation: \$500 civil penalty.**

**Decision: The Commission voted to authorize a \$1,000 civil penalty for violation of Tenn. Code Ann. §62-13-403(2).**

**New recommendation: Dismiss.**

**New Decision: The Commission voted to keep Counsel's original recommendation of a \$500 civil penalty for violation of Tenn. Code Ann. §62-13-403(2).**

Motion made by Commissioner Taylor, seconded by Vice-Chair Franks. Motion passed unanimously.

**15. 2019004391**

**Opened: 1/16/2019**

**First Licensed: 2/1/2002**

**Expires: 6/6/2019**

**Type of License: Real Estate Firm**

**History: None**

**Recommendation: \$1,000 civil penalty for failure to respond to the complaint within ten (10) days in violation of T.C.A. § 62-13-313.**

**Decision: The Commission accepted Counsel's recommendation.**

**New recommendation: Dismiss.**

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

Motion made by Vice-Chair Franks, seconded by Commissioner Taylor. Motion passed unanimously.

**16. 2019008781**

**Opened: 1/31/2019**

**First Licensed: 4/26/2018**

**Expires: 4/25/2020**

**Type of License: Time Share Salesperson**

**History: None**

**Recommendation: \$1,000 civil penalty for failing to provide an answer to the complaint.**

**Decision: The Commission accepted Counsel's recommendation.**

**New recommendation:** *Dismiss.*

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

Motion made by Vice-Chair Franks, seconded by Commissioner Taylor. Motion passed unanimously.

**17. 2019008811**

**Opened: 1/31/2019**

**First Licensed: 1/28/2016**

**Expires: 1/27/2020**

**Type of License: Time Share Salesperson**

**History: None**

**Recommendation: \$1,000 civil penalty for failing to provide an answer to the complaint.**

**Decision: The Commission accepted Counsel's recommendation.**

**New recommendation:** *Dismiss.*

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

Motion made by Vice-Chair Franks, seconded by Commissioner Taylor. Motion passed unanimously.

**18. 2019006121**

**Opened: 1/23/2019**

**First Licensed: 7/12/2012**

**Expires: 1/10/2020**

**Type of License: Principal Broker**

**History: None**

**Recommendation: \$500 civil penalty.**

**Decision: The Commission accepted Counsel's recommendation.**

**New recommendation:** *Dismiss.*

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

Motion made by Vice-Chair Franks, seconded by Commissioner Diaz. Motion passed unanimously.

**ANNA D. MATLOCK**

**19. 2019013841**

**Opened: 2/19/2019**

**Type of License: Unlicensed**

**History: None**

**Recommendation: Dismiss.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for unlicensed activity.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**20. 2019016621**

**Opened: 2/28/2019**

**First Licensed: 2/9/2012**

**Expires: 2/8/2020**

**Type of License: Affiliate Broker**

**History: None**

**Recommendation: Dismiss.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for failure to exercise reasonable skill and care, and required four (4) hours of continuing education in contracts above and beyond required for licensure within 180 days.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**21. 2019013481**

**Opened: 2/19/2019**

**First Licensed: 12/13/2013**

**Expires: 12/12/2019**

**Type of License: Real Estate Firm**

**History: None**

**Recommendation: Consent Order authorizing Respondent to remit earnest Complainant's earnest money immediately and a Five Hundred Dollar (\$500.00) civil penalty for violation of Tenn. Code Ann. § 62-13-312(b)(5).**

**Decision: The Commission voted to issue a \$1,000 civil penalty for violation of Tenn. Code Ann. § 62-13-312(b)(5).**

Motion made by Commissioner Hills, seconded by Commissioner Diaz. Motion passed unanimously.

**22. 2019017491**

**Opened: 3/5/2019**  
**First Licensed: 8/21/2013**  
**Expires: 8/26/2020**  
**Type of License: Principal Broker**  
**History: None**

**Recommendation: Litigation monitoring.**

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

Motion made by Vice Chair Franks, seconded by Commissioner Diaz. Motion passed unanimously.

**23. 2019017501**

**Opened: 3/5/2019**  
**First Licensed: 8/22/2013**  
**Expires: 8/21/2019**  
**Type of License: Affiliate Broker**  
**History: None**

**Recommendation: Litigation monitoring.**

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

Motion made by Vice-Chair Franks, seconded by Commissioner Diaz. Motion passed unanimously.

**24. 2019018141**

**Opened: 3/7/2019**  
**Type of License: Unlicensed**  
**History: None**

**Recommendation: One Thousand Dollar (\$1,000.00) civil penalty for unlicensed activity.**

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

Motion made by Vice-Chair Franks, seconded by Commissioner Hills. Motion passed unanimously.

**25. 2019018201**

**Opened: 3/7/2019**  
**First Licensed: 7/21/2006**  
**Expires: 7/20/2020**  
**Type of License: Affiliate Broker**  
**History: None**

**Recommendation: Five Hundred Dollar (\$500.00) civil penalty for violations of Tenn. Code Ann. § 62-13-312(b)(20) and Tenn. Comp. R. & Regs. 1260-02-.12(1), (3)(a), (3)(b), and (3)(f). Counsel also recommends that an administrative complaint be opened against the principal broker for failure to supervise.**

**Decision: The Commission voted to issue a \$1,000 civil penalty for violation of Tenn. Code Ann. § 62-13-312(b)(20) and a \$1,000 civil penalty for violations of Tenn. Comp. R. & Regs. 1260-02-.12(1), (3)(a), (3)(b), and (3)(f), totaling a \$2,000 civil penalty in addition to a 4 hour contracts class over and above continued education licensure requirements within 180 days. The Commission also authorized an administrative complaint be opened against the principal broker for failure to supervise.**

Motion made by Commissioner Wood, seconded by Vice-Chair Franks. Motion passed unanimously.

**Chairman Griess adjourned the meeting at 1:15PM**