

TENNESSEE REAL ESTATE COMMISSION MINUTES
June 2 – 3, 2010

The Tennessee Real Estate Commission convened on June 2, 2010 at 9:12 a.m. in the Davy Crockett Tower at 500 James Robertson Parkway, Room 160, Nashville, TN 37243. **The following Commission Members were present Chairman Grover Collins, Vice-Chairman Isaac Northern, Commissioner Allen Woods, Commissioner William "Bear" Stephenson and Commissioner David Flitcroft. Commissioner Carol Tate, Commissioner Valerie Joh, Commissioner Charles Haynes and Commissioner Wendell Alexander were absent. Others Present: Eve Maxwell, Executive Director, Robyn Ryan, Assistant General Counsel and Kelly McDermott, Administrative Secretary.**

The first order of business was the adoption of the agenda (**Exhibit 1**) for the June 2010 Commission meeting. **Commissioner Stephenson made a motion to adopt the agenda; seconded by Commissioner Flitcroft; unanimous vote; motion carried.**

The next order of business was the approval of the minutes from the April 2010 meeting (**Exhibit 2**). **Commissioner Woods made a motion to approve the April 2010 minutes; seconded by Commissioner Stephenson; vote: 3 yes. 0 no, Commissioner Flitcroft abstained as he was absent from the April meeting; motion carried.**

EXECUTIVE DIRECTOR'S REPORT, EVE MAXWELL, EXECUTIVE DIRECTOR

Ms. Maxwell presented the following information to the Commission for review:

- **Complaint Statistics Report (Exhibit 3)** – Ms. Maxwell presented licensing statistics to the Commission. As of May 31, 2010, TREC had a total of 438 open complaints. Of those 438 open complaints, 386 are Errors & Omissions insurance complaints. There were 17 new complaints in April 2010 and 20 new complaints in May 2010. There are 428 complaints in the legal department and 10 open complaints in the TREC office awaiting response. The total number of closed complaints for the current Fiscal Year 2009-2010 is 425. Total Civil Penalties paid in April 2010 were \$11,450.00 and in May 2010 were \$11,000.00. There was a discussion regarding preventative administrative measures that may be taken to prevent large numbers of licensees from not renewing their Errors & Omissions insurance when it expires on 12/31/2010.
- **Licensing Statistics (Exhibit 4)** – Ms. Maxwell presented licensing statistics for the month of April and May 2010. As of April 30, 2010, there were 27,121 active licensees, 1,853 inactive licensees and 10,651 retired licensees. There were 4,460 active firms and 358 retired firms. As of May 31 2010, there were 27,109 active licensees, 1,604 inactive licensees and 10,675 retired licensees. There were 4,454 active firms and 351 retired firms. There were 265 new applications approved in April 2010 and there were 161 new applications in May 2010. Further, she presented a

comparison of total licensees for individuals and firms in 2008, 2009 and 2010. Bar graphs were presented reflecting trends in test taking. The graphs comprised of test taking statistics from January 2007 to May 31, 2010.

Ms. Maxwell discussed the recent historic flooding in Nashville and the effect it had on the Tennessee Real Estate Commission. She explained that the Andrew Johnson Building flooded and the staffs of the Division of Regulatory Boards were temporarily relocated to alternate facilities. As of May 26, 2010, the staff had returned to the Andrew Johnson Building. The Commission commended the staff of TREC for the efforts that were made to operate as efficiently and responsively as possible while displaced.

It was discussed whether the Memphis meeting will be rescheduled but the discussion was tabled so the staff could obtain additional information regarding meeting attendees.

After discussion, it was the consensus of the Commission to reschedule the September 2010 meeting from September 2 & 3, 2010 to September 1 & 2, 2010. **Commissioner Stephenson made a motion to reschedule the September 2010 from September 2 & 3, 2010 to September 1 & 2, 2010; seconded by Vice-Chairman Northern; unanimous vote; motion carried.**

EDUCATION REPORT, STEVE MCDONALD, EDUCATION DIRECTOR

Mr. Steve McDonald, Education Director, presented Courses for Commission Evaluation for the months of May and June 2010. Because the May meeting was canceled due to the flood, he presented the Courses for Commission Evaluation for April 2010 and May 2010 separately.

Commissioner Flitcroft made a motion to approve the Courses for Commission Evaluation for May 2010; seconded by Commissioner Woods for discussion; opened to discussion; after discussion regarding course M13 "How Money Works", Commissioner Woods made an amendment to the motion to approve the course "How Money Works" (M13) with the condition that the instructor provides adequate notice to all course attendees that they and their clients should consult with a tax professional prior to engaging in any 1031 or other like kind exchanges; seconded by Vice-Chairman Northern; amendment passed unanimously; motion as amended passed unanimously.

Mr. McDonald presented the Courses for Commission Evaluation for June 2010. **Vice-Chairman Northern made a motion to not approve course J6: "REALTORS: Make Professional Pictures for the Internet"; seconded by Commissioner Woods; unanimous vote; motion carried. Commissioner Woods made a motion to approve courses J1 through J5; "Flood of Nashville 2010: Business Recovery Seminar", "Essence of Ninja Selling", "CRB: Brokerage Liability: Develop a Comprehensive Risk Management Plan", "Tennessee CORE 2009-2010" and "Real Estate Marketing Reboot"; seconded by Commissioner Flitcroft; unanimous vote; motion carried.**

Mr. Steve McDonald, Education Director, presented the following instructor reviews to the Commission. Because the May meeting was canceled due to the flood, he presented the Instructors for Review for May 2010 and June 2010 separately.

Following are the Instructors for Review for May 2010:

- Robbin Reagans, the Executive Vice-President of the Upper Cumberland Association of REALTORS would like to be approved to teach Code of Ethics Course #5866.
- Jennifer Westrate of Sterling Education Services, INC. requested that the following instructors be approved to teach Course #6149, "Landlord-Tenant Law; Beyond the Basics".
 - Michael N. St. Charles
 - J. Gregory Grisham
 - Clifton R. Henry and
 - John R. Anderson
- Dottie Oslin of Tennessee Real Estate Educational Systems, Inc. (TREES, INC) submitted Mr. Mark Johnson to be an approved instructor for these courses:
 - Course #1627-Affiliate Broker Pre-License 60 hour
 - Course #1571-Course for New Affiliates 30 hour
 - Course #335- Broker Management
 - Course #6069- TREC Core 2009/2010
 - Course #2395- Effective Buyer Representation (ABR)
- Dottie Oslin of Tennessee Real Estate Educational Systems, Inc. (TREES, INC) sought approval of Paul Gaddes, Bruce Lynn, and Ed Matthews to teach the following courses as detailed below:
 - Course #2395- Effective Buyer Representation (ABR)
Paul Gaddes, Bruce Lynn, Ed Matthews
 - Course #3535- E-Buyer
Paul Gaddes, Bruce Lynn, Ed Matthews
 - Course #3536- Innovative Marketing
Paul Gaddes, Bruce Lynn, Ed Matthews
 - Course #6068- NAR's Green Residential Elective
Paul Gaddes, Bruce Lynn, Ed Matthews
 - Course #6070- NAR's Green Designation Core
Paul Gaddes, Bruce Lynn, Ed Matthews
 - Course #3872- Senior Real Estate Housing Specialist
Paul Gaddes, Bruce Lynn
 - Course #4619- Seller Representative Specialist
Paul Gaddes, Bruce Lynn
 - Course #6069- TREC Core Course 2009/2010
Paul Gaddes

Commissioner Stephenson made a motion to approve the Instructors for Review for May 2010; seconded by Vice-Chairman Northern; unanimous vote; motion carried.

Following are the Instructors for Review for June 2010:

- Sally Cummings of TAR requested the approval of Janet DiChiara to teach the Agency in Tennessee Course.
- Jennifer Westrate of Sterling Education Services, INC. requested the approval of Garrett Swartwood, Lars Schuller, and Scott Hall to teach the Commercial Evictions Course.
- Helen Carter of Knoxville Area Association of REALTORS requested the approval of Jim Oakley to teach the Agency course.
- Helen Carter of Knoxville Area Association of REALTORS requested Harold Reed to be approved to instruct the Code of Ethics, Risk Reduction, and Agency courses.

Commissioner Stephenson made a motion to approve the Instructors for Review for June 2010; seconded by Commissioner Flitcroft; unanimous vote; motion carried.

DISCUSSION OF COURSE RENEWALS

TREC Education Director Steve McDonald presented the Commission with a letter to address the tentative procedure to process the course renewals. He explained that a letter has been drafted to notify providers that TREC will be renewing all courses and for them to be on alert for future correspondence on the matter. He explained how TREC plans to handle the process from a clerical standpoint. He stated that the courses that have no material or content changes for the renewal will be presented in bulk for approval to the commission. Instructors that teach multiple courses will have to fill out one application for all the areas they cover for instruction. All internet courses and instructors will be ARELLO certified. Mr. McDonald suggested that the Commission not accept any Continuing Education classes that are delivered by AV as ARELLO in not certifying that delivery method any longer. **Commissioner Stephenson made a motion to not accept any Continuing Education classes that are taught by AV as ARELLO is not certifying that delivery method any longer; seconded by Vice-Chairman Northern for discussion; opened to discussion; unanimous vote; motion carried.**

DISCUSSION OF TREC CORE CONTENT

Mr. McDonald presented the Commission with a history of the content of the TREC CORE course for years 2003 to 2010. He also presented some suggestions for the TREC 2011/2012 CORE course and outlined the content of the Alabama CORE course. Since the Commission determines the content of the TREC Core to better protect the public, the following subject areas were suggested: TREC Law, Rule and Policy Update, Disclosures including Mold, Acts of Nature and Flood Plain, Contracts, Principal Broker

Supervision, Gift and Prizes and Risk Reduction. Vice-Chairman Northern suggested that some education regarding commercial real estate contracts be included in the content. There was some discussion regarding whether the TREC Code and Rules defines commercial real estate as it pertains to contracts (and the education thereof) and perhaps that should be addressed in Rulemaking. Vice-Chairman Northern stated that he believes in order to address the needs of all licensees, commercial contracts should be discussed. Ms. Robyn Ryan, Assistant General Counsel, advised that T.C.A. §62-13-501 defines commercial real estate. Vice-Chairman Northern advised that he wants the providers to be encouraged to include some reference to commercial contracts in that section of the training as a means of rounding out the topic of contracts.

Commissioner Woods asked about Gifts and Prizes being included in the CORE content. He asked if there have been numerous inquiries regarding the rule. The Staff explained that in the current climate of the real estate market many licensees have questions regarding marketing programs and the gifts and prizes rule. Commissioner Flitcroft would like for Ethics to be included in the curriculum. Chairman Collins recommended that during the discussion of disclosures, TREC include Stigmatized Properties and Suppression as the Alabama Core currently includes. There was some discussion regarding if it is feasible for the large amount of information to be adequately covered in a four hour course. Ms. Maxwell stated that she believes it is difficult to cover a lot of topics in a four hour course. She further noted that Alabama has a fairly extensive course that teaches instructors how to teach the Risk Management class. Ms. Maxwell said that may be something the Commission wants to consider implementing but stated that it may require a statutory change. She suggested that looking forward to the 2013/2014 Core course, perhaps the Commission may want to consider increasing the credit hours for the TREC Core. Commissioner Stephenson asked Ms. Maxwell and Ms. Ryan what areas seem to trigger the most complaints. They advised that complaints are frequently filed involving escrow money, contract writing and misrepresentation, disclosure and limitation and conditions of advertising and marketing.

Vice-Chairman Northern wished to discuss further the renewal of courses. He expressed concern that Mr. McDonald's letter does not address whether the Staff and Commission have adequate time to address the review and renewal of the 1,558 courses up for renewal. Mr. McDonald stated that not knowing which courses will come in at what time and what the volume per week will be that he would have a hard time saying how much time would be required to get a course approved. He further explained that some courses would be ARELLO certified. He asked if the Commission is comfortable with having those courses that have been ARELLO certified and reviewed by Staff presented to them by list at the meetings. He explained this would encompass a large percentage of the courses renewing. He further explained that courses that have been previously reviewed with no content changes or instructor changes could be presented in that manner as well. Vice-Chairman Northern asked Mr. McDonald to estimate the percentage of courses that would remain that do not fall into those two categories but have changes in content or instructor. Mr. McDonald estimated the amount at 25 percent. Ms. Maxwell asked the Commission to direct the Staff as to how they wish for the courses to be presented (i.e. as new courses are presented monthly or by a consent agenda item by list, etc...). Ms. Maxwell stated that since the renewals have not been done in this manner prior to this renewal cycle, it will take some time to determine the

flow of work and time requirements to review the courses and bring them before the Commission for approval. The discussion was tabled at that point for later analysis and discussion.

Commissioner Flitcroft revisited the TREC Core content discussion. He informed Ms. Ryan that he cannot locate anything in TREC's education requirements regarding the TREC Core Course and the number of hours it is to be taught by rule or statute. Ms. Ryan and Ms. Maxwell concurred with this assessment. **Vice-Chairman Northern made a motion to increase the credit hours for the TREC Core class from four hours to six hours; seconded by Commissioner Stephenson for discussion; opened to discussion; after discussion with TREC staff there was a unanimous vote and the motion carried.**

Chairman Collins recessed the meeting for lunch at 11:30 a.m. and reconvened at 1:08 p.m.

INFORMAL CONFERENCE

Eric Jason Smith, applicant, appeared with his potential Principal Broker James P. Wooten, to request that he be allowed to apply for an affiliate broker license. Mr. Smith disclosed to the Commission a conviction for Theft of Property and two misdemeanor convictions for Insufficient Funds for Checks in 1991.

Commissioner Woods made a motion to approve Mr. Smith's request to apply for an affiliate broker license; seconded by Vice-Chairman Northern; unanimous vote; motion carried.

LEGAL REPORT, ROBYN RYAN, ASSISTANT GENERAL COUNSEL

- 1) 2009004831 &
- 2) 2009004832 – Commissioner Stephenson made a motion to accept legal counsel's recommendation to issue a Consent Order to Respondent 1 with a civil penalty of \$1,000.00 for violating T.C.A. § 62-13-312(13) [prohibiting discrimination because of race] and a \$1,000.00 civil penalty for violating T.C.A. §62-13-312(20) [improper, dishonest dealing] and also issue a Consent Order to Respondent 2 with a civil penalty of \$1,000.00 for violating T.C.A. § 62-13-312(13) [prohibiting discrimination because of race] and a \$1,000.00 civil penalty for violating T.C.A. §62-13-312(20) [improper, dishonest dealing]; seconded by Commissioner Flitcroft; Commissioner Woods made a motion to amend to have the two Respondents come before the Commission for a Formal Hearing as soon as reasonably practical; seconded by Vice-Chairman Northern; after discussion, Commissioner Stephenson withdrew his motion and Commissioner Flitcroft withdrew his second; at that time Commissioner Woods made his amendment as a general motion; seconded by Vice-Chairman Northern: 4 yes, 1 no; motion to have the two Respondents come before the Commission for a Formal Hearing carried.
- 3) 2008004011 – Commissioner Woods had previously reviewed the complaint. He recommended closing the complaint with a Letter of Warning. Commissioner Flitcroft made a motion to send a Letter of

- Warning and issue a Consent Order requiring the Respondent to complete four hours of continuing education in Ethics within three months; seconded by Vice-Chairman Northern; vote: 3 yes, 0 no; Commissioner Woods abstained; motion carried.
- 4) 2009004891 &
 - 5) 2009006161 – Commissioner Woods made a motion to accept legal counsel’s recommendation to defer the complaint for a full review at the September meeting as the Respondent’s criminal matters have been continued to August 31, 2010 as the next plea date; seconded by Vice-Chairman Northern; unanimous vote; motion carried.
 - 6) 2008008141 – Commissioner Woods made a motion to dismiss; seconded by Commissioner Stephenson; unanimous vote; motion carried.
 - 7) 2008025771 – Commissioner Stephenson made a motion to accept legal counsel’s recommendation to dismiss; seconded by Vice-Chairman Northern; unanimous vote; motion carried.
 - 8) 2009000561 – Commissioner Stephenson made a motion to dismiss; seconded by Vice-Chairman Northern; unanimous vote; motion carried.
 - 9) 2009000591 – Commissioner Stephenson made a motion to dismiss; seconded by Commissioner Woods; unanimous vote; motion carried.
 - 10) 2009000621 &
 - 11) 2009000622 &
 - 12) 2009000623 &
 - 13) 2009000624 – Commissioner Woods made a motion to dismiss as to all four Respondents; seconded by Vice-Chairman Northern; unanimous vote; motion carried.
 - 14) 2009008131 – Vice-Chairman Northern made a motion to accept legal counsel’s recommendation to dismiss; seconded by Commissioner Woods; unanimous vote; motion carried.
 - 15) 2009000551 – Commissioner Woods made a motion to accept legal counsel’s recommendation to issue a Letter of Warning regarding Rule 1260-2-.12 (2) [failing to identify himself as a licensee when buying property for himself]; seconded by Commissioner Stephenson; unanimous vote; motion carried.
 - 16) 2009006591 &
 - 17) 2009006592 &
 - 18) 2009006593 &
 - 19) 2009006594 &
 - 20) 2009006595 – Commissioner Woods made a motion to dismiss as to all five Respondents; seconded by Vice-Chairman Northern; unanimous vote; motion carried.
 - 21) 2009021721 – Vice-Chairman Northern made a motion to accept legal counsel’s recommendation to issue a Consent Order with a civil penalty of \$1,000.00 for failing to respond within ten days and also a \$1,000.00 civil penalty for failing to account in a timely manner for money belonging to others; seconded by Commissioner Stephenson; opened to discussion; Commissioner Woods made a motion to amend to further require the Respondent to complete four hours of continuing

- education in Ethics within six months; seconded by Commissioner Flitcroft; amendment passed unanimously; motion as amended carried unanimously.
- 22) 2009007821 – Commissioner Woods made a motion to accept legal counsel’s recommendation to issue a Consent Order with a civil penalty of \$1,000.00 for violating T.C.A. § 62-13-312(b) [obtaining a license and broker’s license by false representation]; seconded by Commissioner Stephenson; unanimous vote; motion carried.
- 23) 2009004521 &
- 24) 2009004522 &
- 25) 2009004523 – Commissioner Stephenson made a motion to accept legal counsel’s recommendation to dismiss as to all three Respondents; seconded by Commissioner Woods; unanimous vote; motion carried.
- 26) 2009019451 &
- 27) 2009019452 – Vice-Chairman Northern made a motion to dismiss as to both Respondents; seconded by Commissioner Woods; unanimous vote; motion carried.
- Commissioner Woods left the meeting at 2:11 p.m. and returned at 2:15 p.m.
- 28) 2009012211 &
- 29) 2009012212 – Vice-Chairman Northern made a motion to accept legal counsel’s recommendation to accept legal counsel’s recommendation to dismiss; seconded by Commissioner Stephenson; vote: 3 yes, 0 no; Commissioner Woods did not vote as he was absent from the room; motion carried.
- 30) 2009003501 &
- 31) 2009003502 – Commissioner Stephenson made a motion to accept legal counsel’s recommendation to dismiss as to Respondent 1 and to issue a Letter of Warning to Respondent 2 regarding T.C.A. § 62-13-312(8) [failing to furnish a copy of the contract at the execution]; seconded by Commissioner Flitcroft; Vice-Chairman Northern made a motion to amend to also require the Respondent to attend a two day TREC meeting within six months; seconded by Commissioner Woods; amendment passed unanimously; motion as amended passed unanimously.
- 32) 2009008141
- 33) 2009008142 – Vice-Chairman Northern made a motion to accept legal counsel’s recommendation to issue a Consent Order to Respondent 1 with a civil penalty of \$500.00 for violating T.C.A. §66-32-121(F) [a willful or negligent misrepresentation or willful or negligent omission of material fact] and to dismiss as to Respondent 2 but to close and flag the file for reapplication; seconded by Commissioner Woods; unanimous vote; motion carried.
- 34) 2009002051 – Commissioner Flitcroft made a motion to issue a Letter of Instruction and issue a Consent Order requiring the Respondent to complete four hours of continuing education in Contract

Writing within three months; seconded by Commissioner Woods; unanimous vote; motion carried.

- 35) 2009011311 – Commissioner Woods made a motion to accept legal counsel’s recommendation to issue a Consent Order with a civil penalty of 1,000.00 for failing to file a timely response and a \$1,000.00 civil penalty for violating T.C.A. § 62-13-312(20) [Improper, fraudulent or dishonest dealings]; seconded by Commissioner Flitcroft and he made a friendly amendment to require the Respondent to attend a two day TREC meeting within four months; Commissioner Woods accepted the friendly amendment; Commissioner Stephenson made a friendly amendment that the Respondent attend the meeting within six months not four months; amendments were accepted and passed unanimous; motion as amended carried unanimously.**
- 36) 2009018781 – Vice-Chairman Northern made a motion to accept legal counsel’s recommendation to dismiss; seconded by Commissioner Woods; unanimous vote; motion carried.**

Ms. Ryan reviewed the Legal File Summary and Consent Order Log with the Commission.

There was a discussion regarding Errors & Omissions insurance. Administrative measures to assure less E&O delinquency were discussed and actions such as suspensions were offered as a suggestion. It was talked about that that kind of action would require a change in law. Staff advised the Commission that Rice Insurance backdated the policies to 01/01/2009 if it was purchased within 90 days and the policy is a Claims Made policy. The licensee had to attest they had no claims during the time they were uninsured to be backdated. Ms. Maxwell and Ms. Ryan explained the current policy of assessing a penalty for the first three months of the year following the expiration of the policy has produced a lot of feedback from licensees. Ms. Maxwell stated that many licensees feel if they bought their insurance and it was backdated with no gap in coverage then they were in effect covered and should not be penalized. Ms. Maxwell advised the Commission that when Rice Insurance sends the renewal notices toward the end of 2010, it would be helpful for the Commission to have a policy in place that can be enforced administratively. The staff could be proactive at the time of expiration of the policies. Commissioner Flitcroft asked Ms. Maxwell to bring to the next meeting ideas for motivating licensees to renew their Errors & Omissions insurance at expiration. It was suggested by an attendee that there be a tie established between proof of E&O coverage and the sale contract. Ms. Ryan explained it would be the role of the public to approach their legislators to attempt to establish new guidelines. Chairman Collins suggested that perhaps Principal Brokers could internally establish business practices on their own to ensure if a contract is executed the licensee is insured. Commissioner Flitcroft addressed Chris Sexton of TAR and asked him to look into changing the TAR contract to include some reference to E&O.

POSSIBLE CHANGES FOR RULE MAKING DISCUSSION

Ms. Ryan discussed with the Commission the following possible changes for the next Rule Making hearing. Her suggestions included the following:

- Repeal 1260-5-.04 (now codified T.C.A.)
- Correct 1260-2-.32 (civil penalties)
- Vacation Lodging Services
 - Penalties for violations of 62-13-104(b)
 - Qualifications for Lodging Services instructors
 - Designated agent "duties"
 - Fees for applications and licenses
 - Contribution to education fund
 - Introductory course for designated agents
 - Pro rata license matters
 - Advertising
- Real Estate Broker's Act
 - Rule 1260-2-.02(1) regarding the ten days and elimination of inactive status
 - New Retirement Amendment and continuing education requirements to reactivate
 - Advertisement concerning owner/agent
 - Different rules for Commercial Real Estate licensees
 - If an educator is teaching a class (as an attorney) should they be licensed as an attorney in Tennessee?

Specifically, there was a discussion regarding a bill regarding a retirement amendment and continuing education requirements to reactivate. The discussion centered around the content of the bill and the effect it would have on licensees. Ms. Ryan stated that the bill proposes that prior to coming out of retirement, a licensee must complete a required 16 hours of continuing education within the year immediately preceding the date they wish to reactivate their license. Vice-Chairman Northern wished to go on record that the Commission is opposed to the legislation as it could impact the licensees that the Commission is charged with regulating. Ms. Ryan and Ms. Maxwell advised the Commission that at the time, the bill had not passed in this legislative session. Ms. Ryan stated she will pass along the Commission's concerns to TREC's legislative liaison.

There was a discussion regarding if the Memphis meeting would be rescheduled. Ms. Maxwell, after obtaining specific statistical information, advised the Commission that 19 people were signed up to attend the May meeting in Memphis. She went on to explain that of those 19, six people had not paid their reinstatement penalties and two people had not done required continuing education. Therefore, those people could not have been reinstated at the conclusion of the May meeting. She advised that four of the remaining 11 people were currently in attendance at the June meeting; therefore, an estimated seven people may be directly affected by the cancelation of the May meeting in Memphis. She explained that some of those seven could be in a retired status. Per the Commission, the Memphis meeting will not be rescheduled as the Commission will meet in west Tennessee September 1 – 2, 2010.

Chairman Collins recessed the meeting Wednesday, June 2, 2010 at 3:59 p.m.

TENNESSEE REAL ESTATE COMMISSION
June 3, 2010

The Tennessee Real Estate Commission convened on June 3, 2010, at 9:12 a.m. in the Davy Crockett Tower at 500 James Robertson Parkway, Room 160, Nashville, TN 37243. **The following Commission Members were present Chairman Grover Collins, Vice-Chairman Isaac Northern, Commissioner Allen Woods, Commissioner William "Bear" Stephenson and Commissioner David Flitcroft. Commissioner Carol Tate, Commissioner Valerie Joh, Commissioner Charles Haynes and Commissioner Wendell Alexander were absent. Others Present: Eve Maxwell, Executive Director, Robyn Ryan, Assistant General Counsel, Mandy Spencer, Paralegal and Kelly McDermott, Administrative Secretary.**

The Commission stood in recess at 9:13 a.m. to conduct a formal hearing in the matter of Timothy K. Moore, licensee #294832, Docket # 12.18-106520A

The formal hearing was recessed for lunch at 11:30 a.m. and reconvened at 12:52 p.m.

In the matter of Timothy K. Moore, license #294832, Docket # 12.18-106520A, the Commission voted to suspend Timothy K. Moore's real estate license for one year and further require he complete the 60 hour pre-licensing course and 12 additional hours of continuing education in contract writing. The courses must be completed within one year. The Commission also voted to assess all costs of the case to Mr. Moore including investigations and the formal hearing.

The formal hearing adjourned at 5:52 p.m.

Chairman Collins adjourned the meeting Thursday, June 3, 2010 at 5:53 p.m.