



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 May 11, 2017 at 9:00 a.m. CST at Collierville City Hall, 500 Poplar View Parkway Collierville, Tennessee 38017.

The Meeting was called to order by Chairman John Griess.

Chairman Griess welcomed everyone to the Board meeting.

Executive Director Malcolm Young called roll. The following Commission Members were present: Chairman Griess, Commissioner Marcia Franks, Commissioner Diane Hills, Commissioner Fontaine Taylor, Commissioner Johnny Horne, Commissioner Gary Blume and Commissioner Rick Douglass and Commissioner Bobby Wood. Others present: Executive Director Malcolm Young, Assistant General Counsel Sarah Mathews, Education Director Ross White, and Commission Staff Brooke Chartrand. Vice Chairman Commissioner Austin McMullen was absent.

The May 11, 2017 board meeting agenda was submitted for approval and amended to include civil penalties for unlicensed activity, teams, property management and required meeting attendance. Sue Turner and Phyllis McKee requested to speak before the Commission

Motion made by Commissioner Taylor and seconded by Commissioner Hills to approve the May 11, 2017 agenda with changes. Motion carried unanimously.

Minutes for the April 5th and 6th, 2017 board meeting were submitted for approval.

Motion made by Commissioner Franks and seconded by Commissioner Wood to approve the April 5th and 6th, 2017 minutes as submitted. Motion carried unanimously. Commissioner Blume and Commissioner Douglass abstained.

INFORMAL APPEARANCE:

Sue Turner and Phyllis McKee addressed the Commission, requesting clarification of T.C.A. 62-13-303(g) and (h), regarding nonresident continuing education requirements. Legal responded by stating, under 62-13-303(g) and (h), all licensees, resident or nonresident, are required to complete 16 hours of continuing education to be eligible for renewal. Additionally, under 62-13-303(h), a broker must complete 120 hours of additional classroom hours within 3 years from the date of an original broker's license. Legal is reviewing the concern and will present a plan of action at the June Commission meeting.

ARELLO Report-

Commissioner Horne, Commissioner Franks, Staff Attorney Sarah Mathews, and Executive Director Malcolm Young present to the Commission updated reports from the ARELLO District Meeting in Louisville, KY. The overall consensus: most states are having an issue with property management, teams, Principal Broker supervision, and size of offices. Additionally, Commissioner Horne requested to participate to partake in the next Commissioner College presented by ARELLO.

EDUCATION REPORT: (Attachment A)

Motion made by Commissioner Franks to approve courses M1-M29, motion seconded by Commissioner Hills. Motion carried unanimously, Commissioner Wood abstained.

Motion made by Commissioner Franks to approve instructors M1-M29, motion seconded by Commissioner Wood. Motion carried unanimously.

PSI Handbook Update-

The Education Director presented an updated copy of the PSI Handbook to reflect suggested changes be made to update it to current industry standards. Legal will review the documents changes and represent it at the June Commission meeting.

The Commission also requested the Education Director research how many potential licensees are retaking the exams and present this at the June meeting.

EXECUTIVE DIRECTORS REPORT:

Review of Financial and Statistical Reports- (Attachment B)

ARELLO District Meeting- West Virginia

Commissioner Hills made the motion to request Commission Franks, Staff Attorney Sarah Mathews, and Executive Director Malcolm Young to attend the ARELLO District Meeting- West Virginia June 8-10, 2017, motion seconded by Commissioner Taylor. Motion passes unanimously, Commissioner Franks recuses.

Education Committee-

The Education Director presented an Education Committee proposal to the Commissioners. Detailed within the proposal the Commissioners would establish a committee to review, present and later during the Commission meeting approve presented courses and instructors. The basis for this Committee is to guarantee accurate, supportive, and correct information to licensees. The Commission agreed to move this discussion to the June agenda.

Property Management-

The Commission discussed the possibility of creating a property management exam. The commission requested a ListServ be sent to the providers requesting more property management courses be submitted for approval. The Commission requested the Director to conduct an ARELLO survey to other states regarding their property management rules and laws to present at the June meeting.

Newsletter Topics-

The Commission reviewed and felt development of the newsletter is a function of management to inform the licensees.

ARDA Review of Timeshare Laws-

Education Director informed the Commission the Laws, Statues, and Rules have been submitted to ARDA for revision.

COMMISSION DISCUSSIONS:

Civil penalties regarding Unlicensed Activity-

The Commission discussed the maximum penalty of \$1,000 per violation per day. The Commission agreed to move this discussion to the June agenda.

Military Related Exemption Results-

Executive Director Young presented the results of the military exemption survey conducted via ARELLO survey to show that Tennessee is currently aligned with other states Commission; the Commission's medical waiver can be granted on a case by case basis. The Commission agreed to move this discussion to the June agenda.

Deposit of Earnest money/ Title Company Rule 1260-02-.09-

The Commission briefly discussed a trend of brokers using title companies to hold earnest money. The Commission agreed to move this discussion to the June agenda.

Real Estate Continuing Education Courses/ Correspondence-

The Commission requested staff to investigate potential providers supplying answer keys sheets to licensees. The Commission agreed to re-review this discussion at the June meeting.

Broker Post 120 Hours-

Legal hopes to clarify the definition of "original license date" as well as research the ability to track the post broker 120 hours within CORE. The Commission agreed to move this discussion to the June agenda.

LEGAL REPORT:

Legislative Update-

Sarah Mathews presented to the Commission an update on current legislative initiatives that have passed. Senate Bill 1217 Authorizes commissioners and chief executive officers of administrative departments under which regulatory boards operate to review and either approve or veto rules that may constitute unreasonable restraints of trade.

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 voted to accept the recommendation of legal counsel. The following cases were moved from the Consent Agenda to the Legal report for the Commission to further review and discuss: 2016070841 and 201607462. Motion to approve the consent agenda with amended changes made by Commissioner Franks and seconded by Commissioner Hills. Motion passed unanimously. Commissioner Wood recused himself from case 2016068171.

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|-----------------------|------------------------|-----------------------|
| 1. 2016067771 | 16. 2016073781 | 29. 2016070291 |
| 2. 2016068011 | 17. 2016072871 | 30. 2016071011 |
| 3. 2016068031 | 18. 2016073351 | 31. 2016071041 |
| 4. 521 | 19. 2016073441 | 32. 2016068171 |
| 5. 2016069001 | 20. 2016073071 | 33. 2016073851 |
| 6. 2016070071 | 21. 2017001141 | 34. 2016073881 |
| 7. 2016070111 | 22. 2016073691 | 35. 2016072931 |
| 8. 541 | 23. 2016074721 | 36. 2016072951 |
| 9. 2016071441 | 24. 2015012631- | 37. 2016072911 |
| 10. 2016072971 | REPRESENT | 38. 2016073241 |
| 11. 2016071851 | 25. 2015012632- | 39. 2016073671 |
| 12. 541 | REPRESENT | 40. 2016073891 |
| 13. 2016071811 | 26. 2016069741 | 41. 2016073741 |
| 14. 2016072761 | 27. 2016070311 | 42. 2016070671 |
| 15. 2016073751 | 28. 2016070351 | 43. 2016074621 |

Legal Report-

1. 2016064801 - REPRESENT
Opened: 10/25/16
First Licensed: 9/19/06
Expiration: 6/26/18
Type of License: Principal Broker History:
None

Recommendation: \$1,000.00 for failure to respond.

New Recommendation: Dismiss

New Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills seconded by Commissioner Taylor. Motion passes unanimously.

2. 2014021231 - REPRESENT
Opened: 9/26/14
First License Obtained: 3/29/04
License Expiration: 9/19/15 E&O
Expiration: 1/1/15
Type of License: Affiliate Broker, Inactive History:
None

Recommendation: Consent Order for Litigation Monitoring.

New Recommendation: Dismiss

New Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

3. 2016072141
Opened: 12/7/16
Type of License: Unlicensed History:
None

Recommendation: Litigation monitoring on criminal matters.

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks seconded by Commissioner Horne. Motion passes unanimously.

4. 2016071791
Opened: 12/6/16 First
Licensed: 1/4/07
Expiration: 10/13/17
Type of License: Principal Broker History:
None

Recommendation: Consent Order for Litigation Monitoring

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

5. 2016068471
Opened: 11/15/17
First Licensed: 12/23/08
Expiration: 12/22/18
Type of License: Real Estate Firm History:
None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Franks seconded by Commissioner Wood. Motion passes unanimously.

6. 2016071051
Opened: 11/28/16
Type of License: Unlicensed
History: None

Recommendation: \$1,000.00 penalty for violation of T.C.A. §62-13-104(2) (b) (2), vacation lodging service firm license required.

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Franks seconded by Commissioner Horne. Motion passes unanimously.

7. 2016074361
Opened: 12/15/16
Type of License: Unlicensed
History: None

Recommendation: This does appear to be a service not unlike advertising. It is similar to other matters previously considered to be unlicensed activity. Recommendation is \$1,000.00 Civil Penalty for violation of T.C.A. §62-13-103.

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Wood seconded by Commissioner Taylor. Motion passes unanimously.

8. 2016069691
Opened: 11/18/16
First Licensed: 1/7/16
Expiration: 1/6/18
Type of License: Affiliate Broker
History: None

Recommendation: \$1,000.00 civil penalty for violation of Rule 1260-.02-12(5) c listing information must be kept current and accurate.

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Blume seconded by Commissioner Franks. Motion passes unanimously.

9. 2016069781
Opened: 11/18/16 First
Licensed: 8/27/02
Expiration: 4/15/19
Type of License: Principal Broker History:
None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Wood seconded by Commissioner Franks. Motion passes unanimously.

10. 2016069671
Opened: 11/18/16
First Licensed: 1/6/16
Expiration: 1/5/18
Type of License: Affiliate Broker History:
None

Recommendation: Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel.
Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

11. 2016064041 - REPRESENT
Opened: 10/24/16
First Licensed: 10/13/10 Expiration:
10/12/18
Type of License: Real Estate Firm
History: None

Recommendation: Consent Order for \$250.00 civil penalty for violation of T.C.A. § 62-13-312(b) (20), improper, fraudulent, or dishonest dealing.

Decision: The Commission authorized a civil penalty in the amount of One Thousand Dollars (\$1000) for violations of T.C.A. §§ 62-13-312(b) (20) (improper, fraudulent or dishonest dealings).

New Recommendation: Dismiss.

New Decision: The Commission voted to dismiss the complaint and refer to Division of Consumer Affairs, then update the Commission at the next meeting. Motion by Commissioner Hills seconded by Commissioner Taylor. Motion passes unanimously.

12. 2016064061- REPRESENT
Opened: 10/24/16 First
Licensed: 11/2/04
Expiration: 11/29/17

Type of License: Principal Broker History:
None

Recommendation: Consent Order for \$250.00 civil penalty for violation of T.C.A. § 62-13-312(b) (20), improper, fraudulent, or dishonest dealing.

Decision: The Commission authorized a civil penalty in the amount of One Thousand Dollars (\$1000) for violations of T.C.A. §§ 62-13-312(b) (20) (improper, fraudulent or dishonest dealings).

New Recommendation: Dismiss.

New Decision: The Commission voted to dismiss the complaint and refer to Division of Consumer Affairs, then update the Commission at the next meeting.

Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

13. 2016057411- REPRESENT
Opened: 9/26/16
First Licensed: 1/27/14
Expiration: 6/16/18
Type of License: Principal Broker History:
None

Recommendation: Consent Order and \$1000.00 civil penalty for failure to respond.

Decision: The Commission voted to accept the recommendation of legal counsel.

New Recommendation: Dismiss

New Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills seconded by Commissioner Taylor. Motion passes unanimously.

14. 2015011221 - Respondent 1
Opened: 6/22/15
First License Obtained: 4/2/07
License Expiration: 4/1/19
Type of License: Affiliate Broker History:
None

15. 2015011222 - Respondent 2
Opened: 6/22/15
First License Obtained: 10/29/01
License Expiration: 3/17/19
Type of License: Real Estate Firm History:
None

16. 2015011223 - Respondent 3
Opened: 6/22/15
First License Obtained: 3/5/07
License Expiration: 3/4/19
Type of License: Affiliate Broker
History: 2010016151 \$300 Consent Order (failure to maintain E & O Insurance)

17. 2015011224 - Respondent 4
Opened: 6/22/15
First License Obtained: 6/20/94
License Expiration: 7/4/18
Type of License: Principal Broker History:
None

18. 2015011225 - Respondent 5
Opened: 6/23/15
First License Obtained: 4/30/03
License Expiration: 8/19/18
Type of License: Real Estate Broker
History: None

Recommendation: For all Respondents, Consent Orders for litigation monitoring.

DECISION: The Commission voted to accept the recommendation of legal counsel.

New Recommendation: Dismiss cases against all Respondents.

New Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills seconded by Commissioner Taylor. Motion passes unanimously.

19. 2016069611
Opened: 11/18/16
Type of License: Unlicensed History:
None

Recommendation: Close and flag.

Decision: The Commission voted to defer the complaint until the next meeting after further review of the company involved. Motion by Commissioner Franks seconded by Commissioner Hills. Motion passes unanimously.

20. 2016069931
Opened: 11/18/16 First
Licensed: 7/6/11
Expiration: 7/5/17
Type of License: Principal Broker History:
None

Recommendation: Discuss

Decision: The Commission voted to authorize a Consent Order assessing the following civil penalties: \$1,000 for violation of TCA §62-13-403(7) (A) (disclose personal interest) and Tenn. Comp. R & Regs. 1260-02-.11 (disclose personal interest); \$1,000 for violation of Tenn. Comp. R & Regs. 1260-02-.09(8) (timely disburse earnest money); \$1,000 for violation of TCA §62-13-403(6) (timely account for trust fund deposits); and \$1,000 for violation of TCA §62-13-404(2) (loyalty to client). The Respondent's license will also be temporarily downgraded from a "principal broker" to

An “affiliate broker” for six months from the time the Order is entered based on the Commission’s authority under TCA §62-13-312(c) for violations of TCA §62-13-312(b) (1) (misrepresentation), TCA §62-13-312(b) (5) (failing to remit moneys timely), and TCA §62-13-312(b) (20) (improper, fraudulent or dishonest dealings). Motion by Commissioner Wood seconded by Commissioner Hills. Motion passes 7-1 with Commissioner Horne against.

21. 2016071331
Opened: 12/1/16
First Licensed: 10/8/15
Expiration: 10/7/17
Type of License: Affiliate Broker History:
None

Recommendation: Authorize a Consent Order assessing a \$500 civil penalty and 8 hours of CE courses for violation of Tenn. Code Ann. §§ 62-13-403(1) (skill and care) and 62-13-312(b)(14). Respondent must attend and successfully complete a total of 8 hours of continuing education in contracts, all within one hundred eighty (180) days of Respondent’s execution of Consent Order. Such continuing education hours should be over and above the minimum continuing education requirements for licensure.

Decision: The Commission voted to authorize a Consent Order assessing a \$1,000 civil penalty for violation of Tenn. Code Ann. §§ 62-13-403(1) (skill and care) and 62-13-312(b) (14); a \$1,000 civil penalty for a violation of Tenn. Comp. R & Regs. 1260-02-.12(3) (4) (false and misleading advertising). The Respondent must also attend and successfully complete a total of 8 hours of continuing education, with 4 hours focusing on contract writing and 4 hours focusing on transactions for the sale of property “by owner.” The CE must be completed all within one hundred eighty (180) days of Respondent’s execution of Consent Order. Such continuing education hours should be over and above the minimum continuing education requirements for licensure.

Motion by Commissioner Blume seconded by Commissioner Taylor. Motion passes unanimously.

22. 2016071351
Opened: 12/1/16
First Licensed: 1/22/02
Expiration: 2/9/18
Type of License: Principal Broker History:
None

Recommendation: Authorize a Consent Order assessing a \$1000 civil penalty for violation of Tenn. Code Ann. § 62-13-312(b) (15) (failure to supervise)

Decision: The Commission voted to authorize a consent order for \$500 civil penalty for violation of Tenn. Code Ann. § 62-13-312(b) (15) (failure to supervise). Motion by Commissioner Franks seconded by Commissioner Hills. Motion passes 6-2, with Commissioner Blume against and Commissioner Taylor abstained.

23. 2016071541
Opened: 12/2/16

Type of License: Unlicensed History:
None

Recommendation: Authorize a Consent Order assessing a \$1,000 Civil Penalty for violation of Tenn. Code Ann. §62-13-301 (unlicensed activity)

Decision: The Commission voted to authorize a Consent Order assessing a \$1,000 Civil Penalty for violation of Tenn. Code Ann. §62-13-301 (unlicensed activity), and the Consent Order shall state the Respondent must cease and desist all unlicensed activity. The Commission also requests that this complaint be referred to the Division of Consumer Affairs.

Motion by Commissioner Franks seconded by Commissioner Hills. Motion passes unanimously.

24. 2016073181
Opened: 12/8/16
First Licensed: 11/29/06 Expiration:
11/28/18
Type of License: Real Estate Firm
History: None

Recommendation: Authorize a Consent Order assessing a \$1,000 civil penalty for failure to respond

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks seconded by Commissioner Horne. Motion passes unanimously.

25. 2016073811
Opened: 12/12/16
Type of License: Unlicensed
History: None

Recommendation: Discuss

Decision: The Commission voted to authorize a Consent Order assessing a \$1,000 Civil Penalty for violation of Tenn. Code Ann. §62-13-301 (unlicensed activity).

Motion by Commissioner Wood seconded by Commissioner Blume. Motion passes unanimously.

24. 2016074661
Opened: 12/14/16
First Licensed: 9/3/98
Expiration: 4/3/19
Type of License: Real Estate Firm History:
None

Recommendation: Dismiss complaint and Open complaint against agent involved for violation of Tenn. Code Ann. §62-13-403(1) (reasonable skill and care)

Decision: The Commission voted to dismiss the complaint. Motion by Commissioner Wood seconded by Commissioner Blume. Motion passes unanimously.

25. 2016070901
Opened: 11/29/16
Type of License:
Unlicensed History: None

Recommendation: Authorize a Consent Order assessing a \$1,000 Civil Penalty for violation of Tenn. Code Ann. §62-13-301 (unlicensed activity)

Decision: The Commission voted to authorize a Consent Order assessing a \$1,000 Civil Penalty for violation of Tenn. Code Ann. §62-13-301 (unlicensed activity). Motion by Commissioner Wood seconded by Commissioner Franks. Motion passes unanimously.

26. 2016069341
Opened: 11/16/16
First Licensed:
7/24/15 Expiration:
7/23/17
Type of License: Affiliate Broker
History: None

Recommendation: Authorize a Consent Order assessing a \$1,000 civil penalty for violation of Tenn. Code Ann. § 62-13-312(b) (4) (misleading advertising) and Tenn. Comp. R. & Regs. 1260-02-.12(3) (b) (1) - (2) and (f)

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Blume seconded by Commissioner Wood. Motion passes unanimously.

27. 2016073461
Opened: 11/16/16
First Licensed:
1/2/02
Expiration: 9/21/18
Type of License: Principal Broker
History: None

Recommendation: Letter of Warning (failure to supervise)

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Hills seconded by Commissioner Wood. Motion passes 7-1, Commissioner Franks against.

28. 2016072311
Opened: 12/8/16
First Licensed:
2/16/94 Expiration:
5/22/17
Type of License: Principal Broker
History: None

Recommendation:
Dismiss

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Wood seconded by Commissioner Horne. Motion passes unanimously.

29. 2016072411
Opened: 12/8/16
First Licensed:
5/16/02 Expiration:
2/14/18
Type of License: Affiliate Broker
History: None

Recommendation:
Dismiss.

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

30. 2016072471
Opened: 12/8/16
First Licensed:
7/18/86 Expiration:
10/31/17
Type of License: Affiliate Broker
History: None

Recommendation:
Dismiss.

Decision: The Commission voted to accept the recommendation of legal counsel. Motion by Commissioner Franks seconded by Commissioner Taylor. Motion passes unanimously.

Meeting Adjourned by Chairman Griess at 3:55 p.m.

The Tennessee Real Estate Commission held a formal hearing May 12, 2017 at 9:00a.m. In the Collierville City Hall, 500 Poplar View Parkway Collierville, Tennessee 38017.

The meeting was called to order by Chairman John Griess.

The following Commission Members were present: Chairman John Griess, Commissioner Diane Hills, Commissioner Marcia Franks, Commissioner Fontaine Taylor, Commissioner Gary Blume, Commissioner Bobby Wood, Commissioner Rick Douglass and Commissioner Johnny Horne. Commissioner Austin McMullen was absent. Others present: Executive Director Malcolm Young, Assistant General Counsel Robin Ryan, and Commission Staff Brooke Chartrand.

Formal Hearing 9:00 A.M. CST Call to Order TREC v. Ricky D. Hinson A formal hearing was held before the Commission with an Administrative Law Judge presiding. The Commission considered all testimony and evidence presented.

Decision: TREC v. Ricky D. Hinson **** Motion by Commissioner Wood seconded by Commissioner Taylor.

1. Respondent shall pay a civil penalty in the amount of \$3,000.00 representing \$1,000.00

For each violation of the laws listed above, TENN. CODE ANN. §62-13-312(b) (14), TENN. CODE ANN. §62-13-312(b) (20), TENN. Co. ANN. §62-13-303(a) (1). Respondent shall pay this civil penalty within 30 days of the entry of this Order

3. Respondent shall pay all court costs in this matter including the costs of the Administrative Law Judge in the amount of \$200.00 and the court reporter costs in the amount of \$175.00 for a total due of \$375.00 and shall pay this amount within 30 days of the entry of this Order.

Hearing adjourned by Chairman John Griess at 11:30 a.m.

ATTACHMENT A

TENNESSEE REAL ESTATE COMMISSION

Education Agenda **May 11, 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
Career Web School/OnCourse Real Estate Inc. #1304 Diana Taulli	30 Hour Course for New Affiliates(I) Rule 1260-05-.03(3) M1	Topics covered in this course include agency, contracts, fair housing laws, antitrust laws, risk reduction strategies, broker supervision, property management, leases, commercial real estate, business ethics, finance basics, types of loans, title insurance, and finance regulation.	Gary Taylor PREVIOUSLY APPROVED	30
The CE Shop, Inc. #1456 Rebecca Piltingsrud	NAR Green Day 2: Representing Buyers and Sellers of Resource- Efficient Homes(I) Rule 1260-05-.03(1); (.06) M2	The course examines among other things how the sum of many small environmental changes in our daily lives has resulted in a big shift in societal behaviors and attitudes. The different generations react differently to green. Agents can be change makers as they interact with their clients within green communities.	Michael McAllister PREVIOUSLY APPROVED	6
	NAR Green Day 1: Resource-Efficient Homes: Retrofits, Remodels, Renovations, and New Home Construction(I) Rule 1260-05-.03(1); (.06) M3	Discusses what a resource-efficient home is and why consumer demand is increasing for these homes. Also, examines the influence of principles of sustainability on consumer attitudes and choices and home values.		6
The Columbia Institute #1463 Jeanne Crane	Constructing the Professional Report..From A-Z, No. 026. (CR) Rule 1260-05-.03(3) M4	This course provides information regarding an appraisal report-i.e. what needs to be included and formats to use.	Amelia Brown Robbie Wilson PREVIOUSLY APPROVED	5

Columbia Institute continued...	Shades of Green- Residential Appraisal, No. 156 (CR) Rule 1260-05-.03(3) M5	This course explains what is considered green in residential building.	PREVIOUSLY APPROVED	8
	Comprehensive Square Foot Calculations, No. 155 (CR) Rule 1260-05-.03(3) M6	This course explains how to measure residential square footage (the simple and the complex).		8
Council of Residential Specialists #1113 Regina Harvey	CRS 127 Succession Planning: Building, Valuing and Selling Your Business(CR) Rule 1260-05-.03(5)(a) M7	This course examines creating strong business and succession/retirement plans which requires a careful analysis of the market, valuation of your business, the ability to select appropriate selling strategies, and building a long term referral stream.	Mark Given PREVIOUSLY APPROVED	8
D&D School of Real Estate #1183 Richard Clemmer	Evaluating Current Standards in Fair Housing(I) Rule 1260-05-.12 M8	Course focuses on the mandatory fair housing issues that real estate licensees must understand, including what conduct violates anti-discrimination laws to avoid potential liability.	Richard Clemmer PREVIOUSLY APPROVED	4
	NAR: May the Code Be With You(I) Rule 1260-05-.12 M9	Course addresses the specifics of the NAR Code of Ethics and ethical practices and decision making for real estate professionals.		4
	Property Tax & Mortgage Valuation(I) Rule 1260-05-.12 M10	This course offers a practical view of the relationship of agents and appraisers along with the uses of property taxes and appraisals in two major sections.		3

	Social Media Ethics(I) Rule 1260-05-.12 M11	This course will review the REALTOR Code of Ethics and learn how to ensure you are in compliance while using social media and technology.		3
	Ethics & Agency Relationships Today, Article 1 thru 9 NAR Code of Ethics(PP) Rule 1260-05-.12 M12	This course will review your understanding of agency and ethics core principals.	Tom Neff PREVIOUSLY APPROVED	4
	TREC Residential Core 2017-2018(I) Rule 1260-05-.03; (.12) M13	This course will provide attendees a better understanding of the latest rules, regulations, and issues when practicing real estate in the state of Tennessee. It will fulfill the Core course CE requirement.		6
McKissock LLC #1338 Nichole Fetzcek	Certified Luxury Home Marketing Specialist Training(CR) Rule 1260-05-.03(1) M14	This course is designed to fulfill continuing education requirements for real estate professionals concerning luxury home marketing training.	Tami Simms PREVIOUSLY APPROVED	10
Memphis Area Association of Realtors #1094 O'Hara Keszler	Launch(CR) Rule 1260-05-.03(1); (5)(a) M15	Launch will help realtors recognize the benefit from creating an annual business plan, understand how the BizBlueprint2Go can be a road map to success through specific activities and immediately implement knowledge gained.	Jennifer Du Plessis NEED APPROVAL	3
	Math 101 for Realtors(CR) Rule 1260-05-.03(1); (5)(a) M16	Math 101 for Realtors introduces professional realtors to simple math theories used by lenders. Participants will develop a basic knowledge of these practices in an effort to assist them when clients make inquiries about various situations related to purchasing or selling a home.		3

MAAR continued....	17 Crazy Things Agents Do to Mess UP Their Careers(CR) Rule 1260-05-.03(1);(5)(a) M17	Teach realtors the value of an effective, valid listing agreement, proper language use in advertisements and using social media legally and effectively.	Michele Sloan PREVIOUSLY APPROVED	2
	Lead Generate Like a Boss(CR) Rule 1260-05-.03(1);(5)(a) M18	Teach realtors how to market properly to get the maximum number of referrals and how to strategically go after additional lead sources in order to grow their sphere.	Amber Esparza NEED APPROVAL	2
	Here Come the Millenials(CR) Rule 1260-05-.03(1);(5)(a) M19	Helping agents describe the age of the millennial (generation Y) and how previous generations had a direct impact on how they view the world; understand the typical millennial buyer; understand millennials expectations and how they like to communicate.	Michel Sloan PREVIOUSLY APPROVED	2
	The Number One Lead Conversion Tool for Realtors(CR) Rule 1260-05-.03(1);(5)(a) M20	This course will teach realtors the importance of a stellar lead follow up system by using the number one lead converting tool today-video.	Jason Esparza NEED APPROVAL	2
	It's Not You; It's New!(CR) Rule 1260-05-.03(1); (5)(a) M21	Identify ways to stay abreast of current and emerging technological trends; explain the value of video and future projections; leveraging Evernote, listing and community photos across the internet.	Marki Lemons Ryhal NEED APPROVAL	1
	Your Perfect Practice Morning for Sustainable Growth(CR) Rule 1260-05-.03(1);(5)(a) M22	Teach realtors how to reinforce their foundation for success by implementing five simple steps daily, S.A. L.E.S. Sales, Affirmations, Lead Generation, Exercise, and Scripts. This process will allow realtors to become more focused and deliberate about the actions needed to grow and sustain their best real estate live.		2

	How To Get More Business from Facebook in Three Easy Steps(CR) Rule 1260-05-.03(1);(5)(a) M23	This course will teach realtors how to use the largest social platform in the world in a systematic way to build stronger relationships and to get more referrals.	Jason Esparza NEED APPROVAL	2
Memphis Real Estate School #1350 Felicia Roddy	Tennessee License Review(CR) Rule 1260-05-.03(1);(2);(5)(a) M24	Students shall review both the Tennessee and National categories for real estate licensing. The specific points contained in the state law for operating as a real estate agent shall be identified and reinforced through practice scenarios and exercises to enable the student to focus on the requirements of licensing and the brokerage relationship.	Felicia Roddy PREVIOUSLY APPROVED	12
Middle Tennessee Association of Realtors #1141 Candy Joyce	Putting the Pieces Together(CR) Rule 1260-05-.03(5)(a) M25	Integrating the proper forms within a transaction with ethical performance to better serve clients.	Randa Dawson PREVIOUSLY APPROVED	4
Performance School of Real Estate Finance #1000020 Terrye Ianetta	Using Today's Tools to Gain More Listings(CR) Rule 1260-05-.03(5)(a) M26	Students will gain an understanding on how to advertise properties on the internet and be seen on the World Wide Web. Skills taught will include leveraging Facebook and blogging, as we explore the impact of social media as a way to be found online.	Debra Black Diane Tallon Kathy Schmidt Josh Rodgers PREVIOUSLY APPROVED	3
Sterling Education Services, Inc. #1345 Tara Hermann	Landlord-Tenant Law: From Lease to Eviction(CR) Rule 1260-05-.03(5)(a) M27	Don't wait until you are in the middle of litigation to get help on landlord-tenant law matters. Our speakers can offer practical experience and down to earth solutions and help you keep up with the constantly shifting body of laws.	David Canas PREVIOUSLY APPROVED	8
Tennessee Association of Realtors #1110 Steve McDonald	Manage Your Time: Control Your Life!(CR) Rule 1260-05-.03(5)(a) M28	This course is a motivational upbeat educational session with an emphasis on learning time management techniques, and showing how important they are to gaining control of your life, prioritizing	Robert Morris PREVIOUSLY APPROVED	1

		items to reach your goals in your business and everything you do.		
TREC #7777 E. Ross White	TREC Outreach Seminars(CR) Rule 1260-05.03(5) M29	Statewide outreach seminars offered to the Associations, offering free CE credit.	Malcolm Young Sarah Mathews	2

Courses Requiring Discussion

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

Executive Director's Report**May 2017****Tennessee Real Estate Commission****Education –**

Instructor/Provider List Serv – the Listserv has been installed for future communication with course providers on updates at TREC on education. The first listserv communication will be the course providers on the new feature on the website of publishing the pass/fail ratios.

Instructor Certification Course – Staff is currently interviewing course developers for a Certification for of instructors with a combination of live and online.

Education Committee- Staff is recommending a review group from the Commissioners to review content and learning objectives of course submissions prior to the final approval by the commission.

Outreaches –

TREC has established topics and a schedule of 8 outreaches with TREC Executive Director and Attorney, Sarah Mathews.

2017 Outreach Locations and Tentative Dates			
Association	Location	Tentative Date	Tentative Time
MAAR	Memphis, TN	May 10, 2017	2:30 PM
NETAR	Kingsport, TN	June 21, 2017	2:00 PM
KAAR	Knoxville, TN	June 22, 2017	10:00 AM
MTAR	Murfreesboro, TN	August 11, 2017	9:00 AM
CWTAR	Jackson, TN	August 15, 2017	9:30 AM
WCAR	Brentwood, TN	August 14, 2017	9:00 AM
RCAR	Springfield, TN	August 18, 2017	9:00 AM
GNAR	Nashville, TN	August 23, 2017	9:00 AM
GCAR	Chattanooga, TN	October 4, 2017	1:00 PM

Upcoming Invitations for Outreaches

Keller Williams Knoxville- April 13, 2017

Greater Chattanooga Association of REALTORS Brokers- May 4

Keller Williams Regional- May 8, 2017

IT Update-

Staff is continuing to work with IT on the ListServ challenges, tracking the broker post 120 hours, and flagging the suspended agents and identifying the Principal Broker.

ARELLO-

The ARELLO Midyear was held April 26-29 in Louisville, KY with Johnny Horne, Marcia Franks, Malcolm Young and Sarah Mathews in attendance. The conference discussions centered on the North Carolina Dental Supreme Court ruling and oversight of individual commission decisions, increased complaint filings in jurisdictions, and property management issues. (See report)

Human Resources/Staffing –

The staffing grid for the TREC Staff is as follows:

Malcom Young	Executive Director
Ross White	Education Director
Melissa Fox	Office Manager and Processing Coordinator
Rachel Fowler	Licensee Education
Brooke Chartrand	Administrative Assistant and Special Projects
Ahmad Lewis	Auditor
Aaron Smith	Customer Service and Errors and Omissions
Sherry Brame	Processor, Payments, Rosters, Schools
Liza Bennich	Customer Service, Processing
Cherita Okoro	Customer Service, Processing
Rhonda Brown	Customer Service

April Statistical Report –

Profession	Count
Acquisition Representative Registration	2330
Real Estate Firm	3941
Acquisition Agent Registration	42
Affiliate Broker	26175
Acquisition Agent License	144
Designated Agent for Vacation Lodging Services	99
Time Share Sale	918
Time Share Exempt	135
Vacation Lodging Service	109
RE Broker	7527
Time Share Registration	29

License Type	Status	LIC_COUNT
Individual	Active	31066
Individual	Broker Release	2
Individual	Inactive	1
Individual	Retired	6186
Individual	Suspended	920
Individual	Vol Surrendered	3515
Firm	Active	4177
Firm	Retired	79

April 2017

EXAMS TAKEN BY LICENSE TYPE

Test	Tested	Pass	Fail	% Passed	% Failed
TN- Acquisition Agent	6	5	1	83.33%	16.67%
TN Affiliate Broker-National	661	389	272	58.85%	41.15%
TN Affiliate Broker- State	604	428	176	70.86%	29.14%
TN Broker-National	44	27	17	61.36%	38.64%
TN Broker- State	55	39	16	70.91%	29.09%
TN- Timeshare Salesperson	63	42	21	66.67%	33.33%

2017 March

TREC

SURPLUS/DEFICIT

FISCAL YEAR BEGINS: JUL 2016

	JUL-16	AUG-16	SEP-16	OCT-16	NOV-16	DEC-16	JAN-17	FEB-17	MAR-17	APR-17	MAY-17	JUN-17	YEARLY
TREC Revenues TREND													
Licensing Revenue	\$ 173,605	\$ 189,115	\$ 188,832	\$ 196,997	\$ 217,016	\$ 227,538	\$ 229,986	\$ 207,150	\$ 251,540				\$ 1,881,776
Case Revenue	\$ 5,867	\$ 16,717	\$ 4,467	\$ 3,867	\$ 8,617	\$ 16,717	\$ 19,167	\$ 10,887	\$ 7,568				\$ 93,871
State Reg Fee	\$ (17,170)	\$ (18,640)	\$ (19,800)	\$ (18,310)	\$ (19,490)	\$ (20,300)	\$ (22,900)	\$ (19,130)	\$ (24,750)				\$ (180,490)
TOTAL REVENUE	\$ 162,301	\$ 187,191	\$ 173,498	\$ 182,554	\$ 206,142	\$ 223,954	\$ 226,253	\$ 198,906	\$ 234,358	\$ -	\$ -	\$ -	\$ 1,795,157
TREC Expenses TREND													
Edison Expenditures	\$ 69,695	\$ 79,207	\$ 77,794	\$ 78,777	\$ 70,932	\$ 62,086	\$ 53,398	\$ 81,067	\$ 63,849				\$ 636,804
Admin Costbacks	\$ 35,898	\$ 47,671	\$ 40,717	\$ 44,662	\$ 36,066	\$ 40,916	\$ 29,294	\$ 33,767	\$ 30,888				\$ 339,879
Legal Costbacks	\$ 26,569	\$ 48,261	\$ 44,961	\$ 31,787	\$ 57,650	\$ 40,485	\$ 41,253	\$ 45,892	\$ 50,426				\$ 387,284
Investigations	\$ -	\$ 2,622	\$ 582	\$ 1,851	\$ 4,987	\$ 3,290	\$ 2,609	\$ 1,133	\$ 1,508				\$ 18,583
Field Enforcement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				\$ -
Customer Service Center	\$ 10,830	\$ 9,887	\$ 9,611	\$ 12,559	\$ 10,278	\$ 10,985	\$ 13,136	\$ 13,180	\$ 11,825				\$ 102,292
TOTAL EXPENDITURES	\$ 142,992	\$ 187,648	\$ 173,665	\$ 169,636	\$ 179,914	\$ 157,762	\$ 139,689	\$ 175,039	\$ 158,497	\$ -	\$ -	\$ -	\$ 1,484,842
Net Surplus/Deficit	\$ 19,309	\$ (457)	\$ (167)	\$ 12,917	\$ 26,228	\$ 66,193	\$ 86,564	\$ 23,867	\$ 75,861	\$ -	\$ -	\$ -	\$ 310,315

Historical Trend

	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015
Licensing & Case Revenue	\$ 250,958	\$ 202,639	\$ 151,324	\$ 179,479	\$ 144,717	\$ 168,954
	\$ 186,351	\$ 199,162	\$ 248,430	\$ 177,085	\$ 213,228	\$ 237,719
	\$ 199,162	\$ 248,430	\$ 1,732,011	\$ 174,043	\$ 234,782	\$ 1,876,351
Expenditures	\$ 1,715,988	\$ 1,634,098				

Opened and Closed Complaint Cases-

Month	Opened Cases	Closed Cases
12/1/2016 – 12/31/2016	65	87 *14 with sanctions
01/01/2017-01/31/2017	70	67 *11 with sanctions
02/01/2017-02/28/2017	62	105
3/01/2017-3/31/2017	56	85
4/01/2017-4/30/2017	52	66

Future Dates –

ARELLO Fall – 2017 – Hawaii – September 2017

Submitted by

Malcolm Young, Executive Director, Tennessee Real Estate Commission