



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 July 10, 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.

Vice Chair Marcia Franks welcomed everyone to the Board meeting.

Administrative Manager Rianna Womack 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 Austin McMullen, Vice-Chair Marcia Franks and Commissioner Bobby Wood. Commissioner Richard Douglass was absent. Quorum Confirmed. Others present: Assistant General Counsel Anna D. Matlock, Assistant General Counsel Kelsey J. Bridges, paralegal Amanda Dean, Administrative Manager Rianna Womack, Education Director Ross White, and TREC Staff member Aaron Smith.

The July 10, 2019 board meeting agenda was submitted for approval.

Motion to approve the agenda was made by Commissioner Diaz, and seconded by Commissioner McMullen. Motion passed 6-0, Chairman Griess absent.

Minutes for the June 12, 2019 board meeting were submitted for approval.

Motion to approve the June 12, 2019 minutes was made by Commissioner Diaz, and seconded by Commissioner Taylor. Motion passed 6-0, Chairman Griess absent.

INFORMAL APPEARANCE

Assistant General Counsel Anna Matlock presented Mary B. Williams before the Commission. Ms. Williams sought a waiver for testing and grandfathered status.

Motion to deny Ms. Williams's waiver request was made by Commissioner Taylor, and seconded by Commissioner Hills. Motion passed unanimously.

EDUCATION REPORT

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

Motion to approve courses J1-J33 was made by Commissioner Hills, and seconded by Commissioner Wood. Motion passed unanimously.

Education Director Ross White presented Real Estate Coaching Simplified #1681 Instructor Michelle Moore requested the commission grant a modification of the course hours from one (1) hour to two (2) hours.

Motion to approve request was made by Commissioner Taylor, seconded by Commissioner McMullen. Motion passed unanimously.

Education Director Ross White presented Instructor Biographies to the Commission.

Motion to approve instructors was made by Commissioner Diaz and seconded by Commissioner Hills. Motion passed unanimously.

Note Commission continued discussion of Jill Malloy from the June meeting.

Motion to approve Jill Malloy was made by Commissioner Diaz, seconded by Commissioner Wood. Motion passed 6-0 with Chairman Griess abstaining.

EXECUTIVE DIRECTOR'S REPORT

Administrative Manager Rianna Womack presented the Executive Director's report. It was confirmed that Vice-Chair Marcia Franks, Commissioner Geoff Diaz, Assistant General Counsel Anna Matlock, and Education Director Ross White would be attending the Annual ARELLO Conference in Denver Colorado. Additional discussion regarding the 2020 TREC meeting dates.

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: 2019004531, 2019005091, 2019003521, and 2019013061.

After further discussion by the Commission, Commissioner Taylor made the motion to accept legal’s recommendation to dismiss complaints 2019004531, 2019005091, 2019003521, and 2019013061 seconded by Commissioner Diaz. Motions passed 6-0, Chairman Griess absent.

1.) 2019004531	15.) 2019003861	29.) 2019011961	43.) 2019009161	
2.) 2019005091	16.) 2019004831	30.) 2019012711	44.)2019003531	
3.) 2019005481	17.) 2019005151	31.) 2019012121	45.) 2019003971	
4.) 2019005431	18.) 2019005891	32.) 2019014121	46.) 2019004201	
5.) 2019005461	19.) 2019006111	33.) 2019012161	47.) 2019008941	
6.) 2019005271	20.) 2019006141	34.) 2019012101	48.) 2019008411	
7.) 2019006691	21.) 2019006021	35.) 2019013061	49.) 2019009261	
8.) 2019006561	22.) 2019006021	36.) 2019009021	50.) 2019009461	
9.) 2019007201	23.) 2019012851	37.) 2019009311	51.) 2019008621	
10.) 2019007221	24.) 2019011451	38.) 2019009321		
11.)2019008641	25.) 2019011391	39.) 2019009581		
12.)2019008591	26.) 2019010341	40.) 2019009571		
13.)2019008721	27.) 2019010881	41.) 2019009821		
14.)2019003521	28.) 2019011581	42.) 2019013041		

LEGAL REPORT:

KELSEY BRIDGES

- 1. 2019007241
Opened: 1/28/2019
First Licensed: 4/25/2017
Expires: 4/24/2021
Type of License: Affiliate Broker
History: None

Recommendation: Dismissal.

Decision: The Commission deferred making a decision and requested Counsel obtain a copy of the Confirmation of Agency Agreement.

Motion made by Commissioner Wood, seconded by Commissioner Hills. Motion passed 5-0, Chairman Griess absent.

2. **2019008581**
Opened: 1/30/2019
First Licensed: 6/5/2003
Expires: 7/31/2020
Type of License: Real Estate Firm
History: None

Recommendation: Dismissal.

Decision: The Commission deferred this decision to the next meeting upon individual review by Commissioner Wood.

Motion made by Commissioner Hills, seconded by Commissioner McMullen. Motion passed 6-0, Chairman Griess absent.

3. **2019008441**
Opened: 1/31/2019
First Licensed: 12/9/2013
Expires: 12/8/2019
Type of License: Real Estate Firm - Revoked
History: 2019 Consent Order Revoking License

Recommendation: Dismissal.

Decision: Close and flag.

Motion made by Commissioner Hills, seconded by Commissioner Wood. Motion passed 6-0, Chairman Griess absent.

4. **2019004841**
Opened: 1/18/2019
First Licensed: 11/6/2009
Expires: 11/5/2019
Type of License: Real Estate Firm
History: None

Recommendation: Dismissal.

Decision: The Commission authorized a Letter of Warning be sent to the principal broker.

Motion made by Vice-Chair Franks, seconded by Commissioner Diaz. Motion passed 6-0, Chairman Griess absent.

- 5. 2019010861**
Opened: 02/08/2019
First Licensed: 03/04/2019
Expires: 03/03/2021
Type of License: Vacation Lodging Service Firm
History: None

Recommendation: Dismissal.

Decision: The Commission authorized a One Thousand Dollar (\$1,000.00) civil penalty for unlicensed activity.

Motion made by Commissioner Wood, seconded by Commissioner Diaz. Motion passed 6-0, Chairman Griess absent.

- 6. 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.

Motion made by Commissioner Hills, seconded by Commissioner Taylor. Motion passed 5-0 Commissioner McMullen and Chairman Griess absent.

- 7. 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.

Motion made by Commissioner Hills, seconded by Commissioner Taylor. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

8. 2019006071

Opened: 1/23/2019

Type of License: Unlicensed

History: None

Recommendation: \$1,000 civil penalty for unlicensed activity.

Decision: The Commission accepted Counsel's recommendation and authorized to administratively open a complaint against the firm for the employment of an unlicensed salesperson.

Motion made by Commissioner Diaz, seconded by Commissioner Wood. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

9. 2019005451

Opened: 1/22/2019

First Licensed: 4/14/2015

Expires: 7/30/2021

Type of License: Real Estate Firm

History: None

Recommendation: Dismissal.

Decision: The Commission authorized a One Thousand Dollar (\$1,000.00) civil penalty to the firm for hiring unlicensed individuals. The Commission also authorized administratively opening a complaint against the principal broker for violation of Tenn. Code Ann. § 62-13-302(a).

Motion made by Commissioner Wood, seconded by Commissioner Taylor. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

10. 2019006471

Opened: 1/24/2019

First Licensed: 10/25/2005

Expires: 10/24/2019

Type of License: Real Estate Firm

History: None

Recommendation: Consent order finding both violations with a \$500 civil penalty for the violation of Tenn. Code Ann. § 62-13-321.

Decision: The Commission authorized a One Thousand Dollar (\$1,000.00) civil penalty for failing to timely deliver the requested records to Commission staff. The

Commission also authorized a Letter of Instruction instructing Respondent of the importance of contracts matching where you hold earnest money, including the name and address and that Respondent make sure to adhere to the number of days stated in the contract.

Motion made by Commissioner Taylor, seconded by Commissioner Wood. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

11. 2019009101

Opened: 2/1/2019

First Licensed: 7/21/2000

Expires: 2/7/2021

Type of License: Real Estate Firm

History: 2010 Consent Order with Civil Penalty

Recommendation: Dismissal.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Wood, seconded by Commissioner Hills. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

12. 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.

Motion made by Commissioner Hills, seconded by Commissioner Taylor. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

13. 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.

Motion made by Commissioner Taylor, seconded by Commissioner Hills. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

14. 2019004111

Opened: 1/15/2019

Type of License: Unlicensed

History: None

Recommendation: Consent Order requiring Respondent to become licensed within forty-five days, or otherwise pay a civil penalty for unlicensed activity.

Decision: The Commission authorized an Eight Thousand Dollar (\$8,000.00) civil penalty for unlicensed activity and for the consent order to include cease and desist language.

Motion made by Commissioner Taylor, seconded by Commissioner Hills. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

15. 2019001521

Type of License: Unlicensed

History: None

Recommendation: Referral.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Wood, seconded by Commissioner Diaz. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

16. 2019010291

Opened: 02/06/2019

First Licensed: 01/05/2017

Expires: 01/04/2021

Type of License: Affiliate Broker

History: None

Recommendation: Letter of Instruction.

Decision: The Commission authorized a four (4) hour course on Fair Housing to be completed within one hundred eighty (180) days and for the course to be above and beyond the mandated continuing education requirements.

Motion made by Commissioner Diaz, seconded by Commissioner Wood. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

17. 2019011981

Opened: 02/13/2019

Type of License: Unlicensed

History: None

Recommendation: Dismiss and administratively open a complaint against the unlicensed property management company mentioned by Respondent's attorney for unlicensed activity.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Hills, seconded by Commissioner Wood. Motion passed 5-0, Commissioner McMullen and Chairman Griess absent.

18. 2019005371

Opened: 1/22/2019

First Licensed: 4/13/2016

Expires: 4/12/2020

Type of License: Affiliate Broker

History: None

Recommendation: Letter of Warning.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Wood, seconded by Commissioner Diaz. Motion passed 5-0, Commissioner McMullen abstaining and Chairman Griess absent.

19. 2019005731

Opened: 1/22/2019

First Licensed: 10/2/2017

Expires: 10/1/2019

Type of License: Real Estate Firm

History: None

Recommendation: \$1,000 civil penalty for failure to answer the complaint.

Decision: The Commission accepted counsel's recommendation and requested that language be added instructing Respondent to update their address with the Commission. The Commission also authorized administratively opening a

complaint against the principal broker for violation of Tenn. Code Ann. § 62-13-309(3).

Motion made by Commissioner Diaz, seconded by Commissioner Taylor. Motion passed 5-0
Commissioner McMullen and Chairman Griess absent.

20. 2019009451

Opened: 2/4/2019

First Licensed: 5/30/1976

Expires: 6/16/2021

Type of License: Principal Broker

History: None

Recommendation: \$1,000 Civil Penalty for failure to respond.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Taylor, seconded by Commissioner Diaz. Motion passed 5-0,
Commissioner McMullen and Chairman Griess absent.

21. 2019003781

Opened: 1/14/2019

First Licensed: 6/6/2014

Expires: 6/5/2020

Type of License: Affiliate Broker

History: None

Recommendation: Letter of Warning.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Diaz seconded by Commissioner Wood. Motion passed 5-0,
Commissioner McMullen and Chairman Griess absent.

22. 2019004001

Opened: 1/15/2019

First Licensed: 6/25/2004

Expires: 6/20/2020

Type of License: Real Estate Broker

History: None

Recommendation: \$500 civil penalty for the violation of Tenn. Comp R. & Regs. 1260-02-

.12.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Wood, seconded by Commissioner Taylor. Motion passed 5-0
Commissioner McMullen and Chairman Griess absent.

23. 2019007911

Opened: 01/30/2019

Type of License: Unlicensed

History: None

Recommendation: One Thousand Dollar Civil Penalty (\$1,000.00) for unlicensed activity.

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner Hills, seconded by Commissioner Wood. Motion passed 5-0
Commissioner McMullen abstaining and Chairman Griess absent.

24. 2019009781

Opened: 02/05/2019

First Licensed: 03/19/2010

Expires: 04/23/2021

Type of License: Principal Broker

History: Currently Suspended - E&O

Recommendation: \$1,000 civil penalty for violation of TCA 62-13-403(1)(failure to exercise reasonable skill and care).

Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner McMullen, seconded by Commissioner Diaz. Motion passed 6-0,
Chairman Griess absent.

Re-Present

25. 2018006751

Opened: 12/13/2017

First Licensed: 2/16/1994

Expires: 5/22/2019

Type of License: Principal Broker
History: None

New Recommendation: Close.

New Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner McMullen, seconded by Commissioner Diaz. Motion passed 6-0, Chairman Griess absent.

26. 2018071931

Opened: 10/10/2018
First Licensed: 10/6/1992
Expires: 10/12/2020
Type of License: Real Estate Firm
History: None

New Recommendation: Dismissal.

New Decision: The Commission accepted Counsel's recommendation.

Motion made by Commissioner McMullen, seconded by Commissioner Diaz. Motion passed 6-0, Chairman Griess absent.

27. 2018068101

Opened: 9/25/2018
Type of License: Unlicensed
History: None

New Recommendation: Discuss.

New Decision: The Commission reinstated their original decision a One Thousand Dollar (\$1,000.00) civil penalty for unlicensed activity.

Motion made by Commissioner Diaz, seconded by Commissioner McMullen. Motion passed 6-0, Chairman Griess absent.

Chairman Griess adjourned the meeting at 12:00PM