

MEETING MINUTES
SOUTH DAKOTA REAL ESTATE COMMISSION

217 West Missouri Ave., Pierre, SD 57501

Via Microsoft Teams

Wednesday, March 12, 2025, at 10 a.m. CDT

Chairman Carol Lawhun called the meeting to order at 10:00 a.m. A quorum was present.

Members Present: Carol Lawhun
Josh Reisetter
Bobbie Tibbetts
Jason Tysdal
Shad Ludemann

Others Present: Melissa Miller, Tim Bond, Michelle Metzinger, Jennifer Doubledde, Francesca Tracy.

Tysdal made a motion to approve the agenda. Reisetter seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Public Comment – No comments.

Tibbetts made a motion to approve the January 7, 2025, meeting minutes. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Miller presented a summary of the financials for January and February 2025. Ludemann moved to acknowledge receipt of the financials for filing. Reisetter seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Miller updated the commissioners on the complaints and consents and said they would be on the agenda to approve at the May meeting.

Reisetter made a motion to go into executive session. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

The commission entered executive session at 10:07 a.m.

The commission came out of executive session at 10:51 a.m.

Complaints/Consents. 2023-003/005/011

Reisetter made a motion to accept the complaint and consent as is. Tysdal seconded the motion. Lawhun called for a roll call vote. Reisetter – yea, Tibbetts – yea, Tysdal – yea, Ludemann – yea, and Lawhun, yea. **MOTION PASSED.**

Complaints 2024-007/008

Reisetter made a motion to dismiss complaints 2024 – 007/008. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Complaints 2024-009/010.

Reisetter made a motion to dismiss complaints 2024 – 009/010. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

The next meeting is scheduled for Thursday, May 15, 2025. (in-person meeting in Pierre).

Tysdal made a motion to adjourn at 10:55 a.m. Ludemann seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1037 REAL ESTATE COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1037000699BA	1140000	352.09	CR	REAL ESTATE/COSMO/BARBER
6503	103700069901	1140000	697,860.74	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	104,155.19	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			801,663.84	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			801,663.84	DR **	
BUDGET UNIT TOTAL 1037			801,663.84	DR ***	

BUDGET UNIT 1037

 AVAILABLE FUNDS
 AS OF: 03/31/2025
 FY YEAR REMAINING: 25.2%
 PAY DAYS REMAINING: 6

DATE 03/29/2025

CENTER NAME REAL ESTATE COMMISSION - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	709,653.00	0.00	0.00	13,559.63	390,156.94	305,936.43	802,015.93

BUDGETED TOT	709,653.00	0.00	0.00	13,559.63	390,156.94	305,936.43	
ALT COMP TOT	709,653.00	0.00	0.00	13,559.63	390,156.94	305,936.43	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	358,130.00	0.00	0.00	12,596.89	249,505.83	108,624.17
5102 EMPLOYEE BENEFITS	103,449.00	0.00	0.00	4,166.87	78,247.13	25,201.87
5203 TRAVEL	43,947.00	0.00	0.00	0.00	5,508.40	38,438.60
5204 CONTRACTUAL SVCS	175,312.00	0.00	13,559.63	5,741.64	48,458.91	113,293.46
5205 SUPPLIES & MATRIS	26,500.00	0.00	0.00	433.09	7,085.18	19,414.82
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	1,155.54	1,351.49	963.51
TOTALS	709,653.00	0.00	13,559.63	24,094.03	390,156.94	305,936.43

BREAKOUT BY COMPANY:

COMPANY 6503-I PROFESSIONAL & LICENSING BOARDS

	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101000 EMPLOYEE SALARIES	358,130.00	0.00	0.00	12,596.89	249,505.83	108,624.17
5102000 EMPLOYEE BENEFITS	103,449.00	0.00	0.00	4,166.87	78,247.13	25,201.87
5203000 TRAVEL	43,947.00	0.00	0.00	0.00	5,508.40	38,438.60
5204000 CONTRACTUAL SVCS	175,312.00	0.00	13,559.63	5,741.64	48,458.91	113,293.46
5205000 SUPPLIES & MATRIS	26,500.00	0.00	0.00	433.09	7,085.18	19,414.82
5207000 CAPITAL OUTLAY	2,315.00	0.00	0.00	1,155.54	1,351.49	963.51
PS SUBTOTALS	461,579.00	0.00	0.00	16,763.76	327,752.96	133,826.04
OE SUBTOTALS	248,074.00	0.00	13,559.63	7,330.27	62,403.98	172,110.39
COMPANY 6503-I TOT	709,653.00	0.00	13,559.63	24,094.03	390,156.94	305,936.43

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 03/31/2025

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1037 REAL ESTATE COMMISSION - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
COMPANY NO 6503					
COMPANY NAME	PROFESSIONAL & LICENSING	BOARDS			
103700069901	6503	4293700	RESIDENT RENTAL AGENTS	240.00	3,780.00
103700069901	6503	4293702	BROKER	3,600.00	32,625.00
103700069901	6503	4293703	HOME INSPECTORS	400.00	1,400.00
103700069901	6503	4293704	PROPERTY MANAGER	675.00	5,625.00
103700069901	6503	4293705	SALES AGENTS	675.00	4,950.00
103700069901	6503	4293707	FIRMS	300.00	9,500.00
103700069901	6503	4293708	CONDOMINIUMS	225.00	10,385.90
103700069901	6503	4293710	TIMESHARE PROJECTS	.00	6,900.00
103700069901	6503	4293711	EDUCATIONAL COURSES	925.00	15,690.00
103700069901	6503	4293712	ADDITIONAL LICENSES	390.00	1,305.00
103700069901	6503	4293713	CHANGE OF ADDRESS	1,200.00	8,790.00
103700069901	6503	4293714	CERTIFICATES OF LICENSURE	240.00	2,770.00
103700069901	6503	4293715	LATE RENEWAL FEES	1,320.00	19,480.00
103700069901	6503	4293717	RENEWAL RES RENTAL AGENTS	.00	3,150.00
103700069901	6503	4293718	RENEWAL AUCTIONEER	.00	1,875.00
103700069901	6503	4293719	RENEWAL BROKER	2,060.00	186,060.00
103700069901	6503	4293720	HOME INSPECTION RENEWAL	300.00	4,200.00
103700069901	6503	4293721	RENEWAL PROPERTY MANAGER	.00	13,750.00
103700069901	6503	4293722	RENEWAL SALES AGENTS	.00	11,625.00
103700069901	6503	4293723	RENEWAL TIMESHARE AGENTS	.00	125.00
103700069901	6503	4293724	RENEWAL FIRMS	250.00	43,375.00
103700069901	6503	4293725	RENEWAL TIMESHARE PROJECT	.00	7,575.00
103700069901	6503	4293726	RENEWAL ADDITIONAL LICENS	.00	4,650.00
ACCT: 4293			BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	12,800.00	399,585.90

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AGENCY BUDGET UNIT	10 1037	LABOR & REGULATION REAL ESTATE COMMISSION - INFO	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
CENTER	COMP	ACCOUNT				
ACCT: 42		LICENSES, PERMITS & FEES	12,800.00	399,585.90	**	
103700069901	6503	4393003 MISC FINES & PENALTIES	800.00	7,019.95	*	
ACCT: 4393		PENALTIES (NON-GOVERNMENTAL)	800.00	7,019.95	*	
ACCT: 43		FINES, FORFEITS & PENALTIES	800.00	7,019.95	**	
103700069901	6503	4596002 LICENSE LAW BOOKS SOLD	.00	1,000.00		
103700069901	6503	4596003 DIRECTORIES/HOME BUYER GU	980.00	8,532.00		
ACCT: 4596			980.00	9,532.00	*	
ACCT: 45		CHARGES FOR SALES & SERVICES	980.00	9,532.00	**	
103700069901	6503	4920045 NONOPERATING REVENUES	.00	26,057.03	*	
ACCT: 4920		NONOPERATING REVENUE	.00	26,057.03	*	
ACCT: 49		OTHER REVENUE	.00	26,057.03	**	
CNTR: 103700069901			14,580.00	442,194.88	***	
103700069902	6503	4920045 NONOPERATING REVENUES	.00	4,155.19		
ACCT: 4920		NONOPERATING REVENUE	.00	4,155.19	*	
ACCT: 49		OTHER REVENUE	.00	4,155.19	**	
CNTR: 103700069902			.00	4,155.19	***	
COMP: 6503			14,580.00	446,350.07	****	
B UNIT: 1037			14,580.00	446,350.07	*****	

Revenue Report Ending 03/31/25

(Additional Report)

Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	240	220	3,780	94
Broker	50,000	3,600	17,375	32,625	65
Home Inspectors	3,500	400	2,100	1,400	40
Property Manager	10,000	675	4,375	5,625	56
Sales Agents	6,500	675	1,550	4,950	76
Firms	15,000	300	5,500	9,500	63
Condominiums	14,000	225	3,614.10	10,385.90	74
Timeshare Projects	5,000	0	(1,900)	6,900	138
Educational Courses	15,000	925	(690)	15,690	104
Additional Licenses	2,000	390	695	1,305	65
Change of Address	10,000	1,200	1,210	8,790	87
Certificate of Licensure	5,000	240	2,230	2,770	55
Late Renewal Fees	22,000	1,320	2,520	19,480	88
Renewal Res Rental Agents	4,000	0	850	3,150	78
Renewal Auctioneer	2,000	0	125	1,875	93
Renewal Broker	190,000	2,060	3,940	186,060	97
Home Inspection Renewal	6,000	300	1,800	4,200	70
Renewal Property Manager	12,000	0	(1,750)	13,750	114
Renewal Sales Agents	14,000	0	2,375	11,625	83
Renewal Timeshare Agents	225	0	100	125	55
Renewal Firms	45,000	250	1,625	43,375	96
Renewal Timeshare Project	5,000	0	(2,575)	7,575	157
Renewal Additional Licenses	5,000	0	350	4,650	93
Misc. Fines, Penalties and NO Rev	25,000	800	(12,232.17)	37,232.17	148
Interest Earned					
License Law Books Sold	1,000	0	0	1,000	100
Directories/Lists Sold	10,000	980	1,468	8,532	85
	481,225	14,580	54,022.10	446,350.07	92
			(-19,147.17)		

AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1037 REAL ESTATE COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1037000699BA	1140000	352.09	CR	REAL ESTATE/COSMO/BARBER
6503	103700069901	1140000	669,058.66	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	104,155.19	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			772,861.76	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			772,861.76	DR **	
BUDGET UNIT TOTAL 1037			772,861.76	DR ***	

BUDGET UNIT 1037

AVAILABLE FUNDS
AS OF: 04/30/2025
FY YEAR REMAINING: 17.0%
PAY DAYS REMAINING: 4

MONTHLY

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DATE 05/03/2025

CENTER NAME REAL ESTATE COMMISSION - INFO

COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE
6503-I	709,653.00	1,734.00	0.00	12,036.05	433,156.63	266,194.32	773,213.85
BUDGETED TOT	709,653.00	1,734.00	0.00	12,036.05	433,156.63	266,194.32	
ALL COMP TOT	709,653.00	1,734.00	0.00	12,036.05	433,156.63	266,194.32	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	358,130.00	0.00	0.00	27,122.45	276,628.28	81,501.72	22.8
5102 EMPLOYEE BENEFITS	103,449.00	0.00	0.00	8,619.46	86,866.59	16,582.41	16.0
5203 TRAVEL	43,947.00	0.00	0.00	585.56	6,093.96	37,853.04	86.1
5204 CONTRACTUAL SVCS	177,046.00	0.00	12,036.05	6,226.58	54,685.49	110,324.46	62.3
5205 SUPPLIES & MATRIS	26,500.00	0.00	0.00	445.64	7,530.82	18,969.18	71.6
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	1,351.49	963.51	41.6
TOTALS	711,387.00	0.00	12,036.05	42,999.69	433,156.63	266,194.32	37.4

BREAKOUT BY COMPANY:

COMPANY	6503-I	PROFESSIONAL & LICENSING BOARDS	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	YEAR-TO-DATE EXPENDITURES	BUDGET AVAILABLE	PCT AVL
5101000	EMPLOYEE SALARIES	358,130.00	0.00	0.00	27,122.45	276,628.28	81,501.72	22.8	
5102000	EMPLOYEE BENEFITS	103,449.00	0.00	0.00	8,619.46	86,866.59	16,582.41	16.0	
5203000	TRAVEL	43,947.00	0.00	0.00	585.56	6,093.96	37,853.04	86.1	
5204000	CONTRACTUAL SVCS	177,046.00	0.00	12,036.05	6,226.58	54,685.49	110,324.46	62.3	
5205000	SUPPLIES & MATRIS	26,500.00	0.00	0.00	445.64	7,530.82	18,969.18	71.6	
5207000	CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	1,351.49	963.51	41.6	
PS SUBTOTALS		461,579.00	0.00	0.00	35,741.91	363,494.87	98,084.13	21.2	
OE SUBTOTALS		249,808.00	0.00	12,036.05	7,257.78	69,661.76	168,110.19	67.3	
COMPANY 6503-I	TOT	711,387.00	0.00	12,036.05	42,999.69	433,156.63	266,194.32	37.4	

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 04/30/2025

AGENCY BUDGET UNIT	10 1037	LABOR & REGULATION REAL ESTATE COMMISSION - INFO				
CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
COMPANY NO	6503		PROFESSIONAL & LICENSING BOARDS			
COMPANY NAME						
103700069901	6503	4293700	RESIDENT RENTAL AGENTS	240.00	4,020.00	
103700069901	6503	4293702	BROKER	6,300.00	38,925.00	
103700069901	6503	4293703	HOME INSPECTORS	200.00	1,600.00	
103700069901	6503	4293704	PROPERTY MANAGER	900.00	6,525.00	
103700069901	6503	4293705	SALES AGENTS	450.00	5,400.00	
103700069901	6503	4293707	FIRMS	800.00	10,300.00	
103700069901	6503	4293708	CONDOMINIUMS	614.03	10,999.93	
103700069901	6503	4293710	TIMESHARE PROJECTS	250.00	7,150.00	
103700069901	6503	4293711	EDUCATIONAL COURSES	700.00	16,390.00	
103700069901	6503	4293712	ADDITIONAL LICENSES	150.00	1,455.00	
103700069901	6503	4293713	CHANGE OF ADDRESS	1,005.00	9,795.00	
103700069901	6503	4293714	CERTIFICATES OF LICENSURE	765.00	3,535.00	
103700069901	6503	4293715	LATE RENEWAL FEES	880.00	20,360.00	
103700069901	6503	4293717	RENEWAL RES RENTAL AGENTS	50.00	3,200.00	
103700069901	6503	4293718	RENEWAL AUCTIONEER	.00	1,875.00	
103700069901	6503	4293719	RENEWAL BROKER	565.00	186,625.00	
103700069901	6503	4293720	HOME INSPECTION RENEWAL	100.00	4,300.00	
103700069901	6503	4293721	RENEWAL PROPERTY MANAGER	.00	13,750.00	
103700069901	6503	4293722	RENEWAL SALES AGENTS	125.00	11,750.00	
103700069901	6503	4293723	RENEWAL TIMESHARE AGENTS	.00	125.00	
103700069901	6503	4293724	RENEWAL FIRMS	125.00	43,500.00	
103700069901	6503	4293725	RENEWAL TIMESHARE PROJECT	.00	7,575.00	
103700069901	6503	4293726	RENEWAL ADDITIONAL LICENS	.00	4,650.00	
ACCT: 4293			BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	14,219.03	413,804.93	*

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 04/30/2025

AGENCY	10	LABOR & REGULATION					
BUDGET UNIT	1037	REAL ESTATE COMMISSION - INFO					
CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE		
ACCT: 42			LICENSES, PERMITS & FEES	14,219.03	413,804.93	**	
103700069901	6503	4393003	MISC FINES & PENALTIES	300.00	7,319.95		
ACCT: 4393			PENALTIES (NON-GOVERNMENTAL)	300.00	7,319.95	*	
ACCT: 43			FINES, FOREFEITS & PENALTIES	300.00	7,319.95	**	
103700069901	6503	4596002	LICENSE LAW BOOKS SOLD	.00	1,000.00		
103700069901	6503	4596003	DIRECTORIES/HOME BUYER GU	500.00	9,032.00		
ACCT: 4596				500.00	10,032.00	*	
ACCT: 45			CHARGES FOR SALES & SERVICES	500.00	10,032.00	**	
103700069901	6503	4920045	NONOPERATING REVENUES	.00	26,057.03		
ACCT: 4920			NONOPERATING REVENUE	.00	26,057.03	*	
ACCT: 49			OTHER REVENUE	.00	26,057.03	**	
CNTR: 103700069901				15,019.03	457,213.91	***	
103700069902	6503	4920045	NONOPERATING REVENUES	.00	4,155.19		
ACCT: 4920			NONOPERATING REVENUE	.00	4,155.19	*	
ACCT: 49			OTHER REVENUE	.00	4,155.19	**	
CNTR: 103700069902				.00	4,155.19	***	
COMP: 6503				15,019.03	461,369.10	****	
B UNIT: 1037				15,019.03	461,369.10	*****	

Revenue Report Ending 04/30/25

(Additional Report)

Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	240	(20)	4,020	100
Broker	50,000	6,300	11,075	38,925	77
Home Inspectors	3,500	200	1,900	1,600	45
Property Manager	10,000	900	3,475	6,525	65
Sales Agents	6,500	450	1,100	5,400	83
Firms	15,000	800	4,700	10,300	68
Condominiums	14,000	614.03	3,000.07	10,999.93	78
Timeshare Projects	5,000	250	(2,150)	7,150	143
Educational Courses	15,000	700	(1,390)	16,390	109
Additional Licenses	2,000	150	545	1,455	72
Change of Address	10,000	1,500	205	9,795	98
Certificate of Licensure	5,000	765	1,465	3,535	70
Late Renewal Fees	22,000	880	1,640	20,360	92
Renewal Res Rental Agents	4,000	50	800	3,200	80
Renewal Auctioneer	2,000	0	125	1,875	93
Renewal Broker	190,000	565	3,375	186,625	98
Home Inspection Renewal	6,000	100	1,700	4,300	71
Renewal Property Manager	12,000	0	(1,750)	13,750	114
Renewal Sales Agents	14,000	125	2,250	11,750	84
Renewal Timeshare Agents	225	0	100	125	55
Renewal Firms	45,000	125	1,500	43,500	96
Renewal Timeshare Project	5,000	0	(2,575)	7,575	157
Renewal Additional Licenses	5,000	0	350	4,650	93
Misc. Fines, Penalties and NO Rev	25,000	300	(12,532.17)	37,532.17	150
Interest Earned					
License Law Books Sold	1,000	0	0	1,000	100
Directories/Lists Sold	10,000	500	968	9,032	90
	481,225	15,019.03	40,271.07	461,369.10	95
			(20,417.17)		

Complaint Procedures

This process outlines how complaints against professional and occupational licensees or applicants are handled, based on South Dakota laws (like SDCL chapters 36-1C and 1-26).

1. **Starting a Complaint:** A complaint usually begins with a **written complaint** that names the licensee/applicant and describes the rule or law violation. Verbal complaints *can* be acted on if the facts are easy to check. The agency board can also start a complaint.
2. **Agency Checks the Complaint:** The agency first reviews the complaint to make sure it's something they have the authority to investigate (within their jurisdiction). It must look like a violation of their specific laws (SDCL) or rules (ARSD). If the complaint isn't clear or lacks needed information, the complainant might be asked for more details, and if they don't provide them, the complaint can be rejected.
3. **Licensee is Notified and Must Respond:** If the complaint is valid, a copy is sent to the applicant or licensee. The letter might mention the rules potentially violated (as preliminary) and ask for documents or answers. The applicant or licensee **must send a response within 20 business days**. This deadline can be extended for good reason. **Failing to respond is grounds for separate and immediate disciplinary action.**
4. **Investigation:** An investigative committee is assigned to look into the complaint and determine if there's enough evidence (probable cause). This committee includes the agency's legal counsel. **Failing to cooperate with the investigation** (like not giving information) **is grounds for denial or disciplinary action.**

5. **Investigation Results and Options:** After investigating, the committee recommends an outcome. Possible outcomes include:
- **Dismissal:** The complaint is closed if there isn't enough evidence (lack of probable cause). The committee can dismiss it, but the board must be informed later.
 - **Informal Disposition (Consent Agreement):** The agency can agree with the licensee on a plan, like requiring more education or a temporary license suspension. This agreement must be in writing and approved by the agency. **Not following a consent agreement is grounds for disciplinary action.** The person who complained must be told about the outcome.
 - **Formal Hearing:** If disciplinary action is recommended and goes to a formal hearing (a contested case), a formal complaint is prepared, and the licensee has 20 calendar days to respond. A Notice of Hearing is sent at least 20 calendar days before the hearing date.
6. **Fines:** The agency *can* issue administrative fines for specific violations without needing the full board's prior approval if authorized. Fines under SDCL 36-1C-5 **cannot exceed \$500**. However, separate laws for specific professions may allow different fines. For example, under SDCL 36-21A-68, the Commission may impose a **monetary penalty not to exceed two thousand five hundred dollars (\$2,500)** for unprofessional conduct, among other actions. A licensee can appeal an administrative fine by requesting a formal hearing within 20 calendar days.
7. **Board Member Disqualification:** If a board member is involved in the *investigation* of a complaint, they **cannot participate in the final decision** by the board.