MEETING MINUTES SOUTH DAKOTA REAL ESTATE COMMISSION

217 West Missouri Ave., Pierre, SD 57501 Thursday, May 15, 2025, at 10:30 a.m. CDT

Chairman Carol Lawhun called the meeting to order at 10:30 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 Doubledee, Scott Lawhun, Michelle Kleven, Lisa Mueller, and Nancy Jark.

Tysdal made a motion to move agenda item 11 under agenda item 5 and 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 March 12, 2025, meeting minutes. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Miller presented a summary of the financials for March and April 2025. Tysdal made a motion to acknowledge receipt of the financials for filing. Tibbetts seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Kleven, Mueller, and Jark representing the South Dakota Association of Realtors attended the meeting to talk about and present changes to their Purchase Agreement, Buyer Agreement, and Listing Agreement. The commissioners would like to compare our agreements to their agreements to consider making changes in addition to what we currently have in hopes it is easier for consumers to understand.

Kleven, Mueller, and Jark left the meeting at 11:04.

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

Lawhun left the meeting at 11:05

The commission entered executive session at 11:05 a.m.

The commission came out of executive session at 11:22 a.m.

Complaint 2024-004

Tysdal made a motion to dismiss complaints 2024 – 004. Ludemann seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Complaints/Consents. 2024-006

Tysdal made a motion to accept the complaint and consent. Reisetter seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Tysdal made a motion to approve consent agreements (Citation Program). Tibbetts seconded the motion. Lawhun called for a vote. **MOTION PASSED**.

A discussion was held on unlicensed activity.

The commissioners received a summary of how the complaint process works. A short discussion was held.

Tibbetts made a motion to nominate Tysdal as Chair. Reisetter seconded the motion. Lawhun called for a vote. **MOTION PASSED**.

Tibbetts made a motion to nominate Reisetter as Vice Chair. Lawhun seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

There was a brief conversation about the ARELLO conference in September and the Commissioners agreed that two members should attend this year.

Tibbetts made a motion to approve two members to attend the conference. Tysdal seconded the motion, Lawhun called for a vote, **MOTION PASSED**.

Reisetter made a motion to adjourn at 11:50 a.m. Tibbetts seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

AGENCY: BUDGET UNIT:	
10 1037	
AGENCY: 10 LABOR & REGULATION - INFO	
INFO	AS OF
	AS OF: 05/31/20

BUDGET UNIT TOTAL	COMP/BUDG	COMPANY/S	6503	6503	6503	COMPANY
	COMP/BUDG UNIT TOTAL 6503 1037	COMPANY/SOURCE TOTAL 6503 699	103700069902	103700069901	1037000699BA	CENTER
1037	5503 1037	503 699	1140000	1140000	1140000	ACCOUNT
719,025.62	719,025.62	719,025.62	104,155.19	615,222.52	352.09	BALANCE
DR ***	DR **	DR *	DR	DR	œ	DR/CR
			REAL ESTATE COMM RECOVERY FUND	REAL ESTATE COMMISSION	REAL ESTATE/COSMO/BARBER	CENTER DESCRIPTION

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STATE OF SOUTH DAKOTA REVENUE SUMMARY BY BUDGET UNIT FOR PERIOD ENDING: 05/31/2025

PAGE

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7,575.00	.00	RENEWAL TIMESHARE PROJECT	4293725	6503	103700069901	
43,500.00	.00	RENEWAL FIRMS	4293724	6503	103700069901	
125.00	.00	RENEWAL TIMESHARE AGENTS	4293723	6503	103700069901	
11,750.00	.00	RENEWAL SALES AGENTS	4293722	6503	103700069901	
13,750.00	.00	RENEWAL PROPERTY MANAGER	4293721	6503	103700069901	
4,300.00	.00	HOME INSPECTION RENEWAL	4293720	6503	103700069901	
186,625.00	.00	RENEWAL BROKER	4293719	6503	103700069901	
1,875.00	.00	RENEWAL AUCTIONEER	4293718	6503	103700069901	
3,200.00	.00	RENEWAL RES RENTAL AGENTS	4293717	6503	103700069901	
20,660.00	300.00	LATE RENEWAL FEES	4293715	6503	103700069901	
4,030.00	495.00	CERTIFICATES OF LICENSURE	4293714	6503	103700069901	
10,590.00	795.00	CHANGE OF ADDRESS	4293713	6503	103700069901	
1,605.00	150.00	ADDITIONAL LICENSES	4293712	6503	103700069901	
17,072.50	682.50	EDUCATIONAL COURSES	4293711	6503	103700069901	
7,150.00	.00	TIMESHARE PROJECTS	4293710	6503	103700069901	
10,999.93	.00	CONDOMINIUMS	4293708	6503	103700069901	
10,800.00	500.00	FIRMS	4293707	6503	103700069901	
5,625.00	225.00	SALES AGENTS	4293705	6503	103700069901	
8,125.00	1,600.00	PROPERTY MANAGER	4293704	6503	103700069901	
1,600.00	.00	HOME INSPECTORS	4293703	6503	103700069901	
43,875.00	4,950.00	BROKER	4293702	6503	103700069901	
350.00	350-00	AUCTIONEER	4293701	6503	103700069901	
4,500.00	480.00	RESIDENT RENTAL AGENTS	4293700	6503	103700069901	
		LICENSING BOARDS	ESSIONAL &		COMPANY NO	
YEAR-TO-DATE	CURRENT MONTH	DESCRIPTION	ACCOUNT	COMP	CENTER	
		ION - INFO	LABOR & REGULATION REAL ESTATE COMMISSION	10 1037 I	AGENCY 1 BUDGET UNIT 1	

103700069901 6503 4293726

RENEWAL ADDITONAL LICENS

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4,650.00

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STATE OF SOUTH DAKOTA REVENUE SUMMARY BY BUDGET UNIT FOR PERIOD ENDING: 05/31/2025

UNIT

* * * *	472,886.60	11,517.50			1037	B UNIT: 1	
* * *	472,886.60	11,517.50			6503	COMP: 6	
* * *	4,155.19	.00		9902	103700069902	CNTR: 1	
*	4,155.19	.00	PENUE	OTHER REVENUE	9	ACCT: 49	
*	4,155.19	.00	NONOPERATING REVENUE	NONOPERAT	4920	ACCT: 4:	
	4,155.19	.00	NONOPERATING REVENUES	4920045	02 6503	103700069902	<u> </u>
*	468,731.41	11,517.50		9901	103700069901	CNTR: 1	
*	26,057.03	.00	PENUE	OTHER REVENUE	v	ACCT: 49	
*	26,057.03	.00	NONOPERATING REVENUE	NONOPERAT	4920	ACCT: 4	_
	26,057.03	.00	NONOPERATING REVENUES	4920045	01 6503	103700069901	ш
*	11,022.00	990.00	FOR SALES & SERVICES	CHARGES F	טו	ACCT: 45	
*	11,022.00	990.00			4596	ACCT: 4!	
	9,622.00	590.00	DIRECTORIES/HOME BUYER GU	4596003	01 6503	103700069901	<u>ш</u>
	1,400.00	400.00	LICENSE LAW BOOKS SOLD	4596002	01 6503	103700069901	فسإ
*	7,319.95	.00	REZITS & PENALTIES	fines, forfeits	w	ACCT: 43	
*	7,319.95	.00	(NON-GOVERNMENTAL)	PENALTIES	4393	ACCT: 4:	
	7,319.95	.00	MISC FINES & PENALTIES	4393003	01 6503	103700069901	ᆫ
*	424,332.43	10,527.50	PERMITS & FEES	LICENSES,	. 10	ACCT: 42	
*	424,332.43	10,527.50	& OCCUP LICENSING (NON-GOVERNMENTAL)	BUSINESS	4293	ACCT: 42	
	YEAR-TO-DATE	CURRENT MONTH	NT DESCRIPTION	ACCOUNT	COMP	CENTER	Ω
			LABOR & REGULATION REAL ESTATE COMMISSION - INFO	LABOR & RE REAL ESTAT	10 UNIT 1037	AGENCY BUDGET UNIT	₩ ₩

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Revenue Report Ending 05/31/25

(Additional Report)					
Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	480	(500)	4,500	112
Auctioneer	0	225	(225)	225	
Broker	50,000	4,950	6,125	43,875	87
Home Inspectors	3,500	0	1,900	1,600	45
Property Manager	10,000	1,600	1,875	8,125	81
Sales Agents	6,500	225	875	5,625	86
Firms	15,000	500	4,200	10,800	72
Condominiums	14,000	0	3,000.07	10,999.93	78
Timeshare Projects	5,000	0	(2,150)	7,150	143
Educational Courses	15,000	682.50	(2,072.50)	17,072.50	113
Additional Licenses	2,000	150	395	1,605	80
Change of Address	10,000	795	(590)	10,590	105
Certificate of Licensure	5,000	495	970	4,030	80
Late Renewal Fees	22,000	300	1,340	20,660	93
Renewal Res Rental Agents	4,000	0	800	3,200	80
Renewal Auctioneer	2,000	125	0	2.000	100
Renewal Broker	190,000	0	3,375	186,625	98
Home Inspection Renewal	6,000	0	1,700	4,300	71
Renewal Property Manager	12,000	0	(1,750)	13,750	114
Renewal Sales Agents	14,000	0	2,250	11,750	84
Renewal Timeshare Agents	225	0	100	125	.55
Renewal Firms	45,000	0	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		0	(12,532.17)	37,532.17	150
Interest Earned	,	*	(12,002,11)	3,,552.1,	150
License Law Books Sold	1,000	400	(400)	1,400	104
Directories/Lists Sold	10,000	590	378	9,622	96
	481,225	11,517.50	31,133.07	472.886.60	98

(22,794.67)

STATE OF SOUTH DAKOTA CASH CENTER BALANCES AS OF: 06/30/2025

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

BUDGET UNIT TOTAL	COMP/BUDG	COMPANY/S	6503	6503	COMPANY
-	COMP/BUDG UNIT TOTAL 6503 1037	COMPANY/SOURCE TOTAL 6503 699	103700069902 1140000	103700069901 1140000	CENTER
1037	6503 1037	6503 699	2 1140000	1 1140000	ACCOUNT
716,093.55 DR	716,093.55 DR **	716,093.55 DR *	100,000.00 DR	616,093.55 DR	BALANCE
DR ***	DR **	DR *	DR	DR	DR/CR
			REAL ESTATE COMM RECOVERY FUND	REAL ESTATE COMMISSION	CENTER DESCRIPTION

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BA20JB61								
BUDGET UN	UNIT 1037	,	AVAILABLE AS OF: 0 FY YEAR RI PAY DAYS!	AVAILABLE FUNDS AS OF: 06/29/2025 FY YEAR REMAINING: 0.5 PAY DAYS REMAINING:		SEMI-FINAL #2	PAGE 211 DATE 07/05/2025	1 /2025
CENTER NAME	ME REAL ESTATE COMMISSION	MMISSION - INFO						
COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE COMMITMENTS	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE EXPENDITURES	AVAILABLE APPROPRIATIONS	CASH BALANCE	P
6503-I	709,653.00	1,734.00	0.00	0.00	523,483.57	187,903.43	43 720,158	8.55
BUDGETED ALL COMP	TOT 709,653.00	1,734.00 1,734.00	0.00	0.00	523,483.57 523,483.57	187,903 187,903	. 43	
TOTAL E	TOTAL BUDGETED:							
	OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	EXPENDITURES MONTHLY YEAR-T	ITURES YEAR-TO-DATE	BUDGET AVAILABLE	PCT AVL
5101 5102 5203 5204 5205 5207	EMPLOYEE SALARIES EMPLOYEE BENEFITS TRAVEL CONTRACTUAL SVCS SUPPLIES & MATRLS SUPPLIES & MATRLS	358,130.00 103,449.00 43,947.00 177,046.00 26,500.00 2,315.00	0.00000	000000	12,462.79 4,125.35 1,373.88 5,505.61 1,505.67 0.00	334,220.23 104,748.57 7,467.84 65,563.32 9,896.32 1,587.29	23,909.77 1,299.57- 36,479.16 111,482.68 16,603.68 727.71	6.7 0.0 83.0 63.0 62.7 31.4
	TOTALS	711,387.00	0.00	0.00	24,973.30 5	523,483.57	187,903.43	26.4
BREAKOUT	BY COMPANY:							
COMPANY 6	6503-I PROFESSIONAL & 1	LICENSING BOARDS						
5101000 5102000 5203000	EMPLOYEE SALARIES EMPLOYEE BENEFITS TRAVEL	358,130.00 103,449.00 43,947.00	0.00 0.00 0.00	0.00 0.00 000			23,909.77 1,299.57- 36,479.16	6.7 0.0 83.0
5204000 5205000 5207000	CONTRACTUAL SVCS SUPPLIES & MATRLS CAPITAL OUTLAY	177,046.00 26,500.00 2,315.00	0.00 0.00	0.00	,505.61 ,505.67 0.00	65,563.32 9,896.32 1,587.29	111,482.68 16,603.68 727.71	63.0 62.7 31.4
	PS SUBTOTALS	461,579.00	0.00	0.00	16,588.14 4	438,968.80	22,610.20	4.9
	OE SUBTOTALS	249,808.00	0.00	0.00	8,385.16	84,514.77	165,293.23	66.2
	COMPANY 6503-I TOT	711,387.00	0.00	0.00	24,973.30 5	523,483.57	187,903.43	26.4

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	13,750.00	.00	RENEWAL PROPERTY MANAGER	4293721	6503	103700069901	ь
	4,500.00	200.00	HOME INSPECTION RENEWAL	4293720	6503	103700069901	
	190,000.00	3,375.00	RENEWAL BROKER	4293719	6503	103700069901	щ
	1,875.00	.00	RENEWAL AUCTIONEER	4293718	6503	103700069901	ш
	3,450.00	250.00	RENEWAL RES RENTAL AGENTS	4293717	6503	103700069901	1 -4
	26,520.00	5,860.00	LATE RENEWAL FEES	4293715	6503	103700069901	щ
	4,645.00	615.00	CERTIFICATES OF LICENSURE	4293714	6503	103700069901	μ.
	11,685.00	1,095.00	CHANGE OF ADDRESS	4293713	6503	103700069901	щ
	1,815.00	210.00	ADDITIONAL LICENSES	4293712	6503	103700069901	ь
	18,277.50	1,205.00	EDUCATIONAL COURSES	4293711	6503	103700069901	ш
	8,150.00	1,000.00	TIMESHARE PROJECTS	4293710	6503	103700069901	
	10,999.93	.00	CONDOMINIUMS	4293708	6503	103700069901	ш
	11,500.00	700.00	FIRMS	4293707	6503	103700069901	
	5,850.00	225.00	SALES AGENTS	4293705	6503	103700069901	ш
	9,750.00	1,625.00	PROPERTY MANAGER	4293704	6503	103700069901	ц
	2,200.00	600.00	HOME INSPECTORS	4293703	6503	103700069901	н
	49,500.00	5,625.00	BROKER	4293702	6503	103700069901	ш
	350.00	.00	AUCTIONEER	4293701	6503	103700069901	щ
	5,400.00	900.00	RESIDENT RENTAL AGENTS	4293700	6503	103700069901	<u>د.</u>
*	352.09	352.09)BA	1037000699ва	CNTR: 1037	_
*	352.09	352.09		OTHER REVENUE		ACCT: 49	
*	352.09	352.09	PRIOR YEARS EXPENDITURES	REFUND OF PRIOR Y	-	ACCT: 4950	
	352.09	352.09	REFUND OF PRIOR YEARS EXP	4950000	6503	1037000699ва	_
			SING BOARDS	6503 PROFESSIONAL & LICENSING		COMPANY NO	
	YEAR-TO-DATE	CURRENT MONTH	DESCRIPTION	ACCOUNT	COMP	CENTER	Ω
			SSION - INFO	LABOR & REGULATION REAL ESTATE COMMISSION	10 1037	AGENCY 1 BUDGET UNIT 1	₩ Þ

103700069901 6503 4293722

RENEWAL SALES AGENTS

375.00

12,125.00

AGENCY 10 BUDGET UNIT 1037

LABOR & REGULATION REAL ESTATE COMMISSION - INFO The second of th

*	503,719.77	30,833.17			7	IT: 1037	B UNIT:
* * *	503,719.77	30,833.17			~	: 6503	COMP:
* *	4,155.19	.00		02	103700069902		CNTR:
*	4,155.19	. 00	JE.	OTHER REVENUE		. 49	ACCT:
*	4,155.19	.00	REVENUE	NONOPERATING REVENUE	Ū	: 4920	ACCT:
	4,155.19	.00	NONOPERATING REVENUES	4920045	6503	103700069902	103700
* *	499,212.49	30,481.08		01	103700069901		CNTR:
*	30,212.22	4,155.19	JE	OTHER REVENUE		: 49	ACCT:
*	26,057.03	.00	REVENUE	NONOPERATING REVENUE	Ū	: 4920	ACCT:
	26,057.03	.00	NONOPERATING REVENUES	4920045	6503	103700069901	103700
*	4,155.19	4,155.19	ANSFERS IN	OPERATING TRANSFERS IN	Ŭ	: 4910	ACCT:
	4,155.19	4,155.19	OPERATING TRANSFERS IN	4910000	6503	103700069901	10370
*	12,312.00	1,290.00	FOR SALES & SERVICES	CHARGES FOR		. 45	ACCT:
*	12,312.00	1,290.00			O,	: 4596	ACCT:
	10,912.00	1,290.00	DIRECTORIES/HOME BUYER GU	4596003	6503	103700069901	10370
	1,400.00	.00	LICENSE LAW BOOKS SOLD	4596002	6503	103700069901	10370
*	8,370.84	1,050.89	ITS & PENALTIES	FINES, FORFEITS		: 43	ACCT:
*	8,370.84	1,050.89	(NON-GOVERNMENTAL)	PENALTIES (N		: 4393	ACCT:
	8,370.84	1,050.89	MISC FINES & PENALTIES	4393003	6503	103700069901	103700
*	448,317.43	23,985.00	PERMITS & FEES	LICENSES, PE		. 42	ACCT:
*	448,317.43	23,985.00	OCCUP LICENSING (NON-GOVERNMENTAL)	BUSINESS & O		: 4293	ACCT:
	4,650.00	.00	RENEWAL ADDITONAL LICENS	4293726	6503	103700069901	10370
	7,575.00	.00	RENEWAL TIMESHARE PROJECT	4293725	6503	103700069901	10370
	43,625.00	125.00	RENEWAL FIRMS	4293724	6503	103700069901	103700
	125.00	.00	RENEWAL TIMESHARE AGENTS	4293723	6503	103700069901	103700
	YEAR-TO-DATE	CURRENT MONTH	DESCRIPTION	ACCOUNT	COMP	20	CENTER

Revenue Report Ending 06/30/25

(Additional Report)					
Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	900	(1,400)	5,400	135
Auctioneer	0	225	(225)	225	
Broker	50,000	5,625	300 ´	49,500	99
Home Inspectors	3,500	600	1,300	2,200	68
Property Manager	10,000	1,625	250	9,750	87
Sales Agents	6,500	225	650	5,850	90
Firms	15,000	700	3,500	11,500	76
Condominiums	14,000	0	3,000.07	10,999.93	78
Timeshare Projects	5,000	1,000	(3,150)	8,150	163
Educational Courses	15,000	1205	(3,277.50)	18,277.50	121
Additional Licenses	2,000	210	185	1,815	90
Change of Address	10,000	1,095	(1,685)	11,685	116
Certificate of Licensure	5,000	615	355	4,645	93
Late Renewal Fees	22,000	5,860	(4,520)	26,520	120
Renewal Res Rental Agents	4,000	250	550	3,450	86
Renewal Auctioneer	2,000	0	0	2.000	100
Renewal Broker	190,000	3,375	0	190,000	100
Home Inspection Renewal	6,000	200	1,500	4,500	75
Renewal Property Manager	12,000	0	(1,750)	13,750	114
Renewal Sales Agents	14,000	375	1,875	12,125	86
Renewal Timeshare Agents	225	0	100	125	55
Renewal Firms	45,000	125	1,375	43,625	97
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		5,206.08	(17,738.25)	42,738.25	120
Interest Earned	,	-,	(= 1,1 = 1 = 1)	,	
License Law Books Sold	1,000	0	(400)	1,400	104
Directories/Lists Sold	10,000	1,290	(912)	10,912	109
	481,225	30,833.17	15,490.07	503,719.77	104

(37,632.75)

+ 352.09

Real Estate Commission Fund

Monthly Financial Report – Fiscal Year 2025 (Through June) Prepared for Board Members

Overview

As of fiscal year-end 2025, the Board's total revenues stand at \$503,277, while expenditures have reached \$542,183, resulting in a **net position of (\$38,906)**. This reflects prudent financial stewardship and indicates that, while current revenues are not fully covering operational demands, the strong cash balance provides the necessary flexibility to address this gap and ensure continued stability.

Revenue Highlights

- Broker Renewals continue to be the strongest revenue stream, totaling \$190,875
 (approximately 38% of total revenue), with peak collections in November and December.
- Renewal Firms brought in \$43,625, with a notable spike in October and consistent performance.
- Late Renewal Fees contributed \$28,340, reflecting improved compliance.

Expenditure Summary

Salaries: \$334,220

Board Member Fees: \$6,806

Benefits (Health, OASI, Retirement): \$104,749

Monthly Trends

Highest Revenue Month: December (\$103,893)

Highest Expense Month: November (\$66,396)

Net Positive Cash Flow in 5 of 12 months to date.

Conclusion & Outlook

The Board remains in a strong financial position heading into fiscal year 2026, with a current cash balance of over \$620,000 (cash balance as of 6/30/25). Strategic expenditures have aligned with operational priorities, and the solid cash balance provides assurance that any revenue shortfalls will be effectively managed.