

**Proposed Meeting Agenda**  
**SOUTH DAKOTA REAL ESTATE COMMISSION**  
Via [Microsoft Teams](#)

Meeting ID: 297 909 123 690 Passcode: sGDKpi  
or call +1-605-679-7263/ID:424 727 007#  
Monday, September 30, 2024, 10:00 a.m. CDT

1. Call to Order
2. Approval of Agenda
3. Public Comment
4. Minutes of the July 11, 2024, Meeting
5. Financial Reports – July and August 2024
6. Complaints:
  - a. 2023-034
  - b. 2023-035
  - c. 2024-002
7. Fee Increases Update
8. License Renewal
9. NAR Lawsuit / Contracts
10. ARELLO 2024 Annual Conference Update (Jason and Bobbie)
11. Executive Session (pursuant to SDCL 1-25-2) if needed.
12. Next Meeting – November 6-7
13. Adjourn

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**MEETING MINUTES**  
**SOUTH DAKOTA REAL ESTATE COMMISSION**  
217 West Missouri Ave., Pierre, SD 57501  
And Via Microsoft Teams  
Thursday, July 11, 2024, at 11 a.m. CDT

Chairman Carol Lawhun called the meeting to order at 11:00 a.m. A quorum was present.

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

**Others Present:** Melissa Miller, Tim Bond, Michelle Metzinger, Jodi Aumer, Kiira Weber, Michelle Kleven, Lisa Mueller and Aaron Scheibe.

Approve of the agenda. Lawhun called for a vote. **MOTION PASSED.**

Public Comment – No comments.

Reisetter made a motion to approve the May 8, 2024, meeting minutes. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Summary of the financials for April, May and June 2024 was presented by Miller. Ludemann made a motion to acknowledge receipt of the financials for filing. Tysdal seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Complaint 2023-036. Tysdal made motion to dismiss complaint 2023-036. Tibbetts seconded the motion. Lawhun called for a vote. **MOTION PASSED.**

Miller shared and discussed a proposed administrative fine policy with the commissioners. The commissioners agreed approved the policy. Tysdal made a motion to approve administrative fine policy. Tibbetts seconded the motion. Lawhun called for vote. **MOTION PASSED.**

Miller shared information on a possible fee increase and explained that it would be discussed with more details at the next meeting.

Kleven, Mueller and Scheibe representing the South Dakota Association of Realtors attended the meeting to talk about the NAR lawsuit, the mandatory changes and other changes to consider for the Purchase Agreement, Agency Agreement, and Listing Agreement.

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

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

There was a brief conversation about the ARELLO upcoming conference and communication from ARELLO. Commissioners agreed that two of the members should attend this year.

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

The next meeting is scheduled for Monday, September 30, 2024.

Reisetter made a motion to adjourn at 12:07 p.m. Ludemann seconded the motion. Lawhun called for vote. **MOTION PASSED.**

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STATE OF SOUTH DAKOTA  
CASH CENTER BALANCES  
AS OF: 07/31/2024

PAGE

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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	626,223.02	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	100,000.00	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			725,870.93	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			725,870.93	DR **	
BUDGET UNIT TOTAL 1037			725,870.93	DR ***	

BUDGET UNIT 1037 AVAILABLE FUNDS AS OF: 07/31/2024  
 FY YEAR REMAINING: 91.8%  
 PAY DAYS REMAINING: 0 DATE 08/03/2024

CENTER NAME	REAL ESTATE COMMISSION - INFO	MONTHLY	DATE
COMP	ORIGINAL APPROPRIATION	APPROPRIATIONS	CASH BALANCE
6503-I	709,653.00	41,615.55	726,223.02
BUDGETED TOT	709,653.00	41,615.55	658,661.76
ALL COMP TOT	709,653.00	41,615.55	658,661.76

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	27,216.53	27,216.53	330,913.47	92.4
5102 EMPLOYEE BENEFITS	103,449.00	0.00	0.00	8,778.34	8,778.34	94,670.66	91.5
5203 TRAVEL	43,947.00	0.00	0.00	0.00	0.00	43,947.00	100.0
5204 CONTRACTUAL SVCS	175,312.00	0.00	9,375.69	3,894.65	3,894.65	162,041.66	92.4
5205 SUPPLIES & MATRIS	26,500.00	0.00	0.00	1,530.08	1,530.08	24,969.92	94.2
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	195.95	195.95	2,119.05	91.5
TOTALS	709,653.00	0.00	9,375.69	41,615.55	41,615.55	658,661.76	92.8

BREAKOUT BY COMPANY:

COMPANY	PROFESSIONAL & LICENSING BOARDS	PS SUBTOTALS	OE SUBTOTALS	TOT
5101000	EMPLOYEE SALARIES	461,579.00	248,074.00	709,653.00
5102000	EMPLOYEE BENEFITS	0.00	0.00	0.00
5203000	TRAVEL	0.00	0.00	0.00
5204000	CONTRACTUAL SVCS	0.00	0.00	0.00
5205000	SUPPLIES & MATRIS	0.00	0.00	0.00
5207000	CAPITAL OUTLAY	0.00	0.00	0.00
COMPANY 6503-I	TOT	461,579.00	248,074.00	709,653.00

STATE OF SOUTH DAKOTA  
 REVENUE SUMMARY BY BUDGET UNIT  
 FOR PERIOD ENDING: 07/31/2024

AGENCY BUDGET CENTER	UNIT	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
10	1037	6503		SECRETARIAT ADMINISTRATION REAL ESTATE COMMISSION - INFO			
				COMPANY NO 6503 COMPANY NAME PROFESSIONAL & LICENSING BOARDS			
103700069901	6503	4293700		RESIDENT RENTAL AGENTS	300.00	300.00	
103700069901	6503	4293702		BROKER	4,050.00	4,050.00	
103700069901	6503	4293704		PROPERTY MANAGER	450.00	450.00	
103700069901	6503	4293707		FIRMS	700.00	700.00	
103700069901	6503	4293710		TIMESHARE PROJECTS	1,000.00	1,000.00	
103700069901	6503	4293711		EDUCATIONAL COURSES	300.00	300.00	
103700069901	6503	4293712		ADDITIONAL LICENSES	90.00	90.00	
103700069901	6503	4293713		CHANGE OF ADDRESS	615.00	615.00	
103700069901	6503	4293714		CERTIFICATES OF LICENSURE	255.00	255.00	
103700069901	6503	4293715		LATE RENEWAL FEES	140.00	140.00	
103700069901	6503	4293719		RENEWAL BROKER	125.00	125.00	
ACCT: 4293				BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	8,025.00	8,025.00	*
ACCT: 42				LICENSES, PERMITS & FEES	8,025.00	8,025.00	**
103700069901	6503	4596003		DIRECTORIES/HOME BUYER GU	750.00	750.00	
ACCT: 4596					750.00	750.00	*
ACCT: 45				CHARGES FOR SALES & SERVICES	750.00	750.00	**
CNTR: 103700069901					8,775.00	8,775.00	***
COMP: 6503					8,775.00	8,775.00	****
B UNIT: 1037					8,775.00	8,775.00	*****

Revenue Report Ending 7/31/24

(Additional Report)

<b>Description</b>	<b>Budgeted</b>	<b>Current</b>	<b>Rev. to be Rec</b>	<b>YTD</b>	<b>PCT Rec.</b>
Residential Rental Agents	4,000	300	3,700	300	7
Broker	50,000	4,050	45,950	4,050	8
Home Inspectors	3,500	0	3,500	0	
Property Manager	10,000	450	9,550	450	4
Sales Agents	6,500	0	6,500	0	
Firms	15,000	700	14,300	700	4
Condominiums	14,000	0	14,000	0	
Timeshare Projects	5,000	1,000	4,000	1,000	20
Educational Courses	15,000	300	14,700	300	2
Additional Licenses	2,000	90	1,910	90	4
Change of Address	10,000	615	9,385	615	6
Certificate of Licensure	5,000	255	4,745	255	5
Late Renewal Fees	22,000	140	21,860	140	0
Renewal Res Rental Agents	4,000	0	4,000	0	
Renewal Auctioneer	2,000	0	2,000	0	
Renewal Broker	190,000	125	189,875	125	0
Home Inspection Renewal	6,000	0	6,000	0	
Renewal Property Manager	12,000	0	12,000	0	
Renewal Sales Agents	14,000	0	14,000	0	
Renewal Timeshare Agents	225	0	225	0	
Renewal Firms	45,000	0	45,000	0	
Renewal Timeshare Project	5,000	0	5,000	0	
Renewal Additional Licenses	5,000	0	5,000	0	
Misc. Fines, Penalties and NO Rev	25,000	0	25,000	0	
Interest Earned					
License Law Books Sold	1,000	0	1,000	0	
Directories/Lists Sold	10,000	750	9,250	750	7
	<b>481,225</b>	<b>8,775</b>	<b>472,250</b>	<b>8,775</b>	<b>1</b>

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	599,659.21	DR	REAL ESTATE COMMISSION
6503	103700069902	1140000	104,155.19	DR	REAL ESTATE COMM RECOVERY FUND
COMPANY/SOURCE TOTAL 6503 699			703,462.31	DR *	
COMP/BUDG UNIT TOTAL 6503 1037			703,462.31	DR **	
BUDGET UNIT TOTAL 1037			703,462.31	DR ***	



AVAILABLE FUNDS AS OF: 08/31/2024  
 FY YEAR REMAINING: 83.3%  
 PAY DAYS REMAINING: 0  
 DATE 08/31/2024

CENTER NAME	REAL ESTATE COMMISSION - INFO	MONTHLY	DATE
6503-I	709,653.00	0.00	08/31/2024
BUDGETED TOT	709,653.00	0.00	
ALL COMP TOT	709,653.00	0.00	

TOTAL BUDGETED:

OBJECT OF EXPENDITURE	AMOUNT BUDGETED	COMMITMENTS YEAR-TO-DATE	ENCUMBRANCES YEAR-TO-DATE	MONTHLY EXPENDITURES	YEAR-TO-DATE AVAILABLE APPROPRIATIONS	BUDGET AVAILABLE	PCT AVL
5101 EMPLOYEE SALARIES	358,130.00	0.00	0.00	42,990.61	70,207.14	287,922.86	80.4
5102 EMPLOYEE BENEFITS	103,449.00	0.00	0.00	13,168.43	21,946.77	81,502.23	78.8
5203 TRAVEL	43,947.00	0.00	0.00	1,405.55	1,405.55	42,541.45	96.8
5204 CONTRACTUAL SVCS	175,312.00	0.00	3,953.92	4,439.27	8,333.92	163,024.16	93.0
5205 SUPPLIES & MATERIALS	26,500.00	0.00	0.00	62.75	1,592.83	24,907.17	94.0
5207 CAPITAL OUTLAY	2,315.00	0.00	0.00	0.00	195.95	2,119.05	91.5
TOTALS	709,653.00	0.00	3,953.92	62,066.61	103,682.16	602,016.92	84.8

BREAKOUT BY COMPANY:

COMPANY	PROFESSIONAL & LICENSING BOARDS	MONTHLY	DATE
5101000 EMPLOYEE SALARIES	358,130.00	0.00	08/31/2024
5102000 EMPLOYEE BENEFITS	103,449.00	0.00	08/31/2024
5203000 TRAVEL	43,947.00	0.00	08/31/2024
5204000 CONTRACTUAL SVCS	175,312.00	0.00	08/31/2024
5205000 SUPPLIES & MATERIALS	26,500.00	0.00	08/31/2024
5207000 CAPITAL OUTLAY	2,315.00	0.00	08/31/2024
PS SUBTOTALS	461,579.00	0.00	08/31/2024
OE SUBTOTALS	248,074.00	0.00	08/31/2024
COMPANY 6503-I TOT	709,653.00	0.00	08/31/2024

STATE OF SOUTH DAKOTA  
 REVENUE SUMMARY BY BUDGET UNIT  
 FOR PERIOD ENDING: 08/31/2024

AGENCY BUDGET CENTER	UNIT	10	LABOR & REGULATION REAL ESTATE COMMISSION - INFO	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
				6503	PROFESSIONAL & LICENSING BOARDS			
				6503	RESIDENT RENTAL AGENTS			840.00
				6503	BROKER			4,275.00
				6503	PROPERTY MANAGER			225.00
				6503	SALES AGENTS			1,125.00
				6503	FIRMS			1,200.00
				6503	TIMESHARE PROJECTS			1,000.00
				6503	EDUCATIONAL COURSES			725.00
				6503	ADDITIONAL LICENSES			90.00
				6503	CHANGE OF ADDRESS			405.00
				6503	CERTIFICATES OF LICENSURE			420.00
				6503	LATE RENEWAL FEES			.00
				6503	RENEWAL BROKER			.00
				6503	BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)			10,005.00
				6503	LICENSES, PERMITS & FEES			10,005.00
				6503	MISC FINES & PENALTIES			554.52
				6503	PENALTIES (NON-GOVERNMENTAL)			554.52
				6503	FINES, FORFEITS & PENALTIES			554.52
				6503	LICENSE LAW BOOKS SOLD			100.00
				6503	DIRECTORIES/HOME BUYER GU			550.00
				6503	CHARGES FOR SALES & SERVICES			650.00
				6503	NONOPERATING REVENUES			26,057.03
				6503	NONOPERATING REVENUE			26,057.03
				6503	OTHER REVENUE			26,057.03

STATE OF SOUTH DAKOTA  
 REVENUE SUMMARY BY BUDGET UNIT  
 FOR PERIOD ENDING: 08/31/2024

AGENCY BUDGET CENTER	UNIT	1037	LABOR & REGULATION REAL ESTATE COMMISSION - INFO	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
CNTR:	103700069902	6503	4920045	NONOPERATING REVENUES	37,266.55	46,041.55	***
ACCT:	4920			NONOPERATING REVENUE	4,155.19	4,155.19	*
ACCT:	49			OTHER REVENUE	4,155.19	4,155.19	**
CNTR:	103700069902				4,155.19	4,155.19	***
COMP:	6503				41,421.74	50,196.74	****
B UNIT:	1037				41,421.74	50,196.74	*****

Revenue Report Ending 8/31/24

(Additional Report) Description	Budgeted	Current	Rev. to be Rec	YTD	PCT Rec.
Residential Rental Agents	4,000	540	3,160	840	21
Broker	50,000	4,275	41,674	8,325	16
Home Inspectors	3,500	0	3,500	0	
Property Manager	10,000	225	9,325	675	6
Sales Agents	6,500	1,125	5,375	1,125	
Firms	15,000	1,200	13,100	1,900	12
Condominiums	14,000	0	14,000	0	
Timeshare Projects	5,000	1,000	3,000	2,000	40
Educational Courses	15,000	725	13,975	1,025	6
Additional Licenses	2,000	90	1,820	180	9
Change of Address	10,000	405	8,980	1,020	10
Certificate of Licensure	5,000	420	4,325	675	13
Late Renewal Fees	22,000	0	21,860	140	0
Renewal Res Rental Agents	4,000	0	4,000	0	
Renewal Auctioneer	2,000	0	2,000	0	
Renewal Broker	190,000	0	189,875	125	0
Home Inspection Renewal	6,000	0	6,000	0	
Renewal Property Manager	12,000	0	12,000	0	
Renewal Sales Agents	14,000	0	14,000	0	
Renewal Timeshare Agents	225	0	225	0	
Renewal Firms	45,000	0	45,000	0	
Renewal Timeshare Project	5,000	0	5,000	0	
Renewal Additional Licenses	5,000	0	5,000	0	
Misc. Fines, Penalties and NO Rev	25,000	30,766.74	(5,776.74)	30,766.74	123
Interest Earned					
License Law Books Sold	1,000	100	900	100	9
Directories/Lists Sold	10,000	550	8,700	1,300	13
	481,225	41,421.74	431,028.26	50,196.74	10
			(-5,776.74)		