

**IN THE STATE OF MISSISSIPPI
BEFORE THE MISSISSIPPI REAL ESTATE COMMISSION**

MISSISSIPPI REAL ESTATE COMMISSION

vs.

NO. 061-1810

**JOHN DALLIS KETCHUM, BROKER
WILEY WILSON WHITE, SALESPERSON**

RESPONDENTS

AGREED ORDER

COMES NOW before the Mississippi Real Estate Commission (sometimes hereinafter called "Commission"), pursuant to the authority of Miss. Code Ann. §§ 73-35-1, et seq., and the administrative rules of the Commission, this Complaint against John Dallis Ketchum, Principal Broker, and Wiley Wilson White, Salesperson. Prior to any hearing before the Commission, the parties announced their stipulation and agreement as to the resolution of the matters alleged and any disciplinary actions that may be imposed. By entering into this order, the Respondents waive their right to a hearing with full due process, and the right to appeal any adverse decision resulting from that hearing. Having reached an agreement on the matter, the Commission issues its Findings of Fact, Conclusions of Law and Disciplinary Order as follows:

I.

Respondent, John Dallis Ketchum (sometimes hereinafter called “Respondent Ketchum”), is an adult resident citizen of Mississippi whose last known address of record with the Commission is 1821 Lyncrest Ave., Jackson, MS 39202. Respondent Ketchum is the holder of a resident Broker license issued by the Commission pursuant to Miss. Code Ann. §§73-35-1, et seq., and, as such, he is subject to the provisions, rules, regulations and statutes governing real estate brokers under Mississippi law and the administrative rules of the Mississippi Real Estate Commission. Respondent Ketchum is the Principal Broker of Neighbor House, LLC in Jackson, MS.

II.

Respondent, Wiley Wilson White (sometimes hereinafter called “Respondent White”), is an adult resident citizen of Mississippi whose last known address of record with the Commission is 921 Monterrey Dr., Madison, MS 39110. Respondent White is the holder of a resident Salesperson license issued by the Commission pursuant to Miss. Code Ann. §§73-35-1, et seq., and, as such, he is subject to the provisions, rules, regulations and statutes governing real estate brokers under Mississippi law and the administrative rules of the Mississippi Real Estate Commission. Respondent Ketchum is his Principal Broker at Neighbor House, LLC in Jackson, MS.

III.

The MREC received information from a member of the public indicating that Salesperson Wiley Wilson White advertised that he personally purchases homes, failing to indicate that he is a real estate licensee and failed to include the name of the Brokerage Firm for which Broker John

Dallis Ketchum is the Principal Broker of Neighbor House, LLC. Further, White failed to provide contact information (including phone number) which would allow a member of the public to contact the Principal Broker. During previous conversations with Respondent Ketchum concerning similar advertising matters in 2018, he was told that all advertising had to be under his direct supervision as the Principal Broker. However, that did not happen or there is a dramatic misunderstanding of Ketchum's responsibilities to supervise licensees under his supervision.

IV.

The Commission finds that Respondent White knowingly and willfully engaged in improper advertising of real property in Mississippi, contrary to the MREC Rules and the Mississippi Real Estate Act of 1954, as amended; §73-35-1 et seq. Said conduct warrants sanctions being imposed against Respondent White, as this is not the first time the Commission staff has spoken to Respondent White about his advertising. In 2018, Respondent White had post-it-notes issued with a local newspaper and an electronic billboard, both with content not in compliance with the Commission's advertising rule. Respondent Ketchum, as Respondent White's principal broker, was then informed of the advertising actions of Respondent White.

V.

Upon opening an investigation and providing proper written notice of the complaint to these Respondents, both Respondent Ketchum and Respondent White did provide separate written notarized responses to the Commission admitting to their respective roles in this transgression.

VI.

The above and foregoing described acts of the Respondents John Dallis Ketchum and Wiley Wilson White constitute violations of M.C.A. § 73-35-21 and MREC Rules 3.1 Broker Duties, and

3.3 Advertising which state, in relevant parts:

Rule 3.1 General Rules

A. It shall be the duty of the responsible broker to instruct the licensees licensed under that broker in the fundamentals of real estate practice, ethics of the profession and the Mississippi Real Estate License Law and to exercise supervision of their real estate activities for which a license is required.

Rule 3.3 Advertising

A. "Advertising" means the use of any oral, written, visual, printed or electronically generated advertisement by a real estate licensee or other person on behalf of a real estate licensee.

"Advertisement" means any oral, written, visual, printed or electronic media advertisement and encompasses any correspondence, mailing, newsletter, brochure, business card, for sale or for lease signage or sign rider, promotional items, automobile signage, telephone directory listing, radio and television broadcasts, telephone solicitation and electronic media to include e-mails, text messaging, public blogs, social media-networking websites, and/or internet displays.

B. A broker shall advertise in the name in which the license is issued. A broker may use a descriptive term after the broker's name to indicate the occupation in which engaged, for example, "realty", "real estate" or "property management". If advertising in any other form, a partnership, trade name, association, company or corporation license must be obtained prior to advertising in that manner.

All advertising must be under the direct supervision and in the name of the Principal Broker or in the name of the real estate Brokerage Firm and must prominently display the name of the Principal Broker or the name of the Brokerage Firm in such a manner that it is conspicuous, discernible and easily identifiable by a member of the public.

Principal Brokers are required to verify and determine that their name or the name of the Brokerage Firm is prominently displayed on all advertising and that the name of any real estate licensee or any approved real estate Team or Group is situated near the name of the Brokerage Firm. The Broker or the Brokerage Firm must be identified by using the same size or larger print as that of a Licensee or a Team in all advertising. All advertising must include the telephone number of the Principal Broker or the Brokerage Firm.

DISCIPLINARY ORDER

THEREFORE, by agreement, understanding and consent, the Commission ORDERS discipline as follows:

As to John Dallis Ketchum, Broker, the Commission orders that his license incur a one (1) month suspension, held in abeyance, and followed by five (5) months of probation, beginning April 01, 2019; contingent upon both future compliance with all Mississippi Real Estate Statutes and Commission Rules and also contingent upon him completing eight (8) hours of Mandatory Continuing Education (4 hours of Agency, 2 hours of Contract law and 2 hours of License Law) during April of 2019. Said education must be completed in a classroom setting and will not be the same classes from the same provider as those used by this Respondent in his last renewal period. Further, these classes will be courses approved by this Commission and be in addition to the regular hours of continuing education already required of licensees for license renewal. Evidence of completion of these classes is to be provided to this Commission.

As to Wiley Wilson White, Sales Agent, the Commission orders that his license incur a one (1) month full suspension and followed by five (5) months of probation, beginning April 01, 2019; contingent upon both future compliance with all Mississippi Real Estate Statutes and Commission Rules and also contingent upon him completing eight (8) hours of Mandatory Continuing Education (4 hours of Agency, 2 hours of Contract law and 2 hours of License Law) during April of 2019. Said education must be completed through a classroom setting and will not be the same classes from the same provider as those used by this Respondent in his last renewal period. Further, these classes will be courses approved by this Commission and be in addition to the regular hours of continuing education already required of licensees. Evidence of completion of these classes is to be provided to this Commission.

So Ordered, this the 8th day of MARCH, 2019.



MISS. REAL ESTATE COMMISSION

By: [Signature]
Robert E. Praytor, Administrator

AGREED: [Signature], Respondent
John Dallis Ketchum, Broker

AGREED: [Signature], Respondent
Wiley Wilson White, Salesperson