



Mississippi Real Estate Commission

MISSISSIPPI ADMINISTRATOR
ROBERT E. PRAYTOR

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OFFICIAL LETTER OF REPRIMAND

August 11, 2021

**IN RE: THE MATTER OF PHILLIP CARPENTER, PRINCIPAL BROKER
& ROBERT CARPENTER, SALESPERSON CASE NO. 108-2106**

Phillip Carpenter, Broker and
Robert Carpenter, Salesperson
1437 Old Square Rd., Ste. 104
Jackson, MS 39211

Greetings:

The Investigative Staff of the Mississippi Real Estate Commission (“Commission”) identified alleged violations of the Real Estate Brokers License Law of 1954 (Miss. Code Ann. §§73-35-1, *et seq.*) and/or the Rules and Regulations of the Commission regarding certain licensable real estate activity/activities, all as was set forth in the Informal Resolution that you both signed.

The Investigative Staff and legal counsel recommended to the Commission that this matter be resolved informally, in lieu of proceeding to a formal Commission Complaint and administrative hearing before the Commission, by the issuance of this Letter of Reprimand to you both.

Phillip Carpenter, Principal Broker, failed to exercise proper supervision as Principal Broker for Robert Carpenter, Salesperson, in a certain real estate transaction regarding the 143-acre property auctioned in 2021 in Grenada, Mississippi.

Salesperson, Robert Carpenter, failed to properly and/or timely date/deliver documents related to the referenced transaction pursuant to Mississippi law: Cooperative Agreement between Carpenter Properties, Inc. and Jones, Lang, LaSalle of Illinois.

The above and foregoing described acts and omissions constitute violations of the Mississippi Real Estate Brokers License Act of 1954, as amended, Miss. Code Ann. §§73-35-1, *et seq.*, and the Rules and Regulations of the Commission, and, more specifically, Miss. Code Ann. §73-35-21(1), §73-35-11, and Rules 3.1 which provide, in relevant parts, duties of a real estate licensee, and proscribed actions and omissions in the conduct of real estate activities for which the Commission has the power to sanction a licensee as the Commission deems appropriate:

§73-35-21(1):

(n) Any act or conduct ...which constitutes or demonstrates ...incompetency ...or improper dealing.

RULE 3.1:

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.

F. Any licensee ...who fails or neglects to abide by Mississippi Real Estate Commission's Rules and Regulations shall be deemed, prima facie, to be guilty of improper dealing.

§73-35-11. Nonresident may not act except in cooperation with licensed broker of state

It shall be unlawful for any licensed broker, salesperson or other person who is not licensed as a Mississippi resident or nonresident broker or salesperson and a licensed broker or licensed salesperson in this state to perform any of the acts regulated by this chapter, except that a licensed broker of another state who does not hold a Mississippi real estate license may cooperate with a licensed broker of this state provided that any commission or fee resulting from such cooperative negotiation shall be stated on a form filed with the commission reflecting the compensation to be paid to the Mississippi broker. Whenever a Mississippi broker enters into a cooperative agreement under this section, the Mississippi broker shall file within ten (10) days with the commission a copy of each such written agreement. By signing the agreement, the nonresident broker who is not licensed in this state agrees to abide by Mississippi law, and the rules and regulations of the commission; and further agrees that civil actions may be commenced against him in any court of competent jurisdiction in any county of this state in which a claim may arise. The Mississippi broker shall require a listing or joint listing of the property involved. The written cooperative agreements shall specify all material terms of each agreement, including but not limited to its financial terms. The showing of property located in Mississippi and negotiations pertaining thereto shall be supervised by the Mississippi broker. In all advertising of real estate located in Mississippi, the name and telephone number of the Mississippi broker shall appear and shall be given equal prominence with the name of the nonresident broker who is not licensed in this state.

The Mississippi broker shall be liable for all acts of the above cooperating broker, as well as for his own acts, arising from the execution of any cooperative agreement. The Mississippi broker shall determine that the cooperating broker is licensed as a broker in another state. All earnest money pertaining to a cooperative agreement must be held in escrow by the Mississippi broker unless both the buyer and seller agree in writing to relieve the Mississippi broker of this responsibility.

This Official Letter of Reprimand will be placed in your file to become a part of your permanent record. You should take every precaution to familiarize yourself with the Real Estate Brokers License Act of 1954, as Amended, and the Administrative Rules and Regulations of the Real Estate Commission in order to avoid a serious violation which might affect the status of your license.

If you have any questions pertaining to this matter, please contact the Commission.



Robert E. Praytor
Administrator
Mississippi Real Estate Commission