

DISCIPLINARY ACTION DISCLOSURE FORM

[A.R.S. §§ 32-2108, 32-2123, and 32-2130](#)
[A.A.C. R4-28-301 and R4-28-303](#)

The Disciplinary Actions Disclosure is required by ADRE to determine qualifications and suitability of the licensee to hold an Arizona Real Estate License. **Any and all civil actions** arising from any business in or involving a transaction in real estate, cemetery property, timeshare intervals or membership camping, **criminal convictions**, and **occupational license disciplinary actions** must be included since your last license renewal UNLESS, the disclosure has been previously submitted in writing to ADRE and either ADRE approved the disclosure or entered into an Accelerated Settlement Agreement or Consent Order regarding the matter disclosed. Failure to answer these questions truthfully may result in disciplinary actions including, but not limited to, suspension, revocation, and/or civil penalties.

NOTE: If you answer “Yes” to one or more of the questions below, use the [Disclosure Document Checklist](#) to ensure you submit a complete application, to include certified documents related to the disciplinary or criminal proceedings and a copy of a valid Fingerprint Clearance Card.

DISCIPLINARY QUESTIONS			
A.	Are you currently in a deferred period of judgment or sentencing, in a diversion program, or have you ever been convicted of a Misdemeanor or Felony? If “No,” check No to the right. If “Yes,” you must answer Questions 1 - 6.	☐ Yes ☐ No	
1.	Been convicted or entered into a plea agreement or a plea of NOLO CONTENDERE (no contest) to ANY felony - including a Class 6 Undesignated Felony - in Arizona and/or any other state, whether or not the plea or verdict was set aside, sealed, judgment or sentencing was deferred, conviction was dismissed or expunged, or has been pardoned, or the conviction is being appealed? (A.R.S. §32-2108(C)(3)(a); A.R.S. §32-2123 (B)(4))	☐ Yes ☐ No	Go To Next Question.
2.	Been convicted or entered into a plea agreement or a plea of NOLO CONTENDERE (no contest) to ANY misdemeanor in Arizona or any other state, whether or not the plea or verdict was set aside, sealed, judgment or sentencing was deferred, the conviction was dismissed or expunged, or has been pardoned, or the conviction is being appealed? CONVICTIONS – DUI AND/OR RECKLESS DRIVING, EITHER MISDEMEANOR OR FELONY, MUST BE DISCLOSED. Minor traffic citations do not constitute a misdemeanor or felony offense. (A.R.S. §32-2108(C)(3)(a); A.R.S. §32-2123 (B)(4))	☐ Yes ☐ No	
3.	Was the conviction set aside and/or have you received a Certificate of Second Chance? (A.R.S. §13-905)	☐ Yes ☐ No	
4.	Have you been convicted of a drug related offense that involves a violation of Title 13, Chapter 34 and/or 34.1, or an offense committed in another jurisdiction that has the same elements as an offense listed in Title 13, Chapter 34.1? (A.R.S. §§ 32-2108, 41-1093.06)	☐ Yes ☐ No	
5.	Are you CURRENTLY in a diversion program or deferred period of judgment or sentencing?	☐ Yes ☐ No	
6.	Are you CURRENTLY incarcerated, paroled, and/or on probation because of ANY conviction? (A.R.S. §32-2124(M))?	☐ Yes ☐ No	

DISCIPLINARY QUESTIONS

B. For all license, education, and public report types, whether approval or renewal, applicants must respond to ALL questions.

1.	Had a professional or occupational license or registration in any state, of ANY kind, denied, suspended, restricted, or revoked? (Driver's License/CDL not included) (A.R.S. §32-2108 (C)(3)(b), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
2.	With the exception of an Accelerated Settlement Agreement (ASA) issued by the Arizona Department of Real Estate, had an administrative order and/or ANY other disciplinary action taken or are you CURRENTLY under investigation, involved in ANY pending disciplinary hearings and/or other administrative actions, against ANY license issued by any local, state, or federal regulatory agency - including ADRE? (A.R.S. §32-2108(C)(3)(b), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
3.	Entered into ANY consent decree, and/or had an injunction (either temporary or permanent), a suspension, an order and/or a judgment issued which resulted in a civil penalty or continuing education requirement or otherwise prohibited or restricted them from engaging in ANY profession or occupation? (A.R.S. §32-2108 (C)(3)(d), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
4.	Had any judgment and/or order against them by ANY court involving fraud, forgery, theft, burglary, larceny, bribery, embezzlement, money laundering, extortion, dishonesty, misrepresentation, unfair trade practice, or moral turpitude? (A.R.S. §32-2108 (C)(3)(e), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
5.	Had any judgment and/or order entered against them by ANY court arising out of the conduct of any business in real estate, cemetery property, timeshare intervals, or membership campgrounds? (A.R.S. §32-2108 (C)(3)(d)) and (A.R.S. §32-2108 (C)(3)(e), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
6.	Had any payment made from the real estate recovery fund and/or ANY similar fund that was charged against them and/or against a business for which they were a qualifying party? (A.R.S. §32-2153(C), A.R.S. §32-2108(I))	☐ Yes	☐ No
7.	Have you voluntarily surrendered ANY professional or occupational license during the course of an investigation or disciplinary proceeding? (A.R.S. §32-4302(A)(5))	☐ Yes	☐ No
8.	Have you had ANY subdivision public report or registration to sell real estate, timeshare, cemetery, lots, or campground memberships denied and/or suspended? (A.R.S. §32-2108(C)(3)(c))	☐ Yes	☐ No
9.	Held, and/or, currently holds 10% OR MORE ownership and/or controlling interest in any business, corporation, partnership, or limited liability company that would cause them to answer "YES" to any of the ABOVE questions? (A.R.S. §32-2108(C), A.R.S. §32-2194.03(B)(9))	☐ Yes	☐ No
If you answered "Yes" to any of the questions above, have you already disclosed the matter to the Arizona Department of Real Estate?		☐ Yes	☐ No

If you have disclosed it, indicate:

- Approximate date of the disclosure:

- Type of Disclosure:

APPLICANT ATTESTATION

I understand that it is my obligation to comply with the statutes, rules, and regulations set forth by Arizona Law, and that such laws may be referenced at azleg.gov.

Applicant Name:	License Number:
Applicant Signature:	Date:

Notice to Applicant Pursuant to A.R.S. § 41-1030

An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

This section may be enforced in a private civil action and relief may be awarded against the State. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

A State employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the Agency's adopted personnel policy.

This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02

Notice to Applicant Pursuant to A.R.S. § 41-1093

An agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to sections 41-1093.02 and 41-1093.03. Arizona Revised statutes, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court of general jurisdiction to challenge the occupational regulation and to ensure compliance with section 41-1093.01, Arizona Revised Statutes.

Notice to Applicant Pursuant to A.R.S. § 41-1093.08

Pursuant to Arizona Revised Statutes, Title 41, Chapter 6, Article 11, an applicant, licensee, registrant or certificate holder may petition the Office of Administrative Hearings to request a review of a denial, suspension or revocation of a license, registration or certificate for a prior criminal offense.