

DIALOG

The periodic bulletin

from

The Arizona Department of Real Estate



Volume 2008 — Issue 5



Let the Conversation Continue: A Message from the Commissioner

Inside this Issue

Important Info. Regarding Your License	2
2008 Legislative Update	3-5
Public Access	5-6
Financial Crunch	6
COE Management	6
Pack to School	6
Commissioner Advisory No. 2	6
Northern Presence	9
CPLC	9
Feeling the Financial Crunch?	10
Mortgage Trouble	10
Disciplinary Actions	10-11

We are now into our second quarter of Fiscal Year 2009 and there are positive results to highlight and opportunities that will help Arizona move forward as we grow.

With state revenues less than projected, your Arizona Department of Real Estate (ADRE) is contributing to smart fiscal policy by operating with 20% fewer employees than authorized by the Legislature. Even through budget reductions, we have ensured critical aid remains available to citizens in need and preserved our service levels to the real estate industry. We remain focused on those harming the Public, educating to prevent harm, and forming new partnerships. Our <u>Community Outreach and Education</u> program remains a prime example of our perspective and I hope you'll attend one through October near you.

ADRE personnel remain flexible and willing to assist wherever need occurs and I am grateful for the partnerships we have formed with reputable industry professionals. The Department is more effective in protecting Arizona consumers because of these relationships and our motivated employees.

Mortgage fraud continues to impact our housing market but we're having success combating it. With Public and Industry help, we are identifying those who facilitate this crime and Arizona is no longer on the FBI's top ten list. That is great news and will help make more credit available to legitimate buyers!

We can have similar results in reducing foreclosures by working together. Pass along Arizona's Foreclosure Prevention Helpline – 1-877-448-1211, to folks in need, as well as to clients, friends and family members. Then, ask them to share it with others. Professional staff at non-profit organizations around Arizona can be reached for FREE services to negotiate with banks and mitigate foreclosures. They have established contacts with lenders and are helping families stay in their homes or secure short sale terms. One real estate professional reported that she referred a client to a non-profit who negotiated with the lender so the sale could close. She fulfilled her duties by staying educated of resources available to Arizonans and using them. Visit our website for more Information on the Helpline and check out www.AZ211.gov for this and other resources available to individuals and families seeking assistance today.

These efforts are creating valuable stability in our market. Down payment assistance programs still exist and Arizona will gain more aid as the Congressional housing package is disbursed to states. The outlook is brighter and Arizonans can buy a house today and make it their home with confidence.

It is now nearly two years since I became Arizona's Real Estate Commissioner. By *"Promoting Mutual Respect,"* I believe the Public, Industry and Department have formed stronger relationships which are helping us through this economic cycle quicker than if the partnerships did not exist. Thank you for your continued support and the valuable input you offer. I am sincerely grateful.

Respectfully Yours,

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner

*****IMPORTANT INFORMATION REGARDING YOUR LICENSE*****

The 2008 Legislature enacted a new section of law, ARS §410-1080, which requires licensing agencies, including the Department of Real Estate (ADRE), to obtain proof of the license applicant's legal presence in the United States prior to issuing a license. This also applies to license renewals. With your help, we can ensure your timely renewal.

<u>Effective October 1, 2008</u>, ADRE is permitted to renew only if we receive proof of your legal presence in this country.

Instructions to satisfy this requirement: Send an email to <u>legalpresence@azre.gov</u> with the following information:

1) Your full name, as it appears on your license

2) Your REAL ESTATE license number

3) The expiration date of your REAL ESTATE license

4) A scanned LEGIBLE copy of one of the following documents:

- An Arizona driver's license issued after 1996 OR an Arizona non-operating identification license
- A driver license issued by a state that verifies lawful presence in the US
- A birth certificate or delayed birth certificate issued in any state, territory or possession of the US
- A US Certificate of birth abroad
- A US passport
- A foreign passport with a US Visa
- An I-94 form with a photograph
- A US Citizenship and Immigration Services Employment Authorization document or a Refugee Travel document
- A US Certificate of Naturalization
- A US Certificate of Citizenship
- A tribal Certificate of Indian Blood
- A tribal or BIA Affidavit of Birth

To ensure the document is received in time for the Department to process your renewal prior to expiration, we *STRONGLY* recommend that you submit this information immediately. This requirement need only be completed once; after the information is entered in the Department's licensing database you will not need to re-submit proof again in the future.

If you are unable to submit these documents via email to ADRE, you may send a legible copy, via regular mail, with a cover letter stating that you are providing the documentation to meet the requirements of ARS §41-1080. The letter should include your license number and your name as it appears on your license.

If you are a citizen of a foreign country who lives and works outside of the United States, and cannot satisfy these requirements, please contact the Department for more information at <u>CAT@azre.gov</u>.

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner



2008 Legislative Update by Becky Ryan Director, Arizona School of Real Estate & Business

Most people had written it off. It wended its way through the legislative process sluggishly. Not until the 11th hour was the Loan Originator Licensing Bill passed. Below is a summary of this and other relevant pieces of legislation signed into law by Governor Napolitano in 2008.

LENDING AND CREDIT

Effective January 1, 2010, loan originators will begin a relationship with their employers much like that of a real estate agent to a real estate broker. <u>Senate Bill (SB) 1028</u> mandates that prelicensure school, testing, licensing, fees, and regulations regarding duties and conduct will apply. Continuing education will be required annually when renewing a loan originator's license.

In some ways, loan originator licensing is stricter than real estate licensing. If indicted for certain crimes, loan originators can be treated as guilty until proven innocent, having their license stripped away until trial. A loan originator candidate may not take the prelicensure test more than twice in 12 months. If the license is denied, the candidate may not reapply for one year. There are also limits on periods of inactivity.

Those with loan origination experience in the most recent three years may be exempted from the educational requirement. There are also exemptions from the licensing law when commercial lending is done, and in certain other situations.

Two additional bills affect lenders. <u>SB 1029</u> changes the lender license renewal dates to allow Arizona licensees to participate in the Nationwide Mortgage Licensing System (NMLS). NMLS allows states to coordinate with one another so a loan originator with complaints or violations in one state would not be able to simply move to a new state and have a clean record. About 80% of the states are presently on board with this system. <u>SB 1285</u> opens cease-and-desist orders to public inspection if they are related to unlicensed lending activity.

With regard to credit issues, <u>SB 1185</u> allows a person to request a credit reporting agency to "freeze" their credit report, restricting the release of information without authorization by the consumer. Lenders may treat applications as incomplete if access is frozen; however, businesses must lift the freeze within 15 minutes of receiving an authorized electronic or telephonic request. There is no cost to place a "freeze" on one's credit report if the person has been a victim of identity theft (things are probably bad enough, wouldn't you agree?). However, if the requestor has *not* been a victim of identity theft, then a small fee may be charged for each security freeze, for each request that the freeze be lifted, or when a new or reissued password or PIN is needed. This law does not make a provision for those who can't afford the fee(s), but then again, maybe stealing *that* person's identity isn't the best idea. August 31, 2008 is the effective date of this law.

House Bill (HB) 2587 prohibits a lender from lending unless steps are taken to verify the consumer's identity.

If a person's identity is stolen and his or her identity is then used to commit a crime or results in a judgment against the person, <u>HB</u> <u>2321</u> establishes a process where a person can obtain a court order stating he or she is innocent. This law goes into effect on January 1, 2009.

DIVORCE

<u>SB 1112</u> allows the court to consider debts and obligations when dividing community property in a divorce or legal separation. One premise is that a property which is free and clear is worth more than one transferred with an encumbrance intact, or with taxes owed against it. This bill also addresses exempt properties, child support and spousal maintenance.

WATER, FLOOD CONTROL & INFRASTRUCTURE

Arizona Department of Water Resources (ADWR) will be required by <u>HB 2270</u> to post an advisory alerting potential home buyers to research water availability before they purchase, and to define, in layperson's language, terms like "adequate water supply", "inadequate water supply" and "no water supply determination". Effective January 1, 2009, cities, towns and private water providers which are outside of an active management area (AMA) must provide a written statement within three days of being requested regarding the water supply status of a property. The description must be based on the most recent ADWR determination, and must include the applicable water supply term definition as posted on ADWR's website. In other words, weasel-wording will be monitored

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner



2008 Legislative Update by Becky Ryan Wrecter, Arizona School of Baal Estate and Busines

Continued page 3

Director, Arizona School of Real Estate and Business

SB 1289 establishes mechanisms to keep flood protection facilities current. Assessments are one financial option to fund the improvements and repairs. If an assessment is done, it will become a lien against the property. This law allows the property to be sold in the event of a delinquent assessment.

It is a Class 5 felony for a city, county, town, school district, or tribal law enforcement agency employee to knowingly divulge critical infrastructure information. <u>HB 2466</u> exempts critical infrastructure information provided to any local government from public disclosure.

Similar in content, <u>HB 2371</u> addresses the security of critical infrastructure used for the transmission of natural gas, petroleum or aviation fuel. One of the more interesting provisions of this law "exempts subdividers from having to disclose critical infrastructure information to the state real estate commissioner." Mmm... I wonder what will happen after Mom and Pop Q. Homebuyer purchase the lot that is bellied up to the natural gas pipeline that wasn't mentioned in the public report

.MILITARY

<u>SB 1387</u> imposes certain requirements for cities, counties and towns that have a military electronics range located within their boundaries (think Fort Huachuca). These include notification when a property is rezoned, when a building or development permit is issued, or when the property is subdivided. The Real Estate Department will record a document that discloses the military electronics range, and will post a map on the ADRE website. Public reports (now referred to as Subdivision Disclosure Reports by ADRE) which are issued after January 1, 2009 will be affected, and the Affidavit of Disclosure document language must be updated.

Our military personnel who hold professional licenses receive a break with <u>SB 1006</u>, which establishes an extension of the license period and relief from late fees if the military member is deployed and meets certain criteria.

MUNICIPAL REGULATION

<u>SB 1385</u> requires cities of 50,000 or more to promote home ownership in their general plans. Also included is an assistance provision for maintaining and improving the appearance of commercial and residential buildings.

Municipalities and counties are to adopt standards for issuing solar permits, and are prohibited from requiring a stamp from a professional engineer based on the language in <u>HB</u> 2615.

CONTRACTOR REGULATIONS

Revisions to state laws regarding mechanic's liens and surety bonds are contained in <u>HB 2474</u>, and <u>SB 1417</u> revises the complaint and citation procedures against licensed contractors.

TAXES AND INSURANCE

Several pieces of legislation addressed property taxes. <u>HB</u> <u>2523</u> addresses the unfortunate situation when a tax lien is sold on a sliver of land running through a parcel the owner thought he or she owned (entirely), and the tax lien for that slice of property is foreclosed. Now, the property tax lien may be offered by the County Board of Supervisors to the landowner of the surrounding property. <u>HB 2351</u> clarifies that interest begins to accrue on the first day of the month following the purchase of a tax lien. <u>HB 2032</u> allows a tax lien purchaser to foreclose between three and 10 years after the sale of the property tax lien. <u>HB 2130</u> now allows a "homesite" in Class 3 owner-occupied residential property to contain up to 10 acres, and in certain instances, up to 40 acres. The last provision becomes effective January 1, 2009.

<u>HB 2513</u> addresses "stranger originated life insurance", where an investor purchases a life insurance policy on another person for the investor's own benefit. This legislation was in response to a practice where individuals with short life expectancies sold their policies to investors for cash settlements.

REAL ESTATE

The Business Brokerage Designation was eliminated as a real estate licensure option with <u>SB 1232</u>, retroactive to January 1, 2008. This bill also clarifies what personal information ADRE can withhold from the public about a licensee.

Purchaser dwelling actions are legal actions taken by a buyer against a seller because of design, construction, condition or sale issues. Redefining the term "seller", as done by <u>SB 1176</u>, results in real estate agents, brokers and entities no longer being lumped into the "seller" category in a lawsuit. Resale licensees are expressly excluded from the definition.

<u>SB 1491</u> requires ADRE to record a notice to the public when land has been unlawfully subdivided. Those who subdivide without a public report may incur penalties of up to \$5000 for each infraction beginning December 31, 2008. *to the buyer.*"

Continued page 5

Sam Wercinski, Arizona's Real Estate Commissioner

[&]quot;Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Page 5

2008 Legislative Update

Continued page 4

The statute also adds language to the Affidavit of Disclosure document, which states, "Use of the property [is/is not] limited in any way relating to an encumbrance on title due to a lis pendens, a court order or a State Real Estate Department order of a pending legal action. If the use of the property is limited, the seller or property owner shall disclose the limitations

Interestingly enough, human smuggling and drop house legislation has a real estate component. According to <u>HB 2842</u>, a Class 4 felony can be assigned to persons or companies that own, sell, lease or broker a transaction involving property that will be used as a drop house. Licensees have a defense if they discover the property is being used as a drop house after the transaction occurs and the licensee reports it to law enforcement.

GUARDIANS, CONSERVATORS AND TRUSTEES

Those acting on behalf of others may well have some extensive reading to catch up on. Guardians and conservators are affected by <u>HB 2836</u>, and trustees will find the Arizona Trust Code has been completely rewritten in <u>HB 2806</u>.

CONDOS & HOMEOWNERS' ASSOCIATIONS

The 2008 legislation further erodes the powers of the homeowners' association (HOA). <u>HB 2440</u> prohibits a HOA from forbidding the circulation of political petitions, although gated communities are exempt. <u>HB 2410</u> brings open meeting laws into the information age. If a member of a public body expresses an opinion or discusses an issue either personally, through public broadcast, or at a venue other than an actual meeting, the member is not in violation of open meeting laws if the opinion is not directed at another public official and there is no plan to take legal action. Blog on!

EMPLOYER ISSUES

<u>HB 2745</u> contains emergency measures to the Legal Arizona Workers Act, addressing identity theft, the practice of paying employees in cash, using E-Verify, and the issuance of business licenses—a "must read" for those who employ others.

The effective date of legislation from the Forty-Eighth Legislature—Second Regular Session is September 26, 2008. Additional information on the bills highlighted above may be obtained at <u>www.azleg.gov</u>.

-----Becky S. Ryan is a real estate broker, educator and consultant in Scottsdale and currently serves as Curriculum Director for Arizona School of Real Estate & Business. She may be reached at (480) 946-5388 or at <u>becky@asreb.com</u>.

©2008, reprinted with permission from the Arizona Journal of Real Estate & Business.

PERMANENT ACCESS BY Roy Tanney Assistant Commissioner-Development Investigations & Services

Applications for Subdivided and Unsubdivided Land Disclosure Reports (Public Reports) are subjected to heightened scrutiny when roads providing access to and within the developments are not city or county maintained roads. A common complaint heard from citizens and government officials around the State during our COE programs is the lack of road maintenance in rural land developments.

It is unlawful to sell these lands without permanent access. There are some developments where permanent access is easily verified with little or no effort. Other developments require some work. When examining access, we are concerned with the legal and permanent aspects of the access. Permanent access verification usually comes in the form of a written statement from a title insurance company. The statement will attest to the legal and permanent nature of the access and include a description of the access by listing all recorded instruments that establish legal access. Verification of permanent access may also come from registered land surveyors and county public works or highway departments.

When considering whether the access is permanent, several questions must be answered. Can the access used by landowners be taken away or disrupted? Are roads leading to the development and within the development subject to significant closure due to topographical features or the absence of a road maintenance program? If yes to either of these questions, we may have difficulty justifying the issuance of a disclosure report (Public Report). If not already in place, a road maintenance program is often a requirement to issue the disclosure report. A statement from a registered land surveyor or county staff may be requested that provides:

- Affirmation that legal access as described in the legal access statement is over terrain that can be traversed by a 2-wheel drive car.
- A description of the existing physical status of the access.

Continued page 6

[&]quot;Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Continuing Education Management

By

Tom Adams

Assistant Commissioner-Licensing & Professional Education

On Monday, August 18, 2008, the Department launched a new service that will greatly assist licensees in managing and reporting their continuing education (CE) credits. With the advent of the four year license renewal period licensees are required to report 24 credit hours of CE each 24 months. Since the first 24 months of the renewal cycle are not accompanied by a license renewal process, the licensee is more likely to overlook the reporting requirement.

To assist the licensees with managing their CE reporting, as well as tracking the credits earned and still needed, the Department's website (https://az.gov/webapp/dre/) now allows licensees to enter CE credits as they are earned. The web page will advise the licensee of the credit hours already recorded, the required credits earned, the requirements the licensee must still complete, and the total credit hours accumulated for the period. In addition, 90, 60 and 30 days prior to the end of the CE period the licensee will receive an email reminder of the CE if the requirements have not been met. Additionally, designated brokers will receive emails advising them of licensees who work for them and who are within 90, 60 or 30 days of the end of a CE period and who have not completed their CE requirements. Licensees should retain their CE certificates throughout the current license period, and for one year after renewal, in case they are selected by the Department for a random audit of reported CE credits.

When the public searches the Department's "Public Database" for information on a licensee the classes the licensee attended (and reported to the Department) will be included as part of the licensee's profile. This will provide the licensees the opportunity to show their knowledge and educational experience and demonstrate their interest in remaining current in real estate issues.

The Department anticipates that licensees who enter their CE credits as they take the classes, rather than holding them all to the end of the CE period, will find they meet their CE requirements more timely and efficiently. We are excited about this new function and believe the licensees will find it to be a much easier way to report and track their CE credits.

Reminder! Tuesdays are reserved for licensees living outside of Maricopa and Pima County. Please keep this in mind when planning your next visit to the Department.

Permanent Access

Continued page 5

Permanent access was not a requirement in Subdivision law until August 8, 1973 and in Unsubdivided Land law a few years later. Provisions for permanent access on developments that were formed in this time frame are of special concern to us. When processing applications for disclosure reports (public reports), we will request comment from city or county officials if not already provided in the application.

For relevant statutes and rules related to permanent access, please see A.R.S. \S 32-2101(40), 32-2181 (A)(8), 32-2183(C)(10), 32-2185.02, 32-2195(B)(7), (E) and (F) and A.A.C. Rule R4-28-A1207(B).

Pack to School

Once again the Department was able to provide supplies to needy children in the valley.

Despite the financial strain many are facing, donations poured into the Department.

We collected over 600 items and were delivered to the Salvation Army for distribution.



Pictured above are last year's recipients!

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner

Community Outreach & Education Program

Navajo/Apache Counties

Date: Tuesday, August 19, 2008

Time: 10:00 am - 1:00 pm

Host: White Mountain Association of $\ensuremath{\mathsf{REALTORS}}\xspace^{\ensuremath{\mathbb{R}}}$

Location: Hampton Inn & Suites, 1501 East Woolford Road, Show Low

Register: http://navajoapachecoe.eventbrite.com/

Maricopa County

Date: Tuesday, August 26, 2008

Time: 9:00 am - Noon

Host: City of Phoenix

Location: Orpheum Theatre, 203 W. Adams Street, Phoenix

Register: http://maricopacoe.eventbrite.com/

Coconino/Yavapai

Date: Thursday, September 4, 2008

Time: 1:00 pm - 4:00 pm

Host: Sedona Verde Valley Association of REALTORS® Location: Sedona Library, 3520 White Bear Rd., Sedona <u>Register: http://coconinoyavapaicoe.eventbrite.com/</u>

La Paz County

Date: Monday, September 8, 2008



Host: La Paz County

Location: Board of Supervisors Meeting Room, 1108 Joshua Ave., Parker

Register: http://lapazcoe.eventbrite.com

Mohave County

Date: Tuesday, September 9, 2008

Time: 12 Noon - 3:00 pm

Host: Mohave County

Location: Board of Supervisors Meeting Room, 700 W Beale Street, Kingman

Register: http://mohavecountycoe.eventbrite.com

Yuma County

Date: Tuesday, September 16, 2008

Time: 10:00 am - 1:00 pm

Host: Yuma County

Location: Board of Supervisors Auditorium, 198 S. Main Street, Yuma

Register: http://yumacoe.eventbrite.com

Graham/Greenlee County

Date: Tuesday, October 7, 2008

Time: 9:00 am - Noon

Host: Graham County

Location: Board of Supervisors Meeting Room, 921 Thatcher Blvd, Safford

Register: http://grahamgreenleecoe.eventbrite.com

Gila County

Date: Thursday, October 9, 2008

Time: 10:00 am - 1:00 pm

Host: City of Globe

Location: Besh Ba Gowah Museum, 1324 S Jesse Hayes Rd, Globe

Register: http://gilacoe.eventbrite.com

Continued page 8

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner



Successiul.







SUCCESSIU

Community Outreach & Education Program

Continued from page 7

Pinal County

Date: Tuesday, October 14, 2008

Time: 10:00 am - 1:00 pm

Host: City of Coolidge

Location: City Council Chambers, 911 Arizona Blvd., Coolidge

Register: http://pinalcoe.eventbrite.com

Cochise County

Date: Tuesday, October 21, 2008

Time: 11:00 am - 2:00 pm

Host: City of Sierra Vista

Location: Sierra Vista City Hall, Council Chambers, 1011 N. Coronado Drive

Register: http://cochisecoe.eventbrite.com

Santa Cruz County

Date: Wednesday, October 22, 2008

Time: 10:00 am - 1:00 pm

Host: Nogales-Santa Cruz County Chamber of Commerce

Location: Americana Hotel, 639 N. Grand Ave, Nogales

Register: http://santacruzcoe.eventbrite.com

Pima County

Date: Thursday, October 23, 2008

Time: 10:00 am - 1:00 pm

Host: Tucson Association of $\ensuremath{\mathsf{REALTORS}}\xspace^{\ensuremath{\mathbb{R}}}$ and the City of Tucson

Location: Leo Rich Theatre, 260 South Church Ave., Tucson

Register: http://pimacoe.eventbrite.com



Don't miss this **FREE** educational event!!!!!

Meet YOUR Real Estate Commissioner, Sam Wercinski, and receive **3 hours** of continuing education credit in the category of Commissioner Rules offered by the Arizona Association of REALTORS®.



"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner

A Reminder about Commissioner Advisory #2

Most Arizona homebuilders continue to meet obligations to their customers. This advisory provides guidance to homebuyers who have questions if a homebuilder fails to meet commitments. Much of this information is applicable for homebuyers in the resale market also. If you need additional help, please contact our Customer Assistance Team at (602) 771-7730 or <u>CAT@azre.gov</u>. This Commissioner's Advisory is informational only and is not intended as legal advice. <u>Click here</u> to view Commissioner Advisory # 2.

The following list relates to developers and homebuilders who have filed bankruptcy, have projects in foreclosure or are having labor and materialmen liens recorded against projects. Homebuilders who are on this list are required to place and hold all earnest money and down payments in a neutral depository. We welcome new or updated information so that we can maintain an accurate and complete list. <u>Click here</u> to view complete list.

Please send all updates and inquires to Cindy Ferrin at cferrin@azre.gov.

Northern Arizona Presence The Department continues provide services to Northern Arizona. Services alternate between Flagstaff and

_

Prescott.

Scheduled Dates:

9/25 Prescott

10/29 Flagstaff

11/25 Prescott

12/17 Flagstaff

1/09 Prescott

Visit the Department website: <u>www.azre.gov</u> for list of locations.

Jim Williams is the Department representative for our Northern Arizona Presence. ADRE alternates between Prescott and Flagstaff each month to bring our services to you.





August Website hits:

Pictured with the Commissioner Wercinski are students who participated in the



Chicanos Por La Cause Summer Youth Program. The CPLC Summer Youth Program provides youth with an opportunity to work in the public sector. The sponsoring agency benefits by having the youth work on various tasks at no cost to the agency.

This is the second year that the Department has participated in this worthwhile program.

Homepage: <u>76,439</u> Online Services: <u>20,762</u> Information for Licensees: <u>24,288</u> Information for Consumers: <u>8,706</u> Homebuilders in Trouble: <u>6,854</u>

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner

FEELING THE FINANCIAL OR UNCHP



www.az211.gov

Feeling the Economic Crunch? Find the Need. Financial Help You Governor Napolitano's Family Economic Relief project provides a way to get information out to Arizonans who are facing hardship given the current economic environment. With record home foreclosures, restrictions in the credit market, and increasing gasoline and food costs, what many people need is a simple way to access information and resources for assistance in their own communities. The Governor's Office has posted the Family Economic Relief project in an easy to navigate format through a feature link on www.az211.gov

Mortgage Trouble?

Toll-Free helpline

1-877-448-1211

available to provide you with referrals to Arizona organizations participating in the National Foreclosure Mitigation Counseling Program. There are over 20 organizations participating throughout Arizona.

SHARE THE NUMBER WITH OTHERS!

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Disciplinary Actions

Name	Adrian Alexander
Location:	Phoenix, Arizona
License	SA624162000
Summary	Failed to disclose felony convictions in the state of Florida and failed to cooperate with requests for information from Department staff.
Order	August 28, 2008
Action	Summary Suspension of license
Name	James M. Matthewson
Location:	Tucson, Arizona
License	SA569406000
Summary	March 2008 conviction for Negligent Homicide and DUI, sentenced to 5 years incarceration and 3 years probation
Order	August 14, 2008
Action	Summary Suspension of license
Name	Joan M. Thorp
Location:	Flagstaff, Arizona
License	SA528795000
Summary	Failed to remit rental collections to a client. Failed to cooperate with Department staff during investigation and failed to comply with a Commissioner's Order (subpoena to appear)
Order	August 14, 2008
1	

Volume 2008-Issue 5

Disciplinary Actions Resolved through Issuance of Provisional License, the Accelerated Settlement	April-July	Aug.
Agreement Process (ASAP) and Consent Orders.	2008	2008
Advertising	2	0
Adverse Judgments	1	0
Commingling Money	1	0
Convictions	22	4
Convictions-Felonies	1	0
Failure to Disclose in a Timely Manner	38	18
Failure to Respond	1	0
Failure to Supervise	3	4
Misrepresentation	1	0
Multiple Violations	3	0
Negligence	1	0
Non-Compliance with Order	1	2
Other Jurisdiction Sanction	4	2
Subdivisions (Illegal)	1	1
Subdivision Violations	7	5
Unlicensed Activity	4	4
Grand Total	91	46

"Dialog"-The Periodic Bulletin of the Arizona Department of Real Estate

Sam Wercinski, Arizona's Real Estate Commissioner

ARIZONA DEPARTMENT OF REAL ESTATE

Main Office:

2910 North 44th St., 1st Floor Phoenix, Arizona 85018 Phone: 602.468.1414 Fax: 602.468.0562

Southern Arizona Office: 400 W. Congress, Suite 523 Tucson, Arizona 85701 Phone 520.628.6940 Fax 520.628.6941

www.azre.gov

DIALOG

THE PERIODIC BULLETIN FROM THE ARIZONA DEPARTMENT OF REAL ESTATE

An official publication of the State of Arizona JANET NAPOLITANO Governor SAMUEL P. WERCINSKI Commissioner

> Mary C. Utley Assistant Commissioner Public Relations

REAL ESTATE ADVISORY BOARD

Gary Brasher, Chair Lisa A. Suarez, Vice-Chair Frank Dickens Kathy Howe Jack Jackson Jr. Bruce Mosley Thomas J. Pancrazi Patti Shaw Ann White

Volume 2008--Issue 5



Note: Please check your mailing label and if the date above your name is more than 1 year old, you must subscribe for another year. Send check for \$10 payable to ADRE and note your request on your envelope.

© 2008 ARIZONA DEPARTMENT OF REAL ESTATE.

DIALOG, THE PERIDIC BULLETIN, OR "DIALOG," IS SCHEDULED TO BE PUBLISHED 6 TIMES A YEAR AND IS AVAILABLE FROM THE WEB SITE ABOVE. FIRST-CLASS MAIL SUBSCRIPTIONS ARE AVAILABLE FOR \$10 PER YEAR. ARTICLES REPRINTED FROM OTHER PUBLICATIONS DO NOT NECESSARILY REFLECT THE POLICIES OR INTERPRETATIONS OF LAW BY THE ARIZONA DEPARTMENT OF REAL ESTATE.