



Arizona Department of Real Estate (ADRE)

Investigations Division

www.azre.gov

100 North 15th Avenue, Suite 201, Phoenix, Arizona 85007

DOUGLAS A. DUCEY
GOVERNOR

JUDY LOWE
COMMISSIONER

INVESTIGATION REQUEST/COMPLAINT (Form INV-800) INSTRUCTIONS

The Arizona Department of Real Estate ("Department"), under the direction of the Real Estate Commissioner, enforces Arizona's Real Estate laws, Title 32 Chapter 20 of the Arizona Revised Statutes (A.R.S.). Part of that responsibility is investigating complaints from individuals who believe a licensee of the Department violated this law and/or the Real Estate Commissioner's Rules in the Arizona Administrative Code (A.A.C.).

- ARS § 32-2108 requires that complaints filed with the Department be in writing and signed by the complainant. The complaint must allege conduct by a real estate licensee that violates Department laws and rules. Completing this form, signing it, and submitting it to the Investigations Division of the Department of Real Estate, triggers the investigative process.
- A.R.S. § 41-1010 states: "...The name of the complainant shall be public record unless...the release...may result in substantial harm to any person." All complaints become a matter of public record when the review or investigation is concluded.
- Filing this Complaint Form does not stop you from pursuing mediation or civil action against a real estate professional that may have damaged you financially.

ETHICS COMPLAINTS

A complaint may also be filed with the Arizona Association of Realtors®. Many Arizona real estate licensees are members of an association. Members of the [Arizona Association of REALTORS®](http://www.azrealestate.com) subscribe to a "Code of Ethics" which is a higher standard of professional conduct than that imposed by law. These associations conduct hearings on ethics complaints against their members. The Department does not investigate violations of the "Code of Ethics".

Complaints the Department Does Investigate:

- Real Estate Brokers and sales agents
- Unlicensed Activity
- Illegal Subdivision
- Public Report Violation
- Illegal Advertising
- Timeshare Violation
- Trust Account Violations
- Improper Handling of Client Funds

Complaints the Department DOES NOT Investigate:

- Landlord/Tenant Disputes
- Home Inspectors
- Contract Issues
- Construction/Contractors
- Realtor Code of Ethics Violations
- Homeowner's Association (HOA)
- CC&R Violations
- Loan, Interest Rate, Escrow Issues
- Title Insurance Issues
- Homeowner's Insurance
- Escrow Money Issues
- Commission Issues with Broker/Licensees
- Criminal Actions (Trespassing, Assault, Theft, etc.)

To file a complaint, complete all sections of the complaint form. Please include the following information along with the completed form (submit as One Merged PDF file to azre.gov through the message center):

1. Provide a **written statement** of who did what, what happened, when it happened, where it happened and how it happened. Who witnessed it? Be specific. List events in chronological order. Was a document signed? Was a promise or representation made? If so, what was written or oral? Use the actual words as closely as can be remembered.
2. Provide **complete, legible copies of all supporting document(s)** as attachments. This includes contracts, closing documents, cancelled checks, receipts, title documents, letters, e-mails, etc. The attached form provides a checklist to assist you with providing relevant documents. **Do NOT** send original documents with your complaint. Provide copies only.



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Submit the completed complaint form and supporting documents through the ADRE Message Center or by mail.

I WISH TO FILE A COMPLAINT AGAINST: (Check all that apply)

- Real Estate Broker or Salesperson, Unlicensed Activity, Property Manager, Other (describe), Timeshare Plan, Real Estate Educator/School, Developer/Subdivision

TYPE OF COMPLAINT: (Check all that apply)

- Failure to Disclose Information, Property Management, Cemetery Violation, Other (describe), Illegal Subdivision, Public Report Violation, Unlicensed Activity, Illegal Advertising, Timeshare Violation, Trust Account Violations

COMPLAINANT (YOUR NAME AND ADDRESS)

Form with fields for First Name, MI, Last Name, Address, City, State (AZ), Zip Code, Home Phone, Work Phone, Email address.

THIS COMPLAINT IS AGAINST THE FOLLOWING PERSON (Please provide all requested information in the spaces provided. Please "DO NOT" write "See Attached")

Form with fields for First Name, MI, Last Name, ADRE Lic Number (If Known), Address, City, State (AZ), Zip Code, Phone, Fax, Email address, Brokerage/Entity Name, Designated Broker Name.

LEGAL ACTION

Form with fields for Does an attorney represent this matter?, Has a lawsuit been filed regarding this matter?, Attorney Name, Law Firm, Address, Suite, City, State (AZ), Zip Code, Phone, Fax, Email address.

Have you ever filed a complaint against this person or company with ADRE previously? Yes No

Have you filed a complaint against this person or company with any other agencies? Yes No

If Yes, which agency? _____

What action has been taken by the other agency? _____

COMPLAINT DETAILS

Date(s) of Transaction: _____

Brief Summary of complaint: _____

Have you previously notified the person or company about your complaint? Yes No

How did you notify them? Written (Attach Copies) Oral (detail each communication)

What was the response? _____

Please provide the name and contact information for any witness(es) who have information concerning the subject matter of your complaint:

DETAILS ABOUT YOUR COMPLAINT

- **PLEASE PRINT IN BLACK INK OR USE A COMPUTER**
- Attach separate 8-1/2 by 11-inch sheets of paper as necessary.
- Submit the completed complaint form and supporting documents through the [ADRE Message Center](#) or by mail.
- A complaint cannot be investigated without providing sufficient information.
- Failure to provide sufficient documents that support the claim could delay the processing of your complaint. Additional information may be submitted through the [ADRE Message Center](#) or by mail.
- After review and assignment, all cases will be prioritized according to the severity of the issue, Department time-frame policies and available resources.

Relevant Document Checklist: (check all that are enclosed)

- REQUIRED:** Written statement of who did what, what happened, when it happened, where it happened and how it happened. Who witnessed it? Be specific. List events in chronological order. Was a document signed? Was a promise or representation made? If so, what was written or verbal? Use the actual words as closely as can be remembered.
- Correspondence, including demand letters, text messages, and e-mails
- Sales contract (front and back)-all pages and all accompanying forms and attachments
- Disclosure statement(s) (e.g. Information about Brokerage Services, Intermediary Relationship Notice, Seller's Disclosure Notice)
- Lease/rental agreement (front and back)
- Listing/management agreement (front and back)
- Closing statement (HUD 1) or Closing Disclosure form (TRIO - TILA-RESPA Integrated Disclosure)
- Multiple Listing Service (MLS) printout(s)
- Appraisal(s)
- Inspection report(s)
- Photograph(s) and/or Video(s)
- Advertising
- Repair bill(s)
- Receipt(s)
- Canceled check(s) (front and back)
- Monthly statement(s)
- Judgment/civil lawsuit document(s) (e.g. original petition, settlement document(s))
- Other (Describe): _____

CERTIFICATION (MUST BE SIGNED AND DATED)

- I affirm that the information contained in this complaint, consisting of _____ pages, is true and accurate to the best of my knowledge.
- I understand that the contents of my complaint and accompanying documentation is subject to public disclosure.
- I understand that neither the Arizona Department of Real Estate nor any of its officers or employees can act or will act as my legal representative or attorney at any time and that I may retain separate legal counsel.
- I understand that filing this Complaint Form does not stop me from pursuing mediation or civil action against a real estate professional that may have damaged me financially.

Complainant Signature

Date:

Americans with Disabilities Act

The Department of Real Estate complies with American Disabilities Act. Persons with disabilities may request reasonable accommodations such as interpreters, alternative formats or assistance with physical disability. Requests for accommodations must be made with 72 hours prior notice. If you require special accommodations, please contact the Department at (602) 771-7767.