



THE Arizona Department of Real Estate BULLETIN

January 2007

Volume 33, Issue 1.



Governor Janet Napolitano appoints Sam Wercinski Commissioner

Governor Janet Napolitano appointed Broker Sam Wercinski as Commissioner of Real Estate on Thursday, January 11, 2007.

Commissioner Wercinski replaces Elaine Richardson who resigned as Commissioner in December to devote more time to personal goals and her family in Tucson.

"Sam's extensive experience in the real estate industry and history of leadership in both the private sector and the military made him a strong asset to the state." Governor Napolitano said. "Elaine's leadership will be missed in the Department. I support her in her decision and wish her the best."



Wercinski has been a licensed real estate broker since 1992. After being honorably discharged from the Air Force in 1989, he received his Master's in International Management at Thunderbird, the Garvin School of International Management.

On his first day at ADRE, Wercinski told his staff "My notion of a strong organization begins with three key elements of the foundation for that organization. They are 1. Motivated and Collaborative Staff, 2. Clearly Stated Shared Goals, and 3. Sufficient Resources. ... Central to that strong organization is mutual respect for one another as colleagues at ADRE, respect for our licensees, and respect for the public we are here to protect."

Commissioner Wercinski dove right in to learn about the process for issuing licenses. After initial introduction by the Licensing Division Staff, he did some On-The-Job-Training by working the front counter at the Phoenix Office. He is seen here congratulating Mr. Michael Fallon of New River who had the distinction of having his application for a real estate salesperson license processed by Commissioner Wercinski himself. Mr. Fallon was excited about his new career and meeting the new Commissioner in the process.



THE ADRE MISSION

The purpose of the department is to protect the public interest through licensure and regulation of the real estate profession in the State of Arizona.

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NEW PHONE NUMBERS for ADRE

At long last, ADRE has been able to replace its antiquated phone and voice message systems! However, that has meant that the phone numbers for specific Divisions have changed. The existing Main Phone Number — 602.468.1414 — remains operational and will link the caller to these Divisions via an automated phone attendant. However, you can use the following numbers to reach the various Divisions directly.

Licensing:	602.771.7700	fax: 602.955.6284
Education:	602.771.7720	fax: 602.957.0658
Land Development & Subdivisions	602.771.7750	fax: 602.955.9361
Investigations:	602.771.7730	fax: 602.468.3514
Audits:	602.771.7790	fax: 602.468.3514
Administrative Actions	602.771.7780	fax: 602.468.0562
Executive Offices	602.771.7760	fax: 602.468.0562
Media	602.771.7766	fax: 602.468.0562
Tucson Office	520.628.6940	fax: 520.628.6941

note: The Tucson Office Number will change over to the new State system in the near future. When it does, ADRE will publicize that new number. In the meantime, continue to use the number above.

Commissioner Wercinski Takes Steps to Reduce Back-log of License Applications

Effective February 1st, due to the large number of licensing requests received by mail and dropped off at our office, ADRE has implemented a temporary change of hours for walk-in renewals. With support from industry leaders, ADRE will now use Tuesdays to focus on processing the back log of mailed applications many of you have sent and for which you are now waiting to receive licenses. Customers may continue to walk-in for immediate service from 8:00am - 4:00pm on Monday, Wednesday, Thursday, and Friday. A concierge is available every day to assist customers with the use of the computer kiosks at the front desk, to renew on-line.

REMEMBER, **Save Time...Renew Online** at:
www.azre.gov

from home or in your office. Only designated brokers, new licensees and those with disclosure issues are currently unable to renew on-line.

Please understand that ADRE licensing staff levels have remained nearly the same since 2001 while the number of real estate licensees has increase by over 30,000 or 60% in this period. We continue to work on expanding our online services to address this also.

On a very positive note, Sam Wercinski, our new Commissioner, is asking the legislature to approve a FOUR YEAR LICENSE upon renewal of an original two year license AND he has requested a net reduction of fees paid by real estate professionals. More on this topic in a future "Late Breaking News" e-mail broadcast.

Your understanding and assistance is greatly appreciated and will help us to quickly return Tuesdays to regular hours of operations with shorter wait times.

Upgrades to the Online License Renewal System About Ready to Launch!

The upgrades to the ADRE Online License Renewal System are going through final testing to minimize problems after they are launched for use by brokers and salespersons. Watch [Late Breaking News](#) for the announcement that the upgrades have passed their tests and are available.

As a reminder, the upgrades will allow Designated Brokers to:

- Renew the Employing Company (ENTITY) license
- Renew branch office licenses
- Open a branch office
- View & Print the renewal applications filed online by licensees under that Entity
- Safeguard the Employing Company's license filings with ADRE by use of a mandatory password
- Print a duplicate license certificate for the Brokerage or for any of the licensees under that Entity
- Utilize the services currently available online

Salespersons & Associate Brokers to:

- Renew within the "Grace Year" or "Grace Period" – the one year period following their license expiration date ¹.
- Safeguard their personal information by use of an optional password
- View and print their license renewal application filed online
- Print a duplicate License Certificate
- Utilize the services currently available online

¹. Certain conditions apply. Licensees making a disclosure pursuant to Rule R4-28-301 or R4-28-303 (criminal conviction, adverse judgment, discipline or denial of a professional or occupational license, etc.) or pursuant to R4-28-306 (conducting activities requiring licensure while license was inactive or expired or employing a salesperson or broker whose license was inactive or expired) are NOT ELIGIBLE.

Online License Renewal Services Currently Available

using the Online License Renewal System
OLRS
at the Department's webpage:
www.azre.gov :

- 1) Brokers and salespersons can update their home address, telephone number and email address online free of charge.
- 2) Brokers and salespersons can file for renewal of their personal professional licenses as early as ninety (90) calendar days prior to the date their license is scheduled to expire.
- 3) Associate brokers and Salespersons may sever employment from an employing broker.
- 4) Associate brokers and Salespersons may file a request to be hired. However, they need to notify the designated broker at the brokerage where they wish to hang their license that the request was submitted using the OLRs so that the designated broker can approve the "hire" via the OLRs **before** the licensee can start to work for the brokerage!).
- 5) Associate brokers and Salespersons need to be aware that the **Designated Broker** is required to approve or disapprove of "new hires" and renewals that include "continuing hire" at their brokerage. If the Designated Broker disapproves a "continuing hire" as part of the OLRs renewal, their employment is severed and their license is renewed on *inactive* status. Licensees should follow-up and monitor the status of their license so they do not conduct unlawful license activity!).

License Renewal Is a Snap

when you use the ADRE On-Line
License Renewal System.

go to: www.azre.gov and click on the
"Online Licensing" link.

Let the Conversation Begin:

A Message from Commissioner Wercinski



With great enthusiasm, I recently accepted Governor Janet Napolitano's appointment to serve Arizona as Commissioner of Real Estate. I appreciate the Governor's confidence in my abilities and have rolled my sleeves up to make a positive difference. I also want to thank all of you who have contacted me or visited with me personally and offered your congratulations. I am humbled by your willingness to offer help and support. I want to encourage continuous dialog between ADRE, the public and industry stakeholders as a means of bringing new and innovative ideas that will increase efficiency and service in our department.

My perspective and efforts as Commissioner will be framed by

Mutual Respect

Respect among ADRE staff. Respect for our "customers," the Real Estate Industry we oversee. And Respect for our "clients," the people of Arizona that we are charged by statute to serve and protect.

My experience forms my foundation to build a better ADRE.

A Recent Designated Broker

Prior to January 11, 2007, I was the designated broker for my own firm. I have a real estate professional's viewpoint with high standards for detailed work and ethical behavior. In my short time as Commissioner, I have witnessed encouraging results by our relatively small but dedicated staff. With the unprecedented growth in the number of licenses (62% increase), of subdivision filings (61% increase), and of complaints that must be investigated (65% increase) over the past four years, ADRE has struggled to keep up. Increasing efficiency is a must.

Your Input is Essential

By continuing several measures begun prior to my arrival and implementing new procedures immediately, we are accelerating changes that benefit the public and industry stakeholders. For example, we are proposing legislation to extend licenses to four years after the initial two year license is renewed. Additionally, we are asking the legislature to allow us to reduce the net fees for this four year license. We hope to see this change in statute by June 2007 so stay tuned. Your input is valuable.

I hope many of you will join me at a future Advisory Board meeting or other industry gatherings.

I Look Forward To Meeting You

I will travel the state over the next three months to meet with you. Please let me know if I can make a personal visit to an interested group. I encourage you to contact me with suggestions and comments. I will serve this Great State of Arizona to the best of my abilities...or even better with your involvement.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Sam', enclosed in a simple oval scribble.

Sam Wercinski, Commissioner
Arizona Department of Real Estate

You can find the Commissioner's bio and resume at www.azre.gov.

NOTE: Watch ADRE's [LATE BREAKING NEWS](#) for announcements about meetings across the state where Commissioner Wercinski will be scheduled to attend to "Continue the Conversation" with real estate industry stakeholders and with the public.

TIPS On Using ADRE's New Webpage

ADRE's website has a new look and has been updated and made easier to navigate. Take a minute to visit the new website, if you haven't already. We hope you will let us know about any aspects of the new design, and organization that may not be as helpful as we have tried to make them.

A great tool is the line of six "QUICK-LINKS" found under the masthead. See the red oval highlighting the "Online Services" QUICK-LINK. Clicking on that link will take you directly to a page that explains the ADRE **PUBLIC DATA BASE** and the ADRE **ONLINE LICENSING RENEWAL SERVICE**. Once you are at that page, just click on the one you want.

Use the other five "QUICK LINKS" on that same line on the home page to gain easy access to "Articles" (from The Bulletins); "Bulletins"; "FAQs" (Frequently Asked Questions); "Fees"; or "Forms".

This Website is constantly a work in progress, as staff fields more questions. If a topic isn't there that you think ought to be, please let us know using the "Contact Us" option on the website, or by sending an e-mail message to:

info@azre.gov.

Official Website of the State of Arizona Department of Real Estate - Microsoft Internet Explorer

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Address <http://www.azre.gov/>

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ADRE
DEPARTMENT OF REAL ESTATE

OFFICIAL WEBSITE OF THE STATE OF ARIZONA
Department Of Real Estate

ARIZONA
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KEYWORD SEARCH: GO

Find by Category

Information for...

- Consumers
- Licensees
- Developers

Public Information

Department Divisions ▶

Real Estate Law Book

Cross-Border Transactions

Welcome!

"On January 11, 2007 Governor Janet Napolitano announced my appointment as the new Commissioner of the Arizona Department of Real Estate. I am honored to have been appointed and extend my appreciation to Governor Napolitano for her confidence in my ability to fulfill the mission of the Department.

I also want to thank Former Commissioner Elaine Richardson for her dedication over her four-year tenure and the Department staff. As Commissioner, she had a positive impact on the real estate industry as well as with Department staff. To view the impressive list of accomplishments

Sam Wercinski,
Arizona Real Estate
Commissioner

NEWS & ALERTS

01.23.07 - CLARIFICATION ON ADRE HOURS OF OPERATION - New Commissioner takes immediate steps to reduce back log of license applications, asks the legislature to approve a FOUR YEAR LICENSE upon renewal of an original two year license and has requested a net reduction of fees paid by real estate professionals.

01.19.07 - The ADRE announced today, January

Done Internet

start 3:36 PM

She Left Her Mark.



In announcing the resignation of Elaine Richardson as Commissioner of Real Estate, Governor Janet Napolitano said: “Commissioner Richardson has been the head of the Department of Real Estate during the busiest time in Arizona history. Throughout the past four years she led the state through an incredible boom and did so with excellence and efficiency. She will be missed, and I wish her continued success.”



Real estate transactions in Sonora, Mexico continue to be a principal focus of the Arizona-Mexico Commission. This was demonstrated at the recent Plenary Session held November 15-17, 2006, at Rocky Point, Sonora, Mexico.

At the Real Estate Ad Hoc Committee meeting held on November 15, 2006, there was “standing room only.” The Committee agenda included some very informative presentations as well as discussion on future action items. The State of Sonora Secretary of Economy, Ricardo Platt, presented information on the status of “mandated” licensure for real estate professionals in Sonora. ADRE was well represented by Mary Uteley, ADRE Communications Director and a Member of the Arizona Mexico Commission, re-appointed by Governor Napolitano to that position on May 11, 2006.

Both the Sonora and Arizona Real Estate Committees continue to work collaboratively for the promotion of the real estate industry in both states, with particular focus on consumer protection in the State of Sonora.

This banner greeted the participants and attendees at the Fall 2006 Plenary Session of the Arizona Mexico Commission held in Rocky Point, Sonora.



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Sonoran Governor Bours & Arizona Governor Napolitano sign resolutions adopted at the Plenary Session.



The audience witnessing the proceedings at the Plenary Session held at the *Condominios Las Palmas*, in Rocky Point.



The two Governors receive an economic briefing during the Plenary Session.



Attendees at the Real Estate Ad Hoc Committee Meeting, Nov. 15, 2006.



Sr. Ricardo Platt, State of Sonora Secretary of Economy, & Mary Utley, Member of the Arizona Mexico Commission, participate in the panel presentation at the Real Estate Ad Hoc Committee meeting.



Presentations at the Real Estate Ad Hoc Committee Meeting were augmented by slides and Power Point images.

What Are ADRE's Requirements for Paper File Storage & Broker Records Retention?

by: **Janet A. Blair**, Deputy Director of Auditing Division

Question: What is the difference between the "Employing Broker" and the "Designated Broker?"

An Employing Broker is an entity. A.R.S. § 32-2101(23) defines Employing Broker as "a person who is licensed or is required to be licensed as a: (a) Broker entity pursuant to section 32-2125(A) or (b) a sole proprietorship if the sole proprietor is a broker licensed pursuant to this chapter. NOTE that A.R.S. § 32-2101(43) defines "Person" as "any individual, corporation, partnership or company and any other form of multiple organization for carrying on business, foreign or domestic."

A Designated Broker is defined by A.R.S. § 32-2101(20) as "the natural person who is licensed as a broker under this chapter and who is either: (a) Designated to act on behalf of an employing real estate, cemetery or membership camping entity, or (b) doing business as a sole proprietor."

Question: Is the Employing Broker or the Designated Broker responsible for the activities of a brokerage?

The employing broker is responsible for the acts of all associate brokers, salespersons, and other employees (AAC R4-28-1103(D)), but both the employing broker and designated broker have a duty to reasonably supervise and control them through written policies and procedures (AAC R4-28-1103(A)).

The designated broker may use employees to administer supervision and control but shall not relinquish overall responsibility (AAC R4-28-1103(E)), and must monitor compliance with statutes, rules, and the employing broker's policies, procedures,

and systems (AAC R4-28-1103(B)).

The designated broker must also reasonably supervise and control the activities of the employing broker (AAC R4-28-1103(C)), and if he immediately reports a violation of real estate statutes or rules by a salesperson or associate broker under his supervision he would not be subject to disciplinary action for failure to supervise the salesperson or broker (AAC R4-28-1103(F)).

A broker shall not employ a salesperson or associate broker and allow the salesperson or associate broker to establish and carry on a brokerage business if the broker's only interest is the receipt of a fee for the use of the license and the broker does not exercise supervision over the salesperson or associate broker (AAC R4-28-302).

Question: Who keeps the records after the designated broker leaves the Employing Broker's services?

The **designated broker** must keep a record of all monies received in connection with a real estate transaction (ARS §32-2151).

The **employing broker** must keep:

- Records of all real estate, cemetery, time-share or membership camping transactions, and employment records for all current and former employees (ARS §32-2151.01(A)).
- All real estate purchase and nonresidential lease contracts and employment agreements, or copies of these documents (ARS §32-2151.01(H)).
- After termination of a property management agreement, he need not keep but must immediately provide the following to the prop-

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What Are ADRE's Requirements for Paper File Storage & Broker Records Retention?

CONTINUED

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erty owner: All originals or copies of all rental agreements for current and previous tenants including any applications, property inventories, leases, pet permits, default notices, lease amendments, or addenda (ARS §32-2173(B)). If the items are left at an on-site management office, the employing broker must give immediate written notification to the owner where the records are located (ARS §32-2173(D)).

- Rental agreements and related documents shall be kept for one year after expiration of the agreement or until the documents are given to the owner at the termination of the property management agreement (ARS §32-2175(A)).
- Records of all finder fees paid to tenants shall be kept for three years after payment or until the records are given to the owner at the termination of the property management agreement (ARS §32-2175(B)).
- All client financial records shall be kept for three years from the date each document was executed (including bank statements, canceled checks or bank generated check images, deposit slips, bank receipts, receipts and disbursement journals, owner statements, client ledgers and applicable bills, invoices and statements) (ARS §32-2175(C)).

ADRE Participated in AAR Broker Manager Seminar Held in December



From left to right: K. Michelle Lind, Esq., General Counsel, Arizona Association of REALTORS® (Phoenix); Frank Dickens, AAR® 2007 President & Member of the ADRE Advisory Board (Flagstaff); Tom Adams, ADRE Director of Regulation (Phoenix); and Craig Sanford, AAR® 2006 President (Phoenix) at the AAR® sponsored Broker Manager Seminar held at the Black Canyon Conference Center in Phoenix on December 14, 2006.

ADRE's Tom Adams spoke to the 240 participants at the Broker Manager Seminar. Tom spoke about the investigation process; about the most common complaints brought to ADRE against licensees; and what to do to avoid getting into disciplinary trouble with ADRE. Michelle Lind and Alice Martin, of AAR® also spoke about broker management best practices.

ADRE's **NEW** Commissioner, Sam Wercinski, congratulates **NEW** Broker, Michelle Reynolds-Ricart, of Phoenix, on Jan. 24th the day Michelle qualified for her broker's license.



Renewing Early — Online!

by Lynn Long,
Licensing Services Representative
ADRE Tucson Office

It is always recommended that you renew online and well in advance of your license expiration date. Waiting until the last day or two may have unforeseen drawbacks. Your continuing education credits (CE's) may have a glitch that requires you to contact the issuing school, or the Department by phone or a thunderstorm blows in and knocks out the electricity or phone lines. Waiting until the last few days creates stress and may result in an inconvenience for you.

You can renew up to 90 days in advance; take advantage of this opportunity. The online renewal process takes just a few minutes and is complete when you pay the fee. (Your broker doesn't have to approve your renewal, but may disapprove it, in which case your license is still renewed but on inactive-status. You'll need to be hired by another broker before engaging in activities requiring a license.)

If you must renew by mail or drop box, your application will be processed in the order received. This is a much longer process, and may interrupt your business as a salesperson. The Department continues to receive applications that are incomplete: A check is missing, the salesperson or broker forgot to sign the renewal form, or one block is not marked. All of these things create a deficient application and what may be a lengthy wait time before you are notified that your application is incomplete, advising you of your deadline to correct the error and mail it in, and time for the Department to resume processing it again. The key is to renew Online and renew in advance.

Another quick tidbit for fast courteous service is the Licensing web email inquiries. Rather than call the Department, email your question through the Department Webpage. It allows the staff to research your question and respond in a much quicker manner.

Arizona Snowpack Levels Low.

Early Forecasts by the U.S. Dept. of Agriculture
Estimate Little Water for Spring.

"PHOENIX, Jan. 8, 2007 – So far this winter Arizona has not gotten much snow or rain, and water users face below normal water supplies this spring as the state enters the 12th year of drought. The Arizona Basin Outlook Report released this week by USDA's Natural Resources Conservation Service (NRCS) shows the state at 38 percent of average snowpack. The federal agency monitors snow conditions in Arizona's mountain watersheds each winter to estimate the amount of water available for spring and summer uses.

"'Precipitation has been well below average since November 1 and our seasonal snowpack has yet to fully develop,' said Larry Martinez, state water supply specialist with the NRCS in Phoenix, Arizona. 'What is needed now is a shift in the weather pattern to help bring more winter storms to Arizona,' Martinez said. 'If the month of January lapses without significant snowfall, it will become difficult to catch up as the winter progress,' said Martinez.

"Among the findings in the Basin Outlook Report, the Salt River basin snowpack was measured at 38 percent of the 30-year average; the Verde River basin, 40 percent of average, and the San Francisco-Upper Gila basin at 40 percent of average. The southern headwaters of the Little Colorado River basin had 41 percent of average snowpack, while the central Mogollon Rim was at 52 percent of average. At the Grand Canyon, the snowpack was 33 percent of average. In the Chuska Mountains of north-eastern Arizona, snowpack conditions were measured at 41 percent of average. At the San Francisco Peaks the snowpack was measured at 32 percent of average. ...

"For the current water year, (Oct. 1-Dec. 31), cumulative precipitation was 57 percent of average over the Salt River basin, 47 percent of average over the Verde River basin, and 64 percent of average over the San Francisco-Upper Gila River basin. The Little Colorado River basin received 58 percent of average precipitation. ...

"Overall, the six Salt River Project reservoirs held a combined total of 1,407,052 acre-feet in storage at 61 percent of system capacity. ... An acre foot of water equals 325,851 gallons and is enough to supply two families for a year. Long-range estimates call for below median runoff over the January-May forecast period. ..."

The Arizona Basin Outlook Report is available at:
<http://www.az.nrcs.usda.gov/snow/>

Comprehensive Septic Tank Inspection Program

Began July 1, 2006



A new 2006 Arizona law requires new property owners to file a Notice of Transfer application when purchasing any property that has a septic tank system or an alternative onsite wastewater treatment system. New owners are responsible for filing the Notice of Transfer application, although others acting on their behalf may file for them.

Regardless of who does the filing, the permitting process has now become easy and efficient. The Arizona Department of Environmental Quality (ADEQ) has developed an Internet web site that enables anyone with the responsibility for filing a Notice of Transfer to achieve easy compliance by filing online at:

<http://www.azdeq.gov/environ/water/permits/onsitenot.html>

The new law also requires that the seller of such a property must seek to have the wastewater treatment system inspected, and must obtain a Report of Inspection completed by a qualified inspector. The information from the completed Report of Inspection is vital for completely filling out the Notice of Transfer application.

To file a Notice of Transfer application online, all you need is the correct property identification information, a Report of Inspection, and an acceptable credit card. There is a \$50.00 fee to file the Notice of Transfer application.

Who Must File or Renew a Notice of Transfer Application?

In Arizona, you are required to have an Aquifer Protection Permit if you own or operate a facility that discharges a pollutant to the land surface or above an aquifer, near enough that the pollutant might reasonably reach the aquifer. This is the Permit that is transferred when one files a Notice of Transfer application. Included among the types of onsite wastewater treatment systems that require permitting are:

- 1 Septic Tank and Leach Fields
- 2 Composting Toilet Systems
- 3 Evapo-transpiration Bed System, Mound Systems and Aerobic Systems
- 4 Engineered Pad and Filter Systems

For further specific questions, e-mail: septic_inspection@azdeq.gov

Arizona Responds to Mortgage Fraud

Mortgage fraud has been in the news locally and nationally, of late. Senator Jay Tibshraeny (Chandler) introduced Senate Bill 1221 that would make residential mortgage fraud a class 4 felony.



Felecia Rotellini,
Superintendent,
Arizona Department
of Financial Institutions

ADRE is partnering with the Superintendent of the Arizona Department of Financial Institutions, Felecia Rotellini, in a newly created mortgage fraud task force comprised of state and federal regulatory agencies. Ms. Rotellini's office has been receiving numerous tips and complaints about suspected fraudulent mortgage schemes. ADRE has been working with several of the major real estate brokerages, whose designated brokers have been notifying ADRE of incidences of suspected mortgage fraud. They have also warned licensees in their respective brokerages not to engage in any questionable transactions. Watch for news about the task force on the ADRE website: www.azre.gov, or on the Arizona Department of Financial Institutions website: www.azdfi.gov. ADRE will also be sending out news as it becomes available via our [Late Breaking News](#) broadcasts.

In the meantime, you can read Catherine Reagor's article from the Tuesday, January 23rd issue of The Arizona Republic by going to this link:

<http://www.azcentral.com/news/articles/0123mortgagefraud0123.html>

ADRE Enforcement Initiatives Continue

Pages 13 through 22 of this issue list the: 63 Consent Orders; 10 Commissioner's Final Orders; 10 Summary Suspensions; 34 Accelerated Settlement Agreements; and 14 Cease and Desist Orders issued since the last Bulletin. The total number of 131 disciplinary cases resolved over these past two months was the work of the Administrative Actions Staff of 4 under the able direction of Tom Adams, Director of Regulation. This compares with the 43 disciplinary cases resolved over the same two months two years ago, and represents a 204.65% increase. Follow-up monitoring of these resolved cases falls to the one Compliance Officer on staff!

These increases in ADRE's enforcement efforts and the resulting increases of Disciplinary Decisions are a result of the policy direction set by the immediate past Commissioner, which will continue with Commissioner Wercinski. These increases are also indicative of the work load increases in the following areas of ADRE responsibility.

Work Load Categories	As of June 30, 2002	Most Recent Count Available	% increase
People with Licenses	52,853	85,456 (as of Jan. 2007)	61.7%
Subdivision Applications Received	1,690 (Fiscal Year '02 total)	2,718 (Fiscal Year '06 total)	60.8%
Complaints Investigated & Closed	650 (Fiscal Year '02 total)	1,206 (Fiscal Year '06 total)	85.5%



by Consent Order

Name Kayle H. Adams
Location: Oro Valley, AZ
License Number Unlicensed Applicant
Summary Petitioner disclosed a December 2001 felony conviction for Theft. Respondent was placed on 5 years probation, which was successfully completed.
Order Date October 26, 2006
Action License granted, 2 year Provisional License with Broker Acknowledgment, \$25,000 Surety Bond

Name Michelle L. Basso
Location: Bullhead City, AZ
License Number SA109032000
Summary Respondent submitted a bank statement to a loan originator on behalf of a client to facilitate closing on a loan. The bank statement was Respondent's own statement that was subsequently altered to include the client's name instead of Respondent.
Order Date November 14, 2006
Action 2 year Provisional License with Broker Acknowledgment, \$1,000 Civil Penalty, 6 hours of CE in Commissioner's Standards with an emphasis on Ethics

Name David Benedict
Location: Cave Creek, AZ
License Number BR031470000
Summary Respondent represented a broker to whom Respondent was not licensed, failed to maintain appropriate records, accepted compensation from a source other than the licensed broker to whom Respondent was licensed, failed to deal fairly with all involved parties.
Order Date October 23, 2006
Action \$1,500 Civil Penalty, 2 year Provisional License, 12 hr CE in Commissioner's Standards and Broker Management Clinic, \$10,000 surety bond

Name Andrew Ross Bloom
Location: Scottsdale, AZ
License Number SA110379000
Summary Respondent submitted a contract offer on behalf of a buyer indicating an earnest money check had been collected and would be deposited. Respondent salesperson had not collected a check. Eventually the sale fell through and buyer never submitted an earnest money check to the title company. Seller asked for earnest money as provided and no money was available.
Order Date November 9, 2006
Action 2 year Provisional License with Broker Acknowledgment, \$2,000 Civil Penalty, 6 hours of CE in Commissioner's Standards

Name James W. Bourdeau
Location: Scottsdale, AZ
License Number BR007472000
Summary Respondent failed to supervise salesperson.
Order Date November 1, 2006
Action \$1,000 Civil Penalty, 3 hour CE in Commissioner's Standards and a 3 hour Broker Management Clinic

Name Kurt J. Boxrud
Location: Phoenix, AZ
License Number BR005316000
Summary During a broker audit, Respondent was found failing to maintain license certificates at branch offices, failing to appoint branch managers and commingling broker funds in trust accounts.
Order Date October 23, 2006
Action 2 year Provisional License, \$2,500 Civil Penalty, 12 hours CE in General Real Estate with an emphasis on Trust Account procedures.

Name David Bruce Boyden
Location: Phoenix, AZ
License Number SA112116000
Summary Respondent convicted of DUI in November of 2005, failed to disclose the conviction when submitting a timely renewal application at the end of November 2005.
Order Date November 16, 2006
Action 30 day License Suspension, \$2,000 Civil Penalty, 6 hours CE in Commissioner's Standards, 2 year Provisional License with Broker Acknowledgment.

Name Clark Donald Campbell
Location: Scottsdale, AZ
License Number Unlicensed Applicant
Summary Respondent, when applying for licensure, disclosed a 2001 conviction for misdemeanor assault in the State of Colorado and a 1996 Decree of Censure from AZ Optometry Board for record keeping.
Order Date December 12, 2006
Action License granted, 2 year Provisional License with Broker Acknowledgment

Name Delbert Lee Carr
Location: Show Low, AZ
License Number Unlicensed Applicant
Summary Petitioner, when applying for licensure, disclosed a January 2002 misdemeanor conviction for Assault and Disorderly Conduct and a February 2002 misdemeanor conviction for DUI / Trespass / Violation of Court Order / Assault and Disorderly Conduct.
Order Date November 1, 2006
Action License granted, 2 year Provisional License with Broker Acknowledgment

Name Wendy Castle
Location: Chandler, AZ
License Number SA538884000
Summary Respondent made multiple false statements in the course of a real estate transaction.
Order Date November 20, 2006
Action 60 day License Suspension, \$2,500 Civil Penalty, 12 hours CE in General Real Estate with an emphasis on Ethics, \$5,000 Surety Bond, 2 year Provisional License with Practice Monitor

Disciplinary Decisions

Consent Orders continued



Name Evette Cecena
Location: Mesa, AZ
License Number Unlicensed Applicant
Summary Respondent, when applying for licensure, disclosed a June 2004 misdemeanor conviction for DUI and a January 2005 misdemeanor conviction for Fighting.
Order Date November 28, 2006
Action 2 year Provisional License with Practice Monitor

Name Alexander Marr Chandler
Location: Fort Worth, TX
License Number BR510616000
Summary Respondent disclosed an August 2006 DUI conviction in a timely manner.
Order Date December 5, 2006
Action \$1,000 Civil Penalty, agree not to reapply or request reinstatement of Arizona license for 5 years.

Name Joseph Sebastian Chavez
Location: Guadalupe, AZ
License Number Unlicensed Applicant
Summary Petitioner disclosed a June 2001 misdemeanor conviction for Possession of Marijuana and a February 2003 misdemeanor conviction for DUI when applying for licensure.
Order Date October 18, 2006
Action License granted, 2 year Provisional License with Practice Monitor, 2 year Body Fluid Testing

Name Gregory P. Coe
Location: Scottsdale, AZ
License Number Unlicensed Individual
Summary Respondents acquired, sold and/or offered for sale 50 improved lots within a subdivision without obtaining a Public Report. Respondents did consent to a voluntary Cease and Desist of sales until obtaining complying with all applicable statutes and rules.
Order Date November 1, 2006
Action Cease and Desist, \$25,000 Civil Penalty (jointly and severally), offer rescission, apply for and obtain a Public Report

Name Coebilt, Inc.
Location: Scottsdale, AZ
License Number Unlicensed Entity
Summary Respondents acquired, sold and/or offered for sale 50 improved lots within a subdivision without obtaining a Public Report. Respondents did consent to a voluntary Cease and Desist of sales until obtaining complying with all applicable statutes and rules.
Order Date November 1, 2006
Action Cease and Desist, \$25,000 Civil Penalty (jointly and severally), offer rescission, apply for and obtain a Public Report

Name Kenneth R. Cook
Location: Prescott Valley, AZ
License Number SA542139000
Summary During a 2006 broker audit, multiple violations were discovered, including trust account irregularities.
Order Date December 1, 2006
Action 2 year Provisional License with Practice Monitor, \$10,000 Civil Penalty (jointly and severally), 12 hours CE in Commissioner's Standards.

Name Debbie L. Cox
Location: Phoenix, AZ
License Number SA536959000
Summary Advertisement did not include name of employing broker or designated broker and did not identify Respondent as a real estate salesperson.
Order Date December 13, 2006
Action \$1,000 Civil Penalty, 8 hours CE in Commissioner's Standards.

Name R.C. "Duke" De Bernardi
Location: Scottsdale, AZ
License Number BR005211000
Summary Respondent allowed individual to conduct real estate sales activities after expiration of license.
Order Date October 27, 2006
Action \$2,000 Civil Penalty, Develop and implement acceptable written procedures to prevent unlicensed activity within 30 days.

Name Stuart Deene
Location: Phoenix, AZ
License Number BR108957000
Summary Respondent failed to timely renew license, conducted unlicensed activity, failed to deal fairly with a party to a real estate transaction and conducted activities under a name other than the name under which Respondent was licensed.
Order Date December 13, 2006
Action \$4,000 Civil Penalty, 12 hours CE in Commissioner's Standards, 2 year Provisional License

Name Harry F. D'Elia, III
Location: Phoenix, AZ
License Number SA535849000
Summary Respondent failed to pay complainant towards improvements on a property as agreed.
Order Date November 1, 2006
Action License renewal granted, \$1,000 Civil Penalty, 6 hr CE in Commissioner's Standards with an emphasis on Ethics, 2 year Provisional License w/Broker Acknowledgment.

Name Paul Eugene Dickerson
Location: Scottsdale, AZ
License Number Unlicensed Applicant
Summary Respondent disclosed an August 1999 felony conviction in the Commonwealth of Virginia when applying for an original salespersons license. Respondent discharged from probation in 2001.
Order Date October 18, 2006
Action License granted, 2 year Provisional License with Broker Acknowledgment, \$25,000 Surety Bond

Disciplinary Decisions

Consent Orders continued



Name Ana Dorame
Location: Tucson, AZ
License Number BR108436000
Summary Respondent failed to appropriately supervise a licensee who failed to deposit a client's funds into escrow.
Order Date October 25, 2006
Action \$2,000 Civil Penalty, 12 hr CE in Commissioner's Standards and Broker Management Clinic

Name James and Karen Dove
Location: Kingman, AZ
License Number Unlicensed Individuals
Summary Respondents sold 24 lots within a subdivision in Coconino County, Arizona without complying with Public Report requirements.
Order Date October 10, 2006
Action Cease and Desist, \$10,000 Civil Penalty (jointly and severally), offer rescission, apply for and obtain a Public Report

Name Linda Jo Dutton
Location: Prescott Valley, AZ
License Number Unlicensed Applicant
Summary Respondent, when applying for licensure, disclosed an October 2005 misdemeanor conviction for Issuing a Bad Check.
Order Date November 14, 2006
Action License granted, 2 year Provisional License with Practice Monitor

Name Eric L. Erickson
Location: Tucson, AZ
License Number Unlicensed Applicant
Summary Respondent, when applying for licensure, disclosed a November 1998 conviction in New York for DWAI, an April 2003 felony conviction in New York for Criminal Possession of a Weapon Third Degree and an April 2003 misdemeanor conviction in New York for DWAI.
Order Date December 4, 2006
Action License granted, 2 year Provisional License with Practice Monitor

Name Steven James Fetterly
Location: Tucson, AZ
License Number BR009126000
Summary In May of 2006, Respondent submitted a late broker's renewal, disclosed an action taken by ROC against Respondent's contractor license. Respondent did not notify the Department of the ROC action in a timely manner.
Order Date November 27, 2006
Action License renewal granted, 2 year Provisional License, \$2,000 Civil Penalty, 6 hours CE in Commissioner's Standards

Name Nancy L. Fry
Location: Tucson, AZ
License Number SA039834000
Summary Respondent received compensation from a source other than the licensed broker to whom Respondent was licensed.
Order Date November 20, 2006
Action \$1,000 Civil Penalty, 6 hr CE in Commissioner's Standards, 2 year Provisional License w/Broker Acknowledgment

Name Ryan Garrison
Location: Tempe, AZ
License Number SA571529000
Summary Respondent unable to comply with terms of previously signed Consent Order.
Order Date December 1, 2006
Action License revocation

Name Geoff Gribble
Location: Mesa, AZ
License Number SA539525000
Summary Respondent failed to properly represent complainant in a sales transaction by having someone other than the complainant sign transaction documents. Respondent also made inappropriate comments to a buyer about the complainant.
Order Date November 2, 2006
Action 2 year Provisional License with Practice Monitor, \$2,000 Civil Penalty, 6 hours CE in Commissioner's Standards

Name Hall Realty, LLC
Location: Show Low, AZ
License Number LC536242000
Summary From November of 2002 through November of 2004, Respondent entity assisted an unlicensed entity in the acquisition and/or sale of subdivided lots without complying with applicable subdivision statutes and rules.
Order Date October 17, 2006
Action \$1,000 Civil Penalty

Name Robert Haymes
Location: Morristown, AZ
License Number SA545227000
Summary Respondent sold multiple subdivided lots without complying with applicable subdivision statutes and rules.
Order Date October 16, 2006
Action \$4,000 Civil Penalty (jointly and severally), Cease and Desist, apply for Public Report

Name Jace Hermanson
Location: Scottsdale, AZ
License Number Unlicensed Applicant
Summary Respondent disclosed an August 2005 action by the National Association of Securities Dealers when applying for licensure.
Order Date December 13, 2006
Action License granted, 2 year Provisional License with Practice Monitor, \$25,000 Surety Bond

Name Benjamin N. Hernandez
Location: Tucson, AZ
License Number Unlicensed Applicant
Summary Respondent, when applying for licensure, disclosed an August 2004 misdemeanor conviction for Theft.
Order Date December 15, 2006
Action License granted, 2 year Provisional License with Practice Monitor, \$10,000 Surety Bond

Disciplinary Decisions

Consent Orders continued



Name: Michelle Hoogendoorn
Location: Tempe, AZ
License Number: SA550923000
Summary: Respondent, while selling personal real estate rental properties, failed to disclose to the buyer that a tenant would be leaving and did not disclose that there was cleaning deposit monies available. Respondent also failed to disclose a mediation judgment to the Department.
Order Date: December 1, 2006
Action: 2 year Provisional License with Broker Acknowledgment, \$1,000 Civil Penalty, 3 hours of CE in Commissioner's Standards and 3 hours CE in Disclosures

Name: Tommy Hughes, Jr.
Location: Boulder City, NV
License Number: Unlicensed Individual
Summary: Respondent sold 13 lots within two subdivisions in Coconino County, Arizona without complying with Public Report requirements.
Order Date: December 1, 2006
Action: Cease and Desist, \$5,000 Civil Penalty (jointly and severally), offer rescission, apply for and obtain a Public Report

Name: Timothy Johnson
Location: Scottsdale, AZ
License Number: SA548680000
Summary: In May of 2005, Respondent was convicted of Extreme DUI, failed to disclose within 10 days.
Order Date: October 17, 2006
Action: License renewal granted, \$2,000 Civil Penalty, 2 year Provisional License with Broker Acknowledgment, 2 year Body Fluid Testing, AA meeting attendance and sobriety monitor

Name: Jeff W. Kist
Location: Phoenix, AZ
License Number: SA548155000
Summary: Respondent was convicted of DUI in December of 2004, failed to disclose within 10 days.
Order Date: October 20, 2006
Action: License renewal granted, \$500 Civil Penalty, 6 hr CE in Commissioner's Standards, 2 year Provisional License w/Broker Acknowledgment.

Name: Tiffany R. Lasswell
Location: Hamilton, MT
License Number: SA575016000
Summary: Respondent requested a credit history on an individual that Respondent did not represent as a real estate salesperson. Respondent attempted to obtain history for personal reasons.
Order Date: December 22, 2006
Action: License revocation

Name: Elizabeth Law
Location: Pinetop, AZ
License Number: Unlicensed Applicant
Summary: Respondent, when applying for licensure, disclosed February 2001 felony convictions for Possession of Dangerous Drugs and Possession of Marijuana.
Order Date: November 3, 2006
Action: License granted, 2 year Provisional License with Broker Acknowledgment

Name: Stacy Mae Lemmert
Location: Lapeer, MI
License Number: SA554873000
Summary: Respondent failed to disclose a 2005 misdemeanor conviction for Reckless Driving within 10 days, failed to respond to requests for information from the Department. License was summarily suspended in August of 2006.
Order Date: November 14, 2006
Action: Vacate Summary Suspension Order, \$750 Civil Penalty, 2 year Provisional License w/Broker Acknowledgment.

Name: Jennifer Joanne Lit tell
Location: Phoenix, AZ
License Number: Unlicensed Applicant
Summary: Respondent, when applying for licensure, disclosed a June 2003 misdemeanor conviction for Extreme DUI.
Order Date: November 27, 2006
Action: 2 year Provisional License with Practice Monitor, 2 year Body Fluid Testing

Name: Steven Michael Luckett
Location: Tucson, AZ
License Number: BR115801000
Summary: Respondent timely reported a May 2006 misdemeanor conviction for Extreme DUI and DUI.
Order Date: November 24, 2006
Action: License revocation

Name: Sheryl McLuhan
Location: Peoria, AZ
License Number: SA513487000
Summary: Respondents failed to timely disclose existence of termites and mold to buyers (Respondents were selling their own property).
Order Date: October 25, 2006
Action: 2 year Provisional License with Broker Acknowledgment, \$3,000 Civil Penalty (jointly and severally), 6 hours of CE in Commissioner's Standards

Name: Dwayne McLuhan
Location: Peoria, AZ
License Number: SA513518000
Summary: Respondents failed to timely disclose existence of termites and mold to buyers (Respondents were selling their own property).
Order Date: October 25, 2006
Action: 2 year Provisional License with Broker Acknowledgment, \$3,000 Civil Penalty (jointly and severally), 6 hours of CE in Commissioner's Standards

Name: Barbara Monroe
Location: Cave Creek, AZ
License Number: SA542394000
Summary: Respondent continued to conduct real estate sales activities after expiration of license.
Order Date: December 7, 2006
Action: License renewal granted, 2 year Provisional License with Broker Acknowledgment, \$1,000 Civil Penalty, 6 hours CE in Commissioner's Standards

Disciplinary Decisions

Consent Orders continued



Name Mountain Sage Realty, LLC
Location: Tempe, AZ
License Number LC551940000
Summary During a 2006 broker audit, multiple violations were discovered, including trust account irregularities.

Order Date December 1, 2006
Action \$10,000 Civil Penalty (jointly and severally)

Name James H. Neiss
Location: Scottsdale, AZ
License Number Unlicensed Applicant
Summary Respondent failed to disclose a May 2004 action by the Arizona Registrar of Contractors against Respondent's contractor license when applying for licensure.

Order Date November 14, 2006
Action License granted, 2 year Provisional License with Practice Monitor, \$25,000 Surety Bond

Name Donna Norbury
Location: Morristown, AZ
License Number SA545228000
Summary Respondent sold multiple subdivided lots without complying with applicable subdivision statutes and rules.

Order Date October 16, 2006
Action \$4,000 Civil Penalty (jointly and severally), Cease and Desist, apply for Public Report

Name Out West Properties, LLC
Location: Kingman, AZ
License Number Unlicensed Entity
Summary Respondents sold 24 lots within a subdivision in Coconino County, Arizona without complying with Public Report requirements.

Order Date October 10, 2006
Action Cease and Desist, \$10,000 Civil Penalty (jointly and severally), offer rescission, apply for and obtain a Public Report

Name Paul Padrnos / Antelope Springs Construction, Inc.

Location: Prescott, AZ
License Number Unlicensed Individual / Entity
Summary Respondent sold 9 lots within subdivisions located in Yavapai County, Arizona without complying with Public Report requirements.

Order Date November 29, 2006
Action \$5,000 Civil Penalty, offer rescission, apply for and obtain a Public Report

Name Bradley "Brad" Potter

Location: Phoenix, AZ
License Number SA565575000
Summary During a 2006 broker audit, multiple violations were discovered, including trust account irregularities. Respondent was found to have represented a broker other than the broker that Respondent was licensed to.

Order Date November 15, 2006
Action 2 year Provisional License with Practice Monitor, \$2,000 Civil Penalty, 12 hours CE in Commissioner's Standards.

Name Merla Rimpel

Location: Phoenix, AZ
License Number SA556890000

Summary Respondent failed to disclose a 1994 felony conviction in the State of Texas when applying for licensure.

Order Date November 3, 2006
Action 2 year Provisional License with Broker Acknowledgment, 6 hr CE in Commissioner's Standards

Name William Hugh Rose, Jr.

Location: Phoenix, AZ
License Number SA018844000

Summary Respondent timely reported a May 2006 misdemeanor conviction for Extreme DUI.

Order Date November 27, 2006
Action 2 year Provisional License with Broker Acknowledgment, \$1,000 Civil Penalty, 2 year Body Fluid Testing / Sobriety Monitor / AA meetings

Name David Sheptow

Location: Oro Valley, AZ
License Number Unlicensed Applicant

Summary Petitioner disclosed a December 2001 misdemeanor conviction for Contempt of Court and a July 2005 misdemeanor conviction for DUI when applying for licensure.

Order Date October 26, 2006
Action License granted, 2 year Provisional License with Broker Acknowledgment

Name Neil Brian Sherman

Location: Phoenix, AZ
License Number BR026438000

Summary Respondent failed to disclose a misdemeanor conviction, submitted a false or misleading license renewal application and conducted unlicensed real estate activities.

Order Date November 15, 2006
Action License renewal granted, 2 year Provisional License with Broker Acknowledgment, \$15,000 Civil Penalty, 12 hr CE in Commissioner's Standards

Name Garland Smith / Rio Verde Realty

Location: Hereford, AZ
License Number BR104078000 / SE104078000

Summary Respondents advertised lots within a proposed subdivision in Cochise County without having the permission of the owner of the subdivision and without having complied with applicable subdivision laws and rules.

Order Date October 20, 2006
Action \$2,000 Civil Penalty (jointly and severally), 3 hours CE in Commissioner's Standards, 3 hour Broker Management Clinic

Name Thomas Eldredge Fow Strong

Location: Scottsdale, AZ
License Number SA569358000

Summary Respondent unable to comply with terms of original order.

Order Date October 25, 2006
Action Voluntary revocation of license

Disciplinary Decisions

Consent Orders continued & Commissioner's Final Orders



Name: Meredith Swanston
Location: Chandler, AZ
License Number: Unlicensed Applicant
Summary: Respondent, when applying for licensure, disclosed a September 2003 misdemeanor conviction for DUI and a February 2006 misdemeanor conviction for Aggravated Assault.
Order Date: December 1, 2006
Action: License granted, 2 year Provisional License with Practice Monitor

Name: Bryan A.Z. Vazquez
Location: Phoenix, AZ
License Number: SA533332000
Summary: Respondent failed to disclose two misdemeanor convictions for Excessive Speed within 10 days as required.
Order Date: December 15, 2006
Action: License renewal granted, \$500 Civil Penalty

Name: Keith Vertes
Location: Scottsdale, AZ
License Number: SA513047000
Summary: Respondent failed to disclose being a principal and a sales agent on purchase contracts; entered into real estate sales agreements without Designated Broker's approval.
Order Date: December 11, 2006
Action: License renewal granted, 2 year Provisional License w/ Practice Monitor, \$2,000 Civil Penalty, 6 hours CE in Commissioner's Standards and 3 hours CE in Disclosures

Name: Darrell Gene Wolter
Location: Glendale, AZ
License Number: BR108324000
Summary: Respondent failed to disclose multiple misdemeanor convictions and failed to cooperate with Department staff by providing documents in a timely manner.
Order Date: October 3, 2006
Action: \$4,000 Civil Penalty, 60 day license suspension, 2 year Provisional License with Practice Monitor

Name: Ronald Woodrow
Location: Phoenix, AZ
License Number: BR041877000
Summary: Respondent failed to submit written notification appointing a licensee to act on behalf of Respondent.
Order Date: December 5, 2006
Action: \$500 Civil Penalty

Name: Mark Young
Location: Bullhead City, AZ
License Number: Unlicensed Applicant
Summary: Respondent, when applying for licensure, disclosed a December 1989 felony conviction for DUI and an August 2002 misdemeanor conviction for DUI.
Order Date: December 12, 2006
Action: License granted, 2 year Provisional License with Practice Monitor

by Commissioner's Final Order

Name: Mark A. Brencick
Location: San Diego, CA
License Number: Unlicensed Applicant
Summary: As part of an original license application, Petitioner disclosed a 1998 DUI conviction and a 2000 DUI conviction. Commissioner agreed to modifications in Original Order.
Order Date: November 7, 2006
Action: 2 year Provisional License, \$20,000 surety bond

Name: Terri R. Crum
Location: Avondale, AZ
License Number: SA531367000
Summary: Petitioner conducted unlicensed activity, failed to renew license in a timely manner.
Order Date: December 5, 2006
Action: License renewal granted, 2 year Provisional License with Broker Acknowledgment, \$800 Civil Penalty, 6 hours CE in Commissioner's Standards.

Name: William Mervyn Dominguez, Jr.
Location: Chandler, AZ
License Number: SA537708000
Summary: Respondent was convicted of Theft, a Class 3 Felony, in May of 2005. Respondent failed to notify the Department of the conviction within ten days as required. Respondent's license was summarily suspended on July 17, 2006. Final Order upholds the Summary Suspension.
Order Date: November 3, 2006
Action: Uphold Summary Suspension of license

Name: Glynn Owen Ellis
Location: Payson, AZ
License Number: Unlicensed Applicant
Summary: Petitioner, when applying for an original license in November of 2005, disclosed July 2005 misdemeanor convictions for Threats/Domestic Violence and Threatening and Intimidating.
Order Date: December 8, 2006
Action: License denied.

Name: Cynthia S. Ensmann
Location: Glendale, AZ
License Number: SA548868000
Summary: Petitioner convicted in May of 2006 of Attempted Fraudulent Schemes and Artifices, a Class 3 Felony and placed on 2 years probation. The Department summarily suspended Petitioner's license on August 10, 2006
Order Date: November 29, 2006
Action: Summary Suspension of Salesperson's License affirmed, license revoked.

Name: Ammar Dean Halloum
Location: Tempe, AZ
License Number: SA552563000
Summary: Respondent failed to disclose a March 2005 conviction for Theft, a Class 6 undesignated offense within 10 days as required.
Order Date: December 8, 2006
Action: License revocation

Disciplinary Decisions

Commissioner's Final Orders continued & Summary Suspensions



Name Ronald Lloyd Peters
Location: Gilbert, AZ
License Number BR504924000
Summary Petitioner, when applying for license renewal in May of 2005, disclosed a 2003 misdemeanor DUI conviction. Disclosure was not made in a timely manner.
Order Date October 11, 2006
Action License granted, Advisory Letter of Concern

Name Bryan M. Rae
Location: Phoenix, AZ
License Number Unlicensed Applicant
Summary Petitioner, when applying for licensure in December of 2005, disclosed a February 2002 misdemeanor conviction for Issuing a Bad Check and an August 2002 undesignated felony conviction for Unlawful Use of Means of Transportation.
Order Date October 31, 2006
Action License granted, 2 year Provisional License with Practice Monitor, \$5,000 Surety Bond

Name Kyle Richard Riedy
Location: Scottsdale, AZ
License Number SA564037000
Summary In August of 2005, Respondent entered into a Consent Order with the Department, part of which Respondent agreed not to consume alcohol, illegal drugs or controlled substances not prescribed by a treating physician. In April of 2006, the Department received a report that Respondent had tested positive for alcohol. On June 29, 2006, the Department summarily suspended Respondent's license.
Order Date October 3, 2006
Action Summary Suspension of salesperson's license affirmed.

Name Richard A. Sands
Location: Scottsdale, AZ
License Number Unlicensed Applicant
Summary Petitioner, when applying for licensure in March of 2006, disclosed multiple misdemeanor convictions from November of 2002 through 2004, including Disorderly Conduct and Threatening or Intimidating by Word or Conduct.
Order Date October 16, 2006
Action License denied.

by Summary Suspension

Name Ernest Marty Atencio
Location: Phoenix, AZ
License Number SA104218000
Summary Respondent failed to abide by terms of Consent Order, did not provide Body Fluid Testing specimens on assigned days.
Order Date December 5, 2006
Action Summary Suspension of salesperson's license

Name William R. Bliss
Location: Scottsdale, AZ
License Number BR010414000
Summary Respondent Broker and Entity failed to respond to requests for information from Auditing, failed to provide documents and information as required for audit. As a result, Department auditing staff were

unable to determine if Respondents are in compliance with Department Statutes and Rules.
Order Date December 8, 2006
Action Summary Suspension of broker's license

Name Bliss Financial Group, Inc.
Location: Scottsdale, AZ
License Number CO534019000
Summary Respondent Broker and Entity failed to respond to requests for information from Auditing, failed to provide documents and information as required for audit. As a result, Department auditing staff were unable to determine if Respondents are in compliance with Department Statutes and Rules.
Order Date December 8, 2006
Action Summary Suspension of entity's license

Name Thomas Bonaventure Bourgeois
Location: Phoenix, AZ
License Number SA103513000
Summary Respondent convicted in July of 2006 of Aggravated Driving or Actual Physical Control while Under the Influence of Intoxicating Liquor or Drugs, Class 4 felonies. Respondent on probation for 3 years.
Order Date October 12, 2006
Action Summary Suspension of salesperson's license.

Name Cynthia Lee Dalhover
Location: Flagstaff, AZ
License Number SA113006000
Summary Respondent convicted of Criminal Simulation, a Class 6 felony and placed on probation for 2 years.
Order Date November 15, 2006
Action Summary Suspension of salesperson's license

Name Floyd L. Jackson
Location: Phoenix, AZ
License Number SA526356000
Summary Respondent damaged a client's property while showing to a prospective buyer, did not reimburse the client as agreed upon. Respondent failed to comply with Department requests for information and did not respond to multiple offers of settlement.
Order Date October 26, 2006
Action Summary Suspension of Salesperson's license.

Name Alexander Anthony Keeme
Location: Tucson, AZ
License Number SA523510000
Summary Respondent convicted of Forgery and Taking the Identity of Another, both felonies. Respondent also failed to deposit client funds in an escrow account.
Order Date October 10, 2006
Action Summary Suspension, license renewal denied.

Name Michael Levine
Location: Chandler, AZ
License Number SA556548000
Summary Respondent failed to disclose the June 2005 revocation of Respondent's Colorado real estate broker's license. Respondent failed to comply with Department requests for information.
Order Date November 3, 2006
Action Summary Suspension of Salesperson's license.

Disciplinary Decisions

Summary Suspensions continued & A.S.A.s



Name David Mark Noffz
Location: Flagstaff, AZ
License Number BR012832000
Summary Respondent convicted of Criminal Simulation, a Class 6 felony and placed on probation for 2 years.
Order Date November 30, 2006
Action Summary Suspension of broker's license.

Name Bryan Charles Stearns
Location: Gilbert, AZ
License Number SA559905000
Summary Respondent convicted of two counts of Public Sexual Indecency, both Class 6 felonies. Respondent was placed on lifetime probation and ordered to register as a Sex Offender if required by law. Respondent failed to notify the Department of the convictions in a timely manner.
Order Date October 26, 2006
Action Summary Suspension of salesperson's license.

by Consent Order (ASA)

Name Amcal Southwest, LLC
Location: Scottsdale, AZ
License Number LC544812000
Summary Conducted sales activities without an active license.
Order Date September 25, 2006
Action \$6,000 Civil Penalty

Name Leland "Lee" Keith Bagenstos
Location: Tucson, AZ
License Number SA523188000
Summary Conducted sales activities without an active license.
Order Date November 9, 2006
Action \$1,000 Civil Penalty

Name Linda Gean Bauch
Location: Yuma, AZ
License Number BR107026000
Summary Conducted sales activities without an active license.
Order Date November 9, 2006
Action \$1,000 Civil Penalty

Name Nancy A. Calhoun
Location: Phoenix, AZ
License Number BR018964000
Summary Failed to disclose, within 10 days, December 2005 misdemeanor conviction for DUI.
Order Date October 16, 2006
Action \$1,000 Civil Penalty

Name Casablanca Real Estate, LLC
Location: Yuma, AZ
License Number LC548905000
Summary Conducted sales activities without an active license.
Order Date October 4, 2006
Action \$6,000 Civil Penalty

Name Charlene Kay Crew
Location: Prescott, AZ
License Number SA509990000
Summary Conducted sales activities without an active license.
Order Date August 3, 2006
Action \$1,500 Civil Penalty

Name Fairway Property Advisors, Inc.
Location: Tempe, AZ
License Number CO521704000
Summary Conducted sales activities without an active license.
Order Date August 3, 2006
Action \$3,000 Civil Penalty

Name Holly Fischer
Location: Scottsdale, AZ
License Number SA528018000
Summary Respondent's advertisement failed to clearly and prominently display the broker's name.
Order Date July 28, 2006
Action \$500 Civil Penalty

Name Christian Fischer, Jr.
Location: Scottsdale, AZ
License Number SA542494000
Summary Respondent's advertisement failed to clearly and prominently display the broker's name.
Order Date July 28, 2006
Action \$500 Civil Penalty

Name Angela Amalia Gallardo
Location: Somerton, AZ
License Number SA572313000
Summary Failed to disclose, within 10 days, May 2006 misdemeanor conviction for DUI.
Order Date November 13, 2006
Action \$1,000 Civil Penalty

Name Gerson Realty & Mgmt Co., Inc.
Location: Tempe, AZ
License Number CO112472000
Summary Conducted sales activities without an active license.
Order Date August 1, 2006
Action \$3,000 Civil Penalty

Name Donna T. Gilbrech
Location: Scottsdale, AZ
License Number BR011277000
Summary Conducted sales activities without an active license.
Order Date August 7, 2006
Action \$2,000 Civil Penalty

Name David S. Haynes
Location: Phoenix, AZ
License Number BR003094000
Summary Failed to disclose, within 10 days, February 2006 misdemeanor conviction for DUI.
Order Date November 9, 2006
Action \$1,000 Civil Penalty

Name William E. Huff
Location: Scottsdale, AZ
License Number BR012712000
Summary Conducted sales activities without an active license.
Order Date September 19, 2006
Action \$2,000 Civil Penalty

Name Dennis J. Hultman
Location: Apache Junction, AZ
License Number BR009194000
Summary Conducted sales activities without an active license.
Order Date September 20, 2006
Action \$2,000 Civil Penalty

Disciplinary Decisions

A.S.A.S continued



Name Vicky S. Kimling
Location: Scottsdale, AZ
License Number BR006425000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date October 10, 2006
Action \$1,000 Civil Penalty

Name David C. Lewerke
Location: Prescott, AZ
License Number BR007120000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date August 3, 2006
Action \$1,500 Civil Penalty

Name Shannon S. Martinson
Location: Scottsdale, AZ
License Number SA549067000
Summary Failed to disclose, within 10 days, February 2005 misdemeanor conviction for DUI.
Order Date September 13, 2006
Action \$1,000 Civil Penalty

Name Seamus J. McCarthy
Location: Flagstaff, AZ
License Number BR102060000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date October 30, 2006
Action \$3,000 Civil Penalty

Name P&H Realty, Inc.
Location: Phoenix, AZ
License Number CO002734000
Summary Conducted sales activities without an active license.
Order Date November 9, 2006
Action \$3,000 Civil Penalty

Name Darwin R. Perkins
Location: Phoenix, AZ
License Number SA528684000
Summary Conducted sales activities without an active license.
Order Date July 27, 2006
Action \$2,000 Civil Penalty

Name Ellen Pretzer
Location: Gilbert, AZ
License Number SA044251000
Summary Failed to disclose, within 10 days, July 2004 misdemeanor conviction for DUI.
Order Date October 10, 2006
Action \$1,000 Civil Penalty

Name Michael Todd Smiley
Location: Scottsdale, AZ
License Number SA534756000
Summary Failed to disclose, within 10 days, September 2005 small claims judgment.
Order Date October 18, 2006
Action \$1,000 Civil Penalty

Name Patricia G. Smith
Location: Scottsdale, AZ
License Number SA110805000
Summary Respondent's advertisement failed to clearly and prominently display the broker's name.
Order Date July 28, 2006
Action \$500 Civil Penalty

Name Sonora International Realty Corporation
Location: Tucson, AZ
License Number CO548070000
Summary Conducted sales activities without an active license.
Order Date September 8, 2006
Action \$6,000 Civil Penalty

Name Streamline Realty, LLC
Location: Scottsdale, AZ
License Number LC551946000
Summary Conducted sales activities without an active license.
Order Date November 16, 2006
Action \$3,000 Civil Penalty

Name Sun Tree Realty, LLC
Location: Chandler, AZ
License Number LC523084000
Summary Conducted sales activities without an active license.
Order Date November 16, 2006
Action \$3,000 Civil Penalty

Name The Benjamin Group, LLC
Location: Tempe, AZ
License Number LC507884000
Summary Conducted sales activities without an active license.
Order Date July 26, 2006
Action \$6,000 Civil Penalty

Name Sharon Kay Tomlin
Location: Scottsdale, AZ
License Number SA021644000
Summary Conducted sales activities without an active license.
Order Date October 11, 2006
Action \$1,000 Civil Penalty

Name Wendy K. Warter
Location: Surprise, AZ
License Number SA543818000
Summary Conducted sales activities without an active license.
Order Date September 27, 2006
Action \$1,000 Civil Penalty

Name Ann White
Location: Tucson, AZ
License Number BR006804000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date September 21, 2006
Action \$1,500 Civil Penalty

Name Sandra Williams
Location: Yuma, AZ
License Number BR032889000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date November 14, 2006
Action \$1,000 Civil Penalty

Name Patricia R. Wood
Location: Cottonwood, AZ
License Number SA014821000
Summary Conducted sales activities without an active license.
Order Date October 19, 2006
Action \$3,000 Civil Penalty

Disciplinary Decisions

A.S.A.s continued & Cease and Desist Orders



Name Willie Wright, Jr.
Location: Tucson, AZ
License Number BR008055000
Summary Failed to properly supervise; allowing sales activities by an unlicensed person.
Order Date November 13, 2006
Action \$1,000 Civil Penalty

by Cease and Desist Order

Name John R. Allen
Location: Gilbert, AZ
License Number Unlicensed Individual
Summary Respondent conducted unlicensed activities.
Order Date October 5, 2006
Action Cease and Desist unlicensed activities.

Name James Amsler
Location: Tonto Basin, AZ
License Number Unlicensed Individual
Summary Respondents sold multiple lots within a 33-acre portion of land in Navajo County without complying with applicable subdivision statutes and rules.
Order Date December 21, 2006
Action Cease and Desist all sales or transfers of property until in compliance with applicable statutes and rules.

Name Patricia Glesener
Location: Tonto Basin, AZ
License Number Unlicensed Individual
Summary Respondents sold multiple lots within a 33-acre portion of land in Navajo County without complying with applicable subdivision statutes and rules.
Order Date December 21, 2006
Action Cease and Desist all sales or transfers of property until in compliance with applicable statutes and rules.

Name John Scremin Development, Inc.
Location: Chandler, AZ
License Number Unlicensed Entity
Summary Respondent failed to comply with terms of November 2003 Consent Order regarding unlawful subdivision activity.
Order Date December 21, 2006
Action Cease and Desist all sales or transfers of property until in compliance with terms of Consent Order.

Name Thomas Ryan
Location: Tempe, AZ
License Number Unlicensed Individual
Summary Respondent conducting unlicensed activities.
Order Date October 23, 2006
Action Cease and Desist unlicensed activities.

Name John C. Scremin
Location: Chandler, AZ
License Number Unlicensed Individual
Summary Respondent failed to comply with terms of November 2003 Consent Order regarding unlawful subdivision activity.
Order Date December 21, 2006
Action Cease and Desist all sales or transfers of property until in compliance with terms of Consent Order.

Name Royers W. Drachman
Location: Tucson, AZ
License Number BR006575000
Summary Vacating previous March 14, 2006 Order summarily suspending Respondent's license; Pima County Superior Court issued an order

dismissing all criminal charges against Respondent.
Order Date October 18, 2006
Action Vacate Summary Suspension of license

Name Michael Adam Hurley
Location: Bullhead City, AZ
License Number Unlicensed Applicant
Summary Applicant convicted of misdemeanor Assault and Criminal Damage in October of 2004.
Order Date August 7, 2006
Action License granted, 2 year Provisional License with Practice Monitor, \$10,000 Surety Bond

Name Heather John
Location: Phoenix, AZ
License Number SA508179000
Summary Respondent failed to deposit earnest money funds into a neutral escrow account.
Order Date August 30, 2006
Action \$1,000 Civil Penalty, 6 hr CE in Commissioner's Standards, 2 year Provisional License with Broker Acknowledgment

Name Jeffrey S. Kantor
Location: Scottsdale, AZ
License Number SA533218000
Summary In February of 2006, Respondent convicted of DUI. Respondent failed to timely notify the Department of the conviction.
Order Date September 5, 2006
Action License granted, \$2,000 Civil Penalty, 2 year Provisional License with Practice Monitor, 2 year Body Fluid Testing

Name Andrew S. Keener
Location: Mesa, AZ
License Number SA572379000
Summary Respondent timely disclosed a March 2006 misdemeanor conviction for Extreme DUI.
Order Date September 28, 2006
Action 2 year Provisional License with Broker Acknowledgment, \$1,000 Civil Penalty, 2 year Body Fluid Testing

Name Kino Springs Golf Course L.L.C.
Location: Santa Cruz County, AZ
License Number Unlicensed Entity
Summary Respondent sold lots in a subdivision without a valid Public Report and complying with applicable subdivision statutes and rules
Order Date August 22, 2006
Action \$8,000 Civil Penalty, Rescission, apply for Public Report

Name Ira S. Kristol
Location: Scottsdale, AZ
License Number BR043830000
Summary Respondent employed an unlicensed individual.
Order Date August 18, 2006
Action License granted, \$2,000 Civil Penalty, 3 hr CE in Commissioner's Standards, 3 hr Broker Management Clinic, 2 year Provisional License, develop written procedures to prevent unlicensed activity.

Name Dennis Krostal
Location: Green Valley, AZ
License Number BR039084000
Summary Respondent employed an unlicensed individual.
Order Date August 15, 2006
Action \$3,000 Civil Penalty

End of Listings for January 2007

Reminders

Abbreviations Used In The Bulletin

AAC	Arizona Administrative Code (<i>usually citing the Rules promulgated by the Arizona Department of Real Estate, often referred to as "The Commissioner's Rules"</i>)
AAR	Arizona Association of REALTORS®
ADRE	Arizona Department of Real Estate
ARS	Arizona Revised Statutes
ICRESON	<i>Instituto Catastral y de Servicios Registrales</i> This is the agency within the Government of the State of Sonora, Mexico that maintains the public registry (<i>catastral</i>) of titles and deeds, and the voluntary registry of real estate agents working in Sonora.

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January 2007



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