



DIALOG

The Periodic Bulletin

from

The Arizona Department of Real Estate



**Commissioner
Lowe**

**COMMISSIONER'S
CORNER**

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ARIZONA DEPARTMENT OF REAL ESTATE IS UTILIZING IT'S PARTNERSHIPS TO FACILITATE ACTION ON MANY OF ARIZONA'S REAL ESTATE ISSUES...

In this “changing” world environment, ADRE is focused on reviewing prior year’s Real Estate Industry Stakeholder’s input on the major areas of real estate. This feedback had been compiled in many volumes of recommendations, and has recently allowed for many lengthy hours of reading and discussion for myself, our ADRE staff, and many of the very stakeholders who contributed their ideas over the years.

Believing that “CHANGE IS GOOD...(as long as it’s good change.) I highlighted those suggested recommendations that would allow for the greatest opportunity of change for a real estate industry that was asking for “an increase in the knowledge and professionalism” of those in their own industry, in order to better serve and protect Arizona’s constituents. However, I quickly learned that “change can be slow”, especially in government. The changes that could be made more readily, have been made, or are “in the works”.

Some changes will require Statute changes. Over the past few months we have been working diligently with industry stakeholders in determining what those changes need to be. After many robust discussions, mutually agreed upon changes were reached. Industry partners have step forth and will “package” the recommended changes and move them through the Legislative process.

The Proposed Legislative Changes include: (remember, these are subject to Legislative approval)-

- **Four Year License Term to revert back to a two year term.**
- **Define the Business Broker License requirement**
- **Require a “criminal clearance card” to be presented at time of license application**
- **Enhance the Pre-license course content and testing...with more questions...and, the Broker course content to be more comprehensive and difficult than the salesperson.**

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COMMISSIONER'S CORNER

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- A new licensee, completing the 90 hours of pre-licensing education, shall receive a provisional original license. No later than the first 2 year license renewal period, however, as soon as the licensee prefers, fifteen hours of post-licensing courses must be completed, plus the 30 hours of CE renewal credits, for renewal of their license. The Designated Broker shall determine what a provisional licensee may do within the DB's Brokerage. The post-licensing courses will contain required content that prepares the licensee to be more fully prepared to represent a Buyer and/or Seller, and may include specialization training.
- The twenty-four hours of Continuing Education (CE) credits requirement within two years, will be increased to thirty hours of CE, with the additional six hours in "Commissioner's Hot Topics", i.e. Short Sale
- Application and Renewal Fees to be assessed to Schools, Instructors, and Courses.
- Enhancing the Departments ability to regulate courses being taught....that they are current and not substantially changed from the time they were approved.
- The Designated Broker, and anyone appointed by the DB in a supervisory role, shall be required to complete fifteen hours of specific education in Broker Supervision, in addition to the thirty hours of CE.
- Additional Subdivision/Development Statutes

The Department will be implementing a Volunteer Education Monitor Program, which will utilize a Team of trained volunteer monitors to visit education courses being offered throughout the state, to ascertain that courses are being delivered according to the Statutes and Rules of the Department.

The Legislative changes will be packaged soon, and I will be traveling the state asking for support from each Arizona licensee, as well as constituents, including contacting their Legislators to support our bills.

While we're speaking of Arizona's Legislators, please remember to contact your Legislators to mandate that they settle the "FY 2010 Budget" deficit of \$2B. Our Department has submitted Budget adjustments, that should they be required, would diminish the services that the Dept. of Real Estate offers to the Licensees, and definitely reduce the number of staff that are currently focused on the protection of the consumers in their real estate transactions.

Contact Mary Utey, Assistant Commissioner Business Services: mutley@azre.gov, to schedule my visit with your group.

"Out and About" with Commissioner Lowe



Commissioner Lowe and Marco Antonio (newly appointed Sonora Co-Chair) at Arizona-Mexico Inter-pleinary in Nogales, Sonora, Mexico.



Commissioner Lowe meeting with Pre-Licensure Stakeholders.



Commissioner Lowe at Prescott Stakeholders Meeting with Karla Roberts and Dan Harris.



Local Association Presidents meet with Commissioner.



ARMLS CEO and officers met with Commissioner on 11/2/09.



Commissioner Lowe with TAR members at Tucson Association of REALTORS EXPO.



Real Estate Services Division Updates/Staff Achievements

Licensing Division – Diane Paulsen-Manager

The Licensing Division has been working very hard at updating all the forms for the internet to make them more user friendly and easier to read. We have done step by step processes for each of the forms and they came out great. The Licensing Division has also taken over from the Education Division, the task of processing the Broker Verification forms and the Licensure recertification forms. Currently there is no backlog in this area. Licensing has also become the concierge service for Investigations and Development Services, for drop off or picking up packages. The process has improved greatly since starting a few months ago.

The Licensing Division has recently implemented a new process in handling the Broker Desk emails and appointments and it has been a hit. When a broker wishes to open a new company or change designated brokers, they send a request to a designated email and we respond with instructions on how to proceed. Once they have completed the final step, the licensee then emails us the documentation for verification and processing. In doing this, it has lessened our walk-in traffic and gives us time in the mornings to process the paperwork. We also have been getting excellent customer service surveys overall and especially with the new broker desk process.

Education Division– Manager-Michael Hailey; Carla Randolph, Interim Lead

The Education Division has recently received additional assistance from other divisions' staff to complete the backlog of applications pending approval. With that assistance over a three week period all applications were processed. The Education Division with the great support of the IT division is working on course approvals and to process the course renewals through the online system.

The Education Division is also getting ready to reinstitute the Volunteer Monitor Program. This program is set up to have qualified volunteers go out and monitor schools and classes where needed and then write an outlined report of that class. That will assist the department and school to see where changes are needed in course content .

Real Estate Audit & Investigations Division-Manager Robin King

Auditing: Between 07/01/2009 and 09/30/2009, the Department's Auditors processed 187 Broker Audit Declarations. They are currently working on Electronic Broker Audit Reviews. Using the Broker Audit Declarations as an information source, the Auditors sent letters to 67 Brokers believed to be performing property management services to property owners. To date 8 reviews have been completed. The Auditors have had to request additional information from many of the Brokers. Due to this additional step, the Auditors are reevaluating the documentation being requested with an eye toward expanding the document list.

Investigations: between 07/01/2009 and 09/30/2009, the Real Estate Investigators completed 262 cases with 31 cases referred to Enforcement and Compliance for further review and possible action. The Investigators remain focused on completing cases received prior to 01/01/2009, as well as reducing the number of pending cases.

Real Estate Services Division Updates/Staff Achievements

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Development Services & Investigations– Manager Cindy Ferrin

- Completed the purging of 2005 subdivision files and moved the remainder of 2009 into the locked file room.
- Assisted the Education Division in getting caught upon course, instructor and school applications.
- Started doing completion inspections and working towards having them caught up.
- Worked in updating subdivision applications.

Enforcement & Compliance Division

- Closed 72 cases in September 2009
- Issued 3 cease and Desist actions; issued 4 Summary Suspensions of licenses.
- Collected \$31,000 in Civil Penalties.
- Opened 215 cases (up 594% from previous month). Of these 181 cases were Noncompliance with CE requirements.
- Referred 2 cases to AGO for Formal Hearing (50 total cases currently at AGO)
- Continuing audit of Recovery Fund active files.
- Completed outstanding debt reporting (quarterly) for AG (BCE) and ADOA.

BUSINESS SERVICES

Fiscal-Manager Vicky Rokkos

With the appointment of Commissioner Lowe in may 2009, the HUB was created to ensure the public and industry were promptly responding to all incoming calls. Since June 2009, the HUB has been successful in responding to and assisting clients with over 13,000 calls.

Additionally, the HUB also oversees the continuing Education (CE) Deficiency process for licensees that have not complied with the 24 CE credit for the first 24 months of their 4 year licensure. Since June 2009, the HUB has mailed out over 3,300 letters to licensees and Brokers and assisted licensees to become compliant. The Department is doing its part in communicating the CE requirements for licensees by sending out email blasts and 90-60-30 day courtesy email reminders to licensees. Currently, we see an average of 400 licensees monthly who are deficient in their requirements. We need your help to spread the word.

Technology-Manager Kevin Goode

Information Technology (IT) has been working on the following projects:

1. Developing a new website to adopt the State's new "look and feel" and to make information more accessible and easier to find.
2. Extending the Online System for Schools to provide the following new services:
 - A. 14 day schedule notices
 - B. Course renewals
3. Extending the Public Database to provide search services for scheduled courses.
 - A. When schools schedule their courses online they will be searchable by date, location and requirement type.
4. Consolidating servers and applications to more efficiently use the Department's newest equipment.
 - A. Keeps critical functions running on hardware that is still within warranty.



About the Arizona Multihousing Association

Established in 1966, the Arizona Multihousing Association (AMA) is the statewide, nonprofit trade organization for the apartment and rental housing industry.

OUR MEMBERS

Our members subscribe to a *Code of Conduct*, which includes a pledge toward quality, professionalism, honesty, integrity, knowledge and compliance with federal, state and local laws. The AMA serves nearly 2,000 Members who are:

- Apartment properties
- Management companies
- Owners or developers of apartment communities
- Owners of single-family or other small rental properties

Altogether, our *Members* own or manage a total of over 200,000 rental units, the majority in nearly 1,000 apartment communities. In addition our Independent Rental Owners Council (IROC) membership is for owners of 20 or fewer rental housing units (single-family and multi-family).

The AMA also serves nearly 600 Associate Members who are suppliers of products and services to the industry.

AMA Members account for nearly 60% of all rental stock of two or more units in Arizona. From advertising to utilities, Members contribute hundreds of millions of dollars annually to Arizona's economy through taxes, fees, construction and purchases.

OUR FISCAL COMMUNITY CONTRIBUTIONS

Rental housing is the sixth largest industry in Arizona with annual revenues of more than \$5 billion

Annual state and local taxes, including corporate income tax, total more than \$872 million.

Rental housing provides housing for approximately one-third of all Arizona households (more than 2 million people)

Households earning \$50,000 or more have been fastest-growing segment of the local apartment market

40% of Arizonans living in an apartment do so by choice, not out of necessity.

The apartment and rental housing industry directly employs more than 21,000 Arizonans, and at least an equal amount in jobs that provide goods and services to the industry

WORKING WITH LOCAL & STATE GOVERNMENT

The Arizona Multihousing Association represents ethical rental housing providers in legislative, legal and regulatory matters and supports:

- ✦ Arizona Fair Housing Law
- ✦ Arizona Residential Landlord and Tenant Act
- ✦ Neighborhood Revitalization Act
- ✦ Slumlord Abatement Law

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About the Arizona Multihousing Association

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CONTINUING EDUCATION

The AMA provides over 400 hours of continuing education, training classes and networking opportunities for members and nonmembers. The AMA offers Continuing Education Classes for:

- National Designations
- Executive-Level Training
- Leasing & Marketing
- Fair Housing
- Property Management & Operations

The AMA is also licensed by the state Department of Real Estate as a real estate school for renewal credit hours and can provide landlord legal information and assistance service.

COMMUNITY OUTREACH

The Arizona Multihousing Association helps Members give back to their communities through the following programs:

- ✦ **Crime Free Multi-Housing Program**
- ✦ **FIVE STAR** – recognizes more than 200 AMA apartment communities for excellence in property management practices
- ✦ **Project S.A.F.E.** (Safety Awareness Family Education) – provides annual safety training for rental residents and their surrounding communities
- Big Hearts for Little Hands** – contributes over \$150,000 per year to transitional housing shelters throughout Arizona

RECOGNITIONS

The AMA is recognized as one of the leading apartment associations in the country, is a proud member of the National Apartment Association and the National Multi Housing Council and continues to be acknowledged as a resource and model of excellence in the local and national rental housing industry (*National Apartment Association's 2000, 2004, 2005, 2006 and 2009 Paragon Award winner*).

CONTACT THE AMA

5110 N. 44th St., Suite L160
Phoenix, AZ 85018
Phone: (602) 296-6200
Fax: (602) 296-6178
(800) 326-6403
www.azama.org

John Foltz appointed to lead Short Sale/REO "THINK TANK".



Judy Lowe, Arizona's Real Estate Commission has appointed John Foltz, a nationally recognized Broker, to lead a group of Phoenix Real Estate Short Sale and REO Stakeholders to review the many complex Short Sale and REO (foreclosure) issues that the Arizona real estate market place is faced with today. Mr. Foltz will also be facilitating a knowledgeable group in Tucson, Arizona.

In a real estate market where approximately 65% of the homes sales involve distressed properties situations, it has become very evident that there are situations occurring with much harm to Arizona's Buyers and Sellers of real estate, to the real estate industry including many Lenders as well as negatively impacting the home values of Arizona's communities.

As the former Designated Broker for one of Arizona's largest real estate companies. John has a personal mission to support the Department's focus of "enhancing the knowledge and professionalism of the industry, in protecting the public."

Arizona's Real Estate Industry thanks John!



Arizona Department of Real Estate Education Advisory Committee (EAC)

The Department received interest from over a 100 individuals who indicated a desire to serve on the EAC. After an extensive review of the applications, the following were chosen: Lin Ferrara, Holly Eslinger, Jim Marian, Jim Hogan, John Crosby, Jon Kichen, Tom Heath, John Latardo, Andy Jaffe and Bob Bass. Their term ends on December 2011.

Some items that the EAC is reviewing and/or ratifying feedback from Department Stakeholder Workgroups on Pre-licensure, Salesperson/Broker Exams, post license education (creation of specific designations/specializations, mentor/mentee programs) and continuing education.



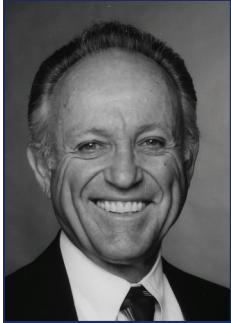
Judy Kisselburg
Education Auditor
Email: jkisselburg@azre.gov



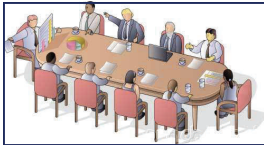
Education Division Volunteer Monitoring Program

Ms. Kisselburg is responsible for the reinstated Volunteer Monitoring Program. Ms. Kisselburg has been with the department for 21 years and brings a myriad of knowledge to her latest assignment. She will oversee the program which was launched on September 30, 2009.

Governor Brewer appoints Charles Bowles to the Real Estate Advisory Board.



Charles Bowles



On October 21, 2009, the Real Estate Advisory Board welcomed its newest member- Charlie Bowles. Mr. Bowles has been actively involved in the real estate industry since 1978. He has been with Diamond Ventures in Tucson since 1999 and is the Vice-President of Marketing and Sales, Broker. Mr. Bowles has been the recipient of many awards including the following: NHBA National MAIM Award Winner- 1995; SAHBA Winner of 1996 Sales Manager of The Year; 4 separate Grammy Awards for Sales and Marketing Excellence; Chairman of Sales and Marketing Committee Multiple Years; Chairman of Multi-Housing Council for Southern Arizona; Member of the Year 2008 and Tucson Father's Day Council- Father of the Year 2008.

Mr. Bowles has extensive volunteer experience and currently serves as President of Tu Nidito Board of Directors.

Real Estate Advisory Board

The Arizona Real Estate Advisory Board was established by the Legislature to provide the Real Estate Commissioner "with such recommendations as it deems necessary and beneficial to the best interests of the public. The board shall also provide recommendations on specific questions or proposals as requested by the Commissioner."

The board comprises of **nine members** appointed by the Governor. The term of office of each member is six years. Meetings are held on a quarterly basis and the next scheduled meeting is **January 13, 2010 at 10 am to Noon** at the Arizona Department of Real Estate, 2910 N. 44th. Street, Phoenix, AZ.

The Board members acts as facilitators for the public and industry. At the quarterly meeting, each members reports on the type of calls they have received and the outcome. Recently members have received calls regarding property management, short sales, etc.

Currently the membership consists of: **Frank Dickens, Chair** (email: Frankdkns@msn.com); **Kathy Howe, Vice-Chair** (email: Kathy@KathyHowe.com); **Anne White-member** (email: AWhiterealty@q.com); **Tom Pancrazi-member** (email: tom@pancrazi.com); **Patti Shaw-member** (email: PShaw151@cox.net); **Bruce Mosley-member** (email: Bdm23@cornell.edu); **Lisa Suarez-member** (email: lisa@emsrealty.com). There are two vacant positions on the Board.

If you are interested in serving on the Real Estate Advisory Board, please click here

<http://www.azgovernor.gov/bc/BCinfo.asp>

LICENSING DIVISION
"HOW MAY WE HELP YOU?"

ALL CALLS
(602) 771-7700 | (602) 771-7730
EMAIL: LICENSING@AZRE.GOV

Erni was very helpful & knowledgeable, great service. Keep up the great work.

Fantastic! Knowledgeable & got it done. Keep up the great work.

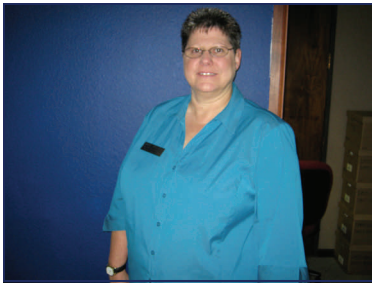


Ernie Pena-Douthitt



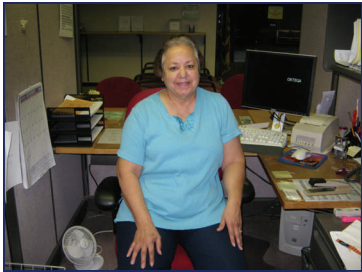
Lynn Long
Tucson Office

Process was fast and efficient, Diane was nice & courteous.

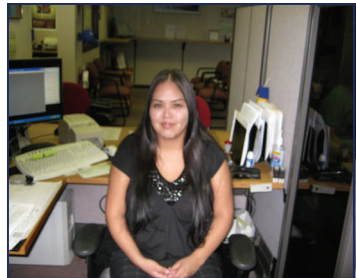


Diane Paulsen
Manager

She handled all my questions quickly and was very easy to talk to. Very helpful & friendly.



Diane Ortega



Deidra Boyd

DISCIPLINARY ACTIONS

Name 3-D Management & Investments
License Number SE011487000
Location Tucson, Arizona
Summary Failure to comply with terms of previous Consent Order, failure to comply with requests for documentation from Department staff.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(17), (A)(21), (A)(22), (A)(24), (B)(7), (B)(8), (B)(9), (B)(11).
Order Date August 25, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Charles B. Andes
License Number Unlicensed Individual
Location Mesa, Arizona
Summary Conveyed multiple platted parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 20, 2009
Order Type Consent Order
Order Terms Voluntary C&D, \$1,000 CP.

Name Kyle Arena
License Number BR519993000
Location Gilbert, Arizona
Summary Failed to disclose, within 10 days, April 2009 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 31, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Arizona Sun Realty, Inc.
License Number C0578536000
Location Tucson, Arizona
Summary Multiple violations, failure to maintain broker trust accounts with approximately \$156,875 owed to clients.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(9), (A)(15), (A)(16), (A)(17), (A)(21), (A)(22), (B)(7), (B)(8), (B)(10).
Order Date August 11, 2009
Order Type Summary Suspension

Name Jerry Arnett
License Number BR013890000
Location Prescott, Arizona
Summary Failed to timely notify the Department of multiple actions by other jurisdictions.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(11)
Order Date August 10, 2009
Order Type Consent Order
Order Terms \$2,500 CP, 90 day stayed suspension of license, 2 yr PL, 6 hr CE in Commissioner's Standards.

Name Fred Arnett
License Number BR526031000
Location Mesa, Arizona
Summary Property Management violations, failure to supervise.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (A)(10), (A)(21); 32-2173 (A)(1)(c)&(d)
Order Date July 21, 2009
Order Type Consent Order
Order Terms 2 yr PL, \$1,000 CP, 6 hr CE in Commissioner's Standards & 3 hr Broker Mgmt Clinic

Name Brett Barendrick
License Number SA527819000
Location Phoenix, Arizona
Summary Failed to disclose, within 10 days, October 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301(F)
Order Date July 13, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Dale Bidegain
License Number BR004366000
Location Tucson, Arizona
Summary Failed to exercise reasonable supervision over salesperson.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (A)(6), (A)(21)
Order Date August 25, 2009
Order Type Consent Order (ASA)

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DISCIPLINARY ACTIONS

Continued from page 11

Name Robert Blackmer
License Number BR543986000
Location Phoenix, Arizona
Summary Failed to disclose, within 10 days, February 2007 trespassing conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 31, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Guy N. Blaut
License Number Unlicensed Applicant
Location Vernon, Arizona
Summary April 2008 misdemeanor conviction for Assault and Disorderly Conduct; March 2009 Probation Violation.
Statutes/Rules A.R.S. §32-2153 (B)(9), (B)(10)
Order Date August 20, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL

Name James Boad
License Number SA554890000
Location Gilbert, Arizona
Summary February 2009 felony conviction for conspiracy to distribute and import marijuana.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(2), (B)(7)
Order Date August 13, 2009
Order Type Commissioner's Final Order
Order Terms Revocation of license.

Name Geoffrey Brisbin
License Number BR107233000
Location Phoenix, Arizona
Summary Violated terms of previous Consent Order; action taken by ROC against Contractors license.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (A)(24), (B)(9)
Order Date August 12, 2009
Order Type Consent Order
Order Terms \$500 CP, 60 day stayed license suspension, 2 yr PL, 12 hr CE in Commissioner Standards.

Name Kent Burton
License Number SA566405000
Location Mesa, Arizona
Summary Multiple violations, conducted property management activities without broker authorization.

Statutes/Rules A.R.S. §32-2153 (A)(1), (A)(3), (A)(4), (A)(7), (A)(8), (A)(9), (A)(10), (A)(16), (B)(6), (B)(8), (B)(10).
Order Date August 11, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Susan Buttars
License Number BR041324000
Location Mesa, Arizona
Summary Failure to maintain records, failure to cooperate with Department investigation.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(17), (B)(11)
Order Date May 15, 2009
Order Type Commissioner's Final Order
Order Terms Revocation of license.

Name Katherine Calvet
License Number BR554245000
Location Yuma, Arizona
Summary Failed to exercise reasonable supervision over salesperson.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (A)(6), (A)(21)
Order Date July 16, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name John Cao
License Number SA526340000
Location Mesa, Arizona
Summary Failed to disclose, within 10 days, September 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 22, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

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Disciplinary Action

Continued from page 12

Name Val Chausovskiy
License Number SA559149000
Location Tucson, Arizona
Summary Failed to disclose, within 10 days, March 2009 False Information conviction, license denial.

Statutes/Rules A.R.S. §§32-2153 (B)(2), (B)(7)
Order Date July 16, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/PM

Name Tim D. Coker
License Number SA515229000
Location Tempe, Arizona
Summary Failed to disclose, within 10 days, January 2009 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 24, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Richard Collins
License Number BR006709000
Location Flagstaff, Arizona
Summary Conducted real estate activities without an active license.
Statutes/Rules A.R.S. §§32-2153 (B)(6), 32-2163
Order Date July 31, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Sean Cooke
License Number SA627784000
Location Mesa, Arizona
Summary Failed to disclose a July 2006 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(1), (B)(3), (B)(7)
Order Date August 3, 2009
Order Type Consent Order
Order Terms \$600 CP, 2 yr PL w/BA, 3 hr CE in Commissioner's Standards

Name Robert Curran, Jr.
License Number BR541628000
Location Tucson, Arizona
Summary Multiple violations, failure to maintain broker trust accounts with approximately \$156,875 owed to clients.

Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(9), (A)(15), (A)(16), (A)(17), (A)(21), (A)(22), (B)(7), (B)(8), (B)(10).
Order Date August 11, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Donald R. Dempsey
License Number BR011487000
Location Tucson, Arizona
Summary Failure to comply with terms of previous Consent Order, failure to comply with requests for documentation from Department staff.

Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(17), (A)(21), (A)(22), (A)(24), (B)(7), (B)(8), (B)(9), (B)(11).
Order Date August 25, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Desert Living Homes, Inc.
License Number Unlicensed Entity
Location Tucson, Arizona
Summary Divided and conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 27, 2009
Order Type Consent Order
Order Terms \$2,000 CP

Name Jimmie Duranti
License Number SA512455000
Location Mesa, Arizona
Summary Failed to disclose, within 10 days, August 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 20, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

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Disciplinary Action

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Name Eleava, LLC
License Number LC581949000
Location Chandler, Arizona
Summary Multiple violations, conducting property management activities without broker authorization by sole member of LLC.
Statutes/Rules A.R.S. §32-2153 (A)(1), (A)(3), (A)(4), (A)(7), (A)(8), (A)(9), (A)(10), (A)(16), (B)(6), (B)(8), (B)(10).
Order Date August 11, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of entity license. License reinstated on August 24, 2009.

Name Devin W. & Tammy L. Fenn
License Number Unlicensed Individuals
Location Benson, Arizona
Summary Divided and conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 5, 2009
Order Type Consent Order
Order Terms \$10,000 Education Fund Grant; Provide Affidavits of Disclosure to purchasers; Compliance with county development requirements.

Name Aaron Garcia
License Number Unlicensed Applicant
Location Laveen, Arizona
Summary September 2004 conviction for Burglary, January 2008 conviction for DUI, license denial.
Statutes/Rules A.R.S. §§32-2153 (B)(2), (B)(7)
Order Date July 9, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/PM

Name Guadalupe Patricia Gaytan
License Number SA032948000
Location Mesa, Arizona
Summary May 2009 Felony conviction for Interstate or Foreign Travel in Aid of Racketeering Enterprises.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (B)(2), (B)(5), (B)(7), (B)(10)

Order Date August 19, 2009
Order Type Consent Order
Order Terms Revocation of license

Name GK Biltmore, LLC
License Number Unlicensed Entity
Location Phoenix, Arizona
Summary Public Report violations.
Statutes/Rules A.R.S. §§32-2183 (D)(1), 32-2184 (A)
Order Date August 11, 2009
Order Type Consent Order
Order Terms \$1,000 CP

Name Pamela Glasier
License Number SA577599000
Location Mesa, Arizona
Summary Failed to disclose, within 10 days, October 2007 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 13, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Timothy Greene
License Number Unlicensed Applicant
Location Queen Creek, Arizona
Summary August 2001 felony conviction for Unlawful Possession and Delivery of Cannabis, license denial.
Statutes/Rules A.R.S. §§32-2153 (B)(2), (B)(7)
Order Date July 15, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/BA

Name Angela Grosz
License Number SA563988000
Location Tucson, Arizona
Summary Failed to disclose, within 10 days, March 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 7, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP
Order Type Consent Order (ASA)
Order Terms \$600 CP

Continued on page 15

Disciplinary Actions

Continued from page 14

Name Sally Harnett
License Number SA073774000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, December 2007 deferred prosecution agreement.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 21, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Mark E. Hickman
License Number SA625489000
Location Glendale, Arizona
Summary Failure to notify Department of convictions. Failure to respond.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(24), (B)(1), (B)(7), (B)(9), (B)(11).
Order Date August 5, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Cleve W. Higgins
License Number SA552225000
Location Phoenix, Arizona
Summary License previously suspended for multiple convictions. Denial of license.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(2), (B)(7)
Order Date August 20, 2009
Order Type Consent Order
Order Terms Grant license, vacate previous Summary Suspension, 2 yr PL w/BA

Name Summer Hocking
License Number SA538907000
Location Tucson, Arizona
Summary Conducted real estate activities without an active license.
Statutes/Rules A.R.S. §§32-2153 (B)(6), 32-2163
Order Date August 25, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Burt Hostrawser
License Number SA538146000
Location Lake Havasu City, Arizona
Summary Failure to timely disclose multiple convictions for DUI and Issuing a Bad Check, license denial.
Statutes/Rules A.R.S. §§32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 6, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/BA, \$600 CP, 3 hr CE in Commissioner's Standards.

Name Allen Husanyo
License Number SA516906000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, March 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 10, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Iverson Investments, Inc.
License Number Unlicensed Entity
Location Out of State
Summary Conveyed multiple platted parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F)
Order Date August 11, 2009
Order Type Consent Order (ASA)
Order Terms \$2,000 CP; C&D, apply for and receive a Subdivision Disclosure Report.

Name Wesley Jock
License Number SA628911000
Location Bullhead City, Arizona
Summary Failed to disclose, within 10 days, March 2009 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 12, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

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Disciplinary Actions

Continued from page 15

Name Lee Katterman
License Number SA529526000
Location Tucson, Arizona
Summary Conveyed multiple platted parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2164, 32-2153 (A)(3), 32-2153 (A)(22)
Order Date July 15, 2009
Order Type Consent Order
Order Terms \$2,000 CP, 9 hr of CE in Comm Standards.

Name Konahuanui, LLC
License Number Unlicensed Entity
Location Tucson, Arizona
Summary Conveyed multiple platted parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F),
Order Date July 15, 2009
Order Type Consent Order
Order Terms \$2,000 CP.

Name Bradley Kuiper
License Number SA584645000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, February 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 27, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Michael Joseph Lichtie
License Number Unlicensed Individual
Location Out of State
Summary Failure to amend Subdivision Public Report as required by previous Consent Order.
Statutes/Rules A.R.S. §§32-2153 (A)(25), (B)(9); 32-2183 (E).
Order Date July 21, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of Subdivision Disclosure Report.

Name Suor V. Lim
License Number Unlicensed Individual
Location Peoria, Arizona
Summary Violation of previous Consent Order terms, conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §32-2181 (A)
Order Date July 30, 2009
Order Type Consent Order
Order Terms C&D, \$4,000 CP, \$4,000 Education Fund Grant

Name Rebekah Liperote
License Number SA584723000
Location Phoenix, Arizona
Summary Failed to disclose, within 10 days, February 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 25, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Abner Love
License Number Unlicensed Applicant
Location Tucson, Arizona
Summary 1981 Felony convictions for 2nd degree murder, kidnapping and firearm violations, denial of license.
Statutes/Rules A.R.S. §32-2153 (B)(2), (B)(7), (B)(10)
Order Date August 4, 2009
Order Type Commissioner's Final Order
Order Terms Denial of license.

Name Mark Macomber
License Number Unlicensed Applicant
Location Glendale, Arizona
Summary December 2005 misdemeanor conviction for Shoplifting, June 2006 conviction for Felony Criminal Trespass, denial of license.
Statutes/Rules A.R.S. §32-2153 (B)(2), (B)(7), (B)(9)
Order Date August 11, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/PM

Continued on page 17

Disciplinary Actions

Continued from page 16

Name Sheila McRae
License Number SA034877000
Location Yuma, Arizona
Summary Conducted real estate activities without an active license.
Statutes/Rules A.R.S. §§32-2153 (B)(6), 32-2163
Order Date July 17, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Kevin Moran
License Number SA628216000
Location Tempe, Arizona
Summary Conducted property management activities without broker authorization.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(7), (A)(10), (A)(16), (B)(6), (B)(8).
Order Date August 10, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Dennis E. & Terry J. Nolen
License Number Unlicensed Individuals
Location Tucson, Arizona
Summary Divided and conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 5, 2009
Order Type Consent Order
Order Terms \$10,000 Education Fund Grant;

Name Erin O'Connor
License Number SA548805000
Location Scottsdale, Arizona
Summary January 2008 conviction for Criminal Trespass.
Statutes/Rules A.R.S. §32-2153 (A)(3), (A)(22), (B)(7), (B)(8), (B)(10)
Order Date July 7, 2009
Order Type Consent Order
Order Terms 2 Yr PL w/PM, \$1,000 CP

Name Jan Onken
License Number BR101502000
Location Tucson, Arizona
Summary Failed to disclose, within 10 days, August 2008
 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 2, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Donald Palacio
License Number BR018480000
Location Gilbert, Arizona
Summary January 2009 misdemeanor conviction for Assault.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (B)(7), (B)(10)
Order Date July 21, 2009
Order Type Consent Order
Order Terms 2 yr PL w/BA, 6 hr CE in Commissioner's Standards.

Name Dan Peterson
License Number BR008088000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, January 2008
 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 22, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Neal Piggott
License Number SA580431000
Location Lake Havasu City, Arizona
Summary Failure to timely disclose January 2009 misdemeanor conviction, violation of terms of previous Consent Order.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(9)
Order Date August 17, 2009
Order Type Consent Order
Order Terms 2 yr PL w/BA, \$600 CP, 6 hr CE in Commissioner's Standards.

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Disciplinary Actions

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Name Thyda Puth
License Number BR113353000
Location Peoria, Arizona
Summary Violation of previous Consent Order terms, conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (A)(24), (B)(9); 32-2181 (A)
Order Date July 30, 2009
Order Type Consent Order
Order Terms C&D, \$4,000 CP, \$4,000 Education Fund Grant

Name Puth Lim Family Ltd Partnership
License Number Unlicensed Entity
Location Peoria, Arizona
Summary Violation of previous Consent Order terms, conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §32-2181 (A)
Order Date July 30, 2009
Order Type Consent Order
Order Terms C&D, \$4,000 CP, \$4,000 Education Fund Grant

Name William Rainey
License Number SA537333000
Location Phoenix, Arizona
Summary Failed to disclose, within 10 days, July 2008 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 2, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name Renewal Education Corp.
License Number P-0323
Location Phoenix, Arizona
Summary Denial of education certificate for online preclicensing courses.
Statutes/Rules None
Order Date July 16, 2009
Order Type Commissioner's Final Order
Order Terms Education certificate granted.

Name Keith Lynn Robison
License Number Unlicensed Applicant
Location Scottsdale, Arizona
Summary March 2005 conviction for Fraudulent Receipt of Compensation from HUD, license denial.
Statutes/Rules A.R.S. §§32-2153 (B)(2), (B)(5), (B)(7), (B)(10)
Order Date August 10, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/PM

Name Curt T. Rowe
License Number Unlicensed Applicant
Location Queen Creek, Arizona
Summary February 1989 convictions for Theft, March 1994 conviction for Forgery, April 1998 conviction for Possession of Dangerous Drugs, denial of license
Statutes/Rules A.R.S. §32-2153 (B)(2), (B)(7), (B)(10)
Order Date August 5, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/PM, \$5,000 Bond.

Name Kenneth Russell
License Number Unlicensed Individual
Location Mesa, Arizona
Summary Divided and conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 17, 2009
Order Type Consent Order
Order Terms \$1,000 CP

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Disciplinary Actions

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Name Desiree Scherer
License Number BR041146000
Location Scottsdale, Arizona
Summary Failure to notify Department of convictions. Denial of license.
Statutes/Rules A.R.S. §32-2153 (A)(3), A.A.C. R4-28-301 (F)
Order Date July 10, 2009
Order Type Commissioner's Final Order
Order Terms Grant license, 2 yr PL, \$800 CP.

Name Jesse Shetlar
License Number SA584371000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, June 2007 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 30, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

Name James O. Sidow
License Number Unlicensed Individual
Location Scottsdale, Arizona
Summary Conducted property management activities without an active license.
Statutes/Rules A.R.S. §32-2153 (B)(6)
Order Date July 28, 2009
Order Type Cease and Desist
Order Terms Cease and Desist.

Name Tiare Management Group, Incl.
License Number Unlicensed Entity
Location Scottsdale, Arizona
Summary Conducted property management activities without an active license.
Statutes/Rules A.R.S. §32-2153 (B)(6)
Order Date July 28, 2009
Order Type Cease and Desist
Order Terms Cease and Desist.

Name Thoi Truong
License Number SA564122000
Location Mesa, Arizona
Summary Failed to disclose, within 10 days, April 2009 misdemeanor conviction.

Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 11, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Cordell & Joan M. Tomlin
License Number Unlicensed Individuals
Location Out of State
Summary Conveyed multiple platted parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 22, 2009
Order Type Consent Order
Order Terms Voluntary C&D, \$12,000 CP, Subdivision Disclosure Report.

Name Paul Udell
License Number SA515623000
Location Glendale, Arizona
Summary Failed to disclose, within 10 days, October 2005 misdemeanor conviction, license denial.
Statutes/Rules A.R.S. §§32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 2, 2009
Order Type Consent Order
Order Terms Grant license, \$600 CP, 6 hr CE in Commissioner's Standards.

Name Donald E. & Debra A. Weber
License Number Unlicensed Individuals
Location Eager, Arizona
Summary Divided and conveyed land parcels without complying with applicable subdivision statutes and rules.
Statutes/Rules A.R.S. §§32-2181 (A), 32-2183 (F), 32-2185.01 (D), 32-2185.06; A.A.C. R4-28-803, R4-23-804, R4-23-805
Order Date August 4, 2009
Order Type Consent Order
Order Terms \$10,000 Education Fund Grant; Provide Affidavits of Disclosure to purchasers; Compliance with county development requirements.

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Disciplinary Actions

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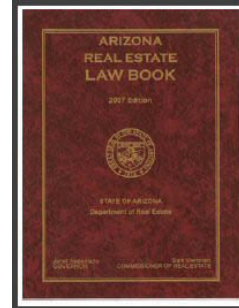
Name Lisette Wells-Makovic
License Number SA515487000
Location Tucson, Arizona
Summary Failed to disclose, within 10 days, March 2009 misdemeanor conviction, license denial.
Statutes/Rules A.R.S. §§32-2153 (A)(3), (B)(10)
Order Date July 7, 2009
Order Type Consent Order
Order Terms Grant license, 2 yr PL w/BA

Name Lance Weurding
License Number SA548206000
Location Scottsdale, Arizona
Summary Failed to disclose, within 10 days, March 2009 misdemeanor conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date August 11, 2009
Order Type Consent Order (ASA)
Order Terms \$300 CP

Name Terrance M. Zajac
License Number BR004616000
Location Scottsdale, Arizona
Summary October 2008 felony conviction for Attempted Sexual Exploitation of a Minor.
Statutes/Rules A.R.S. §32-2153 (A)(3), (B)(2), (B)(7).
Order Date July 8, 2009
Order Type Summary Suspension
Order Terms Summary Suspension of license.

Name Beatrice Zueger
License Number SA035295000
Location Valentine, Arizona
Summary Failed to disclose, within 10 days, October 2008 conviction.
Statutes/Rules A.R.S. §32-2153 (A)(3); A.A.C. R4-28-301 (F)
Order Date July 13, 2009
Order Type Consent Order (ASA)
Order Terms \$600 CP

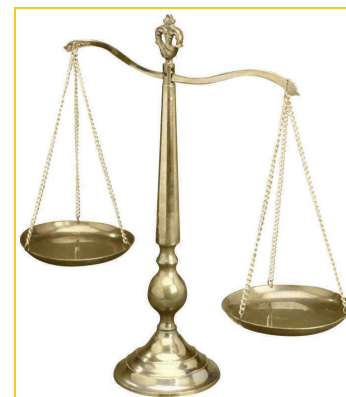
Real Estate Law Book Still Available!



The Department still has Real Estate Law Books available. Copies can be purchased either at the Department's offices: 2910 N. 44th Street, Phoenix or 400 W. Congress, #523 in Tucson. Cost is \$15.00 per book and \$2.00 for shipping.

The money received from the sale of the law books fund the department's Education Revolving Fund. This fund pays for education, publications distributed to the industry and the public and other Department education activities.

The link to the order form is http://www.azre.gov/LAW_BOOK/Forms/Law_Book_Order_Form.pdf



COMMISSIONER'S ADVISORY NO. IV GUIDANCE FOR USING ELECTRONIC REAL ESTATE TRANSACTION MANAGEMENT PROGRAMS

Commissioner's Advisory No. IV

Guidance for using Electronic Real Estate Transaction Management Programs

Released SEPTEMBER, 2009

Responsibilities of brokers who use electronic real estate transaction management systems.

Understanding there are several computer based transaction management systems (TM). This advisory provides guidance to brokers who are using or who intend to use transaction management systems.

Electronic Record Keeping

Transaction and employment records that must be maintained pursuant statute and that are maintained electronically, must be backed up (duplicated and stored in a secure, offsite location) in a manner allowing restoration in the event the electronic data is destroyed.

Electronic records must be reproducible, at the broker's expense, in legible, written form ("hard copy") upon request of the Commissioner, or the Commissioner's representative, for auditing, inspection, or investigation purposes.

The electronic records are exact duplicates of the original.

The electronically stored records are legible.

The Broker shall maintain each real estate purchase contract or lease agreement and the transaction folder in which it is kept in a chronological log or other systematic manner that is easily accessible by the Commissioner or the Commissioner's representatives.

If the broker's electronic records are not stored at the broker's licensed business location, the broker must inform the Commissioner in writing of the legal address of the entity responsible for storing such records. The entity storing the broker's records may be required to show evidence of meeting requirement (1) above.

All brokers utilizing an electronic record storage system solely (in lieu of hard copy document storage) must sign a user agreement with the Arizona Department of Real Estate that allows access regularly.

Electronic Signature

The broker's statutory review of contracts and agreements maintained on a TM system must be recorded through a dated secure electronic signature complying with ARS § 44-7031, and it can be demonstrated that when the signature was made, the signature was:

- Unique to the person using it;

- Capable of verification;

- Under the sole control of the person using it;

- Linked to the electronic record it relates to in such a manner that if the record were changed the electronic signature would be invalidated;

- Electronic review of any document is permitted in lieu of actual initials on a document, providing that such electronic review is recorded in an unalterable history or log file.

The broker must enforce a written supervision policy requiring personal computer security that, at a minimum, requires each person with electronic signature authority and capability to lock or sign off his/her computer every time he/she walks away from the computer.

The broker must have a back-up system defining how and when contracts and agreements are reviewed when the computers are down for an extended time.

The TM system must have the ability to create a secure history log of all activity for electronic signatures or broker review which can be reviewed by Department auditors and investigators.

ARE YOU IN COMPLIANCE? HAVE YOU UPLOADED YOUR CE CREDIT?

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under ARS 41-1033 for a review of the statement.

Short Title: Continuing Education Requirements for Renewal of 4-Year License**Description of Practice/Procedure:**

An agent or broker (licensee) who has a four-year license must receive 24 hours of continuing education credit (CE) in the first 24 months of the license period and 24 hours of CE in the second 24 months of the license period in order to be eligible for renewal. Each 24 hours of CE must fulfill the requirements established by rule.

2. Prior to the end of each 24-month period, licensees shall provide the following information to the Department:
 - a. The course name
 - b. The course number
The date the course was completed

Licensees shall utilize the Department's online license system to provide this information.

4. As a courtesy, if a licensee has not reported this information, the Department will send a 90-, 60-, and 30-day email notice to the licensee prior to the expiration of the first 24-month period and prior to the license expiration date. If the licensee has an employing broker, the employing broker will also receive the 90-, 60-, and 30-day email notice. If the licensee and/or employing broker do not have an email address in their online licensee ADRE account, the licensee and/or employing broker will not receive these courtesy notices
5. If a licensee does not comply with and report the CE information via the online license system to the Department by the end of the first 24 months, the licensee (and the employing broker, if applicable) will receive notice that CE requirements are not met by the licensee and evidence of completion must be submitted as prescribed by the commissioner. A licensee is not eligible to renew if the licensee is not compliant with continuing education requirements. In addition, the Department may take disciplinary action against licensees for non-compliance with the continuing education requirements.
6. The Department will consider that an employing broker has provided reasonable supervision of a licensee who is not in compliance with the CE requirement if either of the following occur within 30 days after the licensee is out of compliance:
 - a. The licensee attends the required CE and submits the required evidence of CE to the Department as prescribed by the commissioner; or
The employing broker severs the licensee and reports the action to the Department.

Authority: A.R.S. §32-2130(A), A.R.S. §32-2153, A.R.S. §32-2160.01(A), R4-28-402

Policy Program: Licensing/ Education /Enforcement

Effective Date: Revised 07-21 09

IMPORTANT INFORMATION REGARDING YOUR LICENSE

Based on a recent audit of the Licensing and Education Division Records, more than 1500 licensees have failed to complete their education requirements for licensure. This notice is meant to inform Licensees and Employing Brokers of the penalties that may be imposed if education requirements for licensure, the submittal of twenty-four credit hours of ADRE-approved continuing education courses every two years, is not completed to remain in good standing. Please review the information that is provided in the bulletin to avoid further disciplinary action:

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

RE: Failure to Complete Continuing Education (CE) Requirements (Licensee's Name & License No.)

Dear Sir or Madam,

This is a notification that you have failed to comply and complete your education requirements for licensure as required by A.R.S. §32-2130 (A) and A.A.C. R4-28-402 (A). Each licensee must complete twenty-four credit hours of ADRE-approved continuing education (CE) courses every two years to remain in good standing. As of 8/31/2009, you lacked sufficient continuing education credit hours; therefore you are being warned you are in violation of Arizona Department of Real Estate Statutes and Rules.

If you are an Employing Broker receiving this notice, you have overall responsibility for supervision and control over the licensing renewal of your employed licensees and also may be out of compliance. Both the Licensee and the Employing Broker have been sent courtesy 90 day, 60 day and 30 day reminders of the pending requirement to their email address on file with the Department. Please be aware that this letter is intended to advise and inform you of the applicable statutes and the need for you to remedy the situation **immediately.**

What are your options:

Option 1 – Upload your CE credits using our on-line licensing system at www.azre.gov; then renew your license.

Option 2 – Put your license inactive with ADRE using our on-line licensing system

Option 3 – Do nothing and be in non-compliance with ADRE who may Summarily Suspend your license.

If you are no longer actively licensed as defined by A.R.S. §32-2101 (26) and further described in A.A.C. R4-28-303, you will be required to meet all continuing education requirements prior to reactivation of your license.

Failure to comply within thirty (30) days of this notice will result in further disciplinary action and penalty. The Department will consider this letter and the underlying facts related to it in such a situation.

Visit the Arizona Department of Real Estate website at www.azre.gov for instructions for Education Compliance. When your Education Compliance has been documented, immediately send confirmation to ceconfirmation@azre.gov. If you have already complied with the CE requirements, please disregard this letter.

ARIZONA DEPARTMENT OF REAL ESTATE

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www.azre.gov

DIALOG
THE PERIODIC BULLETIN FROM THE
ARIZONA DEPARTMENT OF REAL ESTATE

An official publication of the State of Arizona

JANICE K. BREWER
Governor

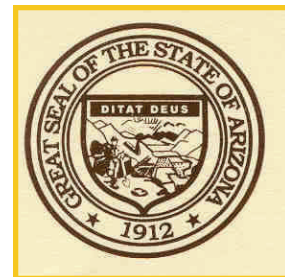
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Volume 2009--Issue 3



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