

Real Estate Commission Meeting

December 8th, 2022

**Atwood Building
550 W 7th Avenue
Ste 1560**

Anchorage

Via Zoom

Call to Order

Roll Call

Traci Heaton

Elizabeth Schok

Chad Stigen

Jaime Matthews

Jesse Sumner

Devon Doran

Cheryl Markwood

Approval of Agenda

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

Tentative Meeting Agenda

REAL ESTATE COMMISSION MEETING

December 8, 2022

**Atwood Building 550 W. 7th Ave. Suite 1560
Anchorage, AK**

Due to COVID-19, no physical attendance from the public will be accepted

ZOOM Info: Join meeting: <https://us02web.zoom.us/j/82751780106>

Meeting ID: 827 5178 0106 Passcode: 822129

Call-In: +1 (669)900- 6833 or (253)215- 8782

Thursday, December 8, 2022

Note: There will be a break for lunch from 12 until 1, if deemed necessary.

- | | | |
|------------|--|----------|
| 9:00a.m. | 1. Call to Order | Markwood |
| | a) Roll Call | |
| | b) Approval of 12/8 Agenda | |
| | c) Statements of Conflicts of Interest/ethic violations | |
| | 2. Public Comments (est. time only; 9:15 am) | |
| | 3. Review Meeting Minutes | |
| | a) September 8, 2022 | |
| | b) September 26, 2022 | |
| 9:30 a.m. | 4. Investigative Report | |
| | a) Licensing Issue – Proposed Decisions | |
| | - OH No 2-0633-REC/2022-000602 | |
| | b) Statistical Report | Gabriel |
| 11:00 a.m. | 5. Division Update | Dumas |
| | a) Financials | |
| | 6. Old Business | |
| | a) 2023 Strategic Plan – updates | |
| | • 12 AAC 64.064(g)- Education Requirements after Initial License | |
| | • Payment of Commissions, licensee | |

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY & ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

Tentative Meeting Agenda

REAL ESTATE COMMISSION MEETING

December 8, 2022

**Atwood Building 550 W. 7th Ave. Suite 1560
Anchorage, AK**

Due to COVID-19, no physical attendance from the public will be accepted

ZOOM Info: Join meeting: <https://us02web.zoom.us/j/82751780106>

Meeting ID: 827 5178 0106 Passcode: 822129

Call-In: +1 (669)900- 6833 or (253)215- 8782

- b) Proposed Regulations – Review public comments
 - 12 AAC 64.60, Applications for Licensure re: license history
 - 12 AAC 64.06, License by Endorsement, re: license history
 - 12 AAC 64.075, Employment and Transfer, re: license certificate
 - 12 AAC 64.118, Consumer Disclosure form, second page revised
 - 12 AAC 64.125, Supervision for main and branch offices
 - 12 AAC 64.500, Continuing Education Requirements, re: outside education

7. New Business

- a) Meeting Dates for 2023

8. Executive Administrator's Report

Harris

- a) Licensing/Education Statistics
- b) Recovery Fund Balance Report

9. Commission Member Comments and Questions

Adjournment

REC Meeting Dates for 2023:

TBD

Statements of Conflict of Interest

Public Comments

From: [Fred Wagner](#)
To: [Board of Real Estate Commission \(CED sponsored\)](#)
Subject: AS 29.40.180
Date: Thursday, October 20, 2022 3:19:04 PM

You don't often get email from frederic.wagner@matsugov.us. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Commissioners,

I am Fred Wagner, PLS & MSB Platting Officer, one of my duties as the Platting Officer is that I am quite often required to reach out to Real Estate Professionals to inform them that the advertising, or offering for sale, of lots that are not a part of a recorded plat is a violation of State statutes and MSB code. When I have reached out to these professionals I find that all of them seem not to understand that this is indeed a violation. Some very respected and well known realtors seem to be unaware of these statutes. I would propose that a notification by this commission would go a long way to informing the Real Estate Professionals about these, and will hopefully avoid anyone being fined or prosecuted for these violations in the future.

Alaska Statute

AS 29.40.180. Prohibited Acts; Criminal Penalties.

(a) The owner of land located in a subdivision may not transfer, sell, offer to sell, or enter into a contract to sell land in a subdivision before a plat of the subdivision has been prepared, approved, filed, and recorded in accordance with this chapter. A person may not file or record a plat or other document depicting subdivided land in a public recorder's office unless the plat or document has been approved by the platting authority.

(b) For the violation of a provision of this chapter, a subdivision regulation adopted under this chapter, or a term, condition, or limitation imposed by a platting authority in the exercise of its powers under this chapter, a municipality may by ordinance prescribe a penalty not to exceed a fine of \$1,000 and imprisonment for 90 days.

Sincerely,

Fred Wagner, PLS
MSB Platting Officer
(907)861-7870 Office
(907)355-8705 Cell

From: [Paddy Coan](#)
To: [Harris, Nancy A \(CED\)](#)
Subject: Washington State Real Estate Law <https://app.leg.wa.gov/rcw/default.aspx?cite=18.85>
Date: Monday, October 24, 2022 1:49:33 PM

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nancy: I have been doing some research and found the following directly out of Washington State Law. The gist of what we are wanting to do is:

1. Have title companies hold earnest money (which they already do in some cases)
2. Pay the commission (with Broker approval) directly to the licensee from the title company as it is now currently being done in Washington State with basically the same statement, "licensees can be paid only through their employing broker".

This practice is currently done in Washington with Alliance Title. Alliance Title is now open and operating in Alaska. They require instructions from the broker allowing them to pay the commission just like any other invoice. This streamlines the process. Now, we send a Commission letter to the title company (our instructions as to payment), they then cut us a check and then we cut the licensee a check. The process would be: 1) earnest money is held at the title company 2) Brokerage (brokerage manager) reviews the commission letter and gives instruction to the title company to pay the commission directly to the licensee. We would continue to keep records of this part of the financial transaction, just not deposit, and write another check. I just wanted to see what you think about this. It works in Washington but, I would like to get this started. You may feel that you need to contact someone at the Washington Commission. I don't have a contact there. However, I do have an email from Alliance Title with a contact person there if you are interested. Paddy

RCW 18.85.275 Designated broker or managing broker—Authority and duties. (1) The designated broker or managing broker shall supervise the conduct of brokers and managing brokers for compliance with this chapter, chapter 18.235 RCW, and RCW 18.86.030. (2) Listings, transactions, management agreements, and other contracts relating to providing brokerage services are property of the real estate firm. Brokers shall timely deliver to their appointed managing broker all funds and records required to be held or maintained by the real estate firm. A managing broker is responsible for such funds and records only after they are received from the broker. A managing broker shall timely deliver to the designated broker all funds and records required to be held or maintained by the real estate firm. The designated broker is responsible for such funds and records only after they are received from the managing broker or broker. (3) The designated broker may delegate by written agreement the duties of safe handling of client funds, maintenance of trust accounts, and transaction and trust account records, along with supervision of brokers, to a managing broker licensed to the firm. The designated broker shall maintain a record of the firm's managing brokers and delegations to managing brokers. (4) The designated broker or the designated broker's delegate has the authority to amend, modify, bind, create, rescind, terminate, or release real estate brokerage service contracts on behalf of the real estate firm. The designated broker has the authority to accept new or transferred licensees to represent the real estate firm. (5) A broker who supervises or exercises right of control over other brokers in the performance of real estate brokerage services must be licensed as a managing broker. (6) During the first two years of a broker's licensure, a managing broker must provide a heightened level of supervision as

provided by rule of the director. [2008 c 23 § 21.]

RCW 18.85.285 Transactions and recordkeeping—Trust accounts— Requirements. (1) Brokers and managing brokers must submit complete copies of their transactions to their firm. The designated broker shall keep adequate records of all real estate transactions handled by or through the firm or firms to which the designated broker is registered. The records shall include, but are not limited to, a copy of the purchase and sale agreement, earnest money receipt, and an itemization of the receipts and disbursements with each transaction. These records and all other records specified by the director by rule are open to inspection by the director or the director's authorized representatives. (2) If any licensee exercises control over real estate transaction funds, those funds are considered trust funds. (3) Every real estate licensee shall deliver or cause to be delivered to all parties signing the same, within a reasonable time after signing, purchase and sale agreements, listing agreements, and all other like or similar instruments signed by the parties. (4) Every real estate firm that keeps separate real estate trust fund accounts must keep the accounts in a recognized Washington state depository. A real estate firm must maintain an adequate amount of funds in the trust fund accounts to facilitate the opening of the trust fund accounts or to prevent the closing of the trust fund accounts. (5) All licensees shall keep separate and apart and physically segregated from the licensees' own funds, all funds or moneys including advance fees of clients that are being held by the licensees pending the closing of a real estate sale or transaction, or that have been collected for the clients and are being held for disbursement for or to the clients. (6) A firm is not required to maintain a trust fund account for transactions concerning a purchase and sale agreement that instructs the broker to deliver the earnest money check directly to a named closing agent or to the seller. (7) Brokers must deposit all funds into their firm's trust bank account the next banking day following receipt of the funds unless the purchase and sale agreement provides for deferred deposit or delivery. In that event, the broker must promptly deposit or deliver funds in accordance with the terms of the purchase and sale agreement. (8) (a) If a real estate broker receives or maintains earnest money or client funds for deposit, the real estate firm shall maintain a pooled interest-bearing trust account for deposit of client funds, with the exception of property management trust accounts. (b) The interest accruing on this account, net of any reasonable and appropriate financial institution service charges or fees, shall be paid to the state treasurer for deposit in the Washington housing trust fund created in RCW 43.185.030 and the real estate education program account created in RCW 18.85.321. Appropriate service charges or fees are those charges made by financial institutions on other demand deposit or "now" accounts. The firm or designated broker is not required to notify the client of the intended use of the funds. (c) The department shall adopt rules that will serve as guidelines in the choice of an account specified in this subsection. (9) If trust funds are claimed by more than one party, the designated broker or designated broker's delegate must promptly provide written notification to all contracting parties to a real estate transaction of the intent of the designated broker or RCW (10/5/2022 9:11 AM) [1] designated broker's delegate to disburse client funds. The notification must include the names and addresses of all parties to the contract, the amount of money held and to whom it will be disbursed, and the date of disbursement that must occur no later than thirty consecutive days after the notification date. (10) For an account created under subsection (8) of this section, the designated or managing broker shall direct the depository institution to: (a) Remit interest or dividends, net of any reasonable and appropriate service charges or fees, on the average monthly balance in the account, or as otherwise computed in accordance with an institution's standard accounting practice, at least quarterly, to the state treasurer for deposit in the housing trust fund created by RCW 43.185.030 and the real estate education program account created in RCW 18.85.321; and (b) Transmit to the *director of community, trade, and economic development a statement

showing the name of the person or entity for whom the remittance is spent, the rate of interest applied, and the amount of service charges deducted, if any, and the account balance(s) of the period in which the report is made, with a copy of the statement to be transmitted to the depositing person or firm. (11) The *director of community, trade, and economic development shall forward a copy of the reports required by subsection (10) of this section to the department to aid in the enforcement of the requirements of this section consistent with the normal enforcement and auditing practices of the department. (12)(a) This section does not relieve any real estate broker, managing broker, or firm of any obligation with respect to the safekeeping of clients' funds. (b) Any violation by real estate brokers, managing brokers, or firms of any of the provisions of this section, RCW 18.85.361, or chapter 18.235 RCW is grounds for disciplinary action against the licenses issued to the brokers, managing brokers, or firms. [2008 c 23 § 37; 1999 c 48 § 1; 1995 c 399 § 7; 1993 c 50 § 2; 1988 c 286 § 2; 1987 c 513 § 1; 1957 c 52 § 44; 1953 c 235 § 13; 1951 c 222 § 19. Prior: 1947 c 203 § 4, part; 1945 c 111 § 7, part; 1943 c 118 § 4, part; 1941 c 252 § 18, part; Rem. Supp. 1947 § 8340-41, part; prior: 1925 ex.s. c 129 § 12, part. Formerly RCW 18.85.310.] *Reviser's note: The "director of community, trade, and economic development" was changed to the "director of commerce" by 2009 c 565. Effective date—1993 c 50: See note following RCW 18.85.061. Effective date—1987 c 513: "This act shall take effect January 1, 1988." [1987 c 513 § 15.] Severability—1987 c 513: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1987 c 513 § 13.]

RCW 18.85.301 Sharing commissions. (1) Except under subsection (4) of this section, it is unlawful for any licensed firm, broker, or managing broker to pay any part of the licensee's commission or other compensation to any person who performs real estate brokerage services and who is not a licensed firm, real estate broker, or managing broker in any state of the United States or its possessions or any foreign jurisdiction with a real estate regulatory program. (2) Except under subsection (4) of this section, it is unlawful for any licensed real estate firm to pay any part of the firm's commission from brokerage services or other compensation to a real estate broker or managing broker not licensed to do business for the firm. (3) Except under subsection (4) of this section, it is unlawful for licensed brokers or managing brokers to pay any part of their commission from brokerage services or other compensation to any person, whether licensed or not, except through the firm's designated broker. (4) A commission may be shared with a manufactured housing retailer, licensed under chapter 46.70 RCW, on the sale of personal property manufactured housing sold in conjunction with the sale or lease of land. [2008 c 23 § 41; 1998 c 46 § 3; 1997 c 322 § 20; 1953 c 235 § 15; 1943 c 118 § 6; 1941 c 252 § 24; Rem. Supp. 1943 § 8340-47. Formerly RCW 18.85.330.]

If you have questions, please contact me at 907 355-4209. Paddy

Paddy Coan, Brokerage Manager
Keller Williams Realty AK Group
101 W Benson Blvd Suite 101
Anchorage, AK 99503
907 355-4209

Approval of Meeting Minutes

September 8th Meeting Minutes
to be Emailed

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

REAL ESTATE COMMISSION

CONDENSED MINUTES OF THE TELECONFERENCE MEETING HELD
SEPTEMBER 26, 2022

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Real Estate Commission was held September 26, 2022 teleconference, at the State of Alaska Atwood Building, 550 W. 7th Avenue, Suite 1550, via Zoom, Anchorage, Alaska.

Date:	September 26, 2022
Time:	1:30 pm
Location:	Atwood Building, 550 W 7 th Ave Ste 1500, Anchorage, AK
Attended via Zoom:	Commission Members: Cheryl Markwood- Broker/Broker at Large/Chairperson; Fairbanks Elizabeth Schok- Associate Broker. 4 th Judicial District; Fairbanks Traci Heaton- Associate Broker/1 st Judicial District; Juneau Devon Doran- Broker/ 3 rd Judicial District; Wasilla Chad Stigen- Associate Broker/Broke At Large; Palmer Jaime Matthews- Public Member, Glennallen Staff: Nancy Harris- Executive Administrator; Sara Sather- Licensing Examiner APR
Absent:	Commission Members: Jesse Sumner-Public Member; Wasilla

Agenda Item 1(a) - Call to Order – Roll Call

Brief Discussion:	Chairperson Cheryl Markwood called the meeting to order at 1:31 p.m., roll call was taken at which time a quorum was established.
-------------------	---

Agenda Item 1(b) – Statements of Conflict

There were no statements of conflicts or ethic violations.

Agenda Item 2 - Approval of Agenda

Brief Discussion:	None
-------------------	------

Motion:	<p>On a motion made by Schok, seconded by Matthews, and passed unanimously, it was,</p> <p>Resolved to approve the September 26, 2022 teleconference agenda as presented.</p>
---------	---

Agenda Item 3 – Agenda Item 6(a) – Proposed Regulations 12 AAC 64.500(n) Continuing Education Requirements	
Brief Discussion:	<p>Ms. Harris stated that the proposed regulation deals with the request of outside education.</p> <p>Commission members reviewed and discussed the proposed regulation.</p>
Motion:	<p>On a motion made by Heaton, seconded by Stigen, passed unanimously, it was,</p> <p>Resolved to approve the proposed regulation 12 AAC 64.500(n) to go out for public comment and receive written comments only.</p>
Action Items:	<p>Staff to prepare regulation and send to Publication Specialist to put out for public comment.</p>

Agenda Item 10 – Adjournment	
Brief Discussion:	<p>None</p>
Motion:	<p>On a motion duly made by Schok, seconded by Doran, and approved unanimously, it was,</p> <p>Resolved to adjourn the meeting.</p>
Action Items:	<p>Meeting was adjourned at 12:08 pm.</p>

Prepared and submitted by:

Nancy Harris
Executive Administrator

Approved:

Cheryl Markwood, Chair
Alaska Real Estate Commission

Date: _____

Investigations



MEMORANDUM

DATE: November 22, 2022
 TO: Real Estate Commission
 THRU: Greg Francois, Chief Investigator *GF*
 FROM: Anna Gabriel, Investigator *AG*
 RE: Investigative Report for the December 08, 2022 Meeting

The following information was compiled as an investigative report to the Board for the period of August 19, 2022 thru November 22, 2022; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 71

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
BUSINESS LICENSE			
2021-001179	Violation of licensing regulation	Complaint	12/15/2021
REAL ESTATE ASSOCIATE BROKER			
2021-000022	Violation of licensing regulation	Complaint	02/10/2021
2021-000107	Unethical conduct	Complaint	02/16/2021
2021-000231	Advertising	Complaint	03/12/2021
2021-000238	Fraud or misrepresentation	Complaint	04/05/2021
2021-000287	Violation of licensing regulation	Complaint	04/05/2021
2021-000465	Violation of licensing regulation	Complaint	06/03/2021
2022-000445	Violation of licensing regulation	Complaint	05/18/2022

2022-001045	Violation of licensing regulation	Complaint	10/24/2022
2022-001078	Violation of licensing regulation	Complaint	11/07/2022
2022-001082	Violation of licensing regulation	Complaint	11/08/2022

REAL ESTATE BROKER

2022-001102	Violation of licensing regulation	Intake	11/17/2022
2021-000185	Violation of licensing regulation	Complaint	03/12/2021
2021-000286	Violation of licensing regulation	Complaint	04/01/2021
2021-000576	Unprofessional conduct	Complaint	07/15/2021
2021-000772	Violation of licensing regulation	Complaint	08/26/2021
2021-001080	Violation of licensing regulation	Complaint	11/22/2021
2021-001096	Violation of licensing regulation	Complaint	12/15/2021
2022-000074	Falsified application	Complaint	01/24/2022
2022-000087	Unlicensed practice or activity	Complaint	09/30/2021
2022-000468	Violation of licensing regulation	Complaint	05/24/2022
2022-000900	Violation of licensing regulation	Complaint	09/28/2022
2022-000970	License application problem	Complaint	10/05/2022
2022-000975	Violation of licensing regulation	Complaint	10/06/2022
2022-001067	Continuing education	Complaint	10/26/2022
2016-000807	Fraud or misrepresentation	Monitor	07/01/2020
2016-000949	Fraud or misrepresentation	Monitor	07/01/2020
2017-000602	Fraud or misrepresentation	Monitor	07/01/2020
2020-000224	Criminal action - no conviction	Monitor	
2021-000267	Violation of licensing regulation	Litigation Initiated	09/16/2022

REAL ESTATE SALESPERSON

2022-001085	Violation of licensing regulation	Intake	11/09/2022
2021-000106	Unethical conduct	Complaint	02/16/2021
2021-000138	Unlicensed practice or activity	Complaint	02/24/2021
2021-000139	Unlicensed practice or activity	Complaint	02/24/2021
2021-000183	Violation of licensing regulation	Complaint	04/01/2021
2021-000184	Violation of licensing regulation	Complaint	04/05/2021

2021-000269	License application problem	Complaint	07/21/2021
2021-000448	Violation of licensing regulation	Complaint	06/02/2021
2021-000635	Real estate - other	Complaint	08/23/2021
2021-001144	Violation of licensing regulation	Complaint	11/19/2021
2022-000051	Violation of licensing regulation	Complaint	01/19/2022
2022-000254	Violation of licensing regulation	Complaint	03/16/2022
2022-000297	Violation of licensing regulation	Complaint	03/29/2022
2022-000394	Violation of licensing regulation	Complaint	04/27/2022
2022-000473	Violation of licensing regulation	Complaint	06/08/2022
2022-000719	Violation of licensing regulation	Complaint	08/16/2022
2022-000732	Violation of licensing regulation	Complaint	08/04/2022
2022-000790	Continuing education	Complaint	08/23/2022
2022-000849	Continuing education	Complaint	09/06/2022
2022-000850	Continuing education	Complaint	09/06/2022
2022-000852	Continuing education	Complaint	09/06/2022
2022-000854	Continuing education	Complaint	09/06/2022
2022-000921	Violation of licensing regulation	Complaint	09/27/2022
2022-000980	Continuing education	Complaint	10/04/2022
2022-000981	Continuing education	Complaint	10/04/2022
2022-000982	Continuing education	Complaint	10/05/2022
2022-000983	Continuing education	Complaint	10/05/2022
2022-000984	Continuing education	Complaint	10/06/2022
2022-000985	Continuing education	Complaint	10/06/2022
2022-000989	Continuing education	Complaint	10/05/2022
2022-001020	Continuing education	Complaint	10/12/2022
2022-001065	Continuing education	Complaint	10/26/2022
2022-001066	Continuing education	Complaint	10/26/2022
2022-001076	Violation of licensing regulation	Complaint	11/07/2022
2022-001077	Violation of licensing regulation	Complaint	11/07/2022
2020-000015	Fraud or misrepresentation	Investigation	06/15/2020
2020-000077	Fraud or misrepresentation	Investigation	06/11/2020

2020-000110	Advertising	Investigation	05/06/2020
2021-000519	Fraud or misrepresentation	Investigation	02/17/2022
2021-000273	Falsified application	Litigation Initiated	02/17/2022
2022-000602	Contested license denial	Litigation Initiated	06/29/2022

Closed - 10

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
REAL ESTATE ASSOCIATE BROKER				
2022-000847	Continuing education	Closed-Complaint	11/03/2022	No Action - No Violation
REAL ESTATE BROKER				
2021-000498	Violation of licensing regulation	Closed-Complaint	09/08/2022	No Action - No Violation
REAL ESTATE SALESPERSON				
2021-000620	Violation of licensing regulation	Closed-Complaint	11/08/2022	No Action - Insufficient Evidence
2021-001050	Violation of licensing regulation	Closed-Complaint	09/13/2022	No Action - No Violation
2022-000791	Continuing education	Closed-Complaint	09/08/2022	No Action - No Violation
2022-000846	Continuing education	Closed-Complaint	10/05/2022	No Action - No Violation
2022-000848	Continuing education	Closed-Complaint	11/03/2022	No Action - No Violation
2022-000851	Continuing education	Closed-Complaint	11/03/2022	No Action - No Violation
2020-000132	Fraud or misrepresentation	Closed-Investigation	09/23/2022	Advisement Letter
2022-000457	Contested license denial	Closed-Investigation	11/02/2022	Application Denied

END OF REPORT

Division Update

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22
Real Estate Commission										
Revenue										
Revenue from License Fees	\$ 1,086,258	\$ 297,161	\$ 1,383,419	\$ 766,875	\$ 282,453	\$ 1,049,328	\$ 618,451	\$ 325,590	\$ 944,041	\$ 820,700
General Fund Received							\$ -	\$ -	\$ -	\$ 17,842
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 1,086,258	\$ 297,161	\$ 1,383,419	\$ 766,875	\$ 282,453	\$ 1,049,328	\$ 618,451	\$ 325,590	\$ 944,041	\$ 838,542
Expenditures										
Non Investigation Expenditures										
1000 - Personal Services	137,073	118,908	255,981	115,076	120,856	235,932	65,350	113,092	178,442	129,521
2000 - Travel	12,781	6,803	19,584	15,632	5,036	20,668	3,046	-	3,046	-
3000 - Services	26,599	14,085	40,684	13,683	9,813	23,496	19,306	4,687	23,993	12,219
4000 - Commodities	1,229	34	1,263	649	-	649	-	-	-	16
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	177,682	139,830	317,512	145,040	135,705	280,745	87,702	117,779	205,481	141,756
Investigation Expenditures										
1000-Personal Services	91,700	90,606	182,306	51,422	83,598	135,020	93,884	97,209	191,093	98,726
2000 - Travel							2,078	-	2,078	-
3023 - Expert Witness	-	4,922	4,922	-	-	-	-	450	450	-
3088 - Inter-Agency Legal	43,639	45,154	88,793	646	530	1,176	1,692	43,125	44,817	23,415
3094 - Inter-Agency Hearing/Mediation	6,929	19,603	26,532	-	3,689	3,689	-	2,799	2,799	6,467
3000 - Services other					958	958	1,010	390	1,400	517
4000 - Commodities					-	-	-	-	-	106
Total Investigation Expenditures	142,268	160,285	302,553	52,068	88,775	140,843	98,664	143,973	242,637	129,231
Total Direct Expenditures	319,950	300,115	620,065	197,108	224,480	421,588	186,366	261,752	448,118	270,987
Indirect Expenditures										
Internal Administrative Costs	95,730	87,001	182,731	108,746	110,362	219,108	108,667	101,425	210,092	112,583
Departmental Costs	54,735	58,811	113,546	53,154	57,353	110,507	37,533	39,972	77,505	46,517
Statewide Costs	20,226	23,348	43,574	18,608	20,811	39,419	20,978	28,864	49,842	28,689
Total Indirect Expenditures	170,691	169,160	339,851	180,508	188,526	369,034	167,178	170,261	337,439	187,789
TOTAL EXPENDITURES	\$ 490,641	\$ 469,275	\$ 959,916	\$ 377,616	\$ 413,006	\$ 790,622	\$ 353,544	\$ 432,013	\$ 785,557	\$ 458,776
Cumulative Surplus (Deficit)										
Beginning Cumulative Surplus (Deficit)	\$ 99,946	\$ 695,563		\$ 523,449	\$ 912,708		\$ 782,155	\$ 1,047,062		\$ 940,639
Annual Increase/(Decrease)	595,617	(172,114)		389,259	(130,553)		264,907	(106,423)		379,766
Ending Cumulative Surplus (Deficit)	\$ 695,563	\$ 523,449		\$ 912,708	782,155		\$ 1,047,062	\$ 940,639		1,320,405
										* No fee changes needed
Statistical Information										
Number of Licenses for Indirect calculation	3,066	3,558		4,129	4,041		3,771	3,680		4,062
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: Fee change FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program ch 									

Appropriation	(All)
Sub Unit	(All)
PL Task Code	REC1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	123,334.03			123,334.03
1014 - Overtime	708.26			708.26
1016 - Other Premium Pay	48.38			48.38
1023 - Leave Taken	12,177.92			12,177.92
1028 - Alaska Supplemental Benefit	8,364.37			8,364.37
1029 - Public Employee's Retirement System Defined Benefits	14,570.56			14,570.56
1030 - Public Employee's Retirement System Defined Contribution	4,653.12			4,653.12
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,991.28			2,991.28
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	937.71			937.71
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	17,766.14			17,766.14
1039 - Unemployment Insurance	191.22			191.22
1040 - Group Health Insurance	35,598.54			35,598.54
1041 - Basic Life and Travel	21.79			21.79
1042 - Worker's Compensation Insurance	976.94			976.94
1047 - Leave Cash In Employer Charge	2,775.46			2,775.46
1048 - Terminal Leave Employer Charge	1,843.00			1,843.00
1053 - Medicare Tax	1,874.77			1,874.77
1077 - ASEA Legal Trust	81.63			81.63
1079 - ASEA Injury Leave Usage	2.69			2.69
1080 - SU Legal Trst	50.82			50.82
1970 - Personal Services Transfer	(721.38)			(721.38)
3000 - Training/Conferences			450.00	450.00
3002 - Memberships			780.00	780.00
3044 - Courier			19.18	19.18
3045 - Postage			1,784.15	1,784.15
3046 - Advertising			1,973.18	1,973.18
3057 - Structure, Infrastructure and Land - Rentals/Leases			150.48	150.48
3085 - Inter-Agency Mail			2,655.47	2,655.47
3088 - Inter-Agency Legal			28,338.09	28,338.09
3094 - Inter-Agency Hearing/Mediation			6,466.60	6,466.60
4005 - Subscriptions			122.00	122.00
Grand Total	228,247.25	42,617.15	122.00	270,986.40

FY 2022 CBPL COST ALLOCATIONS

Name	Task Code	Direct Revenues	General Fund Received	3rd Party Reimbursement	Total Revenues	Direct Expense	Percentage of board licenses/total licensees:	Department certified transactions % by Fiscal Revenue \$	Indirect Expense (Total Non-PCN Allocated)	Percentage of program direct Personal Services:	Total Indirect Expenses	Total Expenses	2022 Annual Surplus (Deficit)	FY21 Direct Expense	FY21 Indirect Expenses	FY21 Total Expenses
Acupuncture	ACU1	\$ 2,315	\$ 306	\$ -	\$ 2,621	\$ 3,921	\$ 3,232	\$ 762	\$ 3,994	1,205	\$ 5,199	\$ 9,120	\$ (6,499)	\$ 3,734	\$ 5,489	\$ 9,223
Architects, Engineer	AEL1	\$ 957,475	\$ 17,581	\$ 1,375	\$ 976,431	\$ 284,522	230,294	\$ 3,783	234,077	70,096	304,173	588,695	387,736	282,663	254,030	536,693
Athletic Trainers	ATH1	\$ 5,930	\$ 80	\$ -	\$ 6,010	\$ 1,044	1,673	\$ 598	2,271	314	2,585	3,629	2,381	8,349	4,381	12,730
Audiology and Speech Pathologists	AUD1	\$ 69,567	\$ 1,536	\$ -	\$ 71,103	\$ 20,790	23,052	\$ 2,049	25,101	6,053	31,154	51,944	19,159	26,607	33,237	59,844
Barbers & Hairdressers	BAH1	\$ 1,035,686	\$ 21,523	\$ -	\$ 1,057,209	\$ 320,315	212,856	\$ 4,805	217,661	84,847	302,508	622,823	434,386	281,634	257,801	539,435
Behavior Analysts	BEV1	\$ 6,210	\$ 319	\$ -	\$ 6,529	\$ 5,855	2,580	\$ 854	3,434	1,256	4,690	10,545	(4,016)	4,966	5,106	10,072
Chiropractors	CHI1	\$ 24,005	\$ 6,407	\$ -	\$ 30,412	\$ 147,678	10,803	\$ 2,175	12,978	25,257	38,235	185,913	(155,501)	137,019	45,115	182,134
Collection Agencies	COA1	\$ 62,375	\$ 2,208	\$ -	\$ 64,583	\$ 31,054	22,287	\$ 1,439	23,726	8,706	32,432	63,486	1,097	33,147	29,527	62,674
Concert Promoters	CPR1	\$ 3,250	\$ 1,836	\$ -	\$ 5,086	\$ 3,095	482	\$ 631	1,113	951	2,064	5,159	(73)	574	1,181	1,755
Construction Contractors	CON1	\$ 912,525	\$ 20,197	\$ -	\$ 932,722	\$ 469,007	319,355	\$ 4,326	323,681	79,623	403,304	872,311	60,411	496,407	327,180	823,587
Home Inspectors	HIN1	\$ 23,410	\$ 743	\$ -	\$ 24,153	\$ 9,583	3,686	\$ 1,136	4,822	2,930	7,752	17,335	6,818	6,676	6,036	12,712
Dental	DEN1	\$ 138,195	\$ 275,253	\$ -	\$ 413,448	\$ 187,263	66,860	\$ 2,781	69,641	43,708	113,349	300,612	112,836	225,301	124,531	349,832
Dietitians/Nutritionists	DTN1	\$ 21,365	\$ 401	\$ -	\$ 21,766	\$ 5,499	10,094	\$ 1,368	11,462	1,582	13,044	18,543	3,223	13,508	9,466	22,974
Direct Entry Midwife	MID1	\$ 17,065	\$ 1,165	\$ -	\$ 18,230	\$ 18,245	1,333	\$ 816	2,149	4,591	6,740	24,985	(6,755)	22,687	5,555	28,242
Dispensing Opticians	DOP1	\$ 9,220	\$ 23,308	\$ -	\$ 32,528	\$ 6,798	4,395	\$ 1,506	5,901	2,079	4,995	17,750	17,750	15,035	8,485	23,520
Electrical Administrator	EAD1	\$ 184,943	\$ 3,000	\$ -	\$ 187,943	\$ 107,134	27,362	\$ 2,146	29,508	11,828	41,336	148,470	39,473	67,402	33,175	100,577
Euthanasia Services	EUT1	\$ 1,500	\$ 6,151	\$ -	\$ 7,651	\$ 131	312	\$ 484	796	40	836	967	6,684	1,833	981	2,814
Geologists	GEO1	\$ 240	\$ 100	\$ -	\$ 340	\$ 1,290	284	\$ 669	953	393	1,346	2,636	(2,296)	793	1,039	1,832
Guardians/Conservators	GCO1	\$ 2,043	\$ 9,346	\$ -	\$ 11,389	\$ 3,421	454	\$ 286	740	1,053	1,793	5,214	6,175	637	919	1,556
Guide-Outfitters	GUI1	\$ 1,193,160	\$ 27,909	\$ -	\$ 1,221,069	\$ 409,590	46,359	\$ 3,657	50,016	110,023	160,039	569,629	651,440	405,369	134,630	539,999
Marine Pilots	MAR1	\$ 18,650	\$ 1,951	\$ -	\$ 20,601	\$ 38,881	4,140	\$ 1,153	5,293	7,693	12,986	51,867	(31,266)	51,354	18,279	69,633
Foreign Pleasure Craft	FPC1	\$ 94,283	\$ 812	\$ -	\$ 95,095	\$ 10,424	-	\$ 854	854	3,201	4,055	14,479	80,616	9,368	3,707	13,075
Marital & Family Therapy	MFT1	\$ 38,880	\$ 53,761	\$ -	\$ 92,641	\$ 23,651	4,026	\$ 1,582	5,608	6,745	12,353	36,004	56,637	37,587	14,725	52,312
Massage Therapists	MAS1	\$ 400,630	\$ 230,859	\$ -	\$ 631,489	\$ 261,538	39,753	\$ 3,173	42,926	61,780	104,706	366,244	265,245	197,556	88,077	285,633
Mechanical Administrator	MEC1	\$ 115,080	\$ 2,773	\$ -	\$ 117,853	\$ 121,729	17,410	\$ 1,809	19,219	10,932	30,151	151,880	(34,027)	56,147	23,772	79,919
Medical	MED1	\$ 945,106	\$ 272,744	\$ -	\$ 1,217,850	\$ 907,475	234,179	\$ 4,603	238,782	226,402	465,184	1,372,659	(154,809)	899,162	569,260	1,468,422
Mortuary Science	MOR1	\$ 7,105	\$ 581	\$ -	\$ 7,686	\$ 7,716	3,771	\$ 875	4,646	2,290	6,936	14,652	(6,966)	4,042	5,193	9,235
Naturopaths	NAT1	\$ 83,690	\$ 110	\$ -	\$ 83,800	\$ 1,768	1,503	\$ 905	2,408	435	2,843	4,611	79,189	7,091	3,750	10,841
Nurse Aides	NUA1	\$ 403,929	\$ 15,541	\$ -	\$ 419,470	\$ 293,537	104,287	\$ 2,714	107,001	61,265	168,266	461,803	(42,333)	226,749	146,755	373,504
Nursing	NUR1	\$ 2,224,194	\$ 614,726	\$ 833	\$ 2,839,753	\$ 1,751,709	694,541	\$ 5,331	699,872	379,830	1,079,702	2,831,411	8,342	1,448,247	911,621	2,359,868
Nursing Home Administrators	NHA1	\$ 3,100	\$ 14,064	\$ -	\$ 17,164	\$ 5,300	1,503	\$ 652	2,155	1,169	3,324	8,624	8,540	6,051	3,390	9,441
Optometry	OPT1	\$ 25,770	\$ 100,227	\$ -	\$ 125,997	\$ 42,853	6,578	\$ 1,405	7,983	10,893	18,876	61,729	64,268	73,836	31,493	105,329
Pawnbrokers	PAW1	\$ 2,155	\$ 722	\$ -	\$ 2,877	\$ 9,272	681	\$ 576	1,257	2,847	4,104	13,376	(10,499)	60	685	745
Pharmacy	PHA1	\$ 444,975	\$ 29,810	\$ 1,650	\$ 476,435	\$ 434,595	185,494	\$ 4,633	190,127	116,727	306,854	741,449	(265,014)	432,923	320,184	753,107
Physical/Occupational Therapy	PHY1	\$ 412,136	\$ 8,330	\$ -	\$ 420,466	\$ 109,867	61,784	\$ 3,581	65,365	32,838	98,203	208,070	212,396	134,328	92,146	226,474
Prescription Drug Monitoring Program	PDMP	\$ 32,490	\$ 222	\$ -	\$ 32,712	\$ 12,968	-	\$ -	-	-	-	12,968	19,744	1,728	-	1,728
Professional Counselors	PCO1	\$ 267,862	\$ 10,910	\$ -	\$ 278,772	\$ 148,004	33,288	\$ 3,105	36,393	43,011	79,404	227,408	51,364	154,477	77,160	231,637
Psychology	PSY1	\$ 33,536	\$ 42,146	\$ -	\$ 75,682	\$ 85,474	11,484	\$ 2,373	13,857	22,301	36,158	121,632	(45,950)	67,981	32,539	100,520
Public Accountancy	CPA1	\$ 646,145	\$ 17,196	\$ 720	\$ 664,061	\$ 230,968	52,711	\$ 1,830	54,541	67,792	122,333	353,301	310,760	212,245	102,906	315,151
Real Estate	REC1	\$ 820,700	\$ 17,842	\$ -	\$ 838,542	\$ 270,986	115,175	\$ 2,361	117,536	70,253	187,789	458,775	379,767	261,752	170,261	432,013
Real Estate Appraisers	APR1	\$ 62,165	\$ 9,845	\$ 3,600	\$ 75,610	\$ 132,111	11,058	\$ 2,239	13,297	37,386	50,683	182,794	(107,184)	104,618	36,203	140,821
Social Workers	CSW1	\$ 326,730	\$ 49,705	\$ -	\$ 376,435	\$ 180,156	33,316	\$ 3,101	36,417	47,862	84,279	264,435	112,000	197,763	74,517	272,280
Storage Tank Workers	UST1	\$ 6,790	\$ 874	\$ -	\$ 7,664	\$ 11,242	3,444	\$ 724	2,510	3,444	5,954	17,196	(9,532)	5,406	3,472	8,878
Veterinary	VET1	\$ 69,880	\$ 19,480	\$ -	\$ 89,360	\$ 123,779	23,109	\$ 2,348	25,457	37,343	62,800	186,579	(97,219)	138,572	70,255	208,827
No longer existent board/commission (ie Athletic)																
Totals All Boards		\$ 12,156,460	\$ 1,934,600	\$ 8,178	\$ 14,099,238	\$ 7,252,238	\$ 2,629,330	\$ 88,198	\$ 2,717,528	\$ 1,710,974	\$ 4,428,502	\$ 11,680,740	\$ 2,418,498	\$ 6,763,380	\$ 4,088,214	\$ 10,851,594

ABL & Corporations	080801005	\$ 7,124,804	\$ -	\$ -	\$ 7,124,804	\$ 1,405,967	\$ 138,033	\$ 8,723	\$ 146,756	\$ 158,895	\$ 305,651	\$ 1,711,618				
Fines & Forfeit GF		75,306			75,306											
Revenue Transfer In (Carry Forward Net) CFWD		9,356,591			9,356,591											
Reimbursable Service Agreements AR 080801007		-			-											
RSA 0822041- DHSS Nurse Aide Program		145,000			145,000	145,000										145,000
RSA 0822011- DHSS PFS- DOA BJA PDMP		116,799			116,799	116,799										116,799
RSA 0822010- DHSS EPI PDMP		336,469			336,469	336,469										336,469
RSA 0822012 Child Support Assistance		985			985	985										985
RSA 0822009- DHSS PFS- PDMP		89,402			89,402	89,402										89,402
RSA 0822238- Emergency Medical Licenses		80,000			80,000	80,000										80,000
Interagency clearing		916			916	916										916
Real Estate Recovery Fund ZSU1		101,260			101,260	43,243										43,243
DWAD - Emergency Authorizations		350			350	-										-
RSA 0822010- DHSS EPI PDMP Third Par 080801108				2,533	2,533	2,533										2,533
Total CBPL		\$ 29,584,342	\$ 1,934,600	\$ 10,711	\$ 31,529,653	\$ 9,473,551	\$ 2,767,363	\$ 96,921	\$ 2,864,284	\$ 1,869,869	\$ 4,734,153	\$ 14,207,704				

DIVISION INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Business Supplies	28,432	24,275	4,157
Office Equipment	46,620	43,685	2,935
State Vehicles	4,060	3,695	365
Storage and Archives	12,685	12,356	329
Legal Support	51,845	51,845	-
Central Mail Services Postage	38,648	19,602	19,046
Software Licensing and Maintenance	96,529	90,358	6,171
Division Administrative Expenses - all other	192,266	192,266	-
Division allocated by percentage of direct personal services:	471,085	438,082	33,003
Percentage of board licenses/total licensees:			
Investigations indirect Personal Services	420,043	398,051	21,992
Division Administration Personal Services	1,831,020	1,761,446	69,574
Division allocated by percentage of board licenses/total licensees:	2,251,063	2,159,497	91,566
Total Division Indirect Expenses	2,722,148	2,597,579	124,569
DEPARTMENT INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Commissioner's Office	168,220	153,080	15,140
Administrative Services - Director's Office	59,823	54,439	5,384
Administrative Services - Human Resources	93,556	85,136	8,420
Administrative Services - Fiscal	89,898	81,807	8,091
Administrative Services - Budget	61,186	55,679	5,507
Administrative Services - Information Technology	122,146	111,153	10,993
Administrative Services - Information Technology - Network & Database	25,235	22,964	2,271
Administrative Services - Mail	10,900	9,919	981
Administrative Services - Facilities - Maintenance	-	-	-
Department allocated by percentage of direct personal services:	630,964	574,177	56,787
Percentage of board licenses/total licensees:			
Department administrative services support: Fiscal, IT, Procurement	516,300	469,833	46,467
Receiving transaction % by Personal Services:			
Department certified transactions % by Fiscal Revenue \$	96,921	88,198	8,723
Total DEPARTMENT INDIRECT EXPENSES	1,244,185	1,132,208	111,977
STATEWIDE INDIRECT EXPENSES	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:			
Accounting and Payroll Systems	54,521	49,614	4,907
State Owned Building Rental (Building Leases)	354,120	322,249	31,871
State OIT Server Hosting & Storage	9,785	8,904	881
State OIT SQL	22,402	20,386	2,016
State Software Licensing	-	-	-
Human Resources	52,542	47,813	4,729
IT Non-Telecommunications (Core Cost)	241,355	219,633	21,722
IT Telecommunications	29,452	26,801	2,651
Risk Management	3,643	3,315	328
Statewide allocated by percentage of direct personal services:	767,820	698,715	69,105
FY22 TOTALS BY METHODOLOGY	Total	Prof Lic	Corp & Bus Lic
Percentage of program direct Personal Services:	1,869,869	1,710,974	158,895
Percentage of board licenses/total licensees:	2,767,363	2,629,330	138,033
Receiving transaction % by Personal Services:	96,921	88,198	8,723
Grand Total	4,734,153	4,428,502	305,651

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Real Estate Commission	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 22	FY 23 1st QTR
	Revenue										
Revenue from License Fees	\$ 1,086,258	\$ 297,161	\$ 1,383,419	\$ 766,875	\$ 282,453	\$ 1,049,328	\$ 618,451	\$ 325,590	\$ 944,041	\$ 820,700	\$ 54,585
General Fund Received							\$ -	\$ -	\$ -	\$ 17,842	\$ -
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 1,086,258	\$ 297,161	\$ 1,383,419	\$ 766,875	\$ 282,453	\$ 1,049,328	\$ 618,451	\$ 325,590	\$ 944,041	\$ 838,542	\$ 54,585
Expenditures											
Non Investigation Expenditures											
1000 - Personal Services	137,073	118,908	255,981	115,076	120,856	235,932	65,350	113,092	178,442	129,521	40,055
2000 - Travel	12,781	6,803	19,584	15,632	5,036	20,668	3,046	-	3,046	-	-
3000 - Services	26,599	14,085	40,684	13,683	9,813	23,496	19,306	4,687	23,993	12,219	30
4000 - Commodities	1,229	34	1,263	649	-	649	-	-	-	16	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	177,682	139,830	317,512	145,040	135,705	280,745	87,702	117,779	205,481	141,756	40,085
Investigation Expenditures											
1000-Personal Services	91,700	90,606	182,306	51,422	83,598	135,020	93,884	97,209	191,093	98,726	19,967
2000 - Travel	-	-	-	-	-	-	2,078	-	2,078	-	2,781
3023 - Expert Witness	-	4,922	4,922	-	-	-	-	450	450	-	-
3088 - Inter-Agency Legal	43,639	45,154	88,793	646	530	1,176	1,692	43,125	44,817	23,415	-
3094 - Inter-Agency Hearing/Mediation	6,929	19,603	26,532	-	3,689	3,689	-	2,799	2,799	6,467	-
3000 - Services other	-	-	-	-	958	958	1,010	390	1,400	517	850
4000 - Commodities	-	-	-	-	-	-	-	-	-	106	16
Total Investigation Expenditures	142,268	160,285	302,553	52,068	88,775	140,843	98,664	143,973	242,637	129,231	23,614
Total Direct Expenditures	319,950	300,115	620,065	197,108	224,480	421,588	186,366	261,752	448,118	270,987	63,699
Indirect Expenditures											
Internal Administrative Costs	95,730	87,001	182,731	108,746	110,362	219,108	108,667	101,425	210,092	112,583	28,146
Departmental Costs	54,735	58,811	113,546	53,154	57,353	110,507	37,533	39,972	77,505	46,517	11,629
Statewide Costs	20,226	23,348	43,574	18,608	20,811	39,419	20,978	28,864	49,842	28,689	7,172
Total Indirect Expenditures	170,691	169,160	339,851	180,508	188,526	369,034	167,178	170,261	337,439	187,789	46,947
TOTAL EXPENDITURES	\$ 490,641	\$ 469,275	\$ 959,916	\$ 377,616	\$ 413,006	\$ 790,622	\$ 353,544	\$ 432,013	\$ 785,557	\$ 458,776	\$ 110,646
Cumulative Surplus (Deficit)											
Beginning Cumulative Surplus (Deficit)	\$ 99,946	\$ 695,563		\$ 523,449	\$ 912,708		\$ 782,155	\$ 1,047,062		\$ 940,639	\$ 1,320,405
Annual Increase/(Decrease)	595,617	(172,114)		389,259	(130,553)		264,907	(106,423)		379,766	(56,061)
Ending Cumulative Surplus (Deficit)	\$ 695,563	\$ 523,449		\$ 912,708	782,155		\$ 1,047,062	\$ 940,639		\$ 1,320,405	\$ 1,264,344
Statistical Information											
Number of Licenses for Indirect calculation	3,066	3,558		4,129	4,041		3,771	3,680		4,062	
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: Fee change FY20 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program c 										

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	REC1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)				Grand Total
	1000 - Personal Services	2000 - Travel	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	33,556.86				33,556.86
1014 - Overtime	608.81				608.81
1023 - Leave Taken	3,566.33				3,566.33
1028 - Alaska Supplemental Benefit	2,314.81				2,314.81
1029 - Public Employee's Retirement System Defined Benefits	5,329.53				5,329.53
1030 - Public Employee's Retirement System Defined Contribution	860.57				860.57
1034 - Public Employee's Retirement System Defined Cont Health Reim	587.83				587.83
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	178.57				178.57
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	2,397.29				2,397.29
1040 - Group Health Insurance	8,313.64				8,313.64
1042 - Worker's Compensation Insurance	302.09				302.09
1047 - Leave Cash In Employer Charge	1,303.04				1,303.04
1048 - Terminal Leave Employer Charge	148.86				148.86
1053 - Medicare Tax	519.46				519.46
1077 - ASEA Legal Trust	20.66				20.66
1079 - ASEA Injury Leave Usage	8.53				8.53
1080 - SU Legal Trst	5.48				5.48
2012 - Out-State Employee Airfare			901.24		901.24
2013 - Out-State Employee Surface Transportation			22.87		22.87
2014 - Out-State Employee Lodging			1,504.99		1,504.99
2015 - Out-State Employee Meals and Incidentals			351.50		351.50
3000 - Training/Conferences				850.00	850.00
3057 - Structure, Infrastructure and Land - Rentals/Leases				30.18	30.18
4005 - Subscriptions				16.00	16.00
Grand Total	60,022.36	2,780.60	880.18	16.00	63,699.14

Old Business

2023 ALASKA REAL ESTATE COMMISSION STRATEGIC PLAN

The Commission recognizes we have a very small, yet extremely competent staff for the number of licensees we oversee, and to assist affected consumers. We have every confidence that the Executive Administrator, Project Assistant, and REC Investigator, will all support us in reaching our goals.

Guiding Principle	Objective How will we meet this guiding principle?	Who will complete this task?	Status/Notes
1. Protect the Consumer/Inform License	<p>With agreement of the appropriate departments, upload informational videos done by appropriate personnel on:</p> <ul style="list-style-type: none"> How to file a complaint against a licensee & its process If a complaint is filed against a license what the process is for a license <p>Additionally, provide best practice “white papers” on various topics as approved by the Commission for placement on our website.</p>	Commissioners, Staff & Investigator	Ongoing -Goal to have recorded presentation done & submitted to Chief Investigator for review/approval by the next year's Strategic Planning meeting
2. Protect the Consumer/Inform License	<p>Provide the Commission for consideration, what they should have jurisdiction over in property management, i.e., financial responsibilities of the property owner or property manager. Then, provide next steps should the Commission agree to move forward with recommendations. Provide a list of property management FAQ's (Frequently Asked Questions) for both licensed property managers & property owners, to be approved by the Commission then placed on our website. To include:</p> <ul style="list-style-type: none"> Best practices for security deposits & earnest money Potential for separate Property Management Consumer Disclosure & Wavier of Right to be Represented form Long-term goal to review the Landlord Tenant Act & look at changes in conjunction with the real estate industry Review and make recommendations to the property management regulations with regard to trust account and security deposit issues 	Property Management Committee of the Commission & Property Management Liaison, Commissioner Heaton	<p>Work in Progress – PM Committee continuing to develop best practices for REC consideration, several already approved & on Website.</p> <p>PM FAQs document is being drafted</p>
3. Protect the Consumer/Inform License	<p>Define minimum standards, based on what other jurisdictions have successfully implemented, for team advertising. To include:</p> <ul style="list-style-type: none"> Define requirements to include brokerage information, minimum size, etc. Review, make recommendations if necessary, and provide a draft Disclosure Statement regarding teams Review, make recommendations if necessary, and draft regulation changes <p>Expand the scope to include team educations, advertising, supervision, brokers role, and consumer protection.</p> <p>Provide a FAQ's (Frequently Asked Questions) to be approved by the Commission and then placed on our website.</p>	Commissioners Schok & Heaton to provide information to staff	<p>Previous Commission completed a best practice document for Advertising approved & on website</p> <p>Reviewed and created Best Practices to include FAQ document. Approved by Commission at March 2022 meeting and placed on REC website under Team Resources.</p> <p>Make recommendations regarding regulation changes.</p>

2023 ALASKA REAL ESTATE COMMISSION STRATEGIC PLAN

The Commission recognizes we have a very small, yet extremely competent staff for the number of licensees we oversee, and to assist affected consumers. We have every confidence that the Executive Administrator, Project Assistant, and REC Investigator, will all support us in reaching our goals.

Guiding Principle	Objective How will we meet this guiding principle?	Who will complete this task?	Status/Notes
4. Inform Licensees	Assist staff to clear up the following issues: <ul style="list-style-type: none"> • How “inactive status” is logged/started & the notification to the affected licensee. • Define & Verify how required education, for those who apply for license by endorsement. • Define & Simplify the criteria for getting or upgrading license. • Sharing of Information 	Commissioner Markwood & Staff	In progress - See proposed regulations in #12
5. Protect the Consumer/Inform Licensees	Review all regulations & propose one major regulation change (cleanup) which will bring regulations into the 21 st century.	Commissioners & Staff	Complete – DOL review complete, approved by Lt. Governor and effective 9/2021
6. Commission Business/Inform Licensee	Review upcoming licensing renewal cycle fee adjustment, as to conform with the recovery fund balance.	Commissioners & Staff	In progress. Discussed and approved fee changes at March 2022 REC Mtg, currently out for public comment, to close on 9/2/2022. * Requires a Regulation Change
7. Commission Business/Inform Licensees	Review and make recommendations regarding DCE Education Topics for the next renewal cycle.	Commissioners & Staff	Completed
8. Commission Business/Inform Licensees	Create and proposed regulations as required per SB21 to allow for a Military Courtesy License for all license types: Salesperson, Associate Broker and Broker.	Commissioners & Staff	Completed
9. Commission Business/Inform Licensees	Create guidelines for DCE topics	Commissioners & Staff	Completed
10. Commission Business/Inform Licensees	Review and make recommendations to the regulation 12 AAC 64.500(n) and form, regarding the request for CE credit for courses that are not approved by Commission staff.	Commissioners & Staff	In progress, Commissioner to work w/Staff to propose a regulation change.
11. Teams on Consumer Disclosure	Propose changes to the regulation 12 AAC 64.118, Consumer Disclosure with regards to teams.	Commissioners & Staff	In progress, Commission approved revisions to form 08-4145 to go out for public comment at June 9, 2022. Sent to Reg. Specialist, review at Sept mtg.
12. Update outdated or ineffective regulations	Identify and draft revisions for outdated or ineffective regulations by September 30, 2022 per the Governor's Administrative Order #335	Commissioners & Staff	In progress. Commission to review proposed regulations for 12 AAC 64.059, 060,061,075, and 500, at Sept 8 th meeting.
13. Commission Business/Inform Licensees	To review and revise 12 AAC 64.064 (g). Education requirements after initial licensure regarding broker/associate broker completion of post licensing education.	Commissioners & Staff	

2023 ALASKA REAL ESTATE COMMISSION STRATEGIC PLAN

The Commission recognizes we have a very small, yet extremely competent staff for the number of licensees we oversee, and to assist affected consumers. We have every confidence that the Executive Administrator, Project Assistant, and REC Investigator, will all support us in reaching our goals.

Guiding Principle	Objective How will we meet this guiding principle?	Who will complete this task?	Status/Notes
14. Commission Business/Inform Licensees	Payment of commissions/EM through title company's	Commissioners & Staff	

Last Edited 11/23/2022

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE ALASKA REAL ESTATE COMMISSION

Brief Description: The Real Estate Commission proposes to update various regulations relating to application process, licensure requirements, employment and transfer, consumer disclosure form, supervision, and continuing education requirements.

The Real Estate Commission (Commission) proposes to adopt regulation changes in Title 12, Chapter 64 of the Alaska Administrative Code including the following:

1. **12 AAC 64.060. Applications for licensure**, is proposed to update the application process for applicant applying for licensure by examination with regards to the license history.
2. **12 AAC 64.061. License by endorsement**, is proposed to update the application process for applicant applying for licensure by endorsement with regards to the license history.
3. **12 AAC 64.075. Employment and transfer**, is proposed to update the process when a licensee transfers to a different office with regards to their license certificate.
4. **12 AAC 64.118. Consumer disclosure form**, is proposed to update the consumer disclosure form that the commission adopts by reference.
5. **12 AAC 64.125. Supervision**, is proposed to update the provisions relating to supervision.
6. **12 AAC 64.500. Continuing education requirements**, is proposed to update the continuing education requirements with regards to education offered outside of this state.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Commission will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/208738>, and using the comment link. **The comments must be received not later than 4:30 p.m. on December 6, 2022.** Comments received after this deadline will not be considered by the Commission.

You may submit written questions relevant to the proposed action to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Commission will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Commission's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/RealEstateCommission.aspx>. The Commission may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov not later than November 29, 2022 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Jun Maiquis at (907) 465-2537 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/REC-1122.pdf>.

A copy of the material proposed for adoption by reference may be viewed at the Commission's office at the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, 550 W. 7th Avenue, Suite 1500, Anchorage, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/ConsumerDisclosureForm08-4145-DraftRev.6-9-2022.pdf>.

After the public comment period ends, the Commission will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.88.071; AS 08.88.081; AS 08.88.091; AS 08.88.171; AS 08.88.191; AS 08.88.251; AS 08.88.263; AS 08.88.331; AS 08.88.685

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.88.071; AS 08.88.081; AS 08.88.091; AS 08.88.171; AS 08.88.191; AS 08.88.251; AS 08.88.263; AS 08.88.331; AS 08.88.685

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: 11/4/2022

Jun Maiquis, Regulations Specialist
Division of Corporations, Business and Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

**ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))**

1. **Adopting agency:** Real Estate Commission – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Applications for licensure, license by endorsement, employment and transfer, consumer disclosure form, supervision, and continuing education requirements.
3. **Citation of regulation:** 12 AAC 64.060, 12 AAC 64.061, 12 AAC 64.075, 12 AAC 64.118, 12 AAC 64.125, and 12 AAC 64.500.
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Update and clarification of current regulations; compliance with state statute.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
 - A private person: None known.
 - Another state agency: None known.
 - A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):** No costs are expected in FY 2023 or in subsequent years.
9. **The name of the contact person for the regulation:**
 - Nancy Harris, Executive Administrator
 - Alaska Real Estate Commission
 - Division of Corporations, Business and Professional Licensing
 - Department of Commerce, Community, and Economic Development
 - Telephone: (907) 269-8168
 - E-mail: nancy.harris@alaska.gov
10. **The origin of the proposed action:** Real Estate Commission.
11. **Date:** 11/4/2022
Prepared by: Jun Maiquis
Regulations Specialist

Attachments, History, Details

Attachments

[ConsumerDisclosureForm08-4145-DraftRev.6-9-2022.pdf](#)

[Proposed Regulations FAQ.pdf](#)

[REC-1122.pdf](#)

Revision History

Created 11/4/2022 11:09:25 AM by jcmai quis

Modified 11/4/2022 11:21:00 AM by jcmai quis

Modified 11/4/2022 11:38:36 AM by jcmai quis

Modified 11/4/2022 2:08:15 PM by jcmai quis

Details

Department: Commerce, Community and Economic Development

Category: Regulations

Sub-Category: Notice of Proposed Regulations

Location(s): Statewide

Project/Regulation #:

Publish Date: 11/4/2022

Archive Date: 12/8/2022

Events/Deadlines: Comments Deadline
12/6/2022 4:30pm

Chapter 64. Real Estate Commission.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 64.060(h) is amended to read:

12 AAC 64.060. Applications for licensure.

• • •

(h) An applicant applying for licensure by examination shall provide a **complete** license history, including any disciplinary action or investigation taken or pending, **submitted** [SENT DIRECTLY] to the department from all jurisdictions **or other licensing states** where the applicant holds or has ever held a real estate license. (Eff. 8/6/67, Register 24; am 8/22/79, Register 71; am 12/6/81, Register 80; am 10/8/90, Register 116; am 7/16/94, Register 131; am 9/15/94, Register 131; am 2/11/95, Register 133; am 2/12/99, Register 149; am 9/6/2002, Register 163; am 5/31/2012, Register 202; am 9/9/2021, Register 239; am ____ / ____ / _____, Register _____)

Authority: AS 08.88.071 AS 08.88.171 AS 08.88.191
AS 08.88.081

12 AAC 64.061(b) is amended to read:

12 AAC 64.061. License by endorsement.

• • •

(b) A licensee who requests licensure by endorsement must have a **complete** [CERTIFICATION OF] license **history** status **submitted** [SENT DIRECTLY] to the commission from the other licensing authority.

(Eff. 12/6/81, Register 80; am 9/29/83, Register 88; 7/16/94, Register 131; am 2/12/99, Register 149; am 2/5/2010, Register 193; am 9/9/2021, Register 239; am ____/____/_____, Register _____)

Authority: AS 08.88.071 AS 08.88.081 AS 08.88.263

12 AAC 64.075 is amended to read:

12 AAC 64.075. Employment and transfer. (a) An individual may not be involved in activities requiring licensure under AS 08.88 until the individual's employing broker signs and delivers to the commission, either by electronic mail or regular United States mail, a notice of employment of the individual and the individual's **completed broker notice to real estate commission of licensee termination form** [LICENSE CERTIFICATE] is delivered to the broker by the licensee or the commission.

(b) When a licensee requests a license transfer from one broker to another, the terminating broker **must complete the broker notice to real estate commission of licensee termination form** [SHALL SIGN AND DATE THE FRONT OF THE LICENSE CERTIFICATE], provide a copy to the licensee **of the completed form**, and submit to the commission, either by electronic mail or regular United States mail, within five days from the date of the licensee's request for a license transfer. The licensee shall provide the new employing broker with a copy of the **completed broker notice to real estate commission of licensee termination form** [SIGNED LICENSE CERTIFICATE] and provide the commission with a completed application for license transfer and the fees established in 12 AAC 02.360. The commission will mail an amended license certificate directly to the new employing broker.

(c) After applying for a license transfer, the licensee may work in the office of the new

employing broker for no more than 30 days while waiting for an amended license certificate. The new employing broker shall keep a copy of the licensee's signed application for license transfer and a copy of the **completed broker notice to real estate commission of licensee termination form** [SIGNED LICENSE CERTIFICATE] described in (b) of this section until the amended license certificate is received.

(d) The commission's designee shall review and approve a license transfer if the transfer

(1) allows a licensee to resume licensed practice under AS 08.88.171(a)(1), (a)(2), (b)(1), or (b)(2), or after being re-employed as a licensed real estate salesperson for purposes of AS 08.88.171(c); and

(2) does not require further review by the commission.

(e) Failure of the licensee to notify the commission of a transfer or status change within 15 days after the commission's receipt, either by electronic mail or regular United States mail, of notice from the licensee's terminating broker interrupts the licensee's period of active and continuous experience. (Eff. 8/22/79, Register 71; am 12/6/81, Register 80; am 7/1/89, Register 110; am 7/16/94, Register 131; am 9/15/94, Register 131; am 9/6/2002, Register 163; am 6/22/2008, Register 186; am 9/9/2021, Register 239; am ____/____/_____, Register _____)

Authority: AS 08.88.081 AS 08.88.171 AS 08.88.251

12 AAC 64.118 is amended to read:

12 AAC 64.118. Consumer disclosure form. Before a real estate licensee provides specific assistance to a person, or when entering into a contract with the person to provide specific assistance, the real estate licensee shall provide the person with a copy of the commission's *Alaska Real Estate Commission Consumer Disclosure*, dated **June 2022**

[FEBRUARY 2015], and adopted by reference. (Eff. 1/1/2005, Register 172; am 11/18/2006, Register 180; am 6/20/2015, Register 214; am ____/____/_____, Register _____)

Authority: AS 08.88.071 AS 08.88.171 AS 08.88.685
AS 08.88.081

Editor's note: Copies of the *Alaska Real Estate Commission Consumer Disclosure*, adopted by reference in 12 AAC 64.118, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Real Estate Commission, 550 W. 7th Avenue, Suite 1500, Anchorage, AK 99501 [99501-3567]; phone: (907) 269-8168 [(907) 269-8162].

12 AAC 64.125 is amended to read:

12 AAC 64.125. Supervision. (a) Failure of a broker **and** [OR] associate broker **in charge** to adequately provide for the supervision of the activities of licensees for whom they are responsible is grounds for disciplinary action against the

(1) employing broker;

(2) associate broker designated by the broker to manage a branch office; **and**

[OR]

(3) broker **and** [OR] associate broker **in charge** designated by the broker of record to supervise transactions or licensees during the broker of record's absence.

(b) Adequate supervision of a licensee by a broker **and** [OR] an associate broker **in charge** includes

(1) before recording of the transaction, providing for the review of files for completeness and accuracy and ensuring all required real estate related documents are on file,

including all applicable local, state, and federal forms; [AND]

(2) communicating office policies to affiliated licensees; **and**

(3) supervision for compliance of brokerage policy and procedures.

(c) Repealed 7/16/94.

(d) Repealed 7/16/94.

(e) Computer, modem, electronic mail, telephone, or facsimile communications may be used to supervise licensees and to review and approve documents of licensees. All transaction records must be maintained in the real estate office where the supervised licensee is registered with the commission. (Eff. 8/22/79, Register 71; am 7/16/94, Register 131; am 1/1/2005, Register 172; am 12/7/2011, Register 200; am ____ / ____ / _____, Register _____)

Authority: AS 08.88.071 AS 08.88.171 AS 08.88.685
 AS 08.88.081 AS 08.88.331

12 AAC 64.500(n) is amended to read:

12 AAC 64.500. Continuing education requirements.

• • •

(n) Notwithstanding the provisions of 12 AAC 64.420 - 12 AAC 64.450, a licensee who has taken a course offered outside of this state, [OR] that is required to earn a professional designation, by a nationally recognized real estate education provider during a licensing period that has not otherwise been certified under 12 AAC 64.410 and 12 AAC 64.420 may apply to the commission under this subsection for continuing education credit under this section for the licensee's attendance at that course. To be considered for approval by the commission, [NOT LATER THAN 60 DAYS AFTER COMPLETING THE COURSE BUT NOT LESS THAN 60

DAYS BEFORE THE END OF THE LICENSING PERIOD,] the licensee must submit to the department **no later than November 30 of odd numbered years**

(1) [AN APPLICATION ON] a form provided by the department;

(2) [ALL MATERIALS PROVIDED AS PART OF THE CLASS, INCLUDING

(A)] materials promoting or describing the class **and designation**;

(3) [(B)] evidence that the real estate education provider is nationally recognized; and

(4) [(C)] **certificate of completion as proof to include date** of attendance [INCLUDING TIME OF INSTRUCTION]. (Eff. 10/8/90, Register 116; am 3/6/91, Register 117; am 7/16/94, Register 131; am 6/28/97, Register 142; am 2/12/99, Register 149; am 11/1/2003, Register 168; am 8/31/2006, Register 179; am 11/18/2006, Register 180; am 6/22/2008, Register 186; am 1/9/2014, Register 209; am ____/____/_____, Register _____)

Authority: AS 08.88.081 AS 08.88.091



Real Estate Commission

550 West 7th Avenue, Suite 1500, Anchorage, AK 99501

Phone: (907) 269-8160

Email: RealEstateCommission@Alaska.Gov

Website: ProfessionalLicense.Alaska.Gov/RealEstateCommission

Alaska Real Estate Commission Consumer Disclosure

This Consumer Disclosure, as required by law, provides you with an outline of the duties of a real estate licensee (licensee). This document is not a contract. By signing this document you are simply acknowledging that you have read the information herein provided and understand the relationship between you, as a consumer, and a licensee. (AS 08.88.600 – 08.88.695)

There are different types of relationships between a consumer and a licensee. Following is a list of such relationships created by law:

Specific Assistance

The licensee does not represent you. Rather the licensee is simply responding to your request for information, and the licensee may "represent" another party in the transaction while providing you with specific assistance.

Unless you and the licensee agree otherwise, information you provide the licensee is not confidential.

Duties **owed** to a consumer by a licensee providing specific assistance include:

- a. Exercise of reasonable skill and care;
- b. Honest and good faith dealing;
- c. Timely presentation of all written communications;
- d. Disclosing all material information known by a licensee regarding the physical condition of a property; and
- e. Timely accounting of all money and property received by a licensee.

Representation

The licensee represents only one consumer unless otherwise agreed to in writing by all consumers in a transaction.

Duties **owed** by a licensee when representing a consumer include:

- a. Duties owed by a licensee providing specific assistance as described above;
- b. Not intentionally take actions which are adverse or detrimental to a consumer;
- c. Timely disclosure of conflicts of interest to a consumer;
- d. Advising a consumer to seek independent expert advice if a matter is outside the expertise of a licensee;
- e. Not disclosing consumer confidential information during or after representation without written consent of the consumer unless required by law; and
- f. Making a good faith and continuous effort to accomplish a consumer's real estate objective(s).

Neutral Licensee

A neutral licensee is a licensee that provides specific assistance to both consumers in a real estate transaction but does not "represent" either consumer. A neutral licensee must, prior to providing specific assistance to such consumers, secure a Waiver of Right to be Represented (form 08-4212) signed by both consumers.

Duties **owed** by a neutral licensee include:

- a. Duties owed by a licensee providing specific assistance as described above;
- b. Not intentionally taking actions which are adverse or detrimental to a consumer;
- c. Timely disclosure of conflicts of interest to both consumers for whom the licensee is providing specific assistance;
- d. If a matter is outside the expertise of a licensee, advise a consumer to seek independent expert advice;
- e. Not disclosing consumer confidential information during or after representation without written consent of the consumer unless required by law; and
- f. Not disclosing the terms or the amount of money a consumer is willing to pay or accept for a property if different than what a consumer has offered or accepted for a property.

If authorized by the consumers, the neutral licensee may analyze and provide information on the merits of a property or transaction, discuss price terms and conditions that might be offered or accepted, and suggest compromise solutions to assist consumers in reaching an agreement.

Designated Licensee

In a real estate company, a broker may designate one licensee to represent or provide specific assistance to a consumer and another licensee in the same office to represent or provide specific assistance to another consumer in the same transaction.

Acknowledgement

I/we, the below-named consumer(s), have read the information provided in this Alaska Real Estate Consumer Disclosure and understand the different types of relationships I/we may have with the aforementioned real estate licensee. I/we understand that the Team Name listed below is not acting as a Brokerage. In this transaction, the following team members within the brokerage/team may contact you during the transaction for administrative or transactional purposes:

Consumer(s) Name(s):		Licensee Name:	
Team Name: (If Applicable)		License Number:	
Broker/Brokerage Name:			

Team Member	License Number (If Applicable)	Role

I/we understand that I/we will be working with our licensee(s) under the relationship(s) selected below. Please initial in the proper space.

Relationship	Consumer Initials
Specific assistance without representation.	
Representing the Seller/Lessor only. (May provide specific assistance to Buyer/Lessee)	
Representing the Buyer/Lessee only. (May provide specific assistance to Seller/Lessor)	
Neutral Licensee. (Must attach Waiver of Right to be Represented, Form #08-4212)	

I/we acknowledge receipt of a copy of this list of licensee duties, and have read and understand this disclosure.

Seller/Lessor Signature	Date	Time
Buyer/Lessee Signature	Date	Time
Licensee Signature	Date	Time

THIS CONSUMER DISCLOSURE IS NOT A CONTRACT



ALASKA REAL ESTATE COMMISSION CONSUMER DISCLOSURE

This Consumer Disclosure, as required by law, provides you with an outline of the duties of a real estate licensee (licensee). This document is not a contract. By signing this document you are simply acknowledging that you have read the information herein provided and understand the relationship between you, as a consumer, and a licensee. (AS 08.88.600 – 08.88.695)

There are different types of relationships between a consumer and a licensee. Following is a list of such relationships created by law:

Specific Assistance

The licensee does not represent you. Rather the licensee is simply responding to your request for information. And, the licensee may "represent" another party in the transaction while providing you with specific assistance.

Unless you and the licensee agree otherwise, information you provide the licensee is not confidential.

Duties **owed** to a consumer by a licensee providing specific assistance include:

- a. Exercise of reasonable skill and care;
- b. Honest and good faith dealing;
- c. Timely presentation of all written communications;
- d. Disclosing all material information known by a licensee regarding the physical condition of a property; and
- e. Timely accounting of all money and property received by a licensee.

Representation

The licensee represents only one consumer unless otherwise agreed to in writing by all consumers in a transaction.

Duties **owed** by a licensee when representing a consumer include:

- a. Duties owed by a licensee providing specific assistance as described above;
- b. Not intentionally take actions which are adverse or detrimental to a consumer;
- c. Timely disclosure of conflicts of interest to a consumer;
- d. Advising a consumer to seek independent expert advice if a matter is outside the expertise of a licensee;
- e. Not disclosing consumer confidential information during or after representation without written consent of the consumer unless required by law; and
- f. Making a good faith and continuous effort to accomplish a consumer's real estate objective(s).

Neutral Licensee

A neutral licensee is a licensee that provides specific assistance to both consumers in a real estate transaction but does not "represent" either consumer. A neutral licensee must, prior to providing specific assistance to such consumers, secure a Waiver of Right to be Represented (form 08-4212) signed by both consumers.

Duties **owed** by a neutral licensee include:

- a. Duties owed by a licensee providing specific assistance as described above;
- b. Not intentionally taking actions which are adverse or detrimental to a consumer;
- c. Timely disclosure of conflicts of interest to both consumers for whom the licensee is providing specific assistance;
- d. If a matter is outside the expertise of a licensee, advise a consumer to seek independent expert advice;
- e. Not disclosing consumer confidential information during or after representation without written consent of the consumer unless required by law; and
- f. Not disclosing the terms or the amount of money a consumer is willing to pay or accept for a property if different than what a consumer has offered or accepted for a property.

If authorized by the consumers, the neutral licensee may analyze and provide information on the merits of a property or transaction, discuss price terms and conditions that might be offered or accepted, and suggest compromise solutions to assist consumers in reaching an agreement.

Designated Licensee

In a real estate company, a broker may designate one licensee to represent or provide specific assistance to a consumer and another licensee in the same office to represent or provide specific assistance to another consumer in the same transaction.

ACKNOWLEDGEMENT:

I/We, _____ have read the information provided in this Alaska Real Estate
(print consumer's name(s))

Consumer Disclosure and understand the different types of relationships I/we may have with a real estate licensee. I/We

understand that _____ of _____
(licensee name) *(brokerage name)*

will be working with me/us under the relationship(s) selected below.

(Initial)

_____ **Specific assistance without representation.**

_____ **Representing the Seller/Lessor only.** (may provide specific assistance to Buyer/Lessee)

_____ **Representing the Buyer/Lessee only.** (may provide specific assistance to Seller/Lessor)

_____ **Neutral Licensee.** (must attach Waiver of Right to be Represented, form 08-4212)

Date: _____

Signature: _____
(Licensee)

Date: _____

Signature: _____
(Consumer)

Date: _____

Signature: _____
(Consumer)

THIS CONSUMER DISCLOSURE IS NOT A CONTRACT

New Business

State of Alaska 2023 HOLIDAY CALENDAR

State Holidays

Date	Holiday
01/01/2023	New Year's Day (observed 01/02/2023)
01/16/2023	MLK Jr.'s Birthday
02/20/2023	Presidents' Day
03/27/2023	Seward's Day
05/29/2023	Memorial Day
07/04/2023	Independence Day
09/04/2023	Labor Day
10/18/2023	Alaska Day
11/11/2023	Veterans' Day (observed 11/10/2023)
11/23/2023	Thanksgiving Day
12/25/2023	Christmas Day

Please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



JANUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JULY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

AUGUST

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

MARCH

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

APRIL

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

MAY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JUNE

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Executive Administrator's Report

LICENSING REPORT
December 8, 2022

New Licensees: August 25, 2022 - November 22, 2022: 68
Total Number of <u>Active</u> Licensees with 1/31/2024 exp: 3,025
Total Number of Licensees with 1/31/2024 exp: *3,117

ACTIVE: 1/31/24 exp	Jun	Sept	Dec
Broker	400	399	407
Associate Broker	390	393	396
Salesperson	2,123	2,188	2,222
Total Active:	2,913	2,980	3,025

INACTIVE: 1/31/24 exp	Jun	Sept	Dec
Broker	2	2	3
Associate Broker	1	3	6
Salesperson	8	12	23
Total Inactive:	11	17	32

LAPSED: NON-COMPLIANCE OF PLE w/exp date of 1/31/24			
	Jun	Sept	Dec
Broker	0	0	0
Associate Broker	0	0	0
Salesperson	1	0	0
Total:	2	0	0

Initial Licenses issued Qrtly:	Oct - Dec 22	Jan - Mar 22	Apr - Jun 22
	44	106	109
	July - Sept	Oct - Nov	
	67	41	

Transfers:	Jun	Sept	Dec
	151	79	54

PLE Completed:	Jun	Sept	Dec
	66	55	32

Upgrades:	Endorsement:
S - AB = 6 / S - B = 1	S = 7 / AB = 3 / B = 2

In this reporting period	Jun	Sept	Dec
License Returned	35	46	60
Probation License	0	0	0
Suspended	0	0	0
Revoked	0	0	0
Surrendered	0	0	0

INACTIVE: 1/31/22 exp	Jun	Sept	Dec
Broker	4	4	4
Associate Broker	6	6	5
Salesperson	70	66	53
Total Inactive:	80	76	62

LAPSED: 1/31/22 exp	Jun	Sept	Dec
Broker	36	36	35
Associate Broker	33	33	32
Salesperson	294	288	287
Total Lapsed:	363	357	354

*includes licensees that are active, inactive, lic rtd, probation, suspension, surrender, and lapsed (PLE), all with 1/31/2024 expiration date

EDUCATION REPORT

December 8, 2022

(as of 11/22/2022)

<u>Course Type</u>	<u>Currently Approved</u>
Pre-Licensing (SPL)	11
Broker Upgrade Pre-Licensing (BPL)	4
Elective Continuing Education (ECE)	356
Designated Continuing Education (DCE)	77
Post Licensing Education (PLE)	1
	Total: 449

52 initial courses approved between 8/26/22 and 11/22/22

Instructor

Permanent	90
<u>New Instructor</u>	3
• Melissa Hamel, Anchorage, AK	
• Jennifer Key, The Woodlands, TX	
• Craig O'Rourke, Redondo Beach, CA	
Temporary Instructor	0

Statement of Net Positions
Real Estate Recovery Fund
September 30, 2022

	Actuals							Projected		
	For the Fiscal Year Ending June 30, 2015	For the Fiscal Year Ending June 30, 2016	For the Fiscal Year Ending June 30, 2017	For the Fiscal Year Ending June 30, 2018	For the Fiscal Year Ending June 30, 2019	For the Fiscal Year Ending June 30, 2020	For the Fiscal Year Ending June 30, 2021	For the Fiscal Year Ending June 30, 2022	For the Fiscal Year Ending June 30, 2023	For the Fiscal Year Ending June 30, 2024
ASSETS										
Cash and Investments	\$ 454,264	\$ 465,770	\$ 392,207	\$ 394,514	\$ 277,675	\$ 334,205	\$ 264,101	\$ 317,389	\$ 247,285	\$ 310,302
Total Assets	<u>454,264</u>	<u>465,770</u>	<u>392,207</u>	<u>394,514</u>	<u>277,675</u>	<u>334,205</u>	<u>264,101</u>	<u>317,389</u>	<u>247,285</u>	<u>310,302</u>
LIABILITIES										
Accounts Payable and Accrued Liabilities	7,211	(30)	1,517	(10,691)	11,230	4,857	18,129	19,380	11,545	19,380
Total Liabilities	<u>7,211</u>	<u>(30)</u>	<u>1,517</u>	<u>(10,691)</u>	<u>11,230</u>	<u>4,857</u>	<u>18,129</u>	<u>19,380</u>	<u>11,545</u>	<u>19,380</u>
FUND BALANCES										
Reserved for Education and Claims	447,053	465,800	390,691	405,205	266,445	329,348	245,972	298,008	235,740	290,922
Total Fund Balance	<u>447,053</u>	<u>465,800</u>	<u>390,691</u>	<u>405,205</u>	<u>266,445</u>	<u>329,348</u>	<u>245,972</u>	<u>298,008</u>	<u>235,740</u>	<u>290,922</u>
Total Liabilities and Fund Balances	<u>\$ 454,264</u>	<u>\$ 465,770</u>	<u>\$ 392,207</u>	<u>\$ 394,514</u>	<u>\$ 277,675</u>	<u>\$ 334,205</u>	<u>\$ 264,101</u>	<u>\$ 317,389</u>	<u>\$ 247,285</u>	<u>\$ 310,302</u>
Average 2 year licensing cycle fund balance:		Average of 6/30/15 & 6/30/16	Average of 6/30/16 & 6/30/17	Average of 6/30/17 & 6/30/18	Average of 6/30/18 & 6/30/19	Average of 6/30/19 & 6/30/20	Average of 6/30/20 & 6/30/21	Average of 6/30/21 & 6/30/22	Average of 6/30/22 & 6/30/23	Average of 6/30/23 & 6/30/24
		<u>\$ 460,017</u>	<u>\$ 428,988</u>	<u>\$ 393,361</u>	<u>\$ 336,095</u>	<u>\$ 305,940</u>	<u>\$ 299,153</u>	<u>\$ 290,745</u>	<u>\$ 282,337</u>	<u>\$ 278,794</u>

Note: Per the State Comprehensive Annual Financial Report the State "funds are reported using modified accrual accounting which measures cash and other financial assets that can be readily converted to cash".

Note: The total Liabilities is year to date
For FY24 Liabilities projected using FY22

Statement of Revenues, Expenditures, and Changes in Fund Balances
Real Estate Recovery Fund
Actual for Years Ended June 30, 2015 through September 30, 2022
and
Projected for Fiscal Years Ending June 30, 2023 and June 30, 2024

	Actuals												Projected	
	For the Fiscal Year Ended 6/30/15	For the Fiscal Year Ended 6/30/16	For the Fiscal Year Ended 6/30/17	For the Fiscal Year Ended 6/30/18	For the Fiscal Year Ended 6/30/19	For the Fiscal Year Ended 6/30/20	For the Fiscal Year Ended 6/30/21	For the Quarter Ended 6/30/22	For the Quarter Ended 9/30/22	For the Quarter Ended 12/31/22	For the Quarter Ended 3/31/23	For the Quarter Ended 6/30/23	For the Fiscal Year Ended 6/30/23	For the Fiscal Year Ended 6/30/24
REVENUES														
Licenses and Permits	38,425	\$ 126,910	38,370	133,550	29,465	193,865	55,065	101,260	13,170				55,065 ⁽¹⁾	101,260
Interest and Investment Income	2,164	2,533	3,178	4,230	9,964	6,918	309	(4,580)	720				309 ⁽²⁾	5,000
Prior Year Adjustments								(150)						
								-						
TOTAL REVENUES	40,589	129,443	41,548	137,780	39,429	200,783	55,374	96,530	13,890	-	-	-	55,374	106,260
EXPENDITURES														
Personal Services	113,145	112,763	115,097	134,846	126,366	118,457	125,468	43,240	2,770				125,468 ⁽³⁾	43,240
Travel	0	-	-	-	-	-	0	0					0	0
Commodities	0	89	-	617	-	-	0	0					0	0
Services - Non-claims	732	5,085	13	10	5,000	497	9	2					9	2
Services - Claims & Associated Legal costs	0	-	-	-	24,902	25,300	0	0					0	0
TOTAL EXPENDITURES	113,877	117,937	115,110	135,473	156,268	144,253	125,477	43,243	2,770	-	-	-	125,477	43,243
Excess (Deficiency) Revenues Over Expenditures	(73,288)	11,505	(73,562)	2,307	(116,839)	56,530	(70,104)	53,287	11,120	-	-	-	(70,104)	63,017
Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Net Change in Fund Balances	(73,288)	11,505	(73,562)	2,307	(116,839)	56,530	(70,104)	53,287	11,120	-	-	-	(70,104)	63,017
Fund Balances - Beginning of Year	527,552	454,264	465,770	392,207	394,514	277,675	334,205	264,101	317,389	328,509	328,509	328,509	317,389	247,285
Fund Balances - End of Year	454,264	\$ 465,770	\$ 392,207	\$ 394,514	\$ 277,675	\$ 334,205	\$ 264,101	\$ 317,389	328,509	328,509	328,509	328,509	\$ 247,285	\$ 310,302

(1) For FY23, licenses and permits revenue projected to be the same as FY21.

(2) Projecting through FY23 based on FY21 rate of earnings.

For FY23, the annual personal services costs are projected for the Executive Administrator to spend 10% and the Project Assistant to spend
(3) 100% of their time on Real Estate Recovery Fund related tasks.

Statement of Cash Flows
Real Estate Recovery Fund
September 30, 2022

	Actuals							Projected		
	For the Fiscal Year Ended 6/30/15	For the Fiscal Year Ended 6/30/16	For the Fiscal Year Ended 6/30/17	For the Fiscal Year Ended 6/30/18	For the Fiscal Year Ended 6/30/19	For the Fiscal Year Ended 6/30/20	For the Fiscal Year Ended 6/30/21	For the Fiscal Year Ended 6/30/22	For the Fiscal Year Ended 6/30/23	For the Fiscal Year Ended 6/30/24
CASH FLOWS FROM OPERATING ACTIVITIES										
Receipts for Licenses & Permits	\$ 38,425	\$ 126,910	\$ 38,370 ⁽¹⁾	\$ 133,550 ⁽¹⁾	\$ 29,465 ⁽¹⁾	\$ 193,865 ⁽¹⁾	\$ 55,065 ⁽¹⁾	\$ 101,260 ⁽¹⁾	\$ 55,065	\$ 101,260
Payments to Employees	(113,145)	(112,763)	(115,097) ⁽²⁾	(134,846) ⁽²⁾	(126,366) ⁽²⁾	(118,457) ⁽²⁾	\$ (125,468) ⁽²⁾	\$ (43,240) ⁽²⁾	(125,468)	(43,240)
Payments for Services/Claims	-	-	-	- ⁽³⁾	(24,902) ⁽³⁾	(25,300) ⁽³⁾	- ⁽³⁾	- ⁽³⁾	-	-
Other Payments	(732)	(5,174)	(13)	(627)	(5,000)	(497)	(9)	(2)	(9)	(2)
Net Cash Provided (Used) by Operating Activities	(75,452)	8,973	(76,740)	(1,923)	(126,803)	49,612	(70,412)	58,017	(70,412)	58,017
CASH FLOWS FROM INVESTING ACTIVITIES										
Interest and Dividends on Investments	2,164	2,533	3,178 ⁽³⁾	4,230 ⁽³⁾	9,964 ⁽³⁾	6,918 ⁽³⁾	309 ⁽³⁾	(4,730) ⁽³⁾	309	5,000
Net Cash Provided (Used) by Investing Activities	2,164	2,533	3,178	4,230	9,964	6,918	309	(4,730)	309	5,000
Net Increase (Decrease) in Cash	(73,288)	11,505	(73,562)	2,307	(116,839)	56,530	(70,104)	53,287	(70,104)	63,017
Cash and Cash Equivalents - Beginning of Year	527,552	454,264	465,770	392,207	394,514	277,675	334,205	264,101	317,389	247,285
Cash and Cash Equivalents - End of Year	\$ 454,264	\$ 465,770	\$ 392,207	\$ 394,514	\$ 277,675	\$ 334,205	\$ 264,101	\$ 317,389	\$ 247,285	\$ 310,302

(1) For FY23, licenses and permits revenue projected to be the same as FY21.

(2) Projecting through FY23 based on FY21 rate of earnings.

(3) For FY23, the annual personal services costs are projected for the Executive Administrator to spend 10% and the Project Assistant to spend 100% of their time on Real Estate Recovery Fund related tasks.

Commission Members Comments & Questions

Adjournment