

State of Alaska

**Real Estate Commission
Meeting**

February 9, 2023

Call to Order

Roll Call Traci Heaton

Elizabeth Schok

Chad Stigen

Devon Doran

Cheryl Markwood

Public Member - Vacant

Public Member - Vacant

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
February 9, 2023**

**Atwood Building 550 W. 7th Ave. Suite 1550
Anchorage, AK**

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

ZOOM Info: Join meeting: <https://us02web.zoom.us/j/83444205651>

Meeting ID: 834 4420 5651 Passcode: 080678
Call-In: +1 (669)900- 6833 or (253)215-8782

Thursday, February 9, 2023

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

- 9:00 a.m. 1. Call to Order Markwood
 a) Roll Call
 b) Approval of 2/8 Agenda
 c) Statements of Conflicts of Interest/ethics violations
2. Public Comments (est. time only; 9:15 am)
3. Review Meeting Minutes
 a) December 8, 2022
- 9:30 a.m. 4. Licensing Issue – Lebo
 a) Proposed Decision -
 OAH No 22-0149-REC/Agency No 2021-000273
 b) License Action
5. Investigative Report Gabriel
 a) Statistical Report/Probation Report Prieksat/Gabriel
 b) Investigative Training – Executive Session
- 11:00 a.m. 6. Division Update Dumas
 a) Revenue/Expenditure Report, FY23/ 2nd Qtr

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7. Old Business

- a) 2023 Strategic Plan – updates
- b) 12 AAC 64.064(g) - Education Requirements after Initial License
- c) Property Management Committee update/discussion Taggart
- d) Discuss status/goal of REC Consumer Disclosure Schok
- e) SOA Residential Real Property Disclosure Transfer Stat.

8. New Business

- a) 2023 Legislative Guidance for CBPL Board & Commission Members
- b) POC for Legislative Matters
- c) New Guidance on Board Committees vs. Subcommittee vs Workgroups
- d) Temporary License – close out real estate office

9. Executive Administrator's Report Harris

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

10. Commission Member Comments and Questions

Adjournment

REC Meeting Dates for 2023:

June 8
September 14 (In Person?)
December 14

Statement of Conflict of Interest/
Ethic Violations

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the Department of Law's ethics website.

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act on the public record and in writing to the chair.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting in advance of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved and there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.⁶

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website.

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing and under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

¹ The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

² The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

³ You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

⁴ In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

⁵ The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

⁶ In this manner, a member's detailed personal and financial information may be protected from public disclosure.

⁷ When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

⁸ The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The Alaska Lawyer Referral Service or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

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State of Alaska
DEPARTMENT OF LAW

ETHICS INFORMATION FOR MEMBERS OF BOARDS & COMMISSIONS (AS 39.52)

Introduction

This is an introduction to AS 39.52, the *Alaska Executive Branch Ethics Act*. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and *members of statutorily created boards and commissions*.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. *A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.*



 John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.

 The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.

 Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

 The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. *A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.* If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see *Ethics Act Procedures for Boards and Commissions* available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does

exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family

receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

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The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The Alaska Lawyer Referral Service or your local bar association may be able to assist you in locating a lawyer.

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Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift to me or my immediate family member, as required by AS 39.52.130(a) or (b) or (f) or 9 AAC 52.060.

1. Is the gift valued in excess of \$150?
 Yes No

2. Is the gift connected to my position as a state officer, employee or member of a state board or commission?
 Yes No

3. Can I take or withhold official action that may affect the person or entity that gave me the gift?
 Yes No

4. Are there circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment?
 Yes No

(If the answer to any question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____
Identify gift giver by full name, title, and organization or relationship, if any and occasion for gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 3 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Printed Name)

(Position Title)

(Date)

(Division)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

Ethics Disclosure Form

Receipt of Gift from Another Government

To: Director of Administrative Services, Office of the Governor

As required by AS 39.52.130(e), this disclosure reports receipt of a gift from another government given to me or a member of my family and accepted on behalf of the state.

The gift is:

My estimate of its value is \$ _____

I received it from: _____
(Identify by full name, title, government)

The date of receipt was _____

I received this gift under the following circumstances:

I can take or withhold the following official action that affects the giver:

The gift was received by a member of my family. Who? _____

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature) _____
(Date)

(Printed Name) _____
(Division)

(Position Title) _____
(Location)

(Department/Agency/Corporation/Board/Commission)

Designated Ethics Supervisor Review: _____

(Signature of Ethics Supervisor and Date)

Office of the Governor

Determination of appropriate disposition: _____

Director of Administrative Services, Office of the Governor *(Date)*

Return a copy of this disclosure showing disposition to the designated ethics supervisor for forwarding to the gift recipient.

Ethics Disclosure Form

Interest in State Grant, Contract, Lease, or Loan

TO: _____, Designated Ethics Supervisor

(Agency, Public Corporation, Board, Commission, Council)

As required by AS 39.52.150(d), this disclosure reports a personal or financial interest held by me or a family member and awarded, executed, or administered by the agency that I serve:

contract state grant lease loan

The state grant, contract, lease, loan was awarded on _____
by: _____

Describe the grant, contract, lease, or loan:

Identify the Recipient(s) of the grant, contract, lease, or loan:

My financial or personal interest in the grant, contract, lease, or loan is:

Official action I can take regarding the grant, contract, lease or loan is:

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature) _____
(Date)

(Printed Name) _____
(Division)

(Position Title) _____
(Location)

(Work Supervisor's Signature) _____
(Date)

Ethics Supervisor Determination: Approved Action Required _____
(Date)

Designated Ethics Supervisor*

**Designated Ethics Supervisor: Provide a copy of the signed disclosure to the employee. If action is required under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL Notification of Potential Violation Board or Commission Member Disclosure</p>
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TO: _____, Designated Ethics Supervisor, _____
(Chair) (Board or Commission)

In accordance with AS 39.52.220(a), I am notifying you of a situation which may result in a violation of the Code of Ethics by me.

I am requesting your determination regarding a possible violation of:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

The situation is as follows:

- I have provided additional information in the attached document(s).

I understand that I should refrain from taking any official action relating to this matter until I receive your determination. I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Member Signature)

(Date)

(Printed Name)

Note: Under AS 39.52.220, a board or commission member must disclose a potential violation of AS 39.52.110 - 39.52.190. If the chair, as designated ethics supervisor, or a majority of the board or commission, not including the subject member, determines that a violation will exist if the member continues to participate, the member shall refrain from voting, deliberating, or participating in the matter. A report of all disclosures and determinations, along with any written documentation, must be forwarded to the attorney general with the board's or commission's next quarterly report.

Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>
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TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Public Comments

Meeting Minutes

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

CONDENSED MINUTES OF THE MEETING HELD

DECEMBER 8, 2022

“These draft minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Commission.” 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 December 8, 2022, teleconference, at the State of Alaska Atwood Building, 550 W. 7th Avenue, Suite 1560, via Zoom, Anchorage, Alaska.

Date:	December 8, 2022
Time:	9:00 a.m.
Location:	Atwood Building, 550 W 7 th Ave Ste 1560, Anchorage AK
Attending:	<p>Commission Members: Traci Heaton- Associate Broker/1st Judicial District; Juneau Elizabeth Schok- Associate Broker. 4th Judicial District; Fairbanks Jaime Matthews- Public Member, Glennallen Devon Doran- Broker/ 3rd Judicial District; Wasilla Cheryl Markwood- Broker/Broker at Large/Chairperson; Fairbanks </p> <p>Staff: Nancy Harris- Executive Administrator, REC Kery Givens – Project Assistant, REC Anna Gabriel, Investigator, REC/APR</p> <p>Public: Errol Champion, AAR Liaison, Broker, Coldwell Banker Race Realty, Juneau Paddy Coan, Associate Broker, Keller Williams Realty, AK Group, Anchorage</p>
Absent:	<p>Commission Members: Jesse Sumner-Public Member; Wasilla Chad Stigen- Associate Broker/Broke At Large; Palmer</p>

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

Brief Discussion:	<p>Chairperson Cheryl Markwood called the meeting to order at 9:05 a.m., roll call was taken at which time a quorum was established.</p> <p>Ms. Markwood stated that Mr. Stigen had an excused absence, Mr. Sumner is excused and suspects he will be resigning his seat on the Commission, Mr. Sumner was elected to the House of Representatives for District 28, so that seat will be open.</p>
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Action Items:	<i>Proceed with meeting.</i>	
Agenda Item 1(b) - Approval of 12/8 Agenda		
Brief Discussion:	<i>Commission members reviewed the agenda as presented.</i>	
	Ms. Markwood stated for clarification that a guest would be joining the meeting at 9:30 am sharp so they would need to move agenda items around to meet that time. She also stated that for the proposed regulations she would like to move the consumer disclosure regulation to the bottom of the list to discuss last so that they will be assured to cover all the regulations.	
Motion:	On a motion made by Schok, seconded by Doran, it was, Resolved to approve the December 8, 2022, meeting agenda as presented.	
Recorded Votes:	Doran- Y	Heaton – Y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood – Y	
Action Items:	<i>None</i>	
Agenda Item 1(c) – Statements of Conflicts of Interest/Ethic Violations		
Brief Discussion:	<i>There were no statements of conflict or ethic violations.</i>	
Motion:	None	
Action Items:	<i>Report no conflict of interest or ethic violations when required.</i>	
Agenda Item 2 – Public Comments		
Brief Discussion:	Errol Champion, Chair of the Legislature and Real Estate Commission Committee for AK Realtors spoke to the Commission regarding the efforts going on in Juneau to adopt/pass Proposition 4. He said the was an effort by the local community headed by Realtors and MLS when the City of	

Juneau passed an ordinance requiring property transaction disclosure. The vote on that Proposition was positive and repealed by the City and Borough of Juneau. It is no longer required. The Realtors have looked at possibly a need to reinforce the fact that AK is a non-disclosure state and will remain a non-disclosure state as it relates to real property values.

Mr. Champion thanked the Commission for the opportunity to speak.

Ms. Markwood thanked Mr. Champion for attending the meeting, his comments and all the work you do on behalf of the industry.

Paddy Coan, Associate Broker, manager for Keller Williams Realty AK Group addressed the Commission regarding an email she had sent Ms. Harris in October dealing with:

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".

She said the language in the state of WA is very similar to AK's where it states their licensees can be paid only through their employing broker and they allow this practice. She did not know or suggesting there is a need for a change in regulation but wanted to present it to the Commission for their consideration. She doesn't want to start something without making sure everybody understands what they are asking, give the Commission a roadmap of how to do it, policy manual, and if there were any issues, they would share those and improve the system. The intent in large companies is just the sheer number of transactions that is happening. The She said pace of business is at a faster pace and we have not made a lot of changes and discussed the way business is actually happening. She wanted to start the conversation.

Ms. Markwood asked if the Commission would need to do a regulation change in our current regulations in order to adopt this action?

Ms. Coan said she didn't think so because she provided the actual statutory language from WA and it basically says that licensees can only be paid through their employing broker. She was thinking Ms. Harris could contact WA REC and find out did they have to do any regulation changes to allow this practice.

Ms. Markwood said that may be a question that will need to go to the AG for clarification.

Ms. Coan had another issued that she has brought up to the Commission in the past and has not received any feedback regarding investigation of a licensee within their office or brokerage. She said that the statutes require the broker and brokerages to supervise their people, however, when there is an investigation or an investigation letter is sent out to a licensee, the broker is not informed of that. She said she thinks it is almost contrary to what the spirit of what the law says, because the Commission who's controlling that information, the investigator is part of that unit, is not sharing that information that might be critical to them to be able to check in on other transactions and more closely be about to supervise people because the Commission knows information that they don't know.

She said she would again like to ask that when an investigation letter goes out to a licensee that it also goes to the supervising broker of that licensee.

Ms. Doran said she was of that same thought in the past and she was advised to deal with it at the brokerage policy level.

Ms. Coan said that they also have addressed this in their broker policy manual, but it seems contradictory for an agency who says this is our job, yet they don't give them all information so that they can do a better job supervising. She said she will continue to bring this up because she thinks it is very important.

Ms. Coan thanked the Commission for the opportunity to speak.

The Commission thanked Ms. Coan for her comments.

Fred Wagner, PLS, MSB Platting Officer. Mr. Wagner emailed his comment to Ms. Harris to be presented to the Commission for their consideration. His email said:

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

The Commission said they may want to put out a reminder, as Mr. Champion had suggested, regarding brokerages updating their broker policies and guidelines in the beginning of the year with these types of issues that come up.

Lisa Kostelecky, a real estate salesperson with Associated Island Brokers, Inc, Kodiak, asked that her email with a concern be presented to the Commission during public comment. Her email stated:

Hi Nancy,

As the topic of supervision is currently being reviewed, the regulations for a Broker that has moved, or lives full time out of state, leaving the Alaska office permanently without a physically present Broker, or Associate Broker, instead of as a temporary situation such as a vacation, should be addressed.

I believe it's more of a policy issue with the commission as to if a long-distance Broker fits the intent of the supervisory rules that are in place, and if being able to monitor the office remotely with today's technology is sufficient and meets the public's best interest. It seems like the intent of current regulations on remote work and monitoring is based more toward agents working remotely, and not toward the Broker/ Associate Broker

	<p>positions, which are required to be onsite in both a regular office and a branch/satellite office. This policy should be reviewed for consistency and clarified, and maybe the policy of Disclosure to the public that agents are not actually in state should also be addressed. Always going with the idea that full disclosure is important to remain ethical and keep our customers trusting the integrity in the real estate market professionals.</p> <p>Thank you for your time,</p> <p>Lisa Kostelecky</p> <p>The Commission discussed Ms. Kostelecky's concern and said they could look at clarifying regulations. Ms. Heaton pointed out that this may be addressed later in the meeting with one of the regulation changes.</p>	
Motion:	None	
Action Items:	None	
Agenda Item 4 – Investigations Agenda Item 4(a) – Licensing Issue – Proposed Decision OH No 2-0633-REC/2022-000602		
Brief Discussion:	Ms. Markwood welcomed ALJ Pederson to the meeting.	
Motion:	<p>On a motion duly made by Heaton, seconded by Matthews, it was,</p> <p>Resolved to go into executive session in accordance with the provisions of AK Statute 44.62.310(c), for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.</p>	
Recorded Votes:	Doran- Y	Heaton – Y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
Executive Session:	<p><i>Commission went into executive session at 9:32 am.</i></p> <p><i>Out of executive session at 9:41 am</i></p>	

Agenda Item 4(a) cont'd – Licensing Issue – Proposed Decision OH No 2-0633-REC/2022-000602

Brief Discussion:	None	
Motion:	On a motion by Doran, seconded by Matthews, it was, Resolved to adopt the proposed decision by Judge Pederson in the matter of Michael J. Sorensen Jr., case #22-0633.	
Recorded Votes:	Doran- Y	Heaton – Y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	<i>Staff to obtain Chair's signature of the Commission decision and forward to the Hearing Office.</i>	

Agenda Item 4(b) – Statistical Report		
Brief Discussion:	Investigator Anna Gabriel presented the investigation statistics for the reporting period of August 19, 2022, through November 22, 2022. There are 71 cases opened and 10 cases were closed from the last report.	
Motion:	None	
Recorded Votes:	None	
Action Items:	None	

Agenda Item 3 – Review of Meeting Minutes Agenda Item 3(a) – September 8, 2022		
Brief Discussion:	None	
Motion:	On a motion by Doran, seconded by Heaton, it was, Resolved to approve the December 8, 2022, meeting as presented.	
Recorded Votes:	Doran- Y	Heaton – Y

	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	<i>Staff to obtain signature from Chair and place on REC website.</i>	
Agenda Item 3(b) – September 26, 2022		
	Ms. Matthews stated that the meeting minutes indicated that the meeting started at 1:30 pm and adjourned at 12:08 pm.	
Motion:	None	
Recorded Votes:	None	
Action Items:	<i>Staff to verify time of adjournment, make correction, and place amended copy of meeting minutes in OnBoard for Commission members to reconsider for approval.</i>	

Break at 9:50 am
 Reconvened at 10:00 am

Agenda Item 5 – Division Update Agenda Item 5(a) Financials		
Brief Discussion:	Ms. Dumas, Chief Financial Officer for CBPL, presented her Division Update of the REC financials for FY2022/ 4 th Qtr, and FY 2023/1 st Qtr, to the Commission.	
Motion:	None	
Recorded Votes:	None	
Action Items:	None	

Agenda Item 6 – Old Business Agenda Item 6(a) – 2023 Strategic Plan -updates		
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Brief Discussion:	Ms. Harris stated that she updated the strategic plan with the proposed regulations the Commission is reviewing at this meeting, payment of commissions to licensees from title company (with the broker's permission) and title companies hold earnest money, and regulation 12 AAC 64.064(g) Education Requirements after Initial License for the Commission to possibly review.	
	Ms. Duran said she would review 12 AAC 06.064(g) regulations see if any revisions are needed, Ms. Markwood said they will keep the commission issue on the strategic plan to review and do research and speak to it at the next meeting.	
Motion:	None.	
Recorded Votes:	None	
Action Items:	Staff to research when the Governor's Admin order ends and bring the information back to the Commission.	

Agenda Item 6(b) – Proposed Regulations – Review of Public Comments		
12 AAC 64. 61(b), License by Endorsement, re: license history		
	Commission members did not see any public comments received regarding this specific regulation.	
Motion:	On a motion by Matthews, seconded by Schok, After acknowledging no public comment received and considering the cost to private persons, I move to adopt the section 12 AAC 64. 60(h) dealing with Applications for Licensure as proposed and amended.	
Recorded Votes:	Doran- Y	Heaton – Y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	

Action Items:	Staff to send Commission’s adoption of regulations to the Regulation Specialist in Juneau for the next step in the regulation process.
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12 AAC 64. 61(b), License by Endorsement, re: license history

Brief Discussion:	Commission members reviewed and discussed the public comments received.	
Motion:	On a motion by Matthews, seconded by Heaton, After acknowledging public comments received and considering the cost to private persons, I move to adopt the section 12 AAC 64. 61(b) dealing with Application by Endorsement as amended, changing the word “authority” to “authorities”.	
Recorded Votes:	Doran- Y	Heaton – Y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Staff to send Commission’s adoption of regulations to the Regulation Specialist in Juneau for the next step in the regulation process.	

12 AAC 64. 075, Employment and Transfer, re: license certificate

Brief Discussion:	Commission members reviewed and discussed the public comments received.	
Motion:	On a motion by Matthews, seconded by Doran, After acknowledging public comment that was received and considering the cost to private persons, I move to adopt the section 12 AAC 64. 075, Employment and transfer, as proposed.	
Recorded Votes:	Doran- Y	Heaton – Y

	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Staff to send Commission’s adoption of regulations to the Regulation Specialist in Juneau for the next step in the regulation process.	

12 AAC 64. 125, Supervision for main and branch offices		
Brief Discussion:	Commission members reviewed and discussed the public comments received.	
Motion:	<p>On a motion by Heaton, seconded by Doran,</p> <p><u>Amend 12 AAC changing (3) to supervision for compliance of brokerage polices, guidelines and requirements which are specifically listed under AS 08.88.685(a) (1-5) to be reviewed by legal counsel and, if needed, sent out for public comment again, with a 30-day written public comment.</u></p>	
Recorded Votes:	Doran- Y	Heaton – y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Staff to send Commission’s adoption of regulations to the Regulation Specialist in Juneau for the next step in the regulation process.	

12 AAC 64. 500, Continuing Education Requirements, re: outside education	
Brief Discussion:	Commission members did not see any public comments received regarding this specific regulation.
Motion:	On a motion by Matthews, seconded by Doran,

	After acknowledging no public comment was received and considering the cost to private persons, I move to adopt the section 12 AAC 64. 500 Continuing Education Requirements, as proposed.	
Recorded Votes:	Doran- Y	Heaton – y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Staff to send Commission’s adoption of regulations to the Regulation Specialist in Juneau for the next step in the regulation process.	

12 AAC 64. 118, Consumer Disclosure, page 2 revision		
Brief Discussion:	Commission members reviewed all public comments regarding the Consumer Disclosure regulation.	
Motion:	On a motion by Schok, seconded by Matthews, No action was taken on regulation 12 AAC 64.118 and to send this regulation/form back to committee for further revisions.	
Recorded Votes:	Doran- Y	Heaton – y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Staff to send Commission decision to take no action on this regulation to the Regulation Specialist in Juneau.	

Break at 10:30 am
 Reconvened at 10:36 am

Agenda Item 7 – New Business Agenda Item 7(a) - Meeting Dates for 2023
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Brief Discussion:	The Commission members discussed the meeting dates for 2023.	
	February 9 th	
	June 8 th	
	September 14 th	
	December 14 th	
Motion:	None	
Recorded Votes:	None	
Action Items:	Staff to place meeting dates on REC website.	

Agenda Item 8 – Executive Administrator’s Report
 Agenda Items 8(a) – Licensing/Education Statistics

Brief Discussion:	Ms. Harris presented the Licensing and Education report to the Commission.	
Motion:	None	
Recorded Votes:	None	
Action Items:	None	

Agenda Item 8(b) – Recovery Fund Balance Report

	Ms. Harris presented the Recovery Fund Report ending September 30, 2022. The Commission received a total of \$13,170 for license fees processed August through September 2022 with a current total fund balance at \$317,389 and the end of year fund balance of \$328,509. The projected balance for the end of the next fiscal year is \$310,302.	
Motion:	None	
Recorded Votes:	None	
Action Items:	None	

Agenda Item 9 – Commission Member Comments and Questions

<p>Brief Discussion:</p>	<p>Ms. Matthews –thanked everyone and she appreciated an efficient meeting. She said she did not have a lot of comments on the form but on the consumer side there were quite a few changes that went to the committee last time. She thanked everyone for their work and comments and wished everyone a Merry Christmas.</p> <p>Ms. Heaton- stated that she agreed it was an efficient meeting, a good use of time. She said there were a lot of public comments on the Consumer Disclosure. It was nice to see the feedback from people. She said she thinks the change are positive and wished everyone a Merry Christmas and she looks forward to the new year.</p> <p>Ms. Duran- stated it was a great meeting, thank you!</p> <p>Ms. Schok- stated that she also thought it was a great meeting. She said she looks forward to working on the Consumer Disclosure form again; she liked some of the comments that were received. She said she believes we can make the form simple and still accomplish what we are looking for. She wished everyone a wonderful holiday season and looks forward to seeing everyone after the holidays. She said she hopes everyone who's time is up will reup.</p> <p>Ms. Markwood- stated this was not a long meeting but we accomplished a lot. She thanked the committee members that worked on the Consumer Disclosure because that was a big project, and we appreciate that. She welcomed Kery into our group and department, we appreciate you very much. She looks forward to seeing everybody in February and hopes that everyone that term is ending on March 1 will consider staying on and serve another term. This is end of her 4-year term and she said it has been a joy and she has learned so much and appreciates everyone very much for all their hard work. Merry Christmas!</p>	
<p>Motion:</p>	<p>none</p>	
<p>Recorded Votes:</p>	<p>none</p>	
<p>Action Items:</p>	<p>none</p>	

<p>Next Meeting:</p>	<p>February 9, 2023</p>
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Adjournment		
Brief Discussion:	None	
Motion:	On a motion by Doran, seconded by Matthews, it was, Resolved to approve adjourn.	
Recorded Votes:	Doran- Y	Heaton – y
	Matthews – Y	Schok – Y
	Stigen – absent	Sumner – absent
	Markwood - Y	
Action Items:	Meeting was adjourned at 12:12 pm	

Prepared and submitted by:

 Nancy Harris
 Executive Administrator

Approved:

 Cheryl Markwood, Chair
 Alaska Real Estate Commission

Date: _____

Licensing Issues

Proposed Decision -
OAH No 22-0149-REC
Agency No 2021-000273

License Action

Investigative Report



THE STATE
of **ALASKA**

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8160
Fax: 907.269.8156

MEMORANDUM

DATE: January 24, 2023
TO: Real Estate Commission
THRU: Greg Francois, Chief Investigator ELP
FROM: Anna Gabriel, Investigator *AG*
RE: Investigative Report for the February 09, 2023 Meeting

The following information was compiled as an investigative report to the Board for the period of November 23, 2022 thru January 24, 2023; 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 - 62

<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			
2021-000107	Unethical conduct	Complaint	02/16/2021
2021-000231	Advertising	Complaint	03/12/2021
2021-000238	Fraud or misrepresentation	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
2022-001082	Violation of licensing regulation	Complaint	11/08/2022

REAL ESTATE BROKER

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
2021-001096	Violation of licensing regulation	Complaint	12/15/2021
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
2023-000012	Violation of licensing regulation	Complaint	01/10/2023
2020-000224	Criminal action - no conviction	Monitor	
2022-000074	Falsified application	Investigation	12/22/2022
2021-000267	Violation of licensing regulation	Litigation Initiated	09/16/2022

REAL ESTATE SALESPERSON

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
2022-000921	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
2022-001076	Violation of licensing regulation	Complaint	11/07/2022
2022-001077	Violation of licensing regulation	Complaint	11/07/2022
2022-001171	Violation of licensing regulation	Complaint	12/14/2022
2022-000852	Continuing education	Monitor	
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
2022-000854	Continuing education	Investigation	11/29/2022
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>
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**REAL ESTATE ASSOCIATE
BROKER**

2021-000022	Violation of licensing regulation	Closed-Complaint	12/14/2022	No Action - No Violation
REAL ESTATE BROKER				
2022-001102	Violation of licensing regulation	Closed-Intake	12/16/2022	Incomplete Complaint
2022-001135	Violation of licensing regulation	Closed-Intake	01/08/2023	Incomplete Complaint
2021-001080	Violation of licensing regulation	Closed-Complaint	11/29/2022	No Action - No Violation
2016-000807	Fraud or misrepresentation	Closed-Investigation	01/03/2023	No Action - No Violation
2016-000949	Fraud or misrepresentation	Closed-Investigation	01/03/2023	No Action - No Violation
2017-000602	Fraud or misrepresentation	Closed-Investigation	01/03/2023	No Action - No Violation
REAL ESTATE SALESPERSON				
2022-001085	Violation of licensing regulation	Closed-Intake	12/12/2022	Incomplete Complaint
2022-000850	Continuing education	Closed-Complaint	01/03/2023	No Action - No Violation
2022-001066	Continuing education	Closed-Complaint	01/03/2023	No Action - No Violation

END OF REPORT

Investigative Training –
(*Executive Session*)

Division Update

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 23	
										FY 22	1st & 2nd 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	\$ 109,285
General Fund Received							\$ -	\$ -	\$ -	\$ 17,842	\$ -
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ 2,500
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	\$ 111,785
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	80,859
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	2,863
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	83,722
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	48,148
2000 - Travel	-	-	-	-	-	-	2,078	-	2,078	-	2,928
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	57,139
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	860
4000 - Commodities	-	-	-	-	-	-	-	-	-	106	32
Total Investigation Expenditures	142,268	160,285	302,553	52,068	88,775	140,843	98,664	143,973	242,637	129,231	109,107
Total Direct Expenditures	319,950	300,115	620,065	197,108	224,480	421,588	186,366	261,752	448,118	270,987	192,829
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	56,292
Departmental Costs	54,735	58,811	113,546	53,154	57,353	110,507	37,533	39,972	77,505	46,517	23,259
Statewide Costs	20,226	23,348	43,574	18,608	20,811	39,419	20,978	28,864	49,842	28,689	14,345
Total Indirect Expenditures	170,691	169,160	339,851	180,508	188,526	369,034	167,178	170,261	337,439	187,789	93,896
TOTAL EXPENDITURES	\$ 490,641	\$ 469,275	\$ 959,916	\$ 377,616	\$ 413,006	\$ 790,622	\$ 353,544	\$ 432,013	\$ 785,557	\$ 458,776	\$ 286,725
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	(174,940)
Ending Cumulative Surplus (Deficit)	\$ 695,563	\$ 523,449		\$ 912,708	782,155		\$ 1,047,062	\$ 940,639		\$ 1,320,405	\$ 1,145,465
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	72,526.20				72,526.20
1014 - Overtime	1,017.94				1,017.94
1016 - Other Premium Pay	57.98				57.98
1023 - Leave Taken	6,230.61				6,230.61
1028 - Alaska Supplemental Benefit	4,898.52				4,898.52
1029 - Public Employee's Retirement System Defined Benefits	10,771.96				10,771.96
1030 - Public Employee's Retirement System Defined Contribution	1,928.75				1,928.75
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,301.13				1,301.13
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	400.30				400.30
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	5,388.89				5,388.89
1040 - Group Health Insurance	19,591.43				19,591.43
1042 - Worker's Compensation Insurance	639.34				639.34
1047 - Leave Cash In Employer Charge	2,509.18				2,509.18
1048 - Terminal Leave Employer Charge	570.70				570.70
1053 - Medicare Tax	1,096.89				1,096.89
1077 - ASEA Legal Trust	53.33				53.33
1079 - ASEA Injury Leave Usage	8.53				8.53
1080 - SU Legal Trst	15.36				15.36
2005 - In-State Non-Employee Airfare			-		-
2008 - In-State Non-Employee Meals and Incidentals			-		-
2010 - In-State Non-Employee Non-Taxable Reimbursement			-		-
2012 - Out-State Employee Airfare			901.24		901.24
2013 - Out-State Employee Surface Transportation			66.73		66.73
2014 - Out-State Employee Lodging			1,504.99		1,504.99
2015 - Out-State Employee Meals and Incidentals			1,907.00		1,907.00
2016 - Out-State Employee Reimbursable Travel Costs			1,048.00		1,048.00
2970 - Travel Cost Transfer			(2,500.00)		(2,500.00)
3000 - Training/Conferences				850.00	850.00
3002 - Memberships				780.00	780.00
3035 - Long Distance				14.44	14.44
3036 - Local/Equipment Charges				8.57	8.57
3045 - Postage				462.76	462.76
3046 - Advertising				557.59	557.59
3057 - Structure, Infrastructure and Land - Rentals/Leases				100.74	100.74
3085 - Inter-Agency Mail				385.98	385.98
3088 - Inter-Agency Legal				57,701.76	57,701.76
4005 - Subscriptions				32.00	32.00
Grand Total	129,007.04	2,927.96	60,861.84	32.00	192,828.84

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

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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	Completed; Regulations signed by Lt. Governor on 1/12/23, the proposed fee changes will be effective on 2/13/23. * 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, Commission adopted regulations changes and now with Regulation Specialist and then to DOL for review.
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 took no action on revised form at 12/9/22 meeting, /will discuss status/goal at 2/9/23 REC meeting.
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 adopted regulations changes for 12 AAC 64.059, 060,061,075, and 500, now in with Regulation Specialist and then to DOL for review.

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
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	In progress, Commissioner Duran made revisions, Commission to discuss at 2/9/23 meeting.
14. Commission Business/Inform Licensees	Payment of commissions/EM through title company's	Commissioners & Staff	

Last Edited 1/23/2023

12 AAC 64.064. EDUCATION REQUIREMENTS AFTER INITIAL LICENSE.

(a) In addition to the education requirements of 12 AAC 64.063 for an initial license and the continuing education requirements under 12 AAC 64.500 for license renewal, within one year after the date that the commission issues an initial license to a real estate licensee under this chapter, the licensee shall complete 30 hours of education that meets the applicable requirements of (b) or (c) of this section.....

(g) A licensed salesperson issued an initial license as a broker or associate broker who fails to meet the educational requirements under (a) of this section, shall upon application and payment of the required fees, be reissued a salesperson's license provided that the licensee continues to be eligible for a salesperson's license.

Property Management Committee
Discussion

REC Consumer Disclosure Discussion



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

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



THE STATE
of

ALASKA

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

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

State of Alaska Residential Real Property Transfer Disclosure Statement

Prepared in compliance with Alaska Statute (AS) 34.70.010 - 34.70.200

AS 34.70.010 requires that before a Transferee/Buyer (hereafter referred to as Buyer) makes a written offer of residential real property, the Transferor/Seller (hereafter referred to as Seller) must deliver a completed written disclosure form. This disclosure statement is in compliance with AS 34.70.010. It concerns the residential real property* located in the Recording District, Judicial District, State of Alaska as listed below.

Recording District:	
Legal Description:	
Property Address/ City/Other:	

*Residential real property means any single-family dwelling, or two single family dwelling units under one roof, or any individual unit in a multi-unit structure or common interest ownership community whose primary purpose is to provide housing. AS 34.70.200(2) and (3).

Exemption for First Sale: Under AS 34.70.120, the first transfer of an interest in residential real property that has never been occupied is exempt from the requirement for the Seller to complete the Disclosure Statement.

Waiver by Agreement: Under AS 34.70.110, completion of this disclosure statement may be waived when transferring an interest in residential real property if the Seller and Buyer agree in writing. Signing this waiver does not affect other obligations for disclosure.

Violation or Failure to Comply: A person who negligently violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200 is liable to the Buyer for actual damages suffered by the Buyer as a result of the violation or failure. If the person willfully violates or fails to perform a duty required by AS 34.70.010 - AS 34.70.200, the Seller is liable to the Buyer for up to three times the actual damages. In addition to the damages, a court may also award the Buyer costs and attorney fees to the extent allowed under the rules of court.

AS 34.70.020 provides that if a disclosure statement or material amendment is delivered to the transferee after the transferee has made a written offer, the transferee may terminate the offer by delivering a written notice of termination to the transferor or the transferor's licensee within three days after the disclosure statement or amendment is delivered in person or within six days after the disclosure statement or amendment is delivered by deposit in the mail.

AS 34.70.040(b) provides that if an item that must be completed in the disclosure statement is unknown or is unavailable to the Seller, and if the Seller or Seller's agent has made a reasonable effort to ascertain the information, the Seller may make an approximation based on the best information available to the Seller or Seller's agent. It must be reasonable, clearly labeled as an approximation, and not used to avoid the disclosure requirements of AS 34.70.010 – AS 34.70.200.

All disclosures made in this statement are required to be made in good faith (AS 34.70.060). The Seller must disclose defects or other conditions in the real property, or the real property interest being transferred. The Seller does not need to include a search of the public records, nor does it require a professional inspection of the property.

If the information supplied in this disclosure statement becomes inaccurate as a result of an act or agreement after the disclosure statement is delivered to the Buyer, the Seller is required to deliver an amendment to the disclosure statement to the Buyer. An addendum/amendment form for that purpose may be attached to this disclosure statement.

Upon delivery to a buyer, any inspection/reports generated by a purchase agreement of this property automatically becomes an addendum/amendment to the property disclosure.

Seller's Initials

Date

Property Address

Buyer's Initials

Date

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						



2023 Legislative Guidance for CBPL Board & Commission Members

As a member of a professional licensing board or commission, you have considerable latitude—as well as responsibility—to recommend changes to your licensing program’s enabling statutes. Members of the public, consumers, other professionals, and your industry’s association confidently approach members of the legislature to affect the change they wish to see in your practice. Whether taking the initiative or reacting to an “active” bill, board members also need to be prepared to champion their cause!

THE OPEN MEETINGS ACT ALWAYS APPLIES

AS 44.62.310(h) provides detailed definitions of "governmental body," "meeting," and "public entity" that, when combined, define what constitutes a public meeting. A meeting of a decision or policy-making body occurs when more than three members or a majority of the members, whichever is less, engage collectively in discussion of a subject on which the body is authorized to act and set policy and is therefore subject to the Open Meetings Act. Under this definition, it doesn't matter where the meeting occurs, if it was prearranged, or who arranged it and could include unplanned casual or social contact in any location, including the office of a legislator or an industry gathering.

Members of boards and commissions should take care not to conduct business over email, lest the public be removed from the process. Board members should not email each other about board business; if a special meeting is needed, a member can alert staff and a meeting can be arranged and publicly noticed. Remember, all board member email correspondence is discoverable, and your board business is also the public’s business.

This information is contained in the *CBPL Guide to Excellence in Regulation*. Board members are provided a bound copy of this guidance manual; however, if you need another copy, you may download it here:

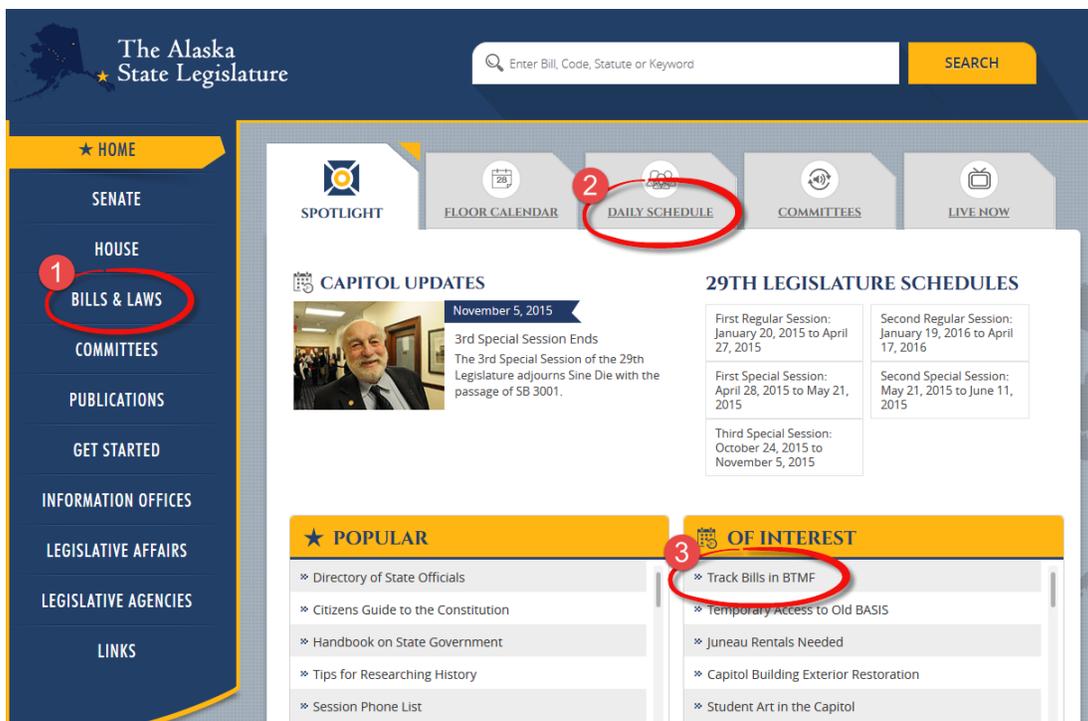
https://www.commerce.alaska.gov/web/Portals/5/pub/CBPL_Board.Commission.Guide.pdf.

BE INFORMED: IF NOT YOU, THEN WHO?

- Ahead of legislative session, select on the record a member who will serve as the point person for legislative activity. In the absence of this person, the division will look to the chair of the board for input and interpretation. If the board is championing a piece of legislation, a history of the meeting minutes reflecting the issues and board’s perspective should be compiled by this leader and made available to board members and division management, who will be at every hearing. This research and history will be especially helpful to new board members who are appointed.
- When a bill is filed, division management will alert program staff. The examiner or executive should ensure that their board members are made aware of legislation that is filed that will affect them. With sometimes hundreds of bills to track, analyze, and testify on, division management may not be able to keep the board apprised of

every late-breaking detail. Division management will periodically send updates to staff regarding legislation or request discussion with the board.

- However, it is up to board membership to track the progress of a bill the board is interested in, to call in to testify as desired by the board, submit support or opposition letters as determined by the board, etc. The division will do its best to inform members of scheduled hearings as a courtesy, but board members should utilize the tools identified below to track hearings as well.
- Know where to find your bill using the Alaska State Legislature’s website (also known as BASIS): akleg.gov
 1. The **BILLS & LAWS** section on the sidebar links to a searchable list of documents. If you know the bill number, you can search using the bar at the top of the screen.
 2. The **DAILY SCHEDULE** shows all committee activity for the day you choose. It is subject to change, but it is a good starting place to see what is happening where.
 3. The **BTMF**—or Bill Tracking Management Facility – is your best friend when trying to keep up with a bill. Take the time to set up your profile and register the bill you want to track, then you will receive email updates when its status changes or is scheduled for a hearing.



GUIDELINES FOR BOARD MEMBER TESTIMONY

- Encourage the board to become engaged: Track the bill online, participate in hearings, write a letter supporting the board’s official position, and discuss the legislation in a public meeting. It is a best practice for organizations to speak with “one voice.” Any testimony or correspondence by a board member on behalf of a board must represent deliberation and action taken on the record in a public meeting.
- Staff may not express opinions on behalf of the board or discuss legislation with elected officials without prior arrangements with division management and clearance from the Governor’s Legislative Office. If the board has published a resolution or letter regarding the legislation as a result of a vote at a public meeting, staff may provide that document to legislators per department procedures.

- If a board has voted to pursue legislation, this must be an effort by the board membership. Staff cannot participate or assist (aside from providing guidance as needed) unless pre-approved by the Commissioner’s Office and Governor’s Legislative Office. This is because division staff – whether it be the Director, Deputy Director, an Executive Administrator, Licensing Examiner, or other – represent the Governor in the eyes of the Legislature.
- Individual board members may offer their personal or professional opinions on the legislation by clarifying that while they are appointed to a board, they do not speak on behalf of the board.
- Boards must provide a member to testify telephonically (or in person, if in Juneau) at every hearing when being considered for reauthorization per AS 08.03. Without member interest and advocacy for the board or commission’s continuation, it is possible that the sponsor could withdraw the bill and the board could sunset.
- The chair or elected board spokesperson should be prepared to answer questions posed by staff or legislators, testify telephonically (or in person, if in Juneau) on bills that require subject matter expertise or upon request, and otherwise be available on short notice to engage in this process.
- Be sure to differentiate the state licensing board from the industry association. Sometimes, they share the same goals. Sometimes, they do not. Legislators must keep track of a lot of names and organizations, so be sure that you are clear that you represent the State of Alaska.
- Nervous? Don’t worry! Please email or call the division Director or Deputy Director to discuss tips or even run through some potential questions/roleplay.

LEGISLATIVE TESTIMONY CALL-IN DO’S AND DON’TS

- **Do** use the streaming video available on the “Live Now” tab on akleg.gov or Gavel Alaska (ktoo.org/gavel) to watch for your bill to come up. The chairman will announce the order of bills at the beginning of the meeting. Callers may be disconnected from the meeting if they call in prior to their bill being taken up.
 - If video streaming is not an option for you, please contact the committee aide to make arrangements to call in early.
 - Once the bill is before the committee, call 844-586-9085, 844-563-9085, 907-586-9085, or 907-563-9085. Give your name, the bill number, and ask to be connected to the _____ Committee.
- **Do not** call in before the bill you are testifying on comes before the committee.
- **Do not** call in for a hearing if you simply want to listen – utilize the streaming video as noted above.
- **Do** use the “mute” function of your phone until called on to testify. If this function is not available on your phone, ask the Legislative Information Office (LIO) moderator to mute your call.
- **Do not** use the “hold” function.
- **Do** try to be in a quiet room without distractions or interruptions. Please treat the important responsibility of testifying with utmost respect and professionalism.
- **Do** remember that everything transmitted over your phone will be broadcast directly into the meeting room and recorded to become part of the permanent record.

- **Do** remember to be in a location with good reception if using a cell phone. Disruptions coming into the meeting via the phone lines will result in all callers being disconnected from the system. This will require testifiers to call back to be reconnected. Turn off your computer or TV speakers if listening online so you do not create an audio “loop.”
- **Do** try to adhere to time limits imposed by the chairman.
- **Do** feel comfortable referring a question to the division if it’s related to a day-to-day administrative matter or the fiscal note provided for a bill.

Remember: There are a limited number of phone lines coming into the Capitol. These lines are also used by LIOs around the state. When all the phone lines are used up, an LIO may not be able to call in with a room full of people.

DIVISION CONTACT INFORMATION:

You can always route questions through the staff to your boards. However, if you have an urgent matter that requires you contact division management quickly:

- CBPL Director – Sylvan Robb: sylvan.robbs@alaska.gov, (907) 465-2524, or (907) 419-7678
- CBPL Deputy Director – Glenn Saviers: glenn.saviers@alaska.gov or (907) 465-2691

Division management is often in meetings or hearings throughout the day during legislative session, so email may sometimes be the quickest way to get a response. If you opt to call, make sure to leave a voicemail and consider following up with an email. Please do understand that while management will get back to you as quickly as possible, they may not always be able to get back to you the same day.

POC For Legislative Matters

Saviers, Glenn A (CED)

From: Chambers, Sara C (CED)
Sent: Friday, January 6, 2023 11:58 AM
To: Saviers, Glenn A (CED)
Cc: Robb, Sylvan S (CED); Bowman, Reid T (CED)
Subject: Guidance on board committees/subcommittees/working groups

Importance: High

Hi, Glenn. Last night, the MED board gathered to discuss an investigative process, which resulted in the creation of a workgroup to review and suggest updates and improvements. There was some question about how the workgroup should form, and I promised to send out additional guidance today for consideration. Below is my version of the new advice LAW provided in November, which came about when the GUI board started formation of their concession program workgroup. It's a little different than how CBPL has been operating, despite various AAGs reviewing our existing guidance over the years!

I'll be updating the board manual this spring in advance of board and staff training; however, in the meantime, would you send this out to the current board staff and supervisors? (Since this is not a crisis, they can inform board members by including this in any upcoming meeting materials.) Please include my signature in case anyone has questions. I'll be sure to keep you, Sylvan, and Reid in the loop on any clarifications or changes. Thank you!

Dear board members and staff:

Recently, additional guidance was provided by LAW regarding workgroups of governmental boards and commissions. Below is a review of common board-sanctioned subdivisions, how they should be used, and when they must be publicly noticed. There are many criteria regarding formations of these groups, so boards and staff should be mindful of *all* these aspects when creating these types of teams and when planning their meetings. When in doubt, ask!

1. Committees of the board

- a. Are comprised exclusively of board members
- b. Are usually formed as standing committees to work through regular or recurring business of the board prior to presentation for board action
- c. Are advisory and do not act on behalf of the board
- d. Must be publicly noticed in the same manner as a board meeting

Examples: AELS Outreach Committee – meets periodically to discuss ongoing stakeholder outreach; AELS Legislative Liaison Committee – meets periodically to discuss ongoing legislation or legislative proposals affecting the board

2. Subcommittees of the board

- a. Are comprised exclusively of board members
- b. Are usually not standing committees—they serve to examine a short-term or finite issue or problem, like a task force
- c. Should be created by the board and include clear objectives and timelines for completion of their work
- d. Are advisory and do not act on behalf of the board
- e. Must be publicly noticed in the same manner as a board meeting

Example: REC Teams Disclosure Subcommittee – met several times to work on updates to the forms and regulations relating to legal disclosures

3. Workgroups of the board

- a. May include public persons
- b. Serve to examine a short-term or finite issue or problem, like a task force
- c. Should be created by the board and include clear objectives and timelines for completion of their work
- d. Are advisory and do not act on behalf of the board
- e. Do not require public notice unless more than three or a majority of board members, whichever is less, are serving
- f. *May* be publicly noticed if public comment is solicited or if the group desires a highly transparent process

Examples: GUI Concession Program Workgroup – meets regularly through 2023 with representatives from other state agencies and industry to develop plans for legislative proposal in 2024; MED Physician Assistant Workgroup – meets regularly with non-board stakeholders to review and suggest updates to physician assistant regulations

To put this guidance into context, here is a link to the to the Open Meetings Act. Sections relevant to this guidance are highlighted below. Be sure to read the law in its entirety for full and accurate comprehension.

[AS 44.62.310. Government meetings public.](#)

(h) In this section,

(1) “governmental body” means an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity; “governmental body” includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;

(2) “meeting” means a gathering of members of a governmental body when

(A) more than three members or a majority of the members, whichever is less, are present, a matter upon which the governmental body is empowered to act is considered by the members collectively, and the governmental body has the authority to establish policies or make decisions for a public entity; or

(B) more than three members or a majority of the members, whichever is less, are present, the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

Please let me know if you have any questions or concerns.

Sara Chambers

*Boards and Regulations Advisor
Alaska Department of Commerce, Community, and Economic Development
sara.chambers@alaska.gov*

Temporary License
Close out real estate office

Executive Administrator's Report

LICENSING REPORT
February 9th, 2023

New Licensees: 11/23/2022 to 1/23/2023	33
Total Number of <u>Active</u> Licensees with 1/31/2024 exp	3000
Total Number of Licensees with 1/31/2024 exp	3151

ACTIVE: 1/31/24 exp	Sept	Dec	Feb
Broker	399	407	408
Associate Broker	393	396	393
Salesperson	2,188	2,222	2,199
Total Active:	2,980	3,025	3,000

INACTIVE: 1/31/24 exp	Sept	Dec	Feb
Broker	2	3	4
Associate Broker	3	6	7
Salesperson	12	23	33
Total Inactive:	17	32	44

LAPSED: NON-COMPLIANCE OF PLE w/exp date of 1/31/24			
	Sept	Dec	Feb
Broker	0	0	0
Associate Broker	0	0	0
Salesperson	0	0	14
Total:	0	0	14

Initial Licenses issued Qrtly:	Oct - Dec 21	Jan - Mar 22	Apr - Jun 22
	44	106	109
	July - Sept	Oct - Dec	
	67	55	

Transfers:	Sept	Dec	Feb
	79	54	82

PLE Completed:	Sept	Dec	Feb
	55	32	49

Upgrades:	Endorsement:
S - AB = 3 / S - B= 0	S= 1 / AB= 1 / B= 0

In this reporting period	Sept	Dec	Feb
License Returned	46	60	93
Probation License	0	0	0
Suspended	0	0	0
Revoked	0	0	0
Surrendered	0	0	0

INACTIVE: 1/31/22 exp	Sept	Dec	Feb
Broker	4	4	4
Associate Broker	6	5	5
Salesperson	66	53	52
Total Inactive:	76	62	61

LAPSED: 1/31/22 exp	Sept	Dec	Feb
Broker	36	35	35
Associate Broker	33	32	32
Salesperson	288	287	284
Total Lapsed:	357	354	351

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

EDUCATION REPORT
February 9, 2023
(as of 1/24/2023)

<u>Course Type</u>	<u>Currently Approved</u>
Pre-Licensing (SPL)	12
Broker Upgrade Pre-Licensing (BPL)	4
Elective Continuing Education (ECE)	385
Designated Continuing Education (DCE)	93
DCE & ECE	-27
PLE & ECE	-62
Post Licensing Education (PLE)	77
	Total: 482

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

<u>Instructor</u>	
Permanent	96
<u>New Instructor</u>	1
• Susan Wolfe – Wasilla, AK	
Temporary Instructor	0

Statement of Net Positions
Real Estate Recovery Fund
December 31, 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	\$ 322,285	\$ 385,302
Total Assets	454,264	465,770	392,207	394,514	277,675	334,205	264,101	317,389	322,285	385,302
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	7,211	(30)	1,517	(10,691)	11,230	4,857	18,129	19,380	11,545	19,380
FUND BALANCES										
Reserved for Education and Claims	447,053	465,800	390,691	405,205	266,445	329,348	245,972	298,008	310,740	365,922
Total Fund Balance	447,053	465,800	390,691	405,205	266,445	329,348	245,972	298,008	310,740	365,922
Total Liabilities and Fund Balances	\$ 454,264	\$ 465,770	\$ 392,207	\$ 394,514	\$ 277,675	\$ 334,205	\$ 264,101	\$ 317,389	\$ 322,285	\$ 385,302
Average 2 year licensing cycle fund balance:		Average of 6/30/15 & 6/30/16 \$ 460,017	Average of 6/30/16 & 6/30/17 \$ 428,988	Average of 6/30/17 & 6/30/18 \$ 393,361	Average of 6/30/18 & 6/30/19 \$ 336,095	Average of 6/30/19 & 6/30/20 \$ 305,940	Average of 6/30/20 & 6/30/21 \$ 299,153	Average of 6/30/21 & 6/30/22 \$ 290,745	Average of 6/30/22 & 6/30/23 \$ 319,837	Average of 6/30/23 & 6/30/24 \$ 353,794

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 December 31, 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	11,625	-	(1)	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	1,981	-	(2)	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	13,606	-	-	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	11,823	-	(3)	50,468 (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	11,823	-	-	50,477	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	1,783	-	-	4,896	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	1,783	-	-	4,896	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	330,291	330,291	317,389	322,285
Fund Balances - End of Year	<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>328,509</u>	<u>330,291</u>	<u>330,291</u>	<u>330,291</u>	<u>\$ 322,285</u>	<u>\$ 385,302</u>

(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. GF allocation \$75K reduction to PS.

Statement of Cash Flows
Real Estate Recovery Fund
December 31, 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⁾	(50,468)	(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	4,588	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	4,896	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	322,285
Cash and Cash Equivalents - End of Year	\$ 454,264	\$ 465,770	\$ 392,207	\$ 394,514	\$ 277,675	\$ 334,205	\$ 264,101	\$ 317,389	\$ 322,285	\$ 385,302

(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. GF allocation \$75K reduction to PS.

Commission Members Comments & Questions

2023

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Association of Real Estate License Law Officials
Leaders in Real Estate Regulation

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BOUNDARIES JANUARY

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ONWARD!

2023 ARELLO President Erik Wisner

Thank you for giving me the opportunity to serve as your president for 2023. The past few years the headline for the portion of the newsletter the president writes has been "Onward". I thought when I became president, I would want to change the title. However, after reflection, I feel it is the job of the president to look onward. Look onward for the best interests of the organization by listening to the members and staff. Look onward to build consensus on priorities and resource concentration. And finally, to provide a clear vision on how to move onward. In this vein, I want to highlight several important initiatives our organization is undertaking as we move onward into 2023.

Update on ARELLO's Governing Structure Review

In September 2022, the ARELLO Board of Directors approved contracting with Faegre Drinker to do a comprehensive review of our membership structure and governing documents. ARELLO's bylaws require this to be done on a periodic basis, with the last review of any kind conducted internally in 2011. As part of the review process, the Faegre Drinker team, led by Marilee Springer, conducted interviews with ARELLO's officers and executive committee members and delivered a survey to the entire ARELLO membership during the last few months of 2022. I committed to transparency throughout this process, so I am excited to share the results of the [survey](#).

The major takeaway from the results was the consistency of opinions among different member categories (agency staff, commissioners and affiliate members). ARELLO members think: 1) our governing documents lack clarity regarding roles and responsibilities; 2) district representation does not align with organizational needs or member priorities; 3) the board is too large to achieve strategic impact and directors are not selected based on the needs of ARELLO; and 4) there are too many committees with overlapping mandates. While this might seem like a shock to some members, the data is clear ARELLO members support change to our governance structure.

In January, the board of director members and committee leaders were presented with the survey and interview results. The group discussed strategies and options for implementing governance changes based on the membership survey and recommendations from the consultant. The consultant is in the process of taking the additional feedback and developing the next steps, including an action plan, and a timeline for implementation. This consultant will present the final recommendations to the members later this spring and the board will determine any further actions at our April meeting in Boston.



ONWARD!

2023 ARELLO President Erik Wisner

Membership Engagement

In January, the board of directors approved a request from the Membership Committee to offer a stipend to cover the registration fee and travel cost to non-participating jurisdictions to attend the 2023 Mid-Year or Annual meetings. Many of the non-participating jurisdictions are in the northeast US and Canada, where both meetings will occur in 2023. The committee, with the support of the board, felt this was the right time to offer this opportunity to get new jurisdictions to come to meetings. We all know once you attend a meeting, you get hooked on ARELLO.

In addition, the Membership Committee is also rolling out a mentorship program for new members. A new member will partner with an existing member to help guide them through all things ARELLO. Mentors will help mentees by answering questions before ARELLO conferences, meeting with them at the new member reception, introducing them to other members during the Mid-year and Annual ARELLO meetings and doing a quarterly check-in with their mentee during the year to establish a partnership. I encourage existing members to reach out to Calleigh if they are interested.

Mid-Year Meeting

[Registration for Mid-Year is open!](#) I hope to see all of you in Boston on April 26-28. As you can see by the schedule, most of the days are spent within committee meetings. Attending committee meetings is an excellent way to learn more about a committee and how to get involved. Roundtables are a valuable place to exchange ideas and to discuss challenges and solutions with other members. In addition to the committee and roundtable meetings, this year's Keynote Speaker is Tessa White. Tessa is the founder of Job Doctor and her thought leadership in the modern workplace makes her a frequent guest on national television shows and in top tier publications. New this year is an opportunity prior to the keynote for Tessa to do a breakout session with members who are interested in getting more in-depth on dealing with issues in the modern workplace. Finally, this year's offsite/welcome reception will be at SPIN, the ultimate ping pong bar! The program committee chaired by Rebecca Piltingsrud and Marcia Franks, along with the support of staff, has done a great job creating a dynamic agenda.

Registration for Mid-Year will close on March 1. This event will sell out and if you plan to add additional days before or after the event you must book your hotel accommodations through the ARELLO portal as soon as possible. Staff cannot make additions if you wait until a few weeks before the event. If you have questions, reach out to the Director of First Impression, [Calleigh Smith](#). She is a great resource for all things ARELLO.

Again, thank you for electing me to serve. I am excited to work with you as we move ARELLO onward.

A NOTE FROM NICK

Happy 2023! I came into 2023 confident that ARELLO will continue to prosper and that we would make great progress together. After the 2023 Leadership Symposium, I am even more optimistic ARELLO is on the verge of an era of growth and opportunity like no other. Thank you to all who could travel to Henderson for the three-day working symposium.

This year was the first year that Affiliate Members were among those invited to the Leadership Symposium. I commend Immediate Past President MiChell Bird, President Erik Wisner, and President-Elect Scott Breidenbach for paving the way and appointing affiliate members to leadership positions.

Affiliate members play a vital role in ARELLO. Our Affiliate Members continue to bring new ideas to the table, improve the real estate industry, and further the mission of ARELLO. Only with them is ARELLO able to live by its vision and mission statement and meet its strategic goals. I urge everyone to get to know our affiliate members.

ARELLO is a place for inclusion and we welcome all within the real estate regulatory industry.

Your Headquarters team is hard at work preparing for the Mid-Year Meeting and continuing to further the mission of ARELLO. The CDEI Platform is transitioning to a new platform, RISE. The new platform features a much more robust interface and offers more course interactivity. In addition, our technology team continues to improve ARELLO's resources, creating a more dynamic, user-friendly ARELLO.org. This year, we will be hosting quarterly webinars. Our first webinar will highlight the brand-new ARELLO mentorship program. Be on the lookout for additional information in the coming weeks.

As always, thank you for allowing me to serve you. It is an honor to be your CEO. I look forward to another year of successes and raising the bar.

Thank you.



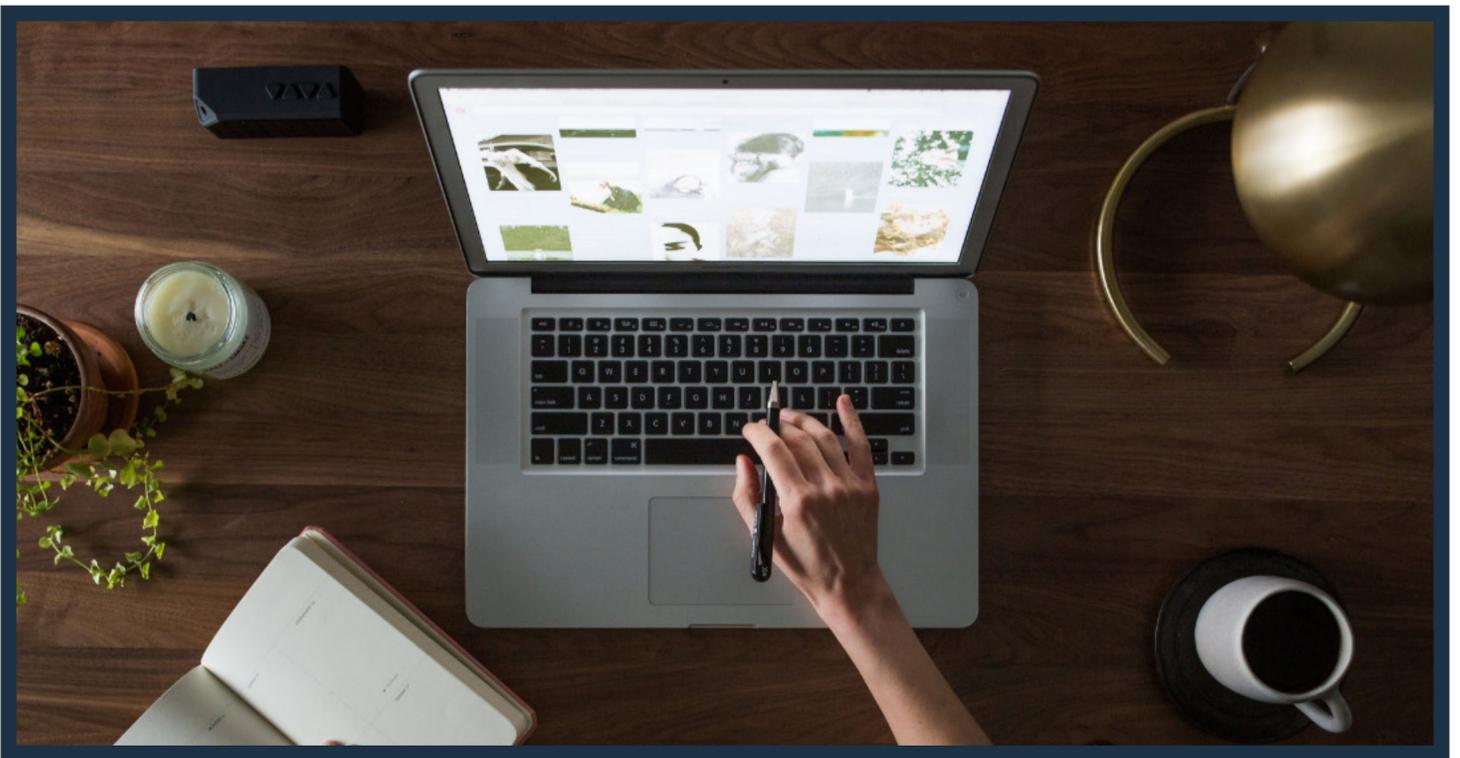
TAKE FIVE: COMMISSIONER COLLEGE

Although substantive real estate license law varies from jurisdiction to jurisdiction, appointed or elected real estate commissioners, administrators and staff can benefit from baseline administrative law and regulatory fundamentals offered through ARELLO's Commissioner's College. The fundamentals offered by the Commissioner's College provide attendees with the training necessary to make the quasi-judicial decisions necessary to regulate the real estate industry.

Commissioner's College is currently available online and in an on-demand format. It is comprised of seven courses divided into two sections. Section 101 covers rules of procedure, ethical considerations for commissioners and board members, and rules of evidence for occupational licensing boards. Section 102 covers anti-trust laws, administrative law, commission member rights and duties, and licensing administration and policy.

Each section costs \$300 in total and is open to both new board/council/commission members and as a refresher for veteran members. To get started with ARELLO's Commissioner's College, sign up for an ARELLO user account and enroll online.

Oh, and don't forget to download the Real Estate Commissioner Reference Manual, available under the [Guides & Training Section](#) of ARELLO's website, which is an excellent resource for both new and experienced commissioners.



MID-YEAR CONFERENCE REGISTRATION OPEN

April 26-28, 2023
Boston, Massachusetts

ARELLO's 2023 Mid-Year Meeting will be April 26-28 in Boston, Massachusetts. While still being finalized, the program agenda will include speakers, roundtable discussions, committee meetings, and networking receptions, each tailored to inform and facilitate communication on shared regulatory challenges and public protection.

This year's Keynote Speaker is Tessa White, the founder of The Job Doctor, a practice dedicated to building career strategies and re-engaging people in the workplace. She is a former Fortune 50 executive and a 25-year HR executive helping companies with fast growth and aggressive merger/acquisition strategies. Tessa has been named in Disruptor Magazine as one of the top female entrepreneurs to watch in 2021 and in USA Today as one of the top speakers to watch in 2022. She is a frequent guest on national television shows and a contributor to top-tier publications. Tessa's talk is scheduled for the last day and will be a must-see at this year's conference.

Our location in Boston, Massachusetts, is equally exciting. Your stay promises many opportunities to take in Boston's history, parks, architecture, and sports venues. The conference will be at the Revere Hotel Boston Common, in the Back Bay neighborhood, steps from Fenway Park, the Freedom Trail, Faneuil Hall Market, and the Boston Public Gardens. If that isn't enough, you can tour the Samuel Adams Brewery or shop along Boston's Boylston and Newbury Streets.

Visit ARELLO's event page, [2023 Mid-Year Conference](#), for more information. Registration is open now for members and their guests. Access to room reservations at ARELLO's special rate closes March 17, 2023. Hope to see you in Boston, Massachusetts!



2022 UPDATE AT LEADERSHIP SYMPOSIUM

Update Provided by ARELLO CEO Nick Rhoad

CEO Nick Rhoad described 2022 as an “incredibly successful year” and noted that while working together, “we were able to put the association in an excellent position both financially and organizationally.” Notable achievements Nick highlighted included \$154,531 in DADB Revenue, 794 Course Application Submissions, and 98 First-Time Attendees at 2022 Conferences. Nick also thanked the 20+ ARELLO team members, from the office staff to course reviewers, planners, contractors, and service providers that work each day for ARELLO’s success.

Looking forward to 2023, Nick reviewed key areas for focus, including Key Performance Indicators, Technology Updates, Priorities & Big Ideas for 2023, and the Biggest Challenges for 2023. ARELLO’s January – December 2022 Key Performance Indicators are on the following two pages. Technology updates included ARELLO’s Timeshare Registry (ATR), which went live in October of 2022, and the utilization of a Performance Management Hub (PMH) to evaluate and utilize data, such as first-time attendance and course submissions. Last, Nick spoke about the migration of the Certified Distance Education Instructor Platform (CDEI) to RISE, a platform with a more robust interface and more interactivity for courses. The headquarters staff is working on creating a CDEI renewal course that will be updated every three years to streamline the renewal process.

Priorities and Big Ideas for 2023 include a focus on fiscal management, enhancing ARELLO’s technology, and robust communications and member engagement. Budget Priorities include continued attention to fiscal management, revenue generation, inflation management, and review of ARELLO’s dues and fees philosophy. Nick reported that in 2023, inflation and talent retention for association professionals and members will continue to be challenging. Nick is committed to keeping ARELLO’s focus on membership and staff, getting and keeping members involved, and retaining and growing staff into better leaders as the association continues to propel forward.



TIMESHARE REVENUE

\$194,430

DADB REVENUE

\$161,973

EXAM REVENUE

\$658,128

EDUCATION

869

IDECC Course
Applications Submitted

\$452,220

Generated From
Education Certifications

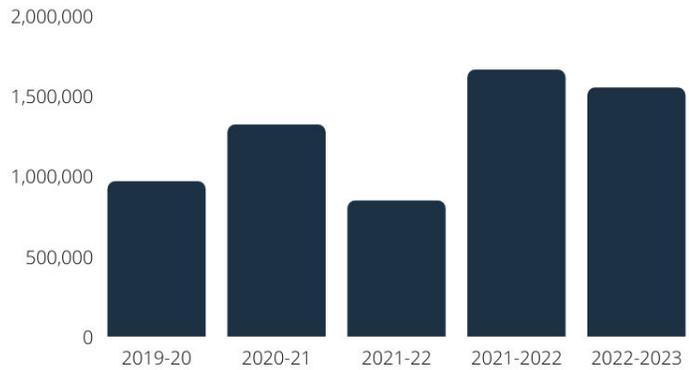
13 Days

Average Certification
Time

829

Courses Approved
This Year

CASH RESERVES



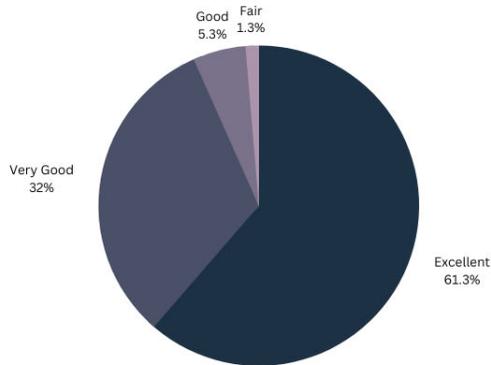
Date of Information: September 30, 2022

2022 CONFERENCES



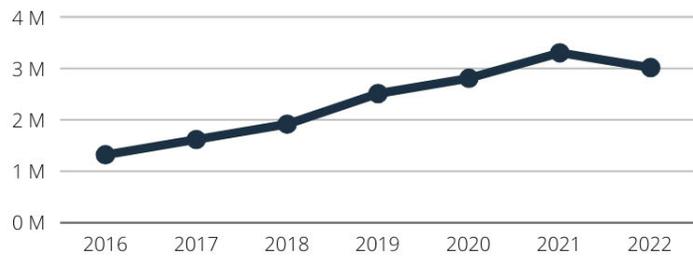
9

2022 Mid-Year
First Timers
returned to
2022 Annual



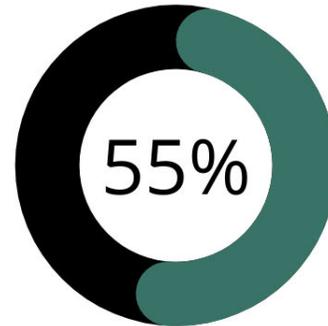
Overall Ratings of ARELLO Conferences

INVESTMENT BALANCES

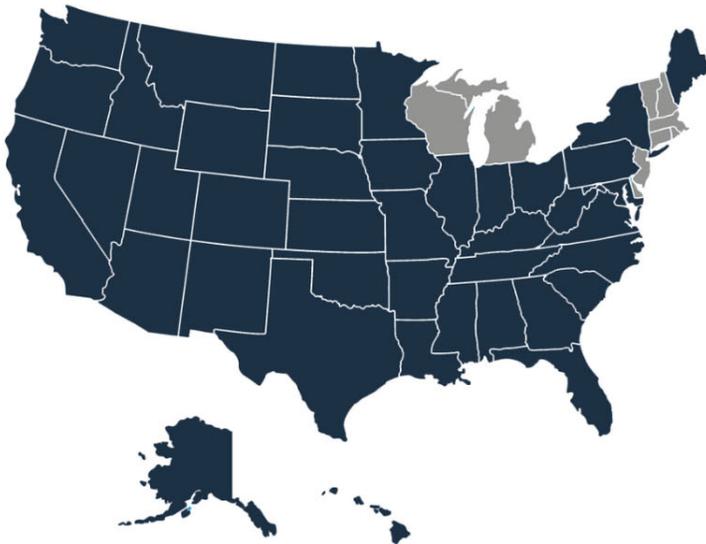


COMMUNICATIONS

ARELLO continues to have above-industry standard open rates for all of our communications. The association's monthly edition of *Boundaries* now follows a year-long schedule that highlights ARELLO events, other industry events, legislative sessions, court cases, ARELLO Resources, and member benefits.



MEMBERSHIP



37 US States, 1 District, and 3 Canadian Provinces were represented throughout the year at ARELLO Events.

Currently, 42 out of 50 US States are members of ARELLO.

INFORMATION TECHNOLOGY

In 2022, the ARELLO IT Team significantly improved the member experience on ARELLO.org. The IT Department created a new Committee Dashboard that allows users to find meeting materials more easily, draft agendas and meeting minutes online, and schedule virtual meetings in a way that all ARELLO members can see.

The IT Team also upgraded ARELLO's Timeshare Registry (ATR). The ATR Update went live on October 1 and is functioning well. The update also comes with the transition to the new billing system, where developers will pay per filing submitted; this will be phased in over the next year. In addition, Headquarters is developing an education marketing campaign promoting ARELLO's resources.

BOARD OF DIRECTORS MEETING AT LEADERSHIP SYMPOSIUM

The Board of Directors met on the last day of the Leadership Symposium, its first meeting of 2023. President Erik Wisner thanked everyone for their hard work in the sessions designed to assist with the governance review project. Actions taken by the Board included:

- Authorize the CEO to allow daily sweeps to an ARELLO sweep account to allow ARELLO to earn interest on operating funds
- Authorize the CEO to find a buyer for My Honor Society, a software program unrelated to ARELLO's core purpose
- Acceptance of Audit findings of no deficiencies or weaknesses in financial statements or controls
- Authorization of \$10,000 to the Membership Committee to engage with non-participating states

The Board also heard reports concerning membership communications and upcoming events from the Education Certification Committee, the ARELLO Foundation, the Fair Housing Committee, the Investigator Auditor Committee, Law & Regulation Committee, Membership Committee, and Program Committees. Minutes from the Board of Directors meeting are available on [ARELLO.org](https://www.arello.org).



PROVIDER NEWSLETTER ISSUED

Introduced in January 2022 by ARELLO Director of Distance Education Dana Taulli, an education provider newsletter aptly called "The Provider Newsletter" has just issued its [Fifth Edition](#). Ms. Taulli, who comes from a provider background, thought the newsletter would help the course certification process would run smoothly. The newest edition reviews the upcoming 2023 course audit schedule, course assessment questions, the Education Certification Committee's upcoming review of its Policies and Procedures, and plans to give the CMS system a "facelift." The newsletter is published quarterly and will contain information specific to course providers and answers to provide feedback, questions, and concerns.

HUD UNVEILS RECONSIDERATION OF VALUE TO ADDRESS APPRAISAL BIAS

HUD has announced the creation of a process whereby buyers seeking FHA financing or FHA-insured borrowers seeking refinancing can request their appraisal be reviewed if they believe the appraisal may have been skewed by racial bias. "HUD is committed to making the appraisal process fair nationwide. We must eliminate bias in home valuations so that everyone can equally reap the benefits of wealth - and intergenerational wealth - that come along with homeownership," said HUD Secretary Marcia L. Fudge. "This announcement is an important step forward in rooting out appraisal bias in this country."

The review will be part of a "Reconsideration of Value" review if there are concerns about unlawful discrimination in the valuation of residential property. HUD will provide lenders with guidance on how to review borrower requests, including guidance for obtaining a second appraisal if bias has been identified in an appraisal report. HUD is currently receiving feedback on barriers and impediments to the ROV process. The feedback period is open through February 2, 2023.

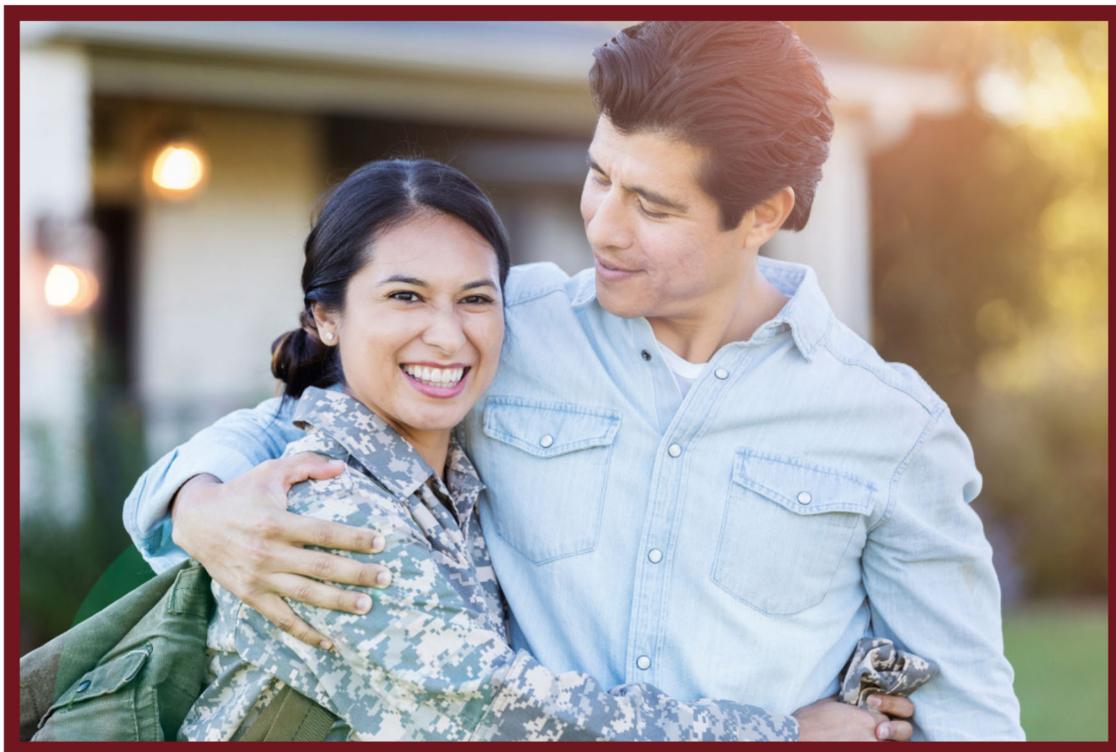
OCCUPATIONAL LICENSING RELIEF GRANTED TO MILITARY SPOUSES

President Biden signed Military Spouse Licensing Relief Act into law on January 5, 2023

For the first time, spouses will have licensure reciprocity when they move from one jurisdiction to another. The Act, which preempts state law, applies to all occupational professions except the practice of law. Military Times reports that defense officials have calculated that there are more than 132,000 active duty spouses in occupations that require licensing, representing about 39% of military spouses in the workforce. The legislation was introduced by Rep. Mike Garcia, R-Calif., who noted that “in the midst of one of the most challenging times of our military in terms of recruitment and retention, what this bill does is allow military spouses to cross-deck their professional licenses – if they’re a realtor, a teacher, a beautician, a cosmetologist, whatever their profession is – across state lines.”

There are limitations; the military spouse’s license must be in good standing in the jurisdiction being transferred from, and the spouse must have actively practiced in the profession for two years prior to relocation to the new jurisdiction. If there is a licensure compact between the jurisdictions, the compact will take precedence. Last, the law requires states to accept the spouse’s application for licensure and permit their practice for the duration of the orders of the servicemember.

In announcing the passage of the Act, Representative Garcia said, “This bill makes it easier for military spouses to retain employment by eliminating the costly and burdensome process of acquiring a new professional license every time a military spouse must move on military orders.” In addition to spouses, the law also ensures the portability of occupational licenses of the servicemember.





ARELLO Digest - Input Needed

ARELLO's Digest of reports and data generated from member jurisdictions is only as good or useful as the information obtained through completed Digest Survey responses. As you know the ARELLO Digest is a valued resource utilized by industry members, practitioners, and regulatory officials. Sharing your agency's information continues ARELLO's mission to provide the most up-to-date and comprehensive data on real estate regulatory programs worldwide. Data is indexed in categories such as Licensing & Administration, Consumer Protection, Examination, Education, Legal Policies and Trending Topics and the Digest Reports contain all survey responses assembled in a quick and easy format for member use. The survey is open to both members and non-members and the more participants that complete the survey the more comprehensive and useful the Digest.

Access the Survey by following these steps:

- Access Digest at digest.arello.org
- Click "Start" to begin
- Save your work at any time using the "Save Section" button

As you finish each section, be sure to mark it complete using the Mark Section Completed button at the top right. Completed sections will display with a green background.

Once you've completed all sections, make sure and Publish your responses from the main Surveys page by clicking the Publish button. This will indicate you've completed the survey for this year, making your responses appear in the 2022 reports.

You can print the survey if you need to distribute it to colleagues. From the main Surveys page, just click the Print button next to the 2022 survey.

Contact support@arello.org or call 312.300.4800 if you need any assistance.

UPCOMING DATES

April 26 - 28, 2023
2023 Mid-Year Conference
Boston, Massachusetts

September 18 - 22, 2023
2023 Annual Conference
Montreal, QC, Canada

October 10 - 12, 2023
2023 ARELLO Regulatory Investigations Seminar (ARIS)
Omaha, Nebraska



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Adjournment