

Sarah Palin, Governor
Emil Notti, Commissioner
Lynne Smith, Director

Message From the Executive Administrator

Sharon J. Walsh, Executive Administrator

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2009 Brings a New Year of Activity

The staff at the Real Estate Commission office would like to extend our wishes for a happy, healthy and *prosperous* new year - a bit of optimism is a good thing!

I would like to share with you some of the Commission's priorities for 2009:

Audit of Offices:

The Commission members discussed the need to audit trust account activity as provided for in Alaska Statutes [AS 08.88.351(5)]. As a result of this discussion I will conduct approximately 57 audits around the state. In addition to the trust account activity I will also look for compliance with relevant material required of a Broker's office, such as the policy & procedures manual [AS 08.88.685(a)]; AREC consumer pamphlets in transaction files [AS 08.88.351(5)]; and the display of license certificates for each licensee in that office [AS 08.88.321 (a) and (b)].

Starting this month notices will be mailed to registered offices that have been randomly selected for audit. A date and time will be arranged to meet with each of the Broker's or Associate Broker's. At this time, the audit is simply procedural and not meant to be punitive. However, if corrections are requested by staff but found at a later date not to be implemented, this information will be presented to the Commission for consideration.

Errors & Omission Insurance Regulations:

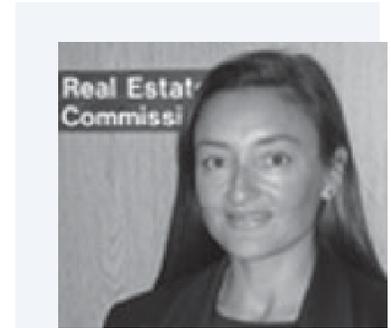
The Commission spent a significant amount of time drafting regulations for the Errors & Omission Insurance. This new law will require every licensee by March 1, 2010 to carry E & O insurance. The proposed regulations will soon be out for public comment and posted to our web site. If you are on the REC ListServ, you will receive a copy of the proposed regulations when our Regulation Specialist has prepared them. To subscribe to the ListServ please go to the first page the Real Estate Commission web site and sign up by clicking on the Subscribe Now box.

If you have any questions or concerns about licensing, education, audit or surety fund issues or if you have suggestions for our web site please let us know.

Governor Appoints New Commission Member

In March, Governor Palin appointed Christina Swires to the Real Estate Commission. She is presently an Associate Broker with RE/MAX Properties, Inc.

Ms. Swires term will expire in March 2012. Please join staff in welcoming Ms. Swires to the Commission.



Brad Cole, Chair
Associate Broker
Wasilla
3rd Judicial District



David Somers, Vice Chair
Broker
Fairbanks
Broker At Large



Roger A. Stone
Broker
Ketchikan
Education Liasion
1st Judicial District



Gene DuVal
Associate Broker
Fairbanks
4th Judicial District



Christine Swires
Associate Broker
Anchorage
Broker at Large



F. Lee Sherman
Wasilla
Public Member



Tim Worthen
Anchorage
Public Member



Changing an Associate Broker-in-Charge at a Branch Office

There has been some confusion regarding changes of an associate broker-in-charge in a branch office. When changing an associate broker-in-charge of an office, the broker must provide the Real Estate Commission with the following:

- Provide the Commission with the Office Changes form #08-4076
- Return all licenses to the Commission (the Broker will be sent a new license certificate for each licensee in the branch office reflecting the new associate broker-in-charge)
- Submit a list of licensees in the branch office
- Submit a \$50 fee per licensee in the branch office
- If a new associate broker is transferring in from another office an application to change license status must be completed and include a \$50 change fee.

Failure of a broker or associate broker to adequately supervise the activities of licensees for whom they are responsible, is grounds for suspension or revocation of the broker's or associate broker's license. All forms are available on the Alaska Real Estate Commission website at: www.commerce.state.ak.us/occ/prec.htm

Closing your Office?

If you decide to close your office, there is paperwork you must complete to inform the Commission.

- *Terminate or transfer all licenses affiliated with your brokerage.*
You must sign a transfer form or a broker termination form. If the licensee is transferring, the broker must sign and date the front of the license and return it to the Commission.
- *Complete an office change form stating that your office is closing and give an effective date.*
There is no fee for submitting an office change form to close your office.
- *Provide a bank statement showing the status of your trust account.*
The broker must provide the Commission with a copy of the trust account(s) showing a zero balance on the bank statement(s).

HOT TIP OF THE DAY!

If you believe you are not seeing updated information when you visit the Real Estate Commission web site, you may consider hitting the refresh button on your toolbar and/or clearing out your "cache".

When you click the "refresh" button (the icon that resembles a green recycle arrow) on your toolbar, it will load the new changes. If you refresh your computer and you feel you still not seeing current information you may consider trying to clear out you "cache".

Cache is storage of temporary data retrieved from web pages that you have visited. Your computer accesses this information instantly, since it is stored on the hard drive. However, using a cached page may prevent you from viewing the most current information.

If you have questions on how to empty your cache, contact your information technology personnel.

COURSE & INSTRUCTOR APPROVAL

The Commission encourages those who are interested in developing Real Estate courses and becoming certified to teach to take the next step and make it official.

The Commission strongly believes that a broad base of continuing education courses enhances the Real Estate profession as a whole.

How do I Obtain Course Approval?

Those wishing to apply for course approval must submit: a completed course approval application, a detailed course outline and objectives, copies of all handouts, attendance policy, attendance record form, provisions for makeup, a sample evaluation form, certificate of completion, provisions for offering the course by correspondence, if any and the appropriate fees.

Completed applications must be received by the Real Estate Commission office at least 45 days before the course is scheduled to be offered. No course may be advertised as certified until written approval is received from the Commission.

How do I Obtain Instructor Approval?

Those wishing to apply for instructor approval must submit a completed application, proof of experience teaching or training adults and meet one of the following criteria:

- A Bachelor's Degree in Real Estate or a related field
- 5 years experience as a real estate licensee with documented experience in the subject area that the applicant is seeking approval to teach
- Another combination of experience and education that establishes the applicant's credentials in the requested subject area
- Listed as an approved instructor by a National Organization that offers professional real estate courses that have been approved by the Commission for continuing education credit

Both the course and instructor must be approved by the Alaska Real Estate Commission prior to the date that any course is given in order for students to receive continuing education credit.

Applications are available on the AREC web site at www.commerce.state.ak.us/occ/prec.htm under the education.

AREC ListServ

Have you signed up for the AREC listserv yet? It's a great way to stay informed with Commission news. Subscribe to the Alaska Real Estate Commission electronic mailing list and receive: meeting minutes agendas, notice of proposed regulations, and quarterly newsletters.



Upcoming Meetings

Mark your calendar for the next Real Estate Commission meeting:

March 12-13, 2009
State Office Bldg, Conf. Rm A
Juneau

June 18-19, 2009
Atwood Building, Ste 1270
Anchorage

September 16 - 17, 2009
Location to be determined
Fairbanks

December 10 - 11, 2009
Atwood Building, Ste 602
Anchorage

Items to be included on the meeting agenda should be in the office of the Executive Administrator no later than the agenda deadlines below:

- *March Mtg by February 23, 2009
- *June Mtg by June 1, 2009
- *September Mtg by August 31, 2009
- *December Mtg by November 23, 2009



DON'T DELAY!

Renewal time is just around the corner. Now is the time to start thinking about Continuing Education. All CE must be completed by the January 31, 2010 renewal deadline.

Keep Your CE Certificates

Each licensee is responsible for keeping his or her continuing education certificates for three years. Licensees will be required to submit an affidavit of education when renewing their licenses and, if audited, must supply copies of the original certificates.

The Commission office does not keep any continuing education certificates on file. If you have lost a certificate, you will have to obtain a duplicate from the instructor or sponsor that offered the course.

NEW REGULATIONS

The regulation for Community Association Management (12 AAC 64.580) was signed by Lt. Governor Parnell on January 12, 2009. This regulation will become **effective February 11, 2009**. You can view the new regulation on the Real Estate Commission web site at www.commerce.state.ak.us/occ/prec.htm.

Commission Staff

Sharon J. Walsh
Executive Administrator
269-8197



Nancy Harris
Project Assistant
269-8168



Beata Smith
Licensing Examiner
269-8162



Eco Brokers

The Commission has set a advertising policy regarding the use of the designation "Eco Broker". Licensees with the Eco Broker designation may not use this term in their advertisements. The Commission stated that the use of "Eco Broker" would confuse the public with a licensed broker.

Alaska Real Estate Statistics 08/01/08 - 12/31/08

New Issues

New Salespersons 250

Broker Upgrades:

Associate Broker 32
Broker: 10

License by Endorsement:

Salesperson 15
Associate Broker 2
Broker 7

Active Licensees to Date

Salespersons 1460
Associate Broker: 405
Broker 484

DISCIPLINARY ACTIONS

Christopher L. Haydon, Salesperson; Fairbanks

On 10/10/08, the Commission adopted Christopher Haydon's voluntary license surrender. At the time of his license surrender, Mr. Haydon was under investigation for multiple cases involving allegations of misrepresentation and fraud, dual agency violations, employment of an unlicensed person, operating a real estate business without proper broker supervision, and illegally withholding a clients's property.

Mae E. Sprague, Real Estate Broker; Wasilla

On 12/12/08, the Commission and Ms. Sprague entered into a Consent Agreement imposing license sanctions concerning allegations of broker supervision for allowing a former licensee to engage in licensed activity. Sanctions included, \$5000.00 fine, formal reprimand, eight hours of education and one year license probation.

SURETY FUND CASES

Case # S-28-002, Devlin v. Radvansky

The Commission adopted the Administrative Law Judge's recommendation that the claimant did not meet the burden of proof to establish that Marty Radvansky intentionally misrepresented facts in connection with a proposed real estate transaction.

Case # S-28-003, DuBois v. Dowd

The Commission adopted the Administrative Law Judge's recommendation that the claimant did not prove fraud, misrepresentation, deceit or conversion of trust funds.

Case # S-28-007, Duncan v. Crawford & Garrison

The Commission adopted the Administrative Law Judge's recommendation that the respondent's motion for summary adjudication be granted and the surety fund claim filed by the Duncan's be dismissed.

Case # S-28-008, Frazier v. Dowd

The Commission adopted the Administrative Law Judge's recommendation that David Dowd did conduct fraud and misrepresentation that resulted in loss to the Frazier's, exceeding \$15,000. The Surety Fund claim in the amount of \$15,000 was granted.

Case # S-28-010, Johnson v. Adams

The Commission adopted the Administrative Law Judge's recommendation to deny this Surety Fund claim due to an untimely filing and failure to prove fraud, misrepresentation, deceit, or conversion of trust funds.

How to Search For Education Courses

The Alaska Real Estate Commission will be closed to commemorate the following holidays:

February 16, 2009
(Presidents' Day)

March 30, 2009
(Seward's Day)

May 25, 2009
(Memorial Day)

Would you like to know if a course that you are interested in taking is approved? You can search for education courses on the REC web site by course number, topic, credit type (BPL-broker pre-licensing, SPL-salesperson pre-licensing, DCE-designated continuing education, ECE-elective continuing education or PLE-post licensing education), delivery type or by sponsor name. You can search for current AREC approved courses at www.commerce.state.ak.us/occ/prec.htm under the education heading then click on Continuing Education Catalog.

UPCOMING EDUCATION CLASSES

ACH Consulting

Contact PeggyAnn McConnochie at 907-586-3540 for more information.

Crs #800, Pre-Licensing -Salesperson

Juneau

March 13th, 2009 and March 20, 2009, 5:30p - 9:30p

Crs #800, Pre-Licensing -Salesperson

Anchorage

April 10, 2009 and April 17th, 2009, 5:30p - 9:30p
April 11-12, 2009, and April 18-19, 2009, 8:30a - 5:30p

Alaska Housing Finance Corporation (AHFC)

Contact 1-800-459-2921 or visit www.ahfc.us to register.

Crs #1088, AHFC Home Choice 8 ECE

Anchorage

February 2-3, 2009, 6-10p
February 10-12, 2009, 6-10p
February 14, 2009, 8a-5p
February 18-19, 2009, 6-10p
February 24-25, 2009, 6-10p
February 27, 2009, 8a-5p
March 3-4, 2009, 6-10p
March 5, 2009, 8a-5p
March 10-11, 2009, 6-10p
March 14, 2009, 8a-5p
March 21, 2009, 8a-5p
March 24-25, 2009, 6-10p
March 31, 2009, 8a-5p

Palmer

February 9-10, 2009, 6-10p
February 28, 8a-5p
March 10-11, 2009, 6-10p
March 28, 2009, 9a-5p

Alaska Real Estate Resource

Contact Rita Wilson at rwilson@prualaska.com or (907) 762-3112 for more information.

You may register for Post Licensing classes by correspondence at: www.arer.biz

Anchorage Board of Realtors

Contact Kay Dubois at 561-2338 or kdubois@anchorage Realtors.com for more information.

Post Licensing

April 27 - 30, 2009
October 26 - 29, 2009

Anchorage Board of Realtors Cont'd

Continuing Education

20 Hour Marathon

September 28 - 30, 2009
November 16 - 18, 2009
December 7 - 9, 2009

8 Hour Designated

January 20, 2010

GRI Series

GRI 100

February 16 - 19, 2009

GRI 200

May 26-27, 2009
June 1 - 2, 2009

GRI 300

September 28 -29, 2009
October 5-6, 2009

(all GRI Series will be held at BP Energy Center)

CRS 200

February 19-20, 2009

CRS Ninja Selling

August 6, 2009

CRS 206

October 14-16, 2009

(all CRS courses will be held at BP Energy Center)

McKissock, LP

Contact Emily Rosala at 800-328-2008 ext 253 for more details.
Online approved course available.

#2442	RE Ethics Stand of Prof.	2 DCE/1 ECE
#2443	Concise Guild RE Tax	4 ECE
#2444	Risk Management	4 ECE
#2445	Appraisal Process Agents	4 ECE
#2446	Buyer Agency	4 ECE
#2447	RE Related Investments	4 ECE
#2448	Contract Law	3 ECE
#2449	Principles Finance	3 ECE
#2450	Tax of RE Cap Gain	3 ECE
#2451	Loan Types & Inst of Fin	3 ECE
#2452	Agency Law	4 ECE

Northern Trust Academy

Contact Ashley Baker (907) 751-2534 or ashleybaker@ntreak.com for more information.

Pre-Licensing

February 20 -22, 2009
March 13-15, 2009
*scholarship programs available

Upcoming Education Classes Continued

Real Estate School

Contact Stephanie Tri at 232-1847 or akrealestate@mtaonline.net for additional information.

Salesperson Pre-Licensing and Broker Post Licensing courses available.

Royce & Associates

Contact Jerry Royce at (907) 563-3086 or www.alaskatraining.com for more information.

Pre-Licensing

Salesperson - Anchorage

February 20-22, 27- March 1, 2009
 March 13-15, 20-22, 2009
 April 10-12, 17-19, 2009
 May 15-17, 22-24, 2009
 June 12-14, 19-21, 2009
 July 10-12, 17-19, 2009
 August 14-16, 21-23, 2009
 September 11-13, 18-20, 2009
 October 9-11, 16-18, 2009
 November 13-15, 20-22, 2009

Salesperson - Fairbanks

February 6-8, 13-15, 2009
 May 1-3, 8-10, 2009
 August 28-30, Sept 4-6, 2009

Broker - Upgrade

February 18-19, 2009
 May 13-14, 2009
 September 9-10, 2009

Post Licensing

Salesperson

February 3, 10, 17, 24, 2009
 March 3, 10, 24, 31, 2009
 April 7, 14, 21, 2009
 May 5, 12, 19, 26, 2009
 June 2, 9, 23, 26, 30, 2009
 July 7, 14, 21, 28, 2009
 August 4, 18, 2009
 September 1, 8, 15, 22, 29, 2009
 October 13, 20, 27, 2009
 November 3, 2009

Broker

February 16-19, 2009
 May 11-14, 2009
 September 7-10, 2009

Sheppard Real Estate School Cont'd

Continuing Education

Register for online courses below on the web site.

#965	Environmental Issues in Your RE Practice	6 ECE
#967	Property Management & Managing Risk	6 ECE
#2154	Electronic Tansactions in Real Estate	6 ECE
#2308	Real Estate Investment Fudnamentals	6 ECE
#2323	Real Estate Agent/Mortgage Professional	6 ECE
#2349	Ethics in Today's RE World	2 DCE, 4 ECE
#2381	Mortgage Fraus and Predatory Lending	6 ECE
#2393	Homes for All: Serving People	6 ECE

Valley Board of Realtors

Contact Julie Nolen at (907) 376-5080 or valleybd@mtaonline.net for more information.

Post Licensing

Salesperson - Anchorage

February 3, 10, 17, 24, 2009
 March 3, 10, 24, 31, 2009
 April 7, 14, 21, 2009
 May 5, 12, 19, 26, 2009
 June 2, 9, 23, 26, 30, 2009
 July 7, 14, 21, 28, 2009
 August 4, 18, 2009
 September 1, 8, 15, 22, 29, 2009
 October 13,20, 27, 2009
 November 3, 2009

Broker

February 16-19, 2009
 May 11-14, 2009
 September 7-10, 2009

Sheppard Real Estate School

Contact Joan Sheppard at (907) 346-4164 or akrealestateschool.com for more information.

Pre-Licensing

February 20 - 22, 2009
 May 15 - 17, 2009
 September 18 - 20, 2009