

ALASKA REAL ESTATE NEWS

April 2010

Sean Parnell, Governor
Emil Notti, Commissioner
Lynne Smith, Director

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CORNER

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Sharon Walsh

An Update to the Regulations for Errors & Omission Insurance

The Real Estate Commission (REC) met on March 17 & 18 in Juneau. One of the main considerations on their agenda was to adopt the Errors & Omission (E & O) insurance regulations that the REC had proposed. However, the Commission has tabled their proposed regulations until the Department's regulations are adopted. The Commission reviewed the public comments for both the Department and the REC's regulations.

The Commission then addressed their concerns with the Assistant Attorney General, Dan Branch. They asked that the Department review the public comments that were received before an adoption is considered. The Department's regulations will now be reviewed by the Director for the Division of Insurance to ensure that the regulations make sense from an insurance perspective. The regulations will then be adopted by the Director for the Division of Corporations Business and Professional Licensing, after review by the Department of Law.

The Department's regulations may have to be re-noticed if the changes are beyond the scope of the original regulations that were previously noticed on January 21, 2010. At this time, until the Department has their regulations in place the Real Estate Commission cannot solicit bids for a master E & O insurance policy for the licensees.

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

May 31, 2010
(Memorial Day)

July 4, 2010
(observed the 5th)
(Independence Day)

Mark your calendar
for the next
Real Estate Commission
meeting:

June 17 - 18, 2010

Spring Hill Suites by Marriott
575 1st Avenue,
Conference Rm
Fairbanks

Comments from the Investigator

Donations to Charity

Recently, there have been several phone inquiries regarding advertising campaigns where part of the sales commission would be donated to charity. While donations to charity are commendable, if you state that a donation will only occur under the condition that real estate is purchased or sold through your brokerage, you are, in fact, paying the charity a portion of the commission, an action which is prohibited by statute. Alaska Statute 08.88.401(d) reads as follows:

AS 08.88.401. Prohibited conduct; penalties.

(d) A person licensed under this chapter may not knowingly pay any part of a fee, commission, or other compensation received by the licensee in buying, selling, exchanging, leasing, auctioning, or renting real estate to

(1) a person who is not licensed under this chapter, except as provided in (e) of this section;

(2) another licensee, except through the licensee's responsible broker; or

(3) another licensee knowing that the other licensee intends to pay all or a portion of that which is received to a person who is not licensed under this chapter.

If you would like to make a donation to charity, you can do it as a private citizen or in the name of your brokerage. Any advertising campaign that states donations are contingent on real estate sales through your brokerage may be viewed as paying an unlicensed person a portion of your commission.

Unlicensed Practice

During this biennial renewal period, there were a large number of licensees who failed to renew their licenses by January 31, 2010. I would like to remind you that it is the responsibility of each licensee to ensure that the proper forms are completed, signed and delivered to the Division of Corporations, Business and Professional Licensing and that all necessary fees are paid before the end of each renewal period. If your license lapsed and you continued to engage in activities that require licensure under AS 08.88.161, you are in direct violation of state statutes and regulations during the time period your license was lapsed.

If you are a broker and you allowed a real estate licensee to work in your office without an active license, you are in violation of AS 08.88.071(a)(3)(G), AS 08.88.161, 12 AAC 64.095, 12 AAC 64.125(a)(1) and 12 AAC 64.130(11). As a broker you have a responsibility to ensure that all of the licensees under your supervision maintain proper licensure requirements. Please know that if you fail to consistently adhere to Alaska statutes and regulations you may face disciplinary sanctions.

There are no statutes or regulations in place that allow a "grace period" to engage in the practice of real estate without proper licensure.



Sharon J. Walsh
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269-8197



Nancy Harris
Project Assistant
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Beata Smith
Licensing Examiner
269-8162

Alaska Real Estate Statistics 01-10-10 thru 04-22-10

New Issues

Salesperson	48
Associate Broker	5
Broker	5

Broker Upgrades

Associate Broker	5
Broker	3

License by Endorsement

Salesperson	3
Associate Broker	0
Broker	2

Active Licensees to Date 2145

Salesperson	1308
Associate Broker	374
Broker	458

Inactive Licensees to Date 165

Salesperson	133
Associate Broker	24
Broker	8

Active Licensees by City/Borough

Anchorage	1143
Wasilla/Palmer	255
Fairbanks	167
Juneau	57
Kenai	29

Commission Members

Brad Cole, Chair
Associate Broker
Wasilla
3rd Judicial District



David Somers
Vice Chair
Broker
Fairbanks
Broker At Large



Nancy Davis
Broker
Sitka
1st Judicial District



Gene DuVal
Associate Broker
Fairbanks
4th Judicial District



Christine Swires
Associate Broker
Anchorage
Broker at Large



Barbara Dickson
Anchorage
Public Member



Marianne Burke
Anchorage
Public Member

No Picture
Available
At This Time

What to Expect if you are Audited for Continuing Education

The Division is currently conducting a random audit of Continuing Education (CE) for real estate licensees. If you were selected for the audit you will soon be receiving a letter notifying you of the process. Please be aware that you have 30-days to comply by providing us proof that you have completed 20 hours of CE during the period February 1, 2008 through January 31, 2010.

The CE must include 8 hours of Designated Continuing Education (DCE) and 12 hours of Elective Continuing Education (ECE) during this timeframe. You can respond to this letter by submitting your certificates to the REC office either through email, fax, dropping them off at our office or by sending them via USPS.

Email: nancy.harris@alaska.gov
Fax: 907.269-8156

Address: 550 W 7th Ave Ste 1950
Anchorage, AK 99501

Attention Course Sponsors of DCE

There are a number of changes that have recently been adopted by the Real Estate Commission for those sponsors submitting a Designated Continuing Education (DCE) course for approval.

All course sponsors must comply with the new outline and ensure that the course and the material submitted covers the topics required. The breakdown of the new requirements can be found on our web site under:

Education • Course Approval Information • 2010-12 DCE Course Approval Requirements

There are two subject areas/topics that have been combined that the Commission asked to be addressed in each course. The combined topics are:

- (1) Prohibited Conduct (topic #18) and Real Estate License Law (topic #25)
- (2) Ethical Decision Making (topic #30) and Risk Management (topic #33)

For the two remaining DCE topics, which were not combined, the Commission approved 2 full hours due to their concerns with the licensee's interpretation and understanding of these topics.

- (3) Licensing Relationships (topic #1)
- (4) Property Disclosure & Inspections (topic #19).

Another change that was adopted by the Commission were the names of DCE courses. In an attempt to avoid confusion by licensees as to whether a DCE course was taken or not, all certificates issued for any DCE course during the 2010-2012 licensing period can only be in the name of the topic that it is approved under. No creative titles will be approved other than the approved topic for any DCE course. Therefore, during the next renewal, licensees should have

4 DCE certificates with the following titles:

- Licensing Relationships (topic #1) – 2 hours
- Prohibited Conduct (topic #18) & RE License Law (topic #25) – 2 hours
- Property Disclosures & Inspections (topic #19) – 2 hours
- Ethical Decision Making (topic #30) & Risk Management (topic #33) – 2 hours

Lapsed Licensees as of 02/01/2010

On February 1, 2010, the license of each individual listed below **LAPSED**. None of these individuals may practice real estate in Alaska until their license is reinstated. If you have any questions, please call or email the licensing examiner at the Real Estate Commission office.

3025	JEROME F ADAMS	17494	KEITH A CARNES	17205	MELINDA V EASTLICK
17397	RONNIE A ADAMS	14958	ROBERTA J CARPENTER	5581	RON EGGLESTON
17459	HILLARY A ADDISON	17284	SIOBHAN E CASSELL	17555	RICH EIDEM
17469	LAURELEE A AHLMAN-LEBLANC	16946	OSCAR CEDANO	17495	MATTHEW R ELEY
3382	JAMES R ALBRIGHT	16361	MELISSA CHAPPLE	17488	JOSEPH R ELLIOTT
17411	WESLEE A ALDOUS	14712	SONDONG M CHOE	14918	RICHARD L ERICKSON
13186	LINDSEY J ALEXANDER	16954	MARY CHOUINARD	16985	JONATHAN ERICKSON
14746	DANIEL G AMOS	17718	ALLEN H CHOY	17505	KASIA R ESTEP
14924	CHRISTINE A ANDERSON	16127	KEVIN CLARK	17637	NICHOLAS J EVANS
15202	JAMES L ANDERSON	16347	MANDY CLARK	15150	MATTHEW C EZELL
17227	MALYN ANDERSON	14341	CANDY CLARKE	16866	TRACY FALCONE
15960	RAYMOND ANSEL	16265	DWIGHT CLIFT	17116	SASHA ANN FALLON
13271	CHARLES O ASHCRAFT	16937	LANCE CLUFF	16935	JOYCE FEASEL
15288	JACQUELINE P AYALA	16870	PERRY COMAN	15199	SHERRI L FELTON
14845	JOSEPH J BABKA	17681	JERRY L COOK	17467	AUSTIN S FERNANDEZ
17750	REYNALDO BALLA	16061	GRACE COTTRELL	15559	KELLY L FISHER
13226	PAMELA K BALTZER	15544	RAYMOND A COUTU	17524	SUSAN M FISHER
17539	KELLY M BARKER	17584	GARY C COX	16199	JASON FISK
16809	ROBERT BARNEDT	17792	DELMA R CUPIT	16984	DOREEN FISK
16806	MELISSA BARNES	15024	KENNETH CURRY	16275	RENEE FOLEY
17094	KIRIL Z BASARGIN	15778	SUSAN E CURRY	17793	KHRISTA S FORTUNE
16588	PATRICIA BAX-FAIRBANKS	16967	FALANYA CURTIS	13565	KAREN FOSTER
17511	JEFFREY M BECK	14630	DAVID E DAHL	17655	THOMAS M FOWLER
1901	ALMA JEAN BELENSKI	16120	CRYSTAL DAIGLE	4752	ROBERT P FOX
17326	RONALD A BENKE	12324	ANITA DALTON	16651	EMILY FRANCIS
2377	DOROTHY M BENSON	13747	KENNETH M DAMM	17237	ZACHERY L FRIESS
16353	TAMMY D BICKEL	17698	FLORA M DAVIS	17605	KATHLEEN M GAGE
16221	BONNI BLEVINS	4110	SANDRA G DAVISON	13875	WILLIAM E GAMEL
14260	LANETTE A BLODGETT	17757	MICHAEL G DECKER	16404	AMY GAPPA
16681	MIKE BONFILS	17377	DIANA N DELVECCHIO	16285	KATHY GATES
17756	MICHAEL T BONYAK	17620	VICTOR M DEMELO	11402	MARGALYNN H GEORGE
17544	HENRY C BOUCHA	17601	TIFFANY L DENNIS	14675	NANCY GILE
17492	DANIEL J BOUDRIE	17658	LESLIE E DENNIS, III	16882	SANDRA GILLESPIE
16932	DACCORI BOWLIN	12150	RAYMOND L DINGER	17734	TAMI K GODFREY
17672	MARIAH M BRADLEY	12116	HELEN S DINGER	17753	KAREN L GOENTZEL
3665	LESLIE D BRADY	17717	JUSTIN R DITMORE	1677	HELMUT J GRASER
17451	EMILY E BRATCHER	16703	CHRIS DIXON	1314	CARYL LEE C GRASER
4832	WILEY S BROOKS	16215	SANDRA DOOLEY	17818	TIFFANY M GREEN
10346	SCOTT H BRUNO	17106	ISABEL DOWNEY	9480	ISSABELLA G GROSSL
17568	MARGARET A BRYANT	17597	DAVID G DUCLOS	3150	ALLEN M HAASE
14968	HOLLY A. BUECHLER	17880	LESLEA M DUDLEY	17689	GABRIELE HALWACHS
14739	ROBERT BRIAN BURNETT	17545	DENISE C DUGAN	15925	SUSAN A HARLAN
15881	LINDSEY BURNETT	17631	KENNETH R DUNLOP	16482	TAHIRA HARRIS
17585	TIFFANY L BURT	16367	STACI DUNN	17697	TODD HART
7356	FRANCES B CALDWELL	17534	CHARLENE ANN DUNN	17049	MELISSA ANN HAWKINS
14345	TOMMIE L CAMP	17798	ROGER W DUPEY	17581	MARY HAYDON
17661	CLINTON M CAMPION	17666	MICHAEL E DYE	17300	DON G HENAGAN
6468	GLEN L CARLSON	14641	BRENDA EASTBERG-SCHMID	14392	PATRICIA E HENDRICKSON

Lapsed Licensees as of 02/01/2010

17664	WALTER J HICKEL III	16683	AMY LEIST	17010	CYNTHIA J NOTTI
17091	MARCIA HILL	15849	FAIS LENA	16835	PAXTON OBORN
17646	AMANDA L HILL	17589	CERKEZ LENA	16819	MARIA ONOJCHENKO
12555	GLENN D HIRST	17156	JOLEEN H LIND	11540	CATHERINE H OSBORN
17220	WILLIAM HODGES	17808	THOMAS P LINDEMANN	12556	DENNIS M OSBORN
17716	WILLIAM T HOLT	17771	THOMAS E LINDSTROM	17578	NESKYA O'SHEA-GRANTHAM
7533	LINDA T HOPPER	13061	AIDA I LISSI	15586	SUSAN K OWEN
17677	MISTY HUDSON	16444	MINDY LONGMIRE	14645	RUSSELL HAL PACE
15581	MONTI R HUFFMAN	15047	DAN LORING	3871	VINCENT P PALMA
17101	ALYCIA D HUMECKY	14223	PETER G LUMETTA	821	LOUIS G PALMER
17770	JANICE P HUSSEINI	16455	YVETTE LUND	16704	SHEILA PARCEL
16438	TAMI HUSTON	2685	JOHN W MACCARTHY	15171	NATALIE L PARKS
17600	GLENFORD L HYNSON	17491	HEATHER M MAHONEY	16563	RICARDO PARKS
17169	COURTNEY J JACKSON	16898	STEPHANIE MAJORS	13824	GEORGE M PATTERSON
17531	AMY THERESE JANSSEN	17625	JODI M MARCUM	17443	SARA L PATTERSON
17522	WAYNE LEE JENSEN	13467	MICHAEL R MARINELLI	14425	PAULA E PERRA
15826	ANGELA C JIMENEZ	17092	DONNA L MARKS	17671	MONICA M PERRY
14454	MICHELLE L JOHNSON	12928	CHERYL L MARTINSON	17528	JODI GALE PETERSON
16962	NATALIA JOHNSON	16163	MICHAEL MASCARO	17751	EMILY J PETERSON
17572	LYNDA J JOHNSON	16931	RONALD MATECKI	17368	DEBORAH D PFEIFER
17327	JERRY S JONATHAN	13154	RAYMOND MATIASHOWSKI	16900	JOSIAH PISEL
17048	ERNEST RAY JONES	17696	PHILIP JOSEPH MATOS	17554	TRESA L POE
17515	HEIDI E JONES	16279	ROSALINA MAVAEAGA	16918	ANNE POSO
17684	DONALD C JORDAN	11812	CHARLES F MCALPINE	12993	HARVEY M PRICKETT
5924	ALAN K KAJIKAWA	16521	KALINDI MCALPINE	14307	MARJORIE K PRICKETT
7797	LOUIS J KAMINSKI	17733	HEATHER E MCCANN	16924	KATHY PRUYNE
16136	CHARLENE KANE	9679	GEORGE A MCCOY	16666	TERESA READY
17644	SUSAN M KAPLAN	17611	RONALIE J MCGUIRK	5497	WALTER H REDISKE
17144	KEVIN N KARELLA	16892	LORI CHASE MCLENNAN	16753	MARK REILLY
17616	PAUL FLOYD KELLER	17199	ROBERT S MCNAMEE	17743	PHILLIP N RODGERS
17493	JULIE A KERNSTEIN	15632	MARTHA MCQUISTON	16445	HENDRICK ROMAIN
16769	SANDRA KIECH	16133	JILLIAN MEHLER	17304	GARY M ROSEN
15714	ALEXANDRA M KIENLE	12148	JOHN E MELSON	17198	KATIE K RUTLEDGE
16579	LYDIA KIMLINGER	17389	SHANNON L MEREDITH	15884	DAN D SACAPANO
17780	KATHRYN M KNIEFEL	17879	TAMARA L MERRICK	16971	ABBEY SCHLICHTE
17767	LANA B KNIGHT	17328	REBECCA A METCALFE	17598	CHRISTOPHER SCHLICHTEN
14919	ZACHARY B KNUTSON	17606	LAURA C MILEY	17764	EVAN W SCHLOSBERG
17224	JOANNA A KNUTSON	17233	VICTORIA M MILLER	3514	RUSSELL A SCHMIEDER
10828	THOMAS E KOHAN	5985	EDWIN A MINDER	17513	MICHAEL J SCHNEIDER
15755	SHANNON KORPI	16234	AMY MOFFET	15656	J. CAROL SCOLES
17206	GREGORY S KOVSKY	15978	PAM K MONFREY	17626	KIMBERLY A SCOTT
17768	JOHN H KRAJZYNSKI	16509	LORI MOORE	17651	SUZANNE M SEGUELA
17297	LISA NAN KRISTY	17009	MAYKEL MORALES	16307	RICHARD SEILS
17338	J KRONBERGER-OVERCAST	4483	HELEN E MORGAN	12924	DAVID M SELLIE
12880	MICHAEL G KRUEGER	10252	BARBARA J MORONEY	15329	PHYLLIS J SHAFER
16994	GEORGE KRUMM	17766	DAVID W MORSE	10444	ALFRED W SHAW
17466	BERNADETTE KUCHINSKY	16057	HOLLY MURRAY	17405	JENNIFER A SHAW
16975	TROY KUHLMANN	17546	CHRISTOPHER NAPOLEON	17695	AUTUMN R SHEA
17449	MELISSA D LAKTONEN	17356	LORI L NEALLEY	15295	PETRA SHIDNIA
17016	GEORGE LAMOUREAUX	17114	WALTER NEIL NELVIS	16751	KONSTANSE SHUEY
11302	KEN V LANCASTER	16131	MELINDA NEWMAN	14451	STEVEN J SIMPSON
17178	LARISSA L LAVALLEE	17241	CHRIS M NICKEL	17420	JAMIE M SIMPSON-SMITH
15854	VERLAN M LEBARON	15879	ANN K NOEY	15491	DEBORAH J SIS

Lapsed Licensees as of 02/01/2010

11858	PAULA M SKVARCH	17583	SHAUNA J THUMS	5179	NANCY A WILLIAMS
13197	JOHN T SMITH	6279	DELORES J TIMLIN	17392	SARA L WILLIAMS
16849	JENNIFER SMITH	2243	EVAN "TOBY" G TOBLER	14911	GERALD A WILSON
17194	MARTIN M SNAVLEY	17103	VERONICA V TOOMER	15579	CHRISTINE M WILSON
17726	BRANDON L SNODGRASS	17543	SOONAMULU S TOSI	15833	JAMES D WILSON
17735	BRAD SNOWDEN	16823	C AMILLE TRENT	16801	DEXTER WILSON
14421	KEVIN L SORENSEN	15842	CAROL J TURNER	17093	NANCY K WILSON
17383	DAMARA E SPURLOCK	17614	PAMELA J TUTTLE	17188	SHARON WILSON
4652	STANLEY S STANTON	4627	HENRIETTA R VADEN	1279	CALVIN WINEY
17659	JACQUELINE L STAY	14147	DAVID A VALDEZ	17509	POLLY K WIRUM
17612	JANE E STEEVES	1964	RALPH A VALKAMA	16567	JENNIFER WOLFE
17138	CASSIE LEIGH STENEHJEM	2159	PATRICIA L VARNELL	1976	WALTER M WOOD
17594	GARRETT L STORY	2827	WILLIAM R VARNELL,	13777	JAMES H WOODS
11845	THOMAS STOVER	17246	MATTHEW V VAUGHAN	15697	AMBER M WOODS
13616	CAROL LYNN SWANSON	17282	TRINA C VAVOSA	16597	MICHAEL WOOLCOCK
13239	PAMELA R SZENDER-STEVENS	14597	WALTER L WAGG	17749	TASHINA WORTHAM
17462	SANJAY TALWAR	12477	LEO M WAKEFIELD	15574	YOLANDA WRIGHT
2476	CHARLES E TANNER	15738	PHILLIP WARD	16548	SANDOR YAGER
17481	PATRICK A TEAGARDEN	17667	RUSTY N WEATHERSBY	15976	PAMELA YOUNKER
17464	ROSEMARY E THEISEN	16059	STARR WEED	16377	KIM ZELLO
17108	JESSE C THEKEN	17715	LISA D WHITESIDE	15594	ROBIN ZIMMERMAN
16293	TRISTAN THON	16893	NADIM WHITNEY		