

Utah! **DIVISION of REAL ESTATE** **NEWS**

A publication for Utah's real estate, appraisal, and mortgage professionals.

Jon M. Huntsman, Jr., Governor

Fancine A. Giani, Executive Director

● Derek B. Miller, Division Director

July 2006

Volume 1 -- Number 3

The Division and Real Estate Commission "Just Say No" To Convicts

The Real Estate Commission recently adopted rules that tighten qualifications to become a real estate licensee, or renew a real estate license.

New Real Estate License Applicants

With the introduction of these new rules, new applicants may not have been convicted of, entered a plea in abeyance, or completed any sentence of confinement due to any felony within five years preceding the application. In addition, any new applicant having been convicted of, entered a plea in abeyance to, or completed any sentence of confinement due to any misdemeanor involving fraud, misrepresentation, theft, or dishonesty within three years preceding the application, would also not qualify for a license. (see Administrative Rule R162.2.2.9)

Renewing Real Estate Licensees

Applicants for renewal may not have, during the term of the applicant's license...been convicted of, or entered a plea in abeyance to, a felony (see Administrative Rule R162-2.2.10)

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Deadlines "Are You Being Realistic?"

As you know, paragraph 24 of the REPC deals with deadlines pertaining to the purchase contract. Offer and time for acceptance is contained in paragraph 25. Both of these sections require a licensee's thoughtful consideration, wisdom and experience.

The Division and Real Estate Commission express their concern that in many instances agents fail to give enough thought to the determination of critical contractual deadlines. Real estate licensees in far too many instances hold "overly optimistic opinions", or give little attention to the significance of offer and/or acceptance provisions, completion timeframes, and critical deadline provisions. Frequently holidays, weekends, and move-in schedules have not received adequate consideration by licensees.

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From the Director's Desk



Derek B. Miller

Beginning last Spring and into the early part of the Summer, the Division had the opportunity to visit a number of locations across the State.

The turnout everywhere we went was higher than expected and it was a great opportunity to meet and speak

with many of our licensees. These visits were part of the Division's annual "caravan", so named because of the multiple state cars traversing the highway.

I tend to think of these visits as the Division's "stockholders meetings". Many of you are aware of the concept of "stockholder meetings" in the private sector, where publicly-held companies host annual meetings, which any and all stockholders may attend and communicate their concerns and questions.

These meetings allow the company to get feedback on what's going well and what's not. The company hears constructive criticism on how the company could be run better, from the stockholders perspective.

Of course, Division stocks are not traded on Wall Street (although the idea does make me wonder how Morningstar would rate the Division). But while the Division doesn't have "stockholders" we do have a number of "stakeholders" including each of you, our licensees. The Caravan was an excellent opportunity to hear from you; your challenges, your questions, what is working well, and how the Division could serve you better.

Although the staff did a fine job of providing useful training, truth be told I think we received more valuable information than we gave.

Let me share with you some of the reoccurring themes from our recent Caravan. While we didn't visit with all our licensees, or even a majority of our licensees, I am confident that these are common issues and shared concerns. The first deals with customer service at the Division. One of the attendees put the issue bluntly but kindly by asking, "Why can't I ever talk to a human when I call the Division?" I always get someone's voicemail but can't even leave a message because the mailbox is full." I will tell each of you what I told the person asking the question: First and foremost, I recognize that this is a real problem. Although the Division depends on the State Legislature when it comes to funding and number of employees, there is a lot the Division can do that will impact our workload through improved processes and use of technology.

Based on suggestions from folks we met on the Caravan, the Division has made a number of improvements. I won't bore you with the management details, but the bottom line is that the Division (for the first time in a long time) is completely current on processing applications, renewals, and change cards. That means (with a few exceptions such as cases dealing with investigations or criminal backgrounds) your paperwork is being processed within one business day of being received at the Division. This one day period is astronomically better than the

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four-to-five week processing backlog that the Division had just a couple of months ago. It is also better than the Division's goal of five days (a goal which seemed like a "stretch" when we first set it). The credit for this miraculous feat belongs solely to very dedicated Division employees. In addition to processing your applications, renewals, and change cards more timely, this also means that you might actually have a live person pick up the phone the next time you contact the Division. And if you call while someone is on the line with another licensee, you can actually leave a message and have someone get back to you shortly.

We also had a number of licensees provide feedback on the complaint process and the Division has begun reengineering that process as well. Our intent is to simplify the way complaints are made. As I've said before, the complaint process is an invaluable method for the Division to receive information that helps us regulate licensees, both individually and collectively.

A second purpose for reengineering the complaint process is to improve how Investigators communicate with the person who is the subject of the complaint. Having a complaint made against you can be a stressful situation. Of course it is stressful if you know you're guilty of a serious violation and the Division is hot on your trail, but it is also stressful if you know you are innocent of the allegations and stand falsely accused. The Division is committed to improving communication during the investigation, as appropriate, so that licensees understand the nature of the complaint, the allegations, and what is expected of them to cooperate and resolve the investigation. You will hear more

from me in upcoming newsletters about how the complaint process is evolving and particularly how the Division uses this process to improve regulation.

There were many other helpful pieces of information we heard in our travels – too many to mention in this short message. For now, we have a year to work on the areas where we received feedback before we head out again next Spring to let you know how we've improved and hear from you on where we can focus our efforts next.

APPRAISERS PLEASE NOTE

Turn in your original CE and QE documents to the Division when you are applying for or renewing an appraiser license. If you want your original documents returned; send a self addressed, stamped envelope. The Division will return the original documents in the envelope provided. Thank you!

"Just Say No"

(continued from page 1)

For those with a criminal background but not "disqualified" for licensure or renewal based on the preceding requirements, the Division and Commission will consider necessary information a case by case basis to determine whether candidates meet the requirements of honesty, integrity, truthfulness, reputation and competency required for a new or renewed license.

Appraiser Education Reminders



Continuing Education

Licensed or certified appraisers who are renewing their licenses are required to provide proof of completion of 28 hours of continuing education taken during the preceding two years.

All appraisers must take the **7-hour National USPAP Update Course at least once every two years** in order to maintain a license or certification. In order to qualify as continuing education for renewal, the course must have been taken from an instructor who is a State-Certified Residential or State-Certified General Appraiser and has been certified by the Appraiser Qualifications Board (AQB) of the Appraisal Foundation.

The following is a list of AQB Certified USPAP Instructors from Utah:

	<u>Effective Date</u>	<u>Expiration Date</u>
Allan J. Payne - CG	02/17/2005	06/30/2008
Maureen J Pendelton - CR	11/16/2004	06/30/2007
Barrett A. Slade, PhD - CG	07/01/2005	06/30/2007
Ronald M. Smith – CG	07/01/2005	06/30/2007
Phillip A. Snell Jr. - CG	07/01/2005	06/30/2007

Continuing education courses must be for a minimum of two hours in length. Courses that are taken more than once per renewal cycle **will only be given CE credit once**. Each course must maintain and increase the skill, knowledge and competency of the licensee in real estate appraising. The courses must meet the subject matter requirement of the AQB, which includes the following list of topics:

- | | |
|---|--|
| 1) Ad Valorem Taxation | 8) Property development |
| 2) Arbitration | 9) Real estate appraisal
(valuations/evaluations) |
| 3) Business Courses related to Practice of
real estate appraisal | 10) Real estate law |
| 4) Construction estimating | 11) Real estate litigation |
| 5) Ethics and standards of professional
practice | 12) Real estate financing and investment |
| 6) Land use planning, zoning related
computer and taxation | 13) Real estate appraisal related computer
applications |
| 7) Management, leasing, brokerage,
timesharing | 14) Real estate securities and brokerage,
timesharing syndication |
| | 15) Real property exchange |

Courses on these topics may be obtained from:

- | | |
|--|---|
| 1) Colleges or Universities | 4) State or Federal Agencies or commissions |
| 2) Community or Junior Colleges | 5) Proprietary Schools |
| 3) Real Estate Appraisal or Real
Estate related Organizations | 6) Other approved providers |

A non-inclusive list of appraiser continuing education courses is found on our website at www.realestate.utah.gov/appraiser_courses.pdf. Since appraiser continuing education courses are not required to receive advance Division approval, not all possible course offerings are found on the Division website. Many appraisal schools, etc., provide quality educational courses that are acceptable for CE despite not being advertised on our webpage. Please be sure that the courses you take fall under the AQB approved subject matter listing (see bottom of page 4) (or they cannot be accepted). When you renew your license, the Division will compare the courses you have taken to verify that there are no duplicate courses, that the courses have all been taken since your last renewal, and that all courses are a minimum of two hours in length and that they come from the AQB approved subject list.

On November 23, 2005 The Appraiser Licensing and Certification Board approved a rule that prevents appraisers from taking CE courses that have been approved for CE credit for real estate or mortgage licensees. The rule is presented below:

R162-103.7.5 – Courses that are approved for continuing education credit for real estate sales agents, real estate brokers, or mortgage officers licensed by the Division are not acceptable for appraiser continuing education credit unless the courses have been previously specifically approved by the AQB.

With the implementation of this rule appraisers are no longer allowed to take courses that have been specifically prepared for and certified to teach real estate and/or mortgage licensees (even if the course topic is a subject that has been approved for CE by the AQB). In other words, appraisers should only take CE that has been developed to educate appraisers to maintain, increase and enhance their skill, knowledge and professional competency.

EFFECTIVE IMMEDIATELY

Appraisers renewing their licenses may no longer submit courses that have been approved by the Division for either Real Estate or Mortgage continuing education to count as Appraiser continuing education.

Pre-License Education

Important new information on pre-licensing educational requirements was included in the January 2006 newsletter. You can review this information on our website at www.realestate.utah.gov/newsletters/RE0106.pdf. The new educational requirements go into effect on January 1, 2008.

In addition to the increased pre-license education discussed in these earlier newsletters, please consider the following reminders:

When an individual takes pre-license education, credit will not be given for duplicate or highly comparable classes. Each course must represent a progression in which the appraiser's knowledge is increased.

There is currently no time limit regarding when pre-license education credit must have been obtained.

Division vs. Commission vs. Board

In the course of various conversations with Real Estate licensees it is apparent that significant confusion exists over the terms listed above. Frequent misunderstandings occur over the purposes and functions of the Division of Real Estate, the Commissions (Residential Mortgage Regulatory or Real Estate) and the Board of REALTORS®.

DIVISION

The "Division" refers to the Division of Real Estate of the Utah Department of Commerce. The Division is a government agency responsible for the administration and enforcement of statutes and administrative rules dealing with real estate, mortgage and appraiser licensing and regulation.

The Division receives applications for licensing and the renewal of licenses, and certifies education providers who offer pre-license and continuing education courses. The Division receives and acts on complaints and commences administrative or judicial proceedings. The Division, in conjunction with the Real Estate Commission, sanctions licensees.

Administrative assistance is also provided by the Division to the commissions and appraiser board, to enable them to carry out their responsibilities.

COMMISSION

The "Commission" refers to the Utah Real Estate Regulatory Commission. The Real Estate Commission that make rules regarding licensing, pre-licensing and continuing education requirements; examinations procedures, school certification funds handling and recordkeeping requirements.

The Real Estate Commission is comprised of five commission members who are appointed by the Governor and approved by the Senate. With the exception of one public member appointee, the Commissioners are Real Estate professionals. They serve on a volunteer basis and dedicate their skills to improve and enhance their professions.

Commission members are also involved in administrative hearings and in imposing sanctions against licensees. They make determinations regarding the honesty, competency, integrity, and truthfulness of each applicant for new licenses and license renewals.

BOARD

The Board refers to a Board of REALTORS®. A Board of REALTORS® is a fundamental unit of the National Association of REALTORS® (NAR). The NAR is a national professional trade association that promotes the benefits of private property rights and assists its members to better serve the public by assisting licensees in training, promoting fair dealing and professional development. There are eight Boards of REALTORS® throughout the state of Utah. Membership in a Board of REALTORS® is a voluntary choice for Utah real estate licensees and not required to sell real estate in Utah. The term REALTOR® is not synonymous with being a licensed real estate salesperson.

Realtors® are required to take Quadrennial ethics training. (Don't be confused.....the Realtors® ethics training is not the Utah Division of Real Estate's required core course)

Note: Another use of the term "Board" is in reference to the Appraiser Licensing and Certification Board. This Appraisal Board is the equivalent for appraisers, as the Real Estate Commission for real estate licensees. Duties of the Appraiser Board are very similar to the responsibilities of the Real Estate Commission.

Did you know?

**Useful Information is available at
www.realestate.utah.gov**

- Not sure your CE class is DRE approved?
 - Our website lists over 690 DRE approved CE courses.
- What the Statutes and Administrative Rules say?
 - Click; About Us.
- How many hours of CE will I need to take?
 - Click; Education.
- Do you need to file a complaint?
 - Click; Enforcement.
- Where do I find a new PLM Application?
 - Click; Licensing.
- How do I apply to teach a CE course?
 - Click; Education.
- Where do I find a change card?
 - Click; Licensing (choose profession)
- How do I renew online?
 - Click; Online License Renewal.

All of these answers and more at your fingertips!

"Are You Being Realistic?"

(continued from page 1)

If buyers anticipate moving in on a weekend, thoughtful evaluation must go into when and how this deadline can be met. Emotional distress and financial consequences may be triggered when insufficient thought has gone into various contractual deadlines. For example; FHA loans paid off on the first of the month are charged a full months interest. In this instance a few days difference (end of month vs. first of month) will result in a significant financial impact on a seller. Avoid unnecessary frustration and stress. Be careful. Be realistic. A word to the wise...Look at a calendar and factor in sufficient time to meet offer and acceptance and contract deadlines.

THANK YOU FOR YOUR
HARDWORK AND
DEDICATION

From all of us at the Division of Real Estate we would like to thank each of our commissioners, who have provided outstanding service to the Mortgage, Real Estate and the Appraisal Industries.

Our departing commissioners are Real Estate Chair, Dorothy M. Burnham and Vice Chair, Maralee Jensen, Mortgage Chair, A. Thompson Calder, Appraiser Chair, J. Philip Cook, and Appraiser Board Member, Jennifer Szczytkowski.



DOROTHY M. BURNHAM
REAL ESTATE CHAIR

I have truly enjoyed being of service to the industry as a Commissioner. I have deep respect for the Commissioners who serve, and have come to count them as my friends. Division of Real Estate staff and leadership are of the highest quality and are dedicated to the industry at all levels. The Commission has made some great strides to upgrade the profession and improve the entry

level requirements of those desiring to obtain a license, as well as imposing directed education for new licensees in their first licensing period. I have had wonderful experiences and some tense moments at hearings, but overall have had a great learning experience.



MARALEE JENSEN
REAL ESTATE VICE CHAIR



As my tenure as a Commissioner for the Division of Real Estate comes to a close, I must admit that I am somewhat reluctant to give up the position. I have been involved in the mortgage and real estate industries for the past 20 years. During those years, I have had the opportunity to serve on many committees with various organizations. I must say, however, that the past four years spent as a Commissioner has been one of the highlights of my career.

I shall always cherish the time spent making lasting memories and relationships with those I have had the chance to work closely with. I would like to publicly thank Director Miller, the Division Staff, and the great commissioners who have helped make this such a great experience.

Perhaps a quote by Marian Wright Edelman expresses what I have seen accomplished by the Commission over the last four years; "We must not, in trying to think about how we can make a big difference, ignore the small daily differences we can make which, over time, add up to big differences that we often cannot foresee".

Once again, I am very grateful for this awesome opportunity. I appreciate those daily differences which I have seen being made over the past four years which I believe will help pave the way for bigger, better differences in the future.



**A. THOMPSON CALDER
MORTGAGE CHAIR**

I have had a unique opportunity to serve on both the Real Estate Commission and the Mortgage Regulatory Commission. Meetings on each have ranged from boring to very entertaining to way too stressful. Everything considered the experience has been worthwhile. What I take with me is deep appreciation for the Division of Real Estate staff. They have repeatedly made me look good as a Commissioner. As well, their hard work, dedication, and talent have made the Department the envy of many other states. I am quite comfortable leaving my appointment with such a group of fine people running the Utah Division of Real Estate.



Serving on the Utah State Appraiser Board for four years has been personally rewarding, and has allowed me to closely witness the commitment Division staff and other board members have toward the appraisal profession. They work energetically and sincerely to improve the professional standards and standing of appraisers practicing in Utah. The most challenging issues the board deals with relate to cases involving individuals. Watching as the Board fairly balances the needs of individuals against the expectations of society has been most fulfilling. People tend to make judgments of others and of issues without fully understanding motivations and background. Personal involvement on the Board has enhanced my confidence in the goodwill of others, who, despite possible differences of opinion, almost always act in good faith. I will miss the camaraderie and service opportunity but recognize that others deserve the chance to serve as well.



**JENNIFER SZCZYPKOWSKI
APPRAISER BOARD MEMBER**

I was asked to submit a memorable experience; however it is impossible for me to limit myself to a singular event when my entire tenure with the Division was invaluable to me personally and professionally. I have thoroughly enjoyed the people I've worked with, the challenges we've over come together and the opportunity to be part of a group dedicated to improving the overall processes.



**J. PHILIP COOK
APPRAISER CHAIR**

*Licensing Actions
and Disciplinary
Sanctions*

*Pursuant to Utah Code 63G-4-106 and 107, all administrative disciplinary actions commenced over 10 years ago and certain actions over 5 years are not accessible online, but may be provided in response to a GRAMA request.

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Licensee Statistics

As of June 30, 2006

• REAL ESTATE

Sales Agents.	17,989
Principle Brokers.	2,545
Associate Brokers.	1,215
Branch Brokers.	191
Dual Brokers	76
Property Management Brokers	24
Real Estate Compaines.	2,292
Pre-license Schools.	12
Pre-license Instructors.	45
CE Providers.	335
CE Courses.	658

• MORTGAGE

Mortgage Offices.	8,756
Principal Lending Managers.	1,026
Associate Lending Managers.	106
Mortgage Companies.	1,499
Pre-license Schools.	15
Pre-license Instructors.	54
CE Providers.	55
CE Instructors.	104
CE Courses.	309

• APPRAISERS

Certified General Appraisers.	353
Certified Residential Appraisers. . . .	655
Licensed Appraisers.	171
Trainees.	390

*Pursuant to Utah Code 63G-4-106 and 107, all administrative disciplinary actions commenced over 10 years ago and certain actions over 5 years are not accessible online, but may be provided in response to a GRAMA request.

CLARIFICATION

In our April, 2006 newsletter we reported that the license of Karl Davis had been revoked. The Division would like to clarify that it was sales agent Karl E. Davis of South Jordan whose license was revoked, and not principal broker Karl D. Davis of Nibley, Utah.

Mortgage Officers Take Heed Payment, Loan Origination and Supervision by PLM

Do you know who your PLM is? Are you being supervised and paid by your PLM? How does this PLM requirement effect licensed mortgage officers?

As you are now all aware, each mortgage entity was required to have an affiliated actively licensed Principal Lending Manager (PLM) as of May 1, 2006. This article describes how this new requirement effects individual mortgage officer licenses.

Over 600 licensed mortgage companies and over 700 licensed mortgage officers have had their licenses inactivated due to not having a PLM affiliation. Utah state law indicates that since May 1, 2006, ALL licensed mortgage officers must be supervised, paid, and originate loans through a PLM (see Utah Code 61-2c-201 (5), (8) and (9)). In addition, **if the company you work for does not have a PLM, you cannot hold an active license.**

Those holding an inactive license may not transact the business of residential mortgage loans. Violating this law by engaging in "unlicensed activity" will result in serious administrative and possible civil/criminal penalties.

Those whose licenses have been inactivated must submit a change card and an activation fee of \$15.00 to the Division with the name and signature of the licensed PLM under whom you will conduct business. Change cards can be found on the Division's website at www.realestate.utah.gov.

IMPORTANT REMINDER

Mortgage officers (whose licenses have been inactivated) cannot transact the business of residential mortgage loans until the Division receives and processes your completed change card and your license has been reactivated .

Confirmation of Agency Disclosure

(Follow-up to Article in April 2006 Utah Division of Real Estate News)

The April edition of The Utah Real Estate News (Volume 1 - Number 2), contained an article on paragraph 5 of the Real Estate Purchase Contract (REPC) dealing with disclosure. That article spurred additional discussion between the Division, the Real Estate Commission and the real estate industry. The article exposed a difference in the intended purpose in the disclosure provision contained in paragraph 5, and a common industry practice of including the name of the real estate brokerage or the name of the principal broker.

Based on those discussions, the Commission decided to pursue a modification to the REPC to include either the brokerage or the name of the principal broker in paragraph 5. A rule to this effect has been drafted and is receiving public comment. Until the REPC and this rule both become effective, the Division does not object to placement of either the name of the brokerage or the name of the principal broker in paragraph 5 of the REPC (Confirmation of Agency Disclosure).

Probationary License... What Does That Mean?

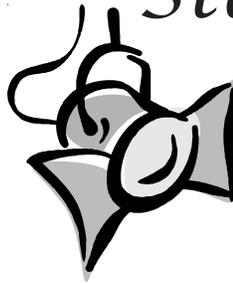
As one reads this and earlier editions of The Utah Real Estate News, there are a number of disciplinary actions that have been reported regarding licensees. Prior to publication in a newsletter either a formal action by a Commission or Board has occurred, or a stipulated settlement has been reached between the Division and the licensee. Licensees that have been placed on probation receive a license that reflects their probationary status. Brokers/PLM's should pay attention to the status of the licensees that they are required to supervise. Close scrutiny and collection of current "wall licenses" for review, would be advisable.

Part of supervision entails reviewing the status of those individuals that have been placed on disciplinary status by the Division. A Broker/PLM should review the licensing status of each of his licensees. A data search of the Division website will reveal if any licensee holds a license other than "active".

The licensee should provide stipulations and orders to supervisory Brokers/PLM's to inform them of any disciplinary actions taken involving their licenses.

Brokers/PLM's that have a licensee that has been disciplined by the Division should not merely take the verbal explanation from the licensee as to the circumstances and events resulting in the sanction. A copy of the stipulated settlement provided by the licensee would provide the Broker/PLM with detail that they might not otherwise receive.

Monitoring licensee activities and past disciplinary actions will help to provide Brokers/PLM's *the rest of the story*



Staff Spotlight

Enforcement Secretary
Allyn Stutsman

Allyn Stutsman has a supporting role as the Enforcement Secretary to the Investigators in the Division. She fields questions regarding cases, how the investigative process works, and tracks pending cases.

Allyn came to the Division in October of 1993 as an assistant to the Education Director. Because of her ability to perform assignments and tasks so quickly she was asked to take on additional responsibilities. She has acted as a Board Secretary for the Real Estate and Appraisal Boards. Originally, she assisted 4 Investigators but the number has now grown to an enforcement team of 10. She has had an active role in redeveloping enforcement reports and procedures and is very much appreciated by her co-workers. Her supervisors refer to her as "Radar O'Riley" because of her ability to find lost items, track files, create reports and make them look like they are on top of everything.

Allyn is the mother of two and grandmother of three beautiful granddaughters, Emmaline, Mikayleigh and Kendra who are quite obviously her "BIGGEST JOY". Allyn enjoys scrap booking, gardening and reading in her free time. As I interviewed Allyn, I found she is a "Rebel with a cause" and she is dedicated to her fellow employees. While working at the Division she has learned to have a better appreciation for government employees and respects the knowledge they must obtain to do their jobs. She speaks from the heart when she says her favorite part of her job is the people.

Thanks Allyn

Division of Real Estate

Know your Division terms.....

R X S E A C S S J Z N S Q B I K N H V D W N R R P S
 F E L E J S T N F T D W R S E H R H I P D L E S R E
 M L S B L A S A O N I A S Y Q E C V B N M G K D E E
 C O V I T U Y O U I N M E R S N I Z Z O A C O R L N
 T O R U A K R O C C S A E I V S Z P L N R W R A I I
 Y M T T O R R E H I O S A S I K B N A D E Y B O C A
 K E T B G G P B V P A R I O H O E M E G I S T B E R
 S M I D P A R P S I P T N M D A G T T Z N U N J N T
 G U X M V O G F A P T O E N M N R I Z C S I E H S R
 T Y A E K X R E A L F A U B I O X E C H T N M G I E
 A C S E R Y Y D L R A C R D R I C T S A A O E N N S
 R N R I L E E U E E L R N T D O L X C N T I G Q G I
 T P D K Y S X A S H N E E E S J K D C G E T A W E A
 J F S K N O L K A F L D G N D I T E U E M A N Q D R
 L A W E N E R E M L C D E K E T N O R C E C A H U P
 Q V C O S S L F A R Y N D R W G S I G A N I M X C P
 V I L T O S L P R X Y E K F O S D I M R T L Y X A A
 L W A S N O I S I V I D B U S F L E Z D K P T F T F
 T T J X R C A V X U N B M O W D F K I P A P R Y I P
 E P R I N C I P A L B R O K E R E I M F L A E H O L
 Q E R I Q K G T S M M V J Y U A W R C P I X P V N F
 N O R X B A U Z R X M I X Q C B Y D I E B T O A U Q
 T P T I G W N A E I V J R L W E V V N P R E R E P X
 N O I T A C U D E G N I U N I T N O C F X Q P E X D
 A S S O C I A T E L E N D I N G M A N A G E R M C M
 S A L E S A G E N T T R R R A O B M R M X J G H Y X

ADMINISTRATIVE RULES
 APPLICATION
 APPRAISER TRAINEES
 ASSOCIATE BROKER
 ASSOCIATE LENDING MANAGER
 BOARDS
 BRANCH BROKER
 CAMPGROUNDS
 CERTIFIED GENERAL APPRAISER
 CHANGE CARD
 COMMISSIONS
 CONTINUING EDUCATION
 DIVISION OF REAL ESTATE

EXPIRED
 LICENSED APPRAISER
 MORTGAGE LENDER OFFICER
 PRELICENSING EDUCATION
 PRINCIPAL BROKER
 PRINCIPAL LENDING MANAGER
 PROPERTY MANAGEMENT BROKER
 REINSTATEMENT
 RENEWAL
 SALES AGENT
 STATUTES
 SUBDIVISIONS
 TIMESHARES

-APPRAISERS- REPORTING OF SALES HISTORY (USPAP vs. Supplemental Standards)

By

Craig Morley, Member Utah Appraiser & Certification Board

Uniform Standards of Professional Appraisal Practice (USPAP) Standard Rule 1-5(a) analyze all agreements of sale, options, listings of the subject property current as of the effective date of the appraisal; and 1-5(b) analyze all sales of the subject property that occurred within three years prior to the effective date of the appraisal.

The state of Utah has a supplemental standard (Administrative Rule R162-106-7 – Sales and Listing History) that requires **listings** of the subject property **within the past three years to be analyzed and reported** (if such information is available to the appraiser from the multiple listing service, listing agent(s), or the property owner), which is otherwise not required by USPAP.

Many appraisers do work where additional supplemental standards are required. Any appraiser using the residential forms adopted by Fannie Mae in March of 2005, have a one-year listing history requirement for the subject property. However, you must do a three-year listing history to comply with the current rules from the state of Utah.

Fannie Mae has supplemental standards that exceed those required by the State of Utah and by USPAP for the comparable sales. Those standards require a one-year sales history for the comparable sales from the date of the reported sale. No listing history is required for the comparable sales by Fannie Mae or by the State of Utah.

Utah! **DIVISION of REAL ESTATE**
NEWS

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CONGRATULATIONS!

Karen Post former Division Licensing/Education Director (1983 to 2001) was honored at the Real Estate Educators Association's Annual Conference in Las Vegas, Nevada. Karen was awarded the Distinguished Career Service Award for 2006. Kudos to Karen Post for receiving this prestigious award!



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