

Utah Division of Real Estate

NEWSLETTER

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FOURTH QUARTER

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RAP Back Fingerprinting Requirement

Hopefully all of you have heard of and are familiar with the new RAP Back requirement that begins on January 1, 2020. Fingerprinting 25,000 to 30,000 licensees over a two-year period is quite an undertaking. The Division currently has one Live Scan fingerprint machine, but has ordered two additional machines to hopefully meet the demand. We are hopeful to have the two additional machines by mid-January. Because of this, it might be a little slow to start, fingerprinting takes time. It takes approximately 15-20 minutes to fingerprint one person. Keep this in mind when deciding when and where to be fingerprinted. In order to prevent excessive wait times, we will be ask-

ing licensees to schedule an appointment both at the Division and when we are visiting the Salt Lake Board. To schedule an appointment at the Division of Real Estate, please visit <https://utahdre.youcanbook.me/>, to schedule an appointment when the Division will be at the Salt Lake Board, please call 801-530-6747. We are committed to fingerprinting as many as we can as quickly as we can, but we ask for your patience.

We have spent a lot of time identifying additional locations around the state where licensees can be fingerprinted. Please take a look at the list of third-party locations to determine the most convenient location for you. Some locations may be farther away, but charge

less for the service. Coming to the Division will be free of charge, but you will be required to pay for parking. There are over 50 third-party locations around the state that are willing to fingerprint our licensees. We are still in the process of locating and adding additional third-party locations. As we identify new locations we will update the list found on our website. If there is a part of the state we have not covered, please let us know and we will try to locate a vendor. We have tried to



Jonathan Stewart

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independently verify all of the information with each third-party. If you find that there is inaccurate information, please let us know so we can correct the error.

1. What is RAP Back?

“The RAP Back service allows authorized agencies to receive notification of activity on individuals who hold positions of trust (e.g. school teachers, daycare workers [and now real estate and appraisal licenses]) or who are under criminal justice supervision or investigation, thus eliminating the need for repeated background checks on a person from the same applicant agency...” (<https://www.fbi.gov/services/cjis/fingerprints-and-other-biometrics/ngi>)

2. Who has to be fingerprinted?

S.B. 140 from the 2019 Utah Legislative Session requires all active and inactive real estate agents, brokers, and appraisers to be fingerprinted and enroll in RAP Back.

3. What is the cost?

The Bureau of Criminal Identification (“BCI”) charges \$40.00 for processing fingerprints and \$5.00 to enroll a licensee in RAP Back. Third Party fees: Depending on where you get fingerprinted, there may be additional fees.

4. When should licensees be fingerprinted?

As mentioned above, all active and inactive real estate brokers and sales agents and all appraisers should be fingerprinted during your renewal window for your first renewal after January 1, 2020. The fingerprinting, background check, and RAP Back enrollment must be completed prior to renewing your license.

5. Why do licensees need to wait until their renewal window to be fingerprinted?

As mentioned above, the fee for fingerprint processing and RAP Back enrollment is \$45. When a licensee’s fingerprints are submitted to BCI, BCI sends a bill to the Division for the \$45. A licensee will not pay the \$45 until they renew their license. The Division needs to collect the funds from licensees to pay BCI for the processing of fingerprints and enrollment in RAP Back.

6. Where can they be fingerprinted?

The Division of Real Estate has tried to make it as convenient as possible for licensees to be fingerprinted. The Division has purchased two Live Scan fingerprint machines. Licensees are welcome to come to the Division during regular business

hours to be fingerprinted. The Division of Occupational and Professional Licensing (“DOPL”) in St. George also has a Live Scan fingerprint machine and has agreed to let licensees get fingerprinted at that location. The Division will also be at the Salt Lake Board of Realtors one day of each month, dates can be found on page five. We have also identified 40+ third party locations around the state where licensees can be fingerprinted. Keep in mind if you are fingerprinted at the Division or DOPL Office in St. George there will not be any additional fees, only the \$45. If you are fingerprinted at a third party provider there may be additional fees, but the location may be more convenient. A list of third party providers and fees can be found on the Website <https://realestate.utah.gov/rapback.html>

7. What do you need to do prior to being fingerprinted?

a) Each licensee must visit the Division’s website: <https://realestate.utah.gov/rapback.html> to review and sign a Consent to Background Check form. This will all be done electronically and licensees will have the ability to print a copy for their own records.

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b) After, and only after the licensee reviews and signs the consent form, will they have access to the Authorization for Live Scan Fingerprinting Form that licensees will be required to take with them to be fingerprinted. Please do not make copies of this authorization form for other licensees; the FBI requires that each licensee sign the consent form. Failure to review and sign the consent form on the Division's website could prevent you from being able to renew your license.

c) The Consent to Background Check form and the Authorization for Live Scan Fingerprinting Form can be found on the main page of the Division website (<https://realestate.utah.gov/rapback.html>). If you are within your license renewal window (45 days for real estate licensees and 3 months for appraisal licensees), click the RAP Back Fingerprinting button. Remember, you will only be able to access the needed forms when you are within your license renewal window.

8. What should you take with you when being fingerprinted?

a) **The Authorization for Live Scan Fingerprinting** Form that you can print on our website once you have completed the Consent to Background Check Form. Print the completed authorization form and bring the

form with you when you are fingerprinted. If you do not have all the requested information on the authorization form, you may not be fingerprinted, or your background check may not properly link to your license, which could delay your license renewal.

b) **A copy of your Division license;**

c) A valid driver's license or U.S. passport;

9. What is the timeframe after being fingerprinted?

If you are fingerprinted using a Live Scan machine the processing time is typically 24-48 hours. If you are fingerprinted using paper fingerprint cards it can take 30+ days to process. Keep this in mind when deciding when and where to be fingerprinted. If you know you will be using a location that only does paper fingerprint cards, get fingerprinted early in your renewal window.

You will be prevented from renewing your license until the RELMS system receives an electronic acknowledgement from the Utah Bureau of Criminal Identification (BCI) that you have submitted your fingerprints to the FBI for processing, you have no criminal history, or the Di-

vision has reviewed your criminal history.

10. What should you do with fingerprint cards?

Most Live Scan locations will still print off a fingerprint card for your records. The only time you need to send the fingerprint cards to the Division is if your fingerprints were not electronically submitted to BCI. If you are unsure, please ask the third-party location if your fingerprints have been electronically submitted or not. If they have been, you can retain the cards for your own records.

11. What about Dual Brokers?

Dual Brokers only need to be fingerprinted for their Principal Broker license.

12. What about those holding another license?

If you are a real estate agent and appraiser, you must be fingerprinted for each license type you have. In addition, if you are already enrolled in RAP Back because you have

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RAP Back (Continued from page 3)

been enrolled for another reason, you still must be fingerprinted and enrolled for each license you have with the Division. The FBI requires separate enrollment for each license type.

13. Do licensees have to be fingerprinted again?

Once you are enrolled in RAP Back you will stay enrolled as long as you maintain your license and renew on time.

Allowing your license to expire could result in removal from the RAP Back system.

I hope this gives you a better understanding of what RAP Back is and what to expect the next time you renew your license. I know this is an inconvenience, but hope that you all see the value this will add to your industry. I wish you all the best in the new year.



The Division will be offering fingerprinting services monthly at the Salt Lake Board of Realtors for individuals within 45 days of their license expiration date, starting in January 2020. Please remember that **only** individuals in this renewal window (45 days prior to expiration date) will be printed. You will be charged \$45 at renewal (\$40 for processing, \$5.00 to enroll in RAP Back). When fingerprinting is performed **by the Division** there will not be any additional fees.

The Salt Lake Board is located at:

**230 West Towne Ridge Parkway #100
Sandy, UT 84070**

The Division will be at the Board on the following dates from 10:00am to 2:00 pm, plan ahead! **Call for the Division for an appointment.** Future dates and times are subject to change. Please refer to the Division's website to verify.

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RAP Back (Continued from page 4)

January 6 — Monday

February 3 — Monday

March 2 — Monday

April 2 — Thursday

May 1 — Friday

June 2 — Tuesday

July 2 — Thursday

August 3 — Monday

September 1 — Tuesday

October 2 — Friday

November 2 — Monday

December 3 — Thursday



Important
RAP Back
Fingerprinting
Information

Not sure what RAP Back is? If you hold a Real Estate or Appraisal license this new requirement will effect **YOU**. Please check the Division Web site for a list of third party fingerprint providers <https://realestate.utah.gov/rapback.html>

Please be sure to read about RAP Back on pages 1-4.