



REAL ESTATE RECIPROCITY APPLICATION

State of Utah
Department of Commerce
Division of Real Estate

RECIPROCITY EXISTS WITH GEORGIA, MISSISSIPPI, AND ALBERTA

Complete, sign, have notarized, and submit this form along with **license histories**, 2 completed Blue FD-258 **fingerprint cards**, **fingerprint waiver**, **social security verification form** and for agents a **\$154 non-refundable fee** or for brokers a **\$160 non-refundable fee**, by mail or in person. **We will contact you for payment.**

Name: _____ DOB: _____

Email: _____ Phone: _____ Cell: _____

Physical Address: _____

Mailing Address: _____

Utah Company: _____ License Number: _____

Utah Broker Signature: _____ License Number: _____

APPLICATION FOR: ☐ Sales Agent ☐ Associate Broker ☐ Branch Broker ☐ Principal Broker

LICENCE STATUS REQUESTED: ☐ Active ☐ Inactive

****WARNING: Failure to accurately answer ALL questions may result in the loss or restriction of your license****

YES NO

- ☐ ☐ 1. Are you at least 18 years of age?
- ☐ ☐ 2. Do you attest that you have a high school diploma or GED?
- ☐ ☐ 3. Have you EVER had a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) denied, revoked, or suspended?
- ☐ ☐ 4. Have you EVER had a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) sanctioned? Sanctions include, but are not limited to, having a credential restricted, limited, placed on probation, being required to pay a fine or penalty, take education, or comply with any other condition?
- ☐ ☐ 5. Have you EVER been sanctioned or banned from engaging in any activity by Freddie Mac, Fannie Mae, FHA (HUD), VA, or similar organization for any period of time or for any reason?
- ☐ ☐ 6. Have you EVER been ordered to cease and desist from any conduct related to a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity)?
- ☐ ☐ 7. Have you EVER allowed a professional or occupational credential (license, registration, certification, or similar authorization to work in a professional or occupational capacity) to expire or lapse while you were under investigation by a regulatory or licensing body, or while a regulatory action was pending against you?
- ☐ ☐ 8. Do you have knowledge of any complaint, investigation, or disciplinary action CURRENTLY ongoing or pending against you by a regulatory or licensing body?
- ☐ ☐ 9. Have you EVER been convicted of, or pled guilty or nolo contendere to a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense? A traffic offense can be prosecuted as a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense. Where this is the case disclosure is required.



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Yes No

- ☐ ☐ 10. Have you EVER resolved a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense through a plea in abeyance, diversion agreement, withheld judgment, or other method whereby a charge was held in suspense during a period of time in which you were on probation or were obligated to comply with conditions outlined by a court? A traffic offense can be prosecuted as a felony, class A misdemeanor, class B misdemeanor, or comparable criminal offense. Where this is the case disclosure is required.
- ☐ ☐ 11. Currently, are you aware of any investigation(s), indictment(s), or criminal charge(s) for any crime in any jurisdiction which are pending against you?
- ☐ ☐ 12. Have you EVER been courts martial or discharged other than honorably from any branch of the armed services?
- ☐ ☐ 13. Have you EVER been required to register as a sex offender?
- ☐ ☐ 14. Have you EVER had a judgment entered against you in a civil court or in a bankruptcy court on the basis of fraud, misrepresentation, or deceit, or in any matter related to the purchase, sale, management, finance, loan origination, or valuation of real estate?
- ☐ ☐ 15. Have you EVER been found in contempt of court?

I hereby certify that the answers I provided to the questions above are true and correct. If I am a non-resident of the State of Utah, I do hereby appoint the Director of the Division of Real Estate as my agent in Utah upon whom process or pleadings may be served for and on behalf of Real Estate Broker or Agent within the meaning of Utah Code Annotated 61-2.

YES answers require a detailed letter of explanation and copies of all court documents including charging and judgment documents; court dockets; and proof of completion of probation and restitution orders and payment of fines and judgments.

Applicant Signature _____ Date _____

State of _____ County of _____ Appeared before me this _____ day of _____

_____, who deposes and says that the

information listed above is true to the best of his/her knowledge. (Notary) _____

CERTIFICATION OF LEGAL PRESENCE
FOR UTAH REAL ESTATE, MORTGAGE, APPRAISER, AND TIMESHARE
APPLICANTS

APPLICANTS PLEASE NOTE:

This document must be completed, signed, and submitted with your application to the Utah Department of Commerce in order to obtain your license. For each section, check the statement that applies to you and enter the data on the line provided before sending it to the Utah Department of Commerce.

Industry/Type: ☐ **Appraiser** ☐ **Appraiser Trainee** ☐ **Mortgage** ☐ **Real Estate**
☐ **Timeshare** **License or NMLS number:** _____

Social Security Number: _____

I certify under penalty of perjury that:

☐ I am a citizen of the United States and I have a valid US Drivers License or US State ID.
License/State ID Number: _____ State: _____

☐ I am a citizen of the United States and do not have a valid US Drivers License or US State ID. *Please attach a legible copy of your valid passport or other documentation to verify you are a legal citizen of the United States.*

☐ I am a non-citizen of the United States, who is lawfully present in the United States and I have a valid US Drivers License or US State ID.
License/State ID Number: _____ State: _____

☐ I am a non-citizen of the United States, who is lawfully present in the United States and I do not have a valid US Driver License or US State ID. *Please attach a legible copy of your current and valid government issued document showing evidence of authorization to work in the United States.*

I hereby certify that I have read and understood this document, and that the information I have provided is true and accurate.

Name: _____

Signature: _____

Date: _____

Utah Division of Real Estate - Consent to Background Check

Name of Applicant: _____

Address: _____

Date of Birth: _____

(Above information verified by valid identification document prior background check request per Section 1028 of Title 18, United States Code)

I _____, understand that my personal information including name, DOB, SSN , and fingerprints, will be used for the purpose of conducting a criminal history records search through any applicable state and federal databases. This information will be used by the Utah Division of Real Estate to determine my eligibility for a real estate and/or appraisal license. My personal information and fingerprints may be retained for ongoing monitoring and comparison against future submissions to the state, regional or federal database and latent fingerprint inquiries. The Utah Division of Real Estate will establish procedures to ensure removal of my fingerprints from applicable state and federal databases when I am no longer under their purview. I understand that I may request to review any results of this inquiry and understand that UCA 53-10-108 does not allow the Utah Division of Real Estate to provide a copy of those results to me. Before a determination is made, I understand that I will be afforded a reasonable amount of time to challenge the completeness and accuracy of the record through the procedures established by the Utah Division of Real Estate as well as contacting the Utah Bureau of Criminal Identification (Utah Criminal History Results), the State Identification Bureau (SIB) associated with any results that are outside of Utah, or the Federal Bureau of Investigation (Nationwide Criminal History Response Information). I will provide a list of all criminal convictions which contains a description of the crimes and the particulars of the convictions. I have read the attached Privacy Statement and understand my rights according to this statement.

Applicant Signature: _____

Date: _____

FBI Privacy Act Statement

Authority: The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub. L. 92-544, Presidential Executive

Orders, and federal. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

Social Security Account Number (SSAN). Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprint repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

Routine Uses: During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

Additional Information: The requesting agency and/or the agency conducting the application-investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

Challenge procedures:**State of Utah:**

The Utah Bureau of Criminal Identification is responsible for all arrest and conviction data for the State of Utah. BCI does not have the authority to modify any records from other state or federal databases. In the event that there is incorrect or missing Utah Criminal Data, please be prepared to provide certified copies from any arresting agency or court of appearance.

To challenge State of Utah criminal arrests and disposition data please complete the required application and submit to the Utah Bureau of Criminal Identification. Instructions and applications are located at the following web address:

<https://bci.utah.gov/wp-content/uploads/sites/15/2017/08/ROA-8-24-2017.pdf>

FBI:

<https://www.fbi.gov/services/cjis/identity-history-summary-checks>

Challenge of an Identity History Summary

The FBI is responsible for the storage of fingerprints and related Identity History Summary information for the nation and does not have the authority to modify any Identity History Summary information unless specifically notified to do so by the agency that owns the information. If you believe your Identity History Summary contains inaccurate or incomplete information, you have two options for requesting a change or correction:

Option 1: Contact the agency or agencies that submitted the information to the FBI.

Missing or Incorrect State (Non-Federal) Information

Most states require that changes to Identity History Summary information be processed through their respective state centralized agency (State Identification Bureau) before any changes can be made to your information. You may contact the respective State Identification Bureau for assistance, and, if applicable, request that they provide the FBI with updates to your Identity History Summary. Contact information for each state is provided on the State Identification Bureau listing.

Several states maintain their own record system. Record updates are made at the state level only, so the FBI cannot change its records. Instead, the FBI accesses the state's system for authorized purposes to review the record. Contact information for states maintaining records at the state level is provided on the State-Maintained Records listing.

Missing or Incorrect Federal Information

For federal Identity History Summary updates, the FBI must receive a request directly from the original arresting agency, from a court with control over the arrest data, or from another agency with control over the arrest data.

Option 2: Send a written challenge request to the FBI.

Your written request should clearly identify the information that you feel is inaccurate or incomplete and should include copies of any available proof or supporting documentation to support your claim. For example, if your disposition information is incorrect or missing, you may submit documentation obtained from the court having control over the arrest or the office prosecuting the offense. The FBI will contact appropriate agencies in an attempt to verify or correct challenged entries for you. Upon receipt of an official communication from the agency with control over the data, the FBI will make appropriate changes and notify you of the outcome.

You may submit an Identity History Summary challenge to the FBI by writing to the following address:

FBI CJIS Division
Attention: Criminal History Analysis Team 1
1000 Custer Hollow Road
Clarksburg, WV 26306