

Third Quarter 2017

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Director's Message



Jonathan Stewart

most questions arise from those sections.

Let's briefly review the new rule and then examine how the Division enforces the rules pertaining to advertising on social media.

R162-2f-401h. Requirements and Restrictions in Advertising.

(1) Except as provided for in subsections (2) and (3), a licensee shall not advertise or permit any person employed by or affiliated with the licensee to advertise real estate services or property in any medium without clearly and conspicuously identifying in the advertisement the name of the brokerage with which the licensee is affiliated.

(2) When it is not reasonable for a licensee to identify the name of the brokerage in an electronic advertisement, the licensee shall ensure the electronic advertisement directly links to a display that clearly and conspicuously identifies the name of the brokerage.

Those of you in the real estate industry should be aware that real estate advertising rules were changed and made effective on January 19, 2017. Since January, the Division has had many questions about how the new rules apply to advertising on social media. The intent behind amending the advertising rules was to make them easier to understand and follow. This article will focus on subsections: (1), (2), (4) and (5) because



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(4) The name of the brokerage identified by a licensee in an advertisement shall be the name of the brokerage as shown on division records.

(5) A team, group, or other marketing entity which includes one or more licensees shall be subject to the same requirements and restrictions with regard to advertising as is an individual licensee.

Let's start with best practice, not just for social media advertising, but for all advertising. Although there are exceptions found in this administrative rule, best practice is to always include your brokerage information. About half of all complaints are related to advertising in some form or another.

That said, the Division has chosen to be more lenient with these rules than a strict interpretation would suggest. The rule in its most simple form basically says: If you or someone you employ or are affiliated with advertises real estate services, the advertisement must include the brokerage name as it is found on the records of the Division unless it is unreasonable to do so.

In looking at a complaint about advertising, the Division starts with the assumption that the advertisement should have the brokerage name. If the advertisement does not include the brokerage name, then the Division will look to see if the advertisement was for personal use or business use. To clarify:

Personal Use

If a real estate agent or broker has a personal Facebook page, Twitter account, etc. and occasionally posts an advertisement for family and friends, the Division would generally view this as "personal use." If the Division determines it is considered personal use, the advertisement should "directly link to a display that clearly and conspicuously identifies the name of the brokerage" as it states in subsection (2).

Business Use

On the other hand, if a real estate agent or broker has a Facebook page, Twitter account, etc. and it appears that the primary purpose or use for the page or account is advertising their real estate business, then this is "business use," and the Division believes it is reasonable to include brokerage information and therefore expects to see the brokerage name on the page or included in each advertisement.

Remember, in the case of a business use page or account, the brokerage name needs to be clearly and conspicuously identified. The easiest way to comply is to have the brokerage name clearly displayed next to your name or if it is a team page, next to the team name. We have seen Facebook pages where there were months of advertisements for properties for sale and only the initial post included the brokerage name. The public is not going to scroll down months of advertisements in order to identify

the brokerage. In this scenario, you could include the brokerage name at the top of the Facebook page or each time there is an advertisement for a property. Both would be compliant with the current advertisement rules.

To protect yourself, use best practice and follow the rules any time you advertise.

Final Points

Teams

The Division has seen many non-compliant team pages and advertisements. We know that teams are an important part of many of your business models. Please keep in mind that Subsection (5) of the advertising rules states:

"A team, group, or other marketing entity which includes one or more licensees shall be subject to the same requirements and restrictions with regard to advertising as is an individual licensee."

Please advertise your team name as much as you want, just make sure that when advertising it is also clear which brokerage the team is affiliated with.

Unreasonable

Subsection (2) of the administrative rules references times when it is unreasonable to identify the name of the brokerage. For example, in Twitter advertising there is a 140-character limit, so one could

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argue that after describing a property there was not enough room to include the brokerage information. In this scenario, the licensee should ensure that this advertisement links directly to the brokerage information, whether it is a link to a business website, the MLS, etc. I would caution against relying on this exemption too frequently. While we try to be reasonable when we look at complaints that come in, we also would ask that you as licensees are reasonable in determining when to include brokerage information.

Please help us help you by reviewing all your advertising and making sure that brokerage information is clearly and conspicuously displayed. If you have staff members that handle your advertising, please make sure they are adequately trained, and that they understand when brokerage information needs to be included. Please check all advertising to ensure compliance with these new Administrative Rules. Thank you for all you do for the citizens of Utah.



YOU BE THE JUDGE



The Division receives a complaint. The owner of a property management company does not hold a real estate license, but is engaged in property management services. Can this individual legally perform property management services on behalf of the property management company for other property owners for a fee, without being licensed?

- A) Yes, he owns the property management company; therefore he is exempt from licensure rules.
- B) Yes, as long as he only negotiates contracts for management.
- C) No, there are no exceptions for licensure; anyone performing any type of real estate services **MUST** have a license.
- D) No, property management services conducted for a fee on behalf of another property owner requires a license.

Correct answer: D

A person does not need to be licensed to own a property management company. They do, however, need to be licensed to negotiate management agreements with property owners and/or leases with tenants on behalf of another property owner.



Real Estate Purchase Contract

Revised Real Estate Purchase Contract

As you should know by now, the Division of Real Estate, Real Estate Commission, and the Attorney General's Office have approved revisions to the Real Estate Purchase Contract. This revised REPC may now be used and will completely replace the current REPC on January 1, 2018. The purpose of this article is to give you a better understanding of the rationale behind some of the changes to the revised REPC. We still recommend taking a continuing education class that will address the changes in greater depth, but this article will give you an idea about why some of the changes were made. This article will go through the significant changes to the REPC and for some of the changes will only reference the rationale for the change. For this reason it is recommended that you have a copy with you to reference to help you better understand the changes.

[New REPC](#)
[New REPC- Blueline](#)

Earnest Money Section

Change: Refer to REPC (The Buyer's Brokerage and Signature Re-

ceipt provisions have been removed)

Rationale: Most buyers currently check that they will deliver the earnest money no later than four (4) calendar days. Even with the language change, a buyer still has the option to deliver earnest money with the offer should they so choose.

There has been confusion in the industry as to when a real estate agent should sign this section. From a contract standpoint, it is highly inappropriate to backfill language after the two parties to the REPC (buyer and seller) have already signed.

Section 1 of the REPC

Change: Eliminate the language that "also describes" the property and add a field to enter the Tax ID Numbers.

Rationale: Eliminating the "also described as" field, eliminates ambiguities and possible misrepresentations about the property. Adding a Tax ID Numbers field allows the parties to better identify the property for sale.

Section 1.1

Change: Added solar panels, water softeners, installed TV brackets, installed speakers, and all window coverings to the included items.

Rationale: To eliminate potential disputes over these "fixture" items. In the case of solar panels, if the panels are not owned outright, then the items are not included. See the language that states, "if presently owned and in place on the property."

Section 1.2

Change: Refer to REPC

Rationale: Personal property is becoming an increasingly common part of real estate transactions. Mortgage Lenders have consistently taken the position that they don't loan on personal property. The two new boxes are intended to identify whether there: "[] ARE [] ARE NOT additional items of personal property Buyer intends to acquire from the Seller by separate written agreement." This would provide full disclosure to the lender and underwriter if there is personal property included with the sale of the real estate.

Section 2

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Change: Add the term Lender and add a spot for additional earnest money.

Rationale: Lender is a term used throughout the REPC and should be a defined term for clarity purposes. Adding a line for Additional Earnest Money is logically necessary given its reference in Section 8.4 of the REPC.

Section 2.2

Change: Adding a new Section 2.2 that discloses whether the Buyer's purchasing ability is subject to the sale of the Buyer's own residence.

Rationale: Creates an environment of transparency between the Buyer and Seller and allows a Seller to more adequately judge the strength of purchase offers.

Section 3

Change: The main change involves reordering so you have Settlement, Closing, and then Possession.

Rationale: This Section naturally flows better given that Settlement, Closing, and Possession take place in this order.

Section 4

Change: The main change in Section 4 is the highlighting of "transfer fees" and allowing the Buyer and Seller to negotiate who pays for this potential fee. The sub-sections are also reformatted.

Rationale: The formatting of this section needed updating so that it flowed more naturally. Additionally,

the new formatting changes highlight important items that both Buyer and Seller must address with the sale of the property. New language on transfer fees was added to better address this issue. We simply want the Buyer and Seller to determine the financial responsibility for various fees associated with the sale.

Section 5

Change: Added Agent(s) and Brokerage License number Sections.

Rationale: Know Before you Owe (TRID) requires the Broker License ID on page 5 of the Closing Disclosure. Having a section on the REPC gets this information more quickly and readily to the lender. In addition, this section allows for confirmation of a prior agency disclosure when more than one licensee (a team) represents a buyer and/or seller.

Section 6

Change: Refer to REPC

Rationale: There was a conflict between the REPC language found in Section 6 and Section 12. Section 6 stated that the Property will be conveyed subject to any existing leases or property management agreements. Section 12 stated that the Seller may not make any changes to any leases, rental or property management agreements without the Buyer's written consent. The issue was whether a pre-existing property management agreement that au-

thorizes the property management company to book short-term rentals would need to discontinue booking once the property goes under contract.

The new language in Section 6 and Section 12 clears up any misunderstanding or ambiguity about what a Seller is authorized to do once the property goes under contract with the Buyer.

Section 7

Change: Refer to REPC

Rationale: The biggest changes include placing the Lead-Based Paint Disclosure and FIRPTA as part of the required disclosures. Both of these issues are material information that a seller should already be disclosing. In addition, long and short term rental agreements, management agreements, water rights and/or shares (if any) are to be provided. Environmental problems are disclosed and Foreign Investment in Real Property Tax Act (FIRPTA) provisions are explained and disclosed.

Section 8.3

Change: Refer to REPC

Rationale: The biggest changes in this Section are the formatting and the option for a Buyer to indicate that a portion of the earnest money will become non-refundable if the Buyer cancels after the Due Diligence Deadline, but before the Financing and Appraisal Deadline. The formatting changes more

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clearly indicate to a Seller whether an offer does or does not need financing as part of the purchase. By adding section 8.3(b)(i) that a Buyer may make a portion of the earnest money non-refundable is really a subtle, but important change. It allows Buyers to creatively make a stronger offer without increasing the purchase price. Additionally, it assists a Seller in shifting the dynamics of the contract to a more even plane. Practically speaking, a Buyer may leave the Section blank or fill-in \$0 and all the earnest money would be returned to the Buyer if the contract is canceled for financing by the Financing & Appraisal Deadline.

Section 9

Change: Refer to REPC

Rationale: The Lead Based Paint & Acknowledgement Addendum is a form that should come from the Seller, not the Buyer. Because of this, it was moved from Section 9 to Section 7: Seller Disclosures.

Section 10.3

Change: Added language from Section 3.3 to the Condition of the Property Section.

Rationale: We moved the added language from the "Possession" Section to this Section because the language deals with the condition of the property.

Section 11

Change: Refer to REPC

Rationale: While Section 11.2 clearly dictates what happens when agreed upon repairs have not been completed by the Settlement Deadline, the feedback we heard quite often was that it really doesn't work. From lending issues to a Buyer and Seller not coming to terms on a "reasonable amount" to put in escrow, Section 11.2 created problems for Buyers and Sellers. Additionally, after reviewing the majority of REPCs approved by other states, we could not find another state with similar language. In fact, all the REPCs reviewed did not include a built in resolution.

With Section 11.2 removed, the Buyer is free to pursue additional remedies that are workable. Certainly the remedy outlined in Section 11.2 may still be negotiated and agreed to, but it won't be the sole option for the Buyer.

Section 12

Change: Refer to REPC

Rationale: Section 12 of the REPC deals with any changes and alterations to the property or its use. We feel it is prudent for this Section to outline specifically what a Seller may and may not do when it comes to encumbering the property once the REPC has been agreed to by the Buyer and Seller. The most substantive addition is found in Section 12.5. In this Section, the Seller may continue to

book short-term rentals up until the Seller Property Condition Disclosure Deadline (see Section 7 of the REPC). After the Seller Disclosure Deadline, the seller may not further encumber the property unless with the written consent of the Buyer.

Section 17

Change: Refer to REPC

Rationale: The current language of the Section only allows for the prevailing party to recoup attorney fees to enforce the REPC. Our modification broadens the ability of the prevailing party to recover attorney fees.

Section 22

Change: Refer to REPC

Rationale: Originally, we wanted to cite Federal Code sections detailing the permissibility of electronic signatures. However, those often change so we ultimately decided against it. We simply wanted to make clear that electronic signatures were legally binding and had the same legal effect as "wet ink" signatures.



2018

Mortgage License Renewal Be Prepared!

All Mortgage licenses are renewable on an annual basis. Renewal requests can be made on your NMLS filing between November 1 and December 31. You can prepare now so that your renewal will go smoothly by following the checklists, one for **entities** (companies, branches, DBAs) and one for **individuals** (loan originators and lending managers).

Individual Renewal Checklist (Loan Originators and Lending Managers)

Prior to November 1, 2017

1. Review your filing in the NMLS to make sure your information is current and correct. This includes mailing address, email, phone numbers, name, and employment history.

2. Review your filing to make sure there are no license items placed on your filing. License items can be deficiencies or requirements that are pending on your license and must be cleared prior to requesting renewal. Some common deficiencies include Employment History Updates, ACH Payments that may have been returned unpaid, and requests for information about Disclosure Questions or Credit Reports. Satisfy all pending license items prior to requesting

renewal. You may call the Division's Mortgage licensing team at 801-530-6747, if you do not understand a noted deficiency or need help in getting it cleared. When a license item is placed on your filing, you receive an email through the NMLS notifying you of the deficiency or requirement.

****REFER TO YOUR
INDIVIDUAL NMLS
DASHBOARD TO REVIEW
ANY OUTSTANDING
REQUIREMENTS AND/OR
DEFICIENCIES****

3. If your driver's license number has changed, be sure to indicate this update on your filing, as well as your US citizenship status. This is found under the Identifying Information section on your MU4 form. If this information is incorrect or incomplete, we may place a deficiency on your license requiring you to provide the Division with a copy of the Certificate of Legal Presence found [here](#). If your information is recorded accurately on your filing, you *will not* need to submit this form (Certificate of Legal Presence) to us as you may have done in prior years.

4. **NMLS-approved continuing education (8 hours) and the Utah Law Course (2 hours), must be completed prior to requesting renewal.** It is recommended that these hours be completed no later than December 15, 2017 in order to insure timely renewal. The NMLS will prevent you from requesting renewal if these hours are not banked in the NMLS.

To verify completion of the Utah Law Course (2 hour), log into the NMLS and click on the Composite View Tab, View Individual, View Education Record.

5. If your license is on probation and there are requirements that must be completed at renewal, either to have the probation removed or as terms of the probation, make sure these items are reported to the Division before you request renewal. This will aid in getting your renewal processed in a timely manner.

A credit report and background check are NOT REQUIRED this year.

On or After November 1, 2017:

1. You can now request renewal. The renewal fee is \$78.00

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which includes the NMLS processing fee of \$30, Renewal fee of \$30.00 and Recovery Fund fee of \$18.00. You will be required at that time to **ATTEST AND SUBMIT** to the accuracy of your filing so make sure, once again, that all is correct.

2. If there is a change in your answers to the Disclosure Questions, you must upload the required documentation explaining the change in your filing.
3. If you request your renewal prior to January 1, 2018, your license will remain in the status that it was prior to renewal. If your status was active, you can continue to work as usual. Your renewal approval is contingent on all requirements being met, in which case the Division will process the renewal as quickly as possible and email your new license to you.

Entity License Renewal (company, DBAs, branches):

Prior to November 1, 2017

1. Review MU1 filing and/or MU3 filing to confirm that all the information, company location, mailing address, contact information, etc., is all correct.
2. If there is a change in your answers to the Disclosure Questions,

you must **provide a detailed explanation and upload documentation to support your explanation.**

3. Review the entity filing to make sure there are no license items placed on the filing. These items could include things like a returned ACH Payment, update qualifying individual, company ownership, etc.
4. Provide a current **Certificate of Existence for all entities & DBAs** from the **Utah Division of Corporations** and upload to the Entities NMLS record.

On or After November 1, 2017:

1. Request and pay renewal fees through NMLS between November 1 and December 31, 2017.

If renewal is requested prior to January 1, 2018, the license will remain in the status that it was prior to renewal. If the status was active, work can continue as usual. Your renewal approval is contingent on all requirements being met, in which case, the Division will process the renewal as quickly as possible and email your new license to the email address listed in the contact information.

CONTACT

The Division of Real Estate

- Phone: (801) 530-6747
- realestate@utah.gov
- Fax: (801) 526-4387
- Live Chat

CLICK HERE



Kagie's Korner

License Numbers of participating real estate licensees are now required to be included in the new Real Estate Purchase Contract (REPC).

The newly approved REPC was authorized for use beginning September 1, 2017, and will be **required beginning January 1, 2018**. One of the changes to the new REPC is in section five, Confirmation of Agency Disclosure, which requires the license numbers of the Agent(s) and Brokerage for both Sellers and Buyers.

This change may require the buyer's agent(s) to look up the listing agent(s) on the Divisions website www.realestate.utah.gov or <https://secure.utah.gov/rer/relv/search.html> in order to find the license number(s) for both the agent(s) and their brokerage. It is not recommended to solely rely on the MLS or a phone call from the other agent(s) to verify their license number(s), as they may not be reporting their current license status, whether their license is active, inactive, expired, or even their correct brokerage/branch affiliation. Using the Divisions "Look Up A Li-

cence" feature will help insure that you have the most accurate and up-to-date licensing information.

Selling agents: when you receive an offer, look up the buyer's agent(s) and brokerage to verify that their information is correct. Also be aware that an unrepresented buyer would likely not fill out this section of the REPC, so it will be your responsibility to make sure that you and your brokerage license numbers are included and accurate.

When there is more than one agent representing a client, all agents' names and license numbers should to be on the REPC identifying their representation of their client. This will be beneficial when a sales agent who is part of a team wants to document their broker experience points when they apply to get a broker's license. The Division supports inclusion of accurate license numbers in the new REPC to help make sure that both the seller and buyer are working with actively licensed agent(s) and brokerages that

can represent their client's best interests in a transaction.

The license number for a sales agent will be either a seven or eight digit number, followed by the suffix¹ SA then immediately followed by two zeros (i.e. 12345678-**SA**00), for an Associate Broker 12345678-**AB**00, for a Branch Broker 12345678-**BB**00, and for a Principal Broker 12345678-**PB**00. The license number for a Brokerage ends with either 12345678-**CN**00 (Company number) or 12345678-**DB**00 (for Dual Brokerages). Branch office license numbers end with 12345678-**BB**00. All license numbers must include two suffix letters immediately followed by two zeros - **##**00 to be a valid number, so make sure that you include the information after the hyphen.

The new REPC and the inclusion of the licensee(s) and brokerage license numbers will help to protect the public and your clients by making sure they are being represented by an active licensed professional.

¹ Utah Law does not require the inclusion of the license number suffix.

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DIRECT MAILERS

On a weekly basis the Division receives complaints regarding real estate licensees who send out direct mailers to property owners offering to buy their homes. Many of these mailers are sent by licensed agents who do not include in the mailer their brokerage information or disclose they are a licensed real estate agent. Sellers complain that they should have known up front they were dealing with a licensed individual. Other complaints claim that these licensed individuals have no intention of buying their homes; the mailer is used as a vehicle to get in contact with sellers.

The Division believes it is a violation of the statute and rules to send a direct mailer to a property owner without identifying in the mailer that the sender holds a real estate license, by including the name of the brokerage with which the licensee is affiliated.

In some instances, it appears that the licensee is attempting to acquire personal investment property by sending out direct mailers, however, the licensee is still bound to comply with the advertising rules.

Rule R162-2f-401h Requirements and Restrictions in Advertising

(1) Except as provided for in subsection (2) and (3), **a licensee shall not advertise or permit any person employed by or affiliated with the licensee to advertise real estate services or property in any medium without clearly and conspicuously identifying in the advertisement the name of the brokerage with which the licensee is affiliated** (emphasis added).

Members of the public are entitled to know when they receive a solicitation that they are dealing with a licensed individual and the name of the affiliated real estate brokerage.



DIVISION STAFF SPOTLIGHT

Meet Connie Mickles! She's a member of our Real Estate Licensing team and has been with the Division since October of 2016. Here are some words from Connie herself:



I've worked in the real estate industry for over 25 years in various positions; as a property manager, personal assistant to one of the industry's top agents in South Carolina, office assistant and as a paralegal for a real estate attorney in South Carolina. Before working for the Division I worked for Froerer Real Estate and Property Management in Ogden for several years. I enjoy working with the Division seeing how things are run on the other side.

I am originally from Colorado. I've lived in Wyoming and South Carolina but have lived in Utah the majority of my life. I was married for 27 years until 2009, when my husband passed away from cancer. I have 5 children, 21 grandchildren and 3 great grandchildren.

Outside of work I enjoy rock concerts, dancing, wine tasting, traveling and spending time with my family and Henry, my miniature schnauzer.

Connie plays a critical role in the Division and we are so happy to have her!



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THIRD QUARTER LICENSING and DISCIPLINARY ACTIONS

Please note that Utah law allows 30 days for appeal of an order. Some of the actions below might be subject to this appeal right or currently under appeal.

APPRAISAL

BAUGHMAN, JESSICA BLAIR, licensed appraiser, Cottonwood Heights, Utah. In an order dated July 17, 2017, Ms. Baughman was fined \$3,500 and ordered to take and pass a 15 hour USPAP course for having altered certified license documents issued by the Utah Division of Real Estate in violation of Utah law. Case No. AP-17-88561

BECKSTEAD, AMY, certified residential appraiser, Salt Lake City, Utah. In a stipulated order dated August 23, 2017, Ms. Beckstead admitted that she submitted four appraisals to the Davis County Assessor's Office in relation to tax appeals which contained contradictory statements in violation of USPAP. Ms. Beckstead agreed to pay a civil penalty of \$1,000 and to complete four hours of continuing education in addition to the continuing education required for her next license renewal. Case Nos. AP-15-78657, AP-15-78658, AP-15-78660, and AP-15-78661

DARLING, BRYAN, certified residential appraiser, Spanish Fork, Utah. In a stipulated order dated August 23, 2017, Mr. Darling admitted to having appraised a residential property without properly adjusting for comparable sales

and having selected comparable sales properties further from the subject property rather than using available comparable sales nearer to the subject property. Mr. Darling agreed to pay a civil penalty of \$1,000 and to complete four hours of continuing education in addition to the continuing education required for his next license renewal. Case No. AP-13-68101

LINGMANN, JEFFREY, certified residential appraiser, Holladay, Utah. In a stipulated order dated August, 23, 2017, Mr. Lingmann admitted to having requested another licensed appraiser to perform an inspection of a subject property without disclosing the assistance of the other appraiser in the appraisal report, in violation of USPAP. Mr. Lingmann agreed to surrender his license, including any renewal or reinstatement rights. Case No. AP-16-84485

MORTGAGE

ACOSTA-MARTINEZ, ISA GRETTY, mortgage loan originator, Pennsauken, New Jersey. In an order dated June 1, 2017, Ms. Acosta-Matinez's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. MG-17-91923

CAMPBELL, HENRY KENNETH, mortgage loan originator, Phoenix, Arizona. In an order dated June 30, 2017, Mr. Campbell's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. MG-17-92637

COOK, KREHL OSMOND, mortgage loan originator, Riverton, Utah. In an order dated August 17, 2017, Mr. Cook's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. MG-17-93749

EDWARDS, JESSICA DAWN, mortgage loan originator, Columbia, Missouri. In an order dated July 14, 2017, Ms. Edwards's license was granted and placed on probation until December 31, 2018, due to criminal history. Case No. MG-17-92891

ENGLISH, WILLIAM T., unlicensed, Salt Lake City, Utah. In a stipulated order approved June 7, 2017, Mr. English admitted to having facilitated the origination of at least one hard money loan secured by a residential property located in Utah. Mr. English does not hold a license to originate residential loans in Utah. His actions are in violation of Utah law. In mitigation, Mr. English had been

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advised by an attorney that he did not need to be licensed to originate hard money loans. He agreed to pay a civil penalty of \$5,000 and to cease transacting residential mortgage loans in Utah until he has obtained a mortgage loan originator license. Case No. MG-13-67357

IBRAHIM, MOHAMED ZAKARIA, mortgage loan originator, Salt Lake City, Utah. In an order dated June 21, 2017, Mr. Ibrahim's application for licensure was denied due to criminal history. Case No. MG-17-92438

MORA, BRAXTON LEE, mortgage loan originator, Murray, Utah. In an order dated June 12, 2017, Mr. Mora's license was granted and placed on probation until December 31, 2018 due to criminal history. Case No. MG-17-89744

SHORTEN, ANNAGAY, mortgage loan originator, Ogden, Utah. In an order dated June 14, 2017, Ms. Shorten's application for licensure was denied due to a prior licensing sanction and her actions which led to that prior sanction. In addition, Ms. Shorten had entered inaccurate answers to disclosure questions in the nationwide database in conjunction with her current application. Case No. MG-17-89957

REAL ESTATE

ADAMSON, JAZMIN, sales agent, Salt Lake City, Utah. In an order dated July 18, 2017, Ms. Adamson's license was granted and

placed on probation for the initial licensing period due to criminal history. Case No. RE-17-92953

ALMOND, JASON R., sales agent, South Jordan, Utah. In an order dated June 23, 2017, Mr. Almond's license was reinstated and placed on probation for the initial reinstatement period due to criminal history. Case No. RE-17-91885

AMES, BILL, unlicensed, Murray, Utah. In an order dated November 14, 2016, Mr. Ames was ordered to cease and desist from managing property owned by another person, or advertising or otherwise offering to engage in activity requiring a real estate license, until such time as he becomes licensed. Case Nos. RE-13-63457 and RE-13-63460

ARCHER, PHILLIP DALE, sales agent, Salt Lake City, Utah. On May 4, 2017, the Division issued a citation to Mr. Archer for failing to display his brokerage information on his website, business cards, and marketing flyers and advertising his marketing team instead. The citation assessed a fine in the amount of \$150. Citation No. DREC-17-14, Case No. RE-17-88920

BEACCO, HESTON FRITZ, sales agent, Salt Lake City, Utah. In an order dated June 1, 2017, Mr. Beacco's license was granted and placed on probation for the initial licensing period due to a plea in abeyance agreement in a criminal matter. Case No. RE-17-91953

BRYSON, JARED B., sales agent, North Salt Lake, Utah. In a stipulated order approved July 19, 2017, Mr. Bryson admitted to having created a flyer marketing real property. Mr. Bryson failed to include his brokerage information in the flyer in violation of the advertising rules. Mr. Bryson agreed to pay a civil penalty of \$150. Case No. RE-15-78651

BUSHNELL, JASON, sales agent, Cedar City, Utah. On April 13, 2017, the Division issued a citation to Mr. Bushnell for failing to display his brokerage information on his social media page and advertising his marketing team instead. The citation assessed a fine in the amount of \$150. Citation No. DREC-17-9, Case No. RE-17-88068

CHANCE, MICHAEL DEAN, sales agent, Salt Lake City, Utah. In an order dated August 31, 2017, Mr. Chance's license was renewed and placed on probation due to pending criminal charges. Case No. RE-17-93986

CLAWSON, SPENCER, principal broker, Sandy, Utah. In a stipulated order approved July 19, 2017, Mr. Clawson admitted to having continued to represent clients after his license had expired on three consecutive licensing terms in 2011, 2013, and 2015. Mr. Clawson admitted that his actions violated Utah law and agreed to pay a civil penalty of \$4,500 and to complete three hours of continuing education in addition to the continuing education required for

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his next license renewal. Case No. RE-15-79226

CUSHMAN & WAKEFIELD/COMMERCE, unregistered, Salt Lake City, Utah. On November 17, 2016, the Division issued a citation to Cushman & Wakefield/Commerce for engaging in activities which require registration with the Division without having registered. This is a violation of Utah law. The citation assessed a fine in the amount of \$1,000 and ordered the company to cease and desist engaging in the business of a principal broker until such time as it obtains a license to do so. Citation No. DREC-16-9, Case No. RE-16-87108

DEAN, CHANDLER ROBERT, sales agent, Orem, Utah. In an order dated August 4, 2017, Mr. Dean's license was granted and placed on probation for one year due to a plea in abeyance agreement in a criminal matter. Case No. RE-17-93469

DECKER, TIMOTHY JOSEPH, sales agent, Midvale, Utah. In an order dated June 22, 2017, Mr. Decker's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-91956

DODD, SAMUEL C., associate broker, Cedar City, Utah. On May 4, 2017, the Division issued a citation to Mr. Dodd for failing to display his brokerage information on his social media page and advertising his marketing team instead.

Mr. Dodd had been previously warned of this violation. The citation assessed a fine in the amount of \$500. Citation # DREC-17-15, Case No. RE-17-88105

DUNN, BARBARA, sales agent, St. George, Utah. In an order dated July 21, 2017, Ms. Dunn's license was renewed and placed on probation due to pending criminal charges. Case No. RE-17-93093

GADBAW, SHANE PATRICK, sales agent, Howell, Michigan. In an order dated July 27, 2017, Mr. Gadbow's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-93234

GINGELL, ANDREW, sales agent, Salt Lake City, Utah. In an order dated August 11, 2017, Mr. Gingell's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-93637

GREEN, ROBERT W., sales agent, Midvale, Utah. In an order dated August 4, 2017, Mr. Green's license was reinstated and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-93471

GUBLER, JOHN H. & COMMERCIAL MANAGEMENT GROUP, INC., expired sales agent, Alpine, Utah. On November 1, 2016, the Division issued a citation to Mr. Gubler & Commercial Management Group, Inc. for conducting real estate activities without the required real estate licenses. Mr.

Gubler was previously licensed but his license had expired. The citation assessed a fine in the amount of \$1,000 and ordered that they cease and desist from engaging in the business of a principal broker until licensed by the Division. Citation # DREC-16-4, Case No. RE-14-73306

GUNN, KLAIR D., branch broker, South Jordan, Utah. On June 9, 2017, the Division issued a citation to Ms. Gunn for failing to display her brokerage information on her social media page and website and advertising her marketing entities instead. Ms. Gunn had been previously warned of this violation. The citation assessed a fine in the amount of \$500. Citation # DREC-17-21, Case No. RE-15-78678

HATCH, GUY, Park City Getaways, and parkcityvacationplace, unlicensed, Park City, Utah. On December 1, 2016, the Division issued a citation to Mr. Hatch, Park City Getaways, and parkcityvacationplace for engaging in unlicensed activities including marketing long term rentals and properties for sale without being licensed. They were ordered to cease and desist from engaging in such activities until such time as they obtain a license to do so. Citation # DREC-16-10, Case No. RE-14-73935

HAWKINS, JASON, principal broker, South Jordan, Utah. In an order dated July 27, 2017, Mr. Hawkins's license was renewed and placed on probation due to

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pending criminal charges. Case No. RE-17-93242

HOLT, ALEXANDRA, sales agent, South Jordan, Utah. In an order dated August 31, 2017, Ms. Holt's license was renewed and placed on probation for the renewal period due to criminal history. Case No. RE-17-93983

IVIE, KATHLEEN ELIZABETH, sales agent, Salt Lake City, Utah. In an order dated June 6, 2017, Ms. Ivie's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-91980

JEFFREYS, HOLLI, sales agent, Sandy, Utah. In an order dated June 20, 2017, Ms. Jeffreys's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-92376

KERSWELL, KIMBERLIE C., sales agent, Orem, Utah. On May 31, 2017, the Division issued a citation to Ms. Kerwell for failing to display her brokerage information on her social media page. The citation assessed a fine in the amount of \$150. Citation # DREC-17-20, Case No. RE-15-78676

KURSCHNER, STEVEN ROBERT, sales agent, Clinton, Utah. In an order dated August 31, 2017, Mr. Kurschner's license was renewed and placed on probation for the renewal period due

to criminal history. Case No. RE-17-94133

LEROY, SCOTT D., sales agent, Farmington, Utah. In an order dated July 21, 2017, Mr. Leroy's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-93081

LUND, HEATHER, sales agent, West Jordan, Utah. In a de novo hearing to determine Ms. Lund's qualification for licensure, Ms. Lund was granted a license to practice as a sales agent and her license was immediately suspended until the latter of July 1, 2018, and the termination of court probation in a criminal matter. When the period of suspension is completed, Ms. Lund's license will be placed on probation for the remainder of the initial licensing period. If Ms. Lund violates her court probation, her license will be revoked. Case No. RE-17-91564

MATZ, KURT, sales agent, Park City, Utah. In an order dated June 9, 2017, Mr. Matz's license was renewed and placed on probation for the renewal period due to criminal history. Case No. RE-17-92156

MCCANDLESS, JEREMY R., sales agent, West Valley City, Utah. In an order dated August 11, 2017, Mr. McCandless's application for licensure was denied due to due to criminal history. Case No. RE-17-93622

MORRIS, ALYSSA KRISTIANA, sales agent, West Jordan, Utah. In an order dated June 6, 2017, Ms. Morris's license was granted and placed on probation for one year due to a plea in abeyance agreement in a criminal matter. Case No. RE-17-92012

MUSSELMAN, DAVID D., sales agent, West Valley City, Utah. In a stipulated order approved July 19, 2017, Mr. Musselman admitted to having breached his fiduciary duty of loyalty in the course of representing a principal and having represented a principal without a written agency agreement. Mr. Musselman agreed to pay a civil penalty of \$4,000 and to complete six hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-11-57149

NIELSEN, KARLY G., sales agent, Salt Lake City, Utah. On July 26, 2017, the Division issued a citation to Ms. Nielsen for failing to display her brokerage information on her social media page and advertising her marketing team instead. The citation assessed a fine in the amount of \$150. Citation # DREC-17-24, Case No. RE-17-91457

PETERSON, SHARON MARIE, sales agent, West Valley City, Utah. In an order dated July 21, 2017, Ms. Peterson's license was renewed and placed on probation due to a pending criminal matter. Case No. RE-17-93091

PLUTA, KRISTINA, sales agent, Park City, Utah. On June 13, 2017,

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the Division issued a citation to Ms. Pluta for failing to display her brokerage information on her social media page and her website. The citation assessed a fine in the amount of \$150. Citation # DREC-17-23, Case No. RE-15-78919

PRIEST, J. BLAKE, principal broker, Ogden, Utah. In a stipulated order approved June 21, 2017, Mr. Priest admitted to having altered the state approved REPC in a transaction by crossing out the buyer's original language and inserting new handwritten language in violation of real estate rules. Mr. Priest agreed to pay a civil penalty of \$2,000 and to complete two hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-17-88715

RANDLE, CHRISTOPHER, sales agent, Bluffdale, Utah. In an order dated June 13, 2017, Mr. Randle's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-92158

RAY, DON, unlicensed, Murray, Utah. In an order dated November 14, 2016, Mr. Ray was ordered to cease and desist from managing property owned by another person, or advertising or otherwise offering to engage in activity requiring a real estate license, until such time as he becomes licensed. RE-13-63457 and RE-13-63460

REED, KARSTEN M., branch broker, Cedar City, Utah. On April 13, 2017, the Division issued a citation to Mr. Reed for failing to display his brokerage information on his social media page and advertising his marketing team instead. The citation assessed a fine in the amount of \$150. Citation # DREC-17-10, Case No. RE-17-88067

REX, SAMUEL JR., sales agent, Washington, Utah. In a stipulated order approved June 21, 2017, Mr. Rex admitted to having acted in a limited agent capacity without having obtained the prior written consent of his clients. An issue arose in the transaction with regard to a contingent offer and a 72 hour clause. Mr. Rex gave the buyers incorrect information regarding the second offer and failed to provide written information despite his clients having instructed him to do so. Mr. Rex entered into mediation regarding this matter and agreed to settle his liability to his clients for \$3,000. Mr. Rex admitted that his conduct was in violation of Utah law. He agreed to pay a civil penalty of \$5,000 and to complete six hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-13-66251

RODRIGUES, REBECCA A., sales agent, South Jordan, Utah. In an order dated June 8, 2017, Ms. Rodrigues's license was renewed and placed on probation for the initial licensing period due to a plea in abeyance agreement

in a criminal matter. Case No. RE-17-92105

ROWLEY, J. HOWARD, principal broker/dual broker, Sandy, Utah. In a stipulated order approved July 19, 2017, Mr. Rowley admitted to having failed to renew his dual broker license as he mistakenly believed that when he renewed his principal broker license that his dual license was also renewed. Mr. Rowley continued to perform property management activities for approximately two years with an expired license. When Mr. Rowley was notified that his dual broker license was expired, he immediately took steps to renew the license. Mr. Rowley agreed to pay a civil penalty of \$1,000 and to complete six hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-13-63963

SEAT, JEFFREY A., sales agent, Holladay, Utah. On July 27, 2017, the Division issued a citation to Mr. Seat for failing to display his brokerage information in a classified advertisement and advertising his marketing team instead. The citation assessed a fine in the amount of \$150. Citation # DREC-17-25, Case No. RE-17-92226

SCOTT, JACK W., associate broker, St. George, Utah. In an order dated August 11, 2017, Mr. Scott's license was renewed and placed on probation for one year due to a plea in abeyance agreement in a criminal matter. Case No. RE-17-93642

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SORENSEN, RUSSELL F., principal broker, Salt Lake City, Utah. In a stipulated order approved June 21, 2017, Mr. Sorensen admitted to having listed three vacant lots without the written permission of the seller or a written agency agreement with the seller. A company owned by Mr. Sorensen offered to purchase the lots. The seller ratified the offer the same day. Mr. Sorensen represented to the seller that he had collected earnest money for the transaction but the earnest money was not collected nor was it reflected in the settlement statement. Mr. Sorensen admits that his actions violate Utah law and real estate rules. He agreed to pay a civil penalty of \$5,000 and to complete three hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-16-38630

STERN, JOSHUA H., sales agent, Salt Lake City, Utah. In a stipulated order approved July 19, 2017, Mr. Stern admitted that several of his websites advertised the real estate services of his marketing team. In certain instances, the websites either did not include the name of Mr. Stern's brokerage or the name of the brokerage was misidentified. Mr. Stern had received a prior warning regarding these advertising violations. Mr. Stern agreed to pay a civil penalty of \$500 and to complete five hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-14-69841

TOLMAN, JANET, principal broker, Bountiful, Utah. In a stipulated order approved August 16, 2017, Ms. Tolman admitted that while showing a property to her client, she took and consumed an alcoholic beverage from the refrigerator and used pliers to pull up the carpet from the tack strip to check for hardwood floors. Her actions were in violation of Utah law. Ms. Tolman agreed to pay a civil penalty of \$2,000 and to complete three hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-17-89643

TUFT, JODY K., sales agent, Riverton, Utah. In an order dated August 31, 2017, Ms. Tuft's license was renewed and placed on probation for the renewal period due to criminal history. Case No. RE-17-94112

URBAN, RICK, unlicensed, St. George, Utah. In an order dated January 24, 2017, Mr. Urban was ordered to cease and desist from engaging in any activity requiring a real estate license until such time as he became licensed. Mr. Urban disagreed that his activities required a real estate license; however, he indicates that he is no longer engaged in the activities that resulted in the order. Case No. RE-14-70833

VACANT HOME MANAGERS OF UTAH, LLC, unlicensed, Salt Lake City, Utah. In an order dated November 14, 2016, Vacant Home Managers of Utah, LLC, was ordered to cease and desist from

managing property owned by another person, or advertising or otherwise offering to engage in activity requiring a real estate license, until such time as it becomes licensed. RE-13-63457 and RE-13-63460

WAGNER, AARON A., sales agent, Highland, Utah. In a stipulated order approved July 19, 2017, Mr. Wagner admitted having entered into a limited agency consent agreement with a client (buyer) with regard to a transaction in which Mr. Wagner was part owner (seller) of the subject property. Utah law does not allow a licensee to act as a limited agent in a transaction in which the licensee is an officer, director, partner, member, employee, or stockholder of a principal in the transaction. Mr. Wagner also admitted that he engaged in the practice of real estate under the name Dynamic Real Estate ("Dynamic") but Dynamic was not registered with the Division as a brokerage or branch office. A large roadside sign advertised real estate services but did not include the name of Mr. Wagner's brokerage. Mr. Wagner agreed to pay a civil penalty of \$3,500 and to complete three hours of continuing education in addition to the continuing education required for the next license renewal. Case Nos. RE-12-58417, RE-12-60551, and RE-12-62725

WASECHA, GUY H., sales agent, Draper, Utah. In an order dated June 30, 2017, Mr. Wasecha's license was renewed and placed on probation for the renewal period due to a plea in abeyance agree-

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ment in a criminal matter. Case No. RE-17-92638

WATKINS, SHAWN, TEGG, LLC, AND NINJA PROPERTIES, INC., unlicensed, Layton, Utah. On February 10, 2017, the Division issued an order to Mr. Watkins, TEGG, LLC, and Ninja Properties, Inc. to cease and desist from engaging in property management and any other activities that constitute the business of real estate. Case No. RE-15-78229

WHITE HORSE DEVELOPMENT COMPANY, LLC, MARK L. GRIFFITH, and BETH LOGAN, unlicensed, Moab, Utah. On December 14, 2016, the Division issued an order to cease and desist to White Horse Development Company, LLC, Mark L. Griffith, and Beth Logan. They were ordered to cease and desist from performing, offering to perform, or attempting to perform, for valuable consideration, any of the following acts: buying, selling, leasing, managing, or exchanging real estate, or engaging in any other unlicensed activity. Case No. RE-16-81437

WILLIAMS, ZACHARY S. sales agent, Ogden, Utah. In an order dated June 1, 2017, Mr. Williams's license was reinstated and placed on probation for the licensing period due to a plea in abeyance agreement in a criminal matter. Case No. RE-17-91949

WILSON, J. SCOTT, dual broker, Mapleton, Utah. In a stipulated or-

der approved August 16, 2017, Mr. Scott Wilson admitted that he permitted an unlicensed individual to sign three property management agreements. He contracted with another unlicensed individual to act as the office manager for the property management company. During the time this person was acting as office manager, she signed nine property management agreements. Mr. Scott Wilson admits that as broker, he failed to exercise reasonable supervision over his unlicensed staff in violation of Utah law. He agreed to pay a civil penalty of \$5,000 and to complete three hours of continuing education in addition to the continuing education required for the next license renewal. Case No. RE-17-72795

WILSON, MICHAEL E., sales agent, Spanish Fork, Utah. In a stipulated order approved August 16, 2017, Mr. Michael Wilson admitted that he signed three property management agreements after his license to practice as a real estate sales agent had expired. In addition, as owner and manager of the property management company, Mr. Michael Wilson contracted with an unlicensed individual to act as office manager for the property management company. He incorrectly represented to the office manager that she did not need a license to provide property management services. During the time this person was acting as office manager, she signed nine property management agreements. Mr. Michael Wilson admitted that his actions were in violation of Utah law and rules. Mr. Michael Wilson

agreed to cease and desist from engaging in any real estate activities requiring a license and to pay a civil penalty of \$4,000. Case No. RE-14-72866

WITTE, BRIEANNE, sales agent, Draper, Utah. In an order dated July 27, 2017, Ms. Witte's license was granted and placed on probation for the initial licensing period due to criminal history. Case No. RE-17-93237

WRIGHT, LAURA, sales agent, Garland, Texas. On June 9, 2017, the Division issued a citation to Ms. Wright for failing to display her brokerage information on her social media page and website and advertising her marketing team instead. The citation assessed a fine in the amount of \$150. Citation # DREC-17-22, Case No. RE-17-88087

WYNN, BONNIE CAROLYN, sales agent, Ogden, Utah. In an order dated July 28, 2017, Ms. Wynn's license was granted and placed on probation for one year due to criminal history. Case No. RE-17-93249

TIMESHARE

MOORE, DEBRA, salesperson, Park City, Utah. In an order dated June 29, 2017, Ms. Moore's license was denied due to criminal history. Case No. TS-17-92607

RULE DEVELOPMENTS

Since July 1, 2017

To view and comment on any proposed or amended rules, please visit the Utah State Bulletin at <https://rules.utah.gov/publications/utah-state-bull/>

Appraisal Management Company Rules

A proposed rule amendment was filed on November 17, 2016, and changes to the proposed amendment were filed April 27, 2017. The proposed amendment and the proposed changes were not adopted and were allowed to expire. The AMC Rule Committee continues to meet to consider possible changes to the AMC Administrative Rules.

Appraisal

A proposed rule amendment has been approved for filing. When the proposed rule amendment is filed, there will be a public comment period after which the Appraiser Board may consider whether to make the proposed rule amendment effective. The changes to the current rule being considered for amendment are:

1. A provision that a state-licensed appraiser who qualifies for certification within six months of renewing the license is not required to pay the entire application fee for certification, but may instead pay the difference between the renewal fee recently

paid by the licensee and the application fee;

2. Clarifying the exterior measurement requirements for properties inspected by an appraiser trainee and potentially reducing the number of exterior measurements from 100 to a minimum of 35;

3. Potentially reducing the number of accompanied inspections a trainee must make with the trainee's supervisor from 100 inspections to a minimum of 35 inspections together with the determination by the supervising appraiser that the trainee has demonstrated sufficient competency to be able to continue making inspections without being accompanied by the supervising appraiser; and

4. A provision allowing a qualified professional education organization to register as a special event provider, and subsequently license special one-time events for continuing education credits for attendees and to bring in experts in the appraisal field to present at the special event.

Mortgage

On July 11, 2017, a rule amendment became effective. The amendment updates the administrative rules to be consistent with the recent adoption of the Uniform State Test ("UST"). The rule amendment also:

1. Clarifies the timing, reorders the procedures, and revises the requirements for applying for a lending manager license;

2. Clarifies the deadlines associated with application for licensure; and

3. Requires a division approved continuing education course for mortgage loan originators newly licensed in Utah (to replace the Utah specific test no longer required due to the adoption of the UST).

Real Estate

A proposed real estate rule amendment is being prepared for filing. When the proposed rule amendment is filed, there will be a public comment period after which the Real Estate Commission will

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consider whether to make the proposed rule amendment effective. The changes to the current rule being considered for amendment are:

Section 401a – clarify that in order to represent both individuals in a transaction as a limited agent, a licensee must obtain prior informed consent of both parties; and require that when making an offer or solicitation to buy, sell, lease or rent real property as a principal, a licensee must disclose in the initial contact with the other party the fact that the licensee holds a license with the division;

Section 401b - clarify that a licensee must obtain the written consent of all owners of a property in order to advertise or offer to sell or lease the property;

Subsection 401c(2) - require that a branch broker exercise active supervision of all licensees and unlicensed staff employed by or affiliated with the branch and be personally responsible and accountable for all responsibilities and duties assigned to the branch broker by the principal broker and accepted by the branch broker;

Subsection 401c(3) - include a branch broker from the exclusion of accountability already provided to a principal broker for certain violations of rule by an affiliated licensee or an unli-

censed staff member when the branch broker follows the requirements set out in subsection 401c(3); and

Section 401f - approve for use by licensees the newly approved REPC form and the Deposit of Earnest Money With Title Company Addendum to Real Estate Purchase Contract form.

Timeshare and Camp Resort

There are no proposed rule amendments under consideration for the timeshare and camp resort rules.



Utah! Division of Real Estate

NEWS

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2-Hour Utah Law CE Class Now Tracked in the NMLS

When mortgage licensees apply to renew their Utah Loan Originator or Lending Manager licenses this fall (from 11/01/17 until 12/31/17), their 2 hour Utah Law Course will be tracked and verified in the NMLS System.

Rather than having the NMLS System only document renewing licensees completion of 8 hours of NMLS continuing education, beginning November 1, 2017 the NMLS System will also be checking and verifying Utah licensees completion of the 2 hour Utah Law Course.

Utah Licensees will be prevented from renewing their MLO or Lending Manager licenses unless both the 8 hour NMLS CE and the 2 hour Utah Law Courses have been completed.

Having the NMLS track both NMLS and Utah CE will ultimately speed up the license renewal process, since licensees will now have a streamlined license renewal method. Mortgage Education Coordinator Lark Martinez states that: "Having both NMLS and Utah CE courses verified by the NMLS will significantly shorten the time that Utah mortgage licensees will need to wait in order to receive their Utah license renewal."

Next fall, in the 2019 mortgage license renewal season, the 5 hour post-license education course will also be tracked in the NMLS for every individual issued an initial Utah MLO licensee from 05/08/17 through 12/31/17.

We are very pleased that the Mortgage Commission has approved and the NMLS has agreed to now track and verify Utah CE courses in conjunction with the annual mortgage license renewal process.

Attention Certified Appraisers!!!

Volunteers Sought to
Serve on Experience
Review Committee



If you have ever wanted to render significant, meaningful service that will directly benefit the Utah appraisal industry, consider volunteering to serve as an Appraisal Experience Review Committee member. As a member of the experience review committee appointed by the Utah Appraisal Board, you will be requested to review appraiser licensing candidate appraisal files (approximately 4 files per candidate) for USPAP, Statute, and Administrative Rule compliance.

Due to a lack of capable, willing, experience reviewers who can promptly evaluate their qualification, appraiser candidates are often delayed (sometimes for several months) in receiving authorization to sit for appraisal exams. Additional review members with various professional expertise are needed throughout the state.

Experience review committee members can be either Certified Residential or Certified General. You would be asked to perform experience reviews on the type of properties and in the general location with which you are comfortable and familiar.

For additional information, or to submit your name, please e-mail Mark Fagergren under the heading "**Experience Review Committee**" to: markf@utah.gov.

Thank you for your willingness
to consider participating in
this important process!

Utah Division of Real Estate 2017

Instructor Development Workshop

Registration Form

Name: _____

License #: _____ Phone: _____

Email: _____

REGISTRATION FEE INCLUDES:

- LIGHT BREAKFAST AND LUNCH
- SIGN IN 8AM - 8:45AM
- WORKSHOP 9AM - 5PM - 10/11
- WORKSHOP 9AM - 4PM - 10/12

REGISTRATIONS RECEIVED
AFTER OCTOBER 2ND WILL BE
CHARGED A \$20 LATE FEE

Check Visa MasterCard American Express

Card #: _____

Exp.: _____ CCV#: _____

Signature: _____

MAKE CHECKS PAYABLE TO: UTAH DIVISION OF REAL ESTATE

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Please indicate
the dates you will be attending:

Wednesday & Thursday

- | | | |
|-----|---|------|
| [] | October 11 th & 12 th | \$75 |
| [] | October 11 th | \$50 |
| [] | October 12 th | \$50 |



Theresa Barnabei