



REAL ESTATE

FALL

2008

NEWS & VIEWS

It's Renewal Time!

2009 license renewal applications will be mailed in late October. Renewal forms for active licensees are sent to the firm/sole proprietor they are licensed under. Inactive (escrowed) licensees will receive a renewal notice at their home address. If you do not receive your renewal forms please contact the Real Estate Commission office as soon as possible or forms are available on our web site www.realestatend.org. The North Dakota Real Estate Commission is not responsible for the US Postal Service delivery or knowing where to find you if you have moved and not filed a change of address with our office. Failure to receive a renewal notice does not provide a valid excuse for not renewing your license.

License Fees:

License fees for 2009 are as follows:

Corporate/firm license fee	\$150.00
Broker license fee	\$120.00
Salesperson license fee	\$100.00
Late fees	\$ 50.00/month or fraction thereof
Duplicate license fee	\$ 10.00
Branch office fee	\$ 15.00



Deadline Reminder:

The deadline for submitting renewal forms for all active and inactive licenses along with the proper fees and proof of errors and omissions insurance (inactive licensees are exempt from the E&O insurance requirement) is December 31, 2008. Renewal materials may be postmarked through December 31, 2008 (postal meter marks will NOT be considered). **IF YOU FAIL TO RENEW YOUR LICENSE IT WILL BE CANCELLED.** Please note: even if your license is **inactive**, you must renew and pay the licensing fee to avoid having your license expire.

Continuing education requirements:

IMPORTANT: A minimum of 6 hours of continuing education **MUST** be completed prior to January 1, 2009. You **DO NOT** have a grace period for completing your ce requirements. If you do not have the required number of hours for an active license status you need to renew to the inactive status until you have completed your ce requirement.

Incomplete renewal forms:

No renewals for active licensees will be accepted unless they are filled out completely, signed by the licensee and the licensee's broker, proof of E&O insurance accompanies the renewal, and the broker has signed off certifying the licensee's compliance with continuing education requirements. Inactive license renewals must also be filled out completely and signed by the licensee. Failure to complete the renewal form properly may result in the assessment of late fees.

IMPORTANT CHANGE IN POLICY: We no longer accept copies of your E&O application and check – we CANNOT process renewals without official certification of coverage so renew your E&O early.

Late renewals:

If your license renewal is postmarked after December 31, 2008 and received prior to March 1, 2009, you will be assessed a \$50 late fee for EACH month or fraction thereof. Any license not renewed by March 1st must be cancelled in accordance with NDCC 43-23-13.1.

REMEMBER:

LICENSE RENEWAL FEES SHOULD NOT BE COMBINED WITH TRANSFER FEES OR EXAMINATION FEES. THESE ARE SEPARATE PROCESSES. Please send such requests and the appropriate fees under separate cover. Thank you!



Commissioner
Roger Cymbaluk, Chair

“Tis The Season”

By Commissioner Roger Cymbaluk, Chair

Sounds a little early for the holidays but it is the season for Renewals. As the renewal time approaches we get to thinking, do we have the necessary hours of pre-license, post-license or continuing education to renew our license?

In this issue there is a guideline as to what is required, the agents need to provide the information, then the broker needs to sign off that all is in order before the license is issued.

As you take courses make sure they have been pre-approved by the commission. You will note some classes state approval pending, which is not approval, in some cases they haven't even been submitted.

It is not the director's job nor staff to keep track of your hours, although they have been cooperative and helpful, it is the licensee's responsibility.

For licensees that are members of the North Dakota Association of REALTORS®, the Association has been a great support to assist in coordinating classes and assisting in keeping track of hours taken, but they aren't involved in all the classes and again it is the licensee's responsibility.

So as we move through fall into renewal time get your hours completed so you can enjoy the season.

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Policy

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Articles by outside experts express the author's particular viewpoints. These opinions are not necessarily shared by the Commission, nor should they be mistaken for official policy. The articles are included because we feel they will be of interest to our readers.

Tidbits of information

- **CE HOURS TAKEN TO ACTIVATE A LICENSE OR AS A RESULT OF DISCIPLINARY ACTION:** Licensees are reminded that any hours taken to activate an inactive license or to satisfy disciplinary action taken by the Commission do NOT count toward the continuing education hours needed for renewing a license.
- **CE TAKEN IN OTHER STATES:** Continuing education taken in other states/jurisdictions is accepted ONLY IF it is approved for real estate continuing education in the state/jurisdiction in which it was taken.
- **ERRORS & OMISSIONS INSURANCE:** The Commission sent out Requests for Proposals to 3 insurance providers. One provider did not respond and a second did not provide a bid because they did not feel that they could be competitive. The Commission approved RISC as our E&O insurance carrier. The premium for 2009 will be \$152.
- **CANDIDATES FOR LICENSURE:** A candidate for licensure may want to consider being licensed as of January 1, 2009, rather than the remaining months of 2008 and be subject to renewal requirements. Please call the Commission office (701-328-9749) for additional information.
- **NEW LICENSEES:** If you have completed your 15 hours of post licensing in 2008 you are exempt from this ce cycle (2008/09). **HOWEVER**, if you completed your 15 hours post licensing education in 2007, you will need to comply with the ce requirements of this ce cycle. If you are not sure about your situation call our office. 701-328-9749
- **NEW FORMS AVAILABLE:** There are 2 new forms available on our web site: use the "Certificate of Licensure Request" form to order a certificate of licensure and a "Cancel License" request form to be used when a licensee wishes to have their license cancelled.

Fraudulent Misrepresentation – according to a case in Alaska

By Constance Hofland

Legal Counsel to the North Dakota Real Estate Commission



Constance Hofland

What is fraudulent misrepresentation? What actions of a real estate licensee have been deemed fraudulent misrepresentation by real estate commissions and the courts? This is an important question to us all, and one that the Alaska court had to answer in the case of Lightle v. State Real Estate Commission, 146 P.3d 980 (Alaska, 2006).

In this Alaska case, a potential buyer made an offer to buy a home but withdrew it after she learned that the seller had accepted it only as a back-up offer, that is, an offer that would be accepted only if a previously accepted offer fell through. The potential buyer filed a complaint against the listing agent, Craig Lightle, claiming he had fraudulently misrepresented the home's status by leading her to believe the home was immediately and unconditionally available.

What happened in this case was the first buyer had made an offer but the original financing was not approved. Based on this, the listing agent, Lightle, re-listed the home as active, with a note stating "previous pending offer, buyer unable to qualify for loan." The second buyer saw the house and her agent contacted Lightle who told the agent the home was "available." Lightle acknowledged there had been a prior offer that was accepted but he insisted the deal was "dead."

The second buyer made an offer that was countered and accepted, and Lightle assured the house was hers and that she "had the house." On that basis the second buyer terminated her lease and made arrangements to move.

Soon after that communication, Lightle learned the first buyer was continuing to arrange financing. Lightle then sent the second buyer's agent a copy of the earnest money agreement but with added wording of a "Back-up Addendum" which stated the sellers accepted the offer only as a back-up offer to the first buyer's pending offer. When she received the agreement with the additional language, the second buyer refused to accept the agreement, rescinded her offer and got her earnest money returned. She then filed a complaint with the Alaska Real Estate Commission.

After a hearing, the hearing officer concluded Lightle had committed fraudulent misrepresentation by telling the second potential buyer that the house was available without disclosing that the previously accepted offer had not been rescinded. Also, the hearing officer determined Lightle's misrepresentations were intentional and material to the real estate transaction and suspended his license. Lightle appealed, claiming the evidence did not support the finding of intentional misrepresentation. The supreme court affirmed the commission's decision.

Lightle argued to the supreme court that any statements he had made were not made with the knowledge that the information was false and with the intent to deceive. At most, Lightle claimed, his statements about the availability of the house were "expressions of expectation and predictions of future events" not declaratory statements of fact.

The court did not agree, stating to be fraudulent a misrepresentation need only be made with the necessary knowledge of the untrue character. The court affirmed the evidence supported the finding that Lightle's partial disclosure was fraudulent – that is, that he did not have the confidence in the accuracy of his representations that he stated or implied, that he knew he lacked the basis, and he intended or had reason to expect the buyer would act in reliance of the misrepresentation.

So why are we talking about a case in Alaska? I wrote about this case because it is instructive to see how other state commissions and courts have applied their statutes to actual fact situations. Remember, the Alaska court is totally separate and independent from the North Dakota court so this decision is not precedent for North Dakota. However, North Dakota courts do often look to cases in other states and sometimes finds them persuasive. Also, the Alaska statutes governing real estate licensees are not identical to North Dakota law; but included in North Dakota law is a prohibition against, "making any substantial and willful misrepresentation with reference to a real estate transaction which is injurious to any party." N.D.C.C. § 43-23-11.1(b).



My New Client – The FBI

By: Donald J Gossman, SRA

The Case

You might ask why a residential real estate appraiser from Kansas City has the FBI as a client. Many appraisers were approached in the frenzy of the Sub-prime mess to over value properties to hit the number that the lenders required. We are finding the damage that this is causing our economy and our country. On October 10, 2006 I received a phone call that changed my life and sent it in directions I could not have imagined. It was a Sub-prime lender wanting to know if I appraised high-end properties in the Kansas City Country Club District. I replied yes and quoted them a fee. I instructed the lender to place an order on my website and to fax me a copy of the contract. I reviewed the contract for \$1,473,000, and then ran MLS to search for comparables and the subjects listing history. The MLS for subject property showed as an active listing for \$699,000. I called the lender and asked if I had the wrong address or if this was a construction rehab loan. I stated, "Did you know this house was listed for \$699,000?" The lender said yes. I was told they were selling it for the higher value, and if I wanted my fee I had to appraise it for that amount. They wanted me to sell my soul and 28 years in business for \$1,200. I declined the order and called the listing agent to warn her. The realtor noted she knew nothing about the contract. The sellers had excluded this buyer when she received the listing and were cutting her out of the commission. I was enraged because I knew the mortgage system was broken and someone needed to act. I had attended the Appraisal Institute's Mortgage Fraud Seminar the week before and met an agent with the FBI, Julia Jensen. I decided to call and let her know what was going on so she could put the property on a "watch list." Agent Jensen called me back the next day. I discussed the details with her about what was happening. She inquired, "Who is the buyer?" I told her the names. Agent Jensen said they were part of a mortgage fraud group operating in Kansas City, and she would be interested in the information. Agent Jensen also asked who the sellers were. I gave their names. She replied, "Let me grab another agent and we will see you in 20 minutes." That was not the reply I was expecting. I was at my office waiting for two FBI agents. I kept thinking, "What have I gotten myself into?" Two cars pulled up, two agents in suits got out, Special Agents Julia Jensen and Robert Shaffer. They came into my office and I showed them the information that I had obtained. They asked if I was familiar with the sellers' names, which I wasn't. The agents told me the seller's dad was allegedly a made member of the mob. He was executed in the 1970's and stuffed in the trunk of a car. This information grabbed my attention. The agents assured me not to worry about the son, since he is not a member of the mob that they know. The agents asked if I knew who his wife was, and I said no. They said I might know her by her public name, which they told me. I knew that name. She had been the Jackson County Executive for the last 12 years and was going to run for MAYOR of Kansas City. The FBI agents asked if I could assist them with their investigation. I replied I would. Next, they asked me to call the lender and tell them I would complete the appraisal. I said sure. Then the agents asked the million dollar question. "Would you tape the conversation?" The moment of truth had arrived. If I said no, then they would leave and I would go back to appraising as if nothing happened. If I said yes, I might be the next person they find in the trunk of a car. The FBI agents pulled out a recording device and showed me how to use it. They noted the date and time

of the call, who was in the office, who I was calling and the case. I called the processor and told her I would complete the appraisal. I tried to act normal when talking with her, but I am sure she could hear my knees knocking on the phone. I am a real estate appraiser, not an undercover agent. Had wanted somebody to do something about what was going on in the mortgage business. I decided that someone was me. An ordinary suburban dad who was taught to do the right thing.

The Investigation

After the agents left my heart was pounding. I tried to figure out how this might work out. The FBI agents had left another recording device to use while talking with the other people involved in the transaction. I called the selling agent to schedule a time to appraise the home, which we set up for the next Tuesday. I then spoke with the loan officer and processor, telling them when it was set up. The processor noted to me since the loan was over 1 million dollars they would require another appraisal in addition to mine. She asked if I would call the other appraiser and work together to make the appraisals similar to pass underwriting guidelines. Apparently, committing mortgage fraud was no big deal for them. It was their normal way of conducting business. I called Agent Shaffer and confirmed the time and date was set. He asked if I could drop off the recording device to him on Monday at FBI Headquarters and trade him for a new one. It was the longest weekend of my life. Monday finally came and I drove to FBI Headquarters. It was a three story office building like any other, with exception of the 10-foot high iron fence, blast gate, and video cameras at the front gate. I pressed the button and told them who I was meeting with, and they buzzed me in. I walked to the front door and was greeted by an armed guard. She told me the agents were on the way down. Once I spoke with the agents, they asked me to come back to the interrogation room. As we walked past the metal detectors, I asked the guard if I needed to go through one. She replied, "You are an agent, aren't you?" You don't have to go through it." I replied, "I am not an agent, I am an appraiser." We went to the interrogation room and discussed the conversations that I had with the various people involved with the transaction. Another agent came into the room with a camera and took a picture of me. The agents asked if I would be a confidential witness and gave me my code name. It all went so fast I had no time to think about what was happening. We set a time to meet the next day before I did the appraisal. Agent Shaffer and I met the next morning in the parking lot of a grocery store. He showed me a different recording device that took both audio and video and how to use it. I drove to the house and the realtor was waiting for me. I took a picture of the front of the home with him in the picture, and then took a street scene with his car in the picture. The realtor could not say he wasn't there. We went inside the house and the realtor told me this group was going to buy between 40 to 50, \$1,000,000 to \$2,000,000 houses in Kansas City, and his group was doing the same thing in 10 different cities. They had money from overseas to invest and planned to rent out these houses to executives. I couldn't believe it. This might be turning out to be a multi-city international crime ring, not just one case of mortgage fraud. I finished my inspection, then left to meet Agent Shaffer. I described the events that took place and gave him back the recording device. Over the next three weeks, I taped conversations with people involved in the

transaction. I hate to admit, but it turned into full-time job. I was doing my appraisal work at night and on weekends since my days were spent undercover. I even had my children spend the nights at their mom's house because I was worried about their safety. The other appraiser called me and told me he was having a hard time appraising the property for \$1,473,000 dollars. He explained that the highest he could get was only \$1,200,000. I thought, "You will over appraise it by \$500,000 but not \$743,000?" I guess he had partial ethics. We agreed to the value and completed the appraisals. The FBI agents asked if I would drop off the appraisal to the mortgage company while wearing a wire. Hell by this point, it seemed like the natural thing to do. I walked away from the mortgage company thinking my part was done and it was all over for me. If only that was the case. My life went back to normal. I had not heard anything for three weeks. On November 24, 2006, I received a phone call from the second appraiser. He asked, "Did you hear what was going on?" I replied "No." He said, "I received a call today from the FBI and I have an appointment at 9 a.m. to talk to them about mortgage fraud." I thought, "Sucks to be you." I told the other appraiser thanks for the heads up. He asked, "What are you going to do." I replied, "Tell them the truth; they know what is going on." Agent Shaffer called me later that day. He told me the closing had tried to occur the prior Friday, and they had stopped it at the closing table at the title company. The FBI was interrogating the individuals involved in the transaction. Agent Shaffer asked me not to talk with anyone if they called. Agent Shaffer told me the Grand Jury was set for January 4, 2007, and asked if I could be there that day after lunch to testify. I thought to myself, "Merry Christmas and Happy New Year Don."

The Grand Jury

I was contacted by the Assistant U.S. Attorney Linda Parker Marshall. Mrs. Marshall asked me to come in so she could describe the events that would take place in the Grand Jury Room. I meet with her and the FBI agents at the U.S. Courthouse in late December 2006. It was finally sinking in that this was really going to happen. I was hoping for a lot of guilty pleas so I wouldn't have to testify, but that would not be the case. The date arrived. I went through my morning like it was any other day. I completed two appraisal inspections then went home to put on a suit and tie. I wasn't hungry for lunch for some reason. I drove to the court house and parked in the FBI lot where Agent Shaffer had instructed me to. I took a deep breath and said to myself, "Lets do this." I walked into The U.S. Courthouse knowing if the Federal Grand Jury believed me, they would hand down indictments on 11 people and charge them with Federal crimes. I waited for almost an hour until Mrs. Marshall came to get me. I walked into the room and told my story. I cannot reveal anything about what happened in that room or the people that were there. This was our government working at the basic level of the criminal justice system. I was in there for about an hour and then left. I walked out to my car knowing I had made the right choice when I called Agent Jensen that first day. On my way home, I turned on the radio and switched channels to talk radio. The announcer broke in with a news update. He stated, "A Federal Grand Jury in Kansas City has handed down Mortgage Fraud charges against 11 people including the Jackson County Executive and her lawyer husband." When I arrived home I turned on the television. The charges were being reported on all of the local stations. I've always watched the news, but have never been part of the news. The trial was set for February, but delayed until June after the election. The County

Executive did go on to run for the Mayor's office and received 1.5% of the Vote. The same day her TV ads for Mayor debuted was the same day the mortgage fraud indictments were brought against her. Interestingly enough, no one was talking about the buyers. The fed alleged that the buyers were part of the larger fraud team, which had committed over 100 cases of mortgage fraud in the Kansas City area. Furthermore, the feds also alleged that in the prior 18 months, this mortgage fraud team caused millions of dollars in losses. In May, the U.S. Assistant Attorney contacted me to prepare for the trial. We met with the two FBI agents at the U.S. Court House. We listened to the tapes that I had made, which was the first time that I had heard them. I can never explain the thoughts that were going through my head. "I AM AN APPRAISER." I am not supposed to be sitting in the Federal Court House with the US Assistant Attorney and two FBI agents listing to tapes of myself and criminals committing mortgage fraud. But I was. The trial was delayed again until November 2007. I couldn't imagine another five more months of waiting.

The Trial

After the trial was postponed for the second time, the legal maneuvering started between the U.S. Government lawyers and the defense lawyers. Seven people in the transaction pleaded guilty to the charges against them, and four people were left to be tried. I was the lead witness in the U.S. Government's case that was expected to last two weeks. The jury was to be seated on Monday morning with opening statements to be made late in the morning. The U.S. Attorney asked me to be at the Federal Court House at 1 p.m. on November 6, 2007. I showed up during the lunch break and found out the jury had not been seated thanks to publicity that trial had received which led to larger than normal numbers in the jury pool. I sat waiting in the witness room for four hours. The jury was set and the opening arguments were made. The judge said, "That is enough for today. We will reconvene at 9 a.m." I wasn't sure I could take one more sleepless night. I walked out of the court house with everyone else. No one knew how the trial would play out. The investigation had been portrayed by the local media as a political witch hunt by the new U.S. Attorney office against a local politician. I knew nothing about that. All I knew was someone tried to defraud a lender, and I did my job by protecting their interest in the property that they hired me to appraise. That is it. Period. That is simply what an appraiser does. The mortgage market had forgotten that for the last six years. They were buying values not appraising houses. I was back in the witness room the next morning. Surprisingly, I was not nervous at all. I knew after what I had been through the last year, this was going to be a breeze. I was going in to tell the truth. After walking down the hall to get a drink, I heard the Judge say, "Mrs. Prosecutor, call your first witness." The courtroom doors opened and I walked inside. I felt all eyes in the room follow me on my way to the witness stand and while I was being sworn in. Once seated, I looked out over the courtroom. To my right were the 14 jurist, 12 on the jury and 2 alternates. To my left were the U.S. Federal Judge and the court reporter. At the defense table were the four defendants, their three lawyers, and three assistants. At the prosecutors table were two FBI agents, two U.S. Assistant Attorneys and their support staff. There were four rows of seats for the public. The newspaper, TV, and radio stations from the all across the Midwest were in the audience. Linda Parker Marshall, the U.S. Attorney, lead my questioning. She asked me my name, address, and occupation. She then described how I became part

of the case. When I was explaining the events that unfolded over the course of many months, I could hear the reaction from the audience. It seemed they were surprised by the actions that I had taken. There is no way that I could ever have imagined how things had turned out. After almost two hours, the prosecutor was finished with my questioning. The judge called for a 15 minute break, which I was ready for. They didn't make the witness seat for comfort. The break was over and the first defense lawyer questioned me for over an hour. He was the hardest on my questioning, my ethics, and the motive behind my actions. He tried to get me upset and succeeded on a few occasions. The judge warned me twice to limit my answers to the questions asked. The second lawyer only asked me two questions and was done. The third lawyer was less aggressive towards me compared to the first lawyers. The third lawyer even talked about how I had such a good reputation and could not have been involved in mortgage fraud. I replied, "They called the wrong appraiser to commit mortgage fraud this time." After four hours on the stand, my part of the trial was complete. The trial would go on for another eight days. The jury deliberated for four days and came back with two guilty and two not guilty verdicts. The mortgage and financial markets are in a mess at the present time. We will get through it like we made it through the high interest rates of the early 1980's, the recession of 1991, the first and second gulf wars and 9/11. We need the separation of the origination of mortgages from the valuation of the properties. Enforcement of the national and state laws. Prosecution of the lenders, insurers, banker, brokers, and appraisers who caused this mess. We, the mortgage business, need to rebuild the trust in our banking and mortgage businesses that the rest of the world has always depended on. *Mr. Gossman is the managing director for IRR –Residential, Metro Real Estate Services and can be reached at dgossman@irr-residential.com.*

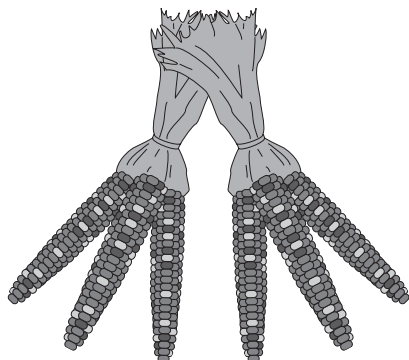
This article is reprinted with permission from Mr. Gossman.



In Memory

The ND Real Estate Commission extends its sincerest sympathy to the families and friends of the following licensees who recently passed away:

John T. Dardis, Jamestown
Ann B. Strandemo, Bismarck



F.A.Q. on Continuing Education Requirements

Prepared in cooperation with the Bismarck Mandan Board of REALTORS®,
ND Association of REALTORS® and the ND Real Estate Commission

1. How many hours of continuing education do I need?

Licensees need a minimum of 16 hours of approved continuing education hours each 2-year cycle. (The current cycle is January 1, 2008 - December 31, 2009.)

2. When do I have to take my CE hours?

Licensees are required to take a minimum of 6 hours in the first year of the cycle. (The first year of this cycle is January 1, 2008 to December 31, 2008.) All 16 hours required in the 2-year cycle may be taken in the first year of the cycle if a licensee so chooses.

3. Can I take on-line/correspondence courses?

Licensees can take approved online/correspondence courses for continuing education hours. There is no restriction to the number of CE hours that can be taken online or by correspondence.

4. Are there courses licensees have to take?

The ND Real Estate Commission can choose to require each licensee to take a required course (or courses) up to a maximum of 6 hours each cycle. For this cycle, licensees are required to take 6 hours in any (or combination) of the following approved courses: "Agency Law" and/or "Contract Law". All licensees, except those that are exempt, must take 6 hours in any combination of these courses by December 31, 2009.

5. If I take more CE hours than is required in a cycle, can I carry the extra hours over into the next cycle?

You cannot carry continuing education hours from one two-year cycle into the next two-year cycle.

6. Who is responsible for tracking my continuing education hours?

YOU ARE.

The ND Real Estate Commission requires continuing education hours for license renewal. As a service to its members, the NDAR maintains copies of CE slips for members of the classes sponsored by NDAR, the local board, and some of the other sponsoring agencies. However, licensees bear the responsibility for tracking the total number of CE hours they have accrued and submitting proof of CE attendance to their Broker. Licensees may be audited on verification of CE by the ND Real Estate Commission.

7. How do I find out about Continuing Education available to me?

The ND Association of REALTORS®, the Bismarck Mandan Board of REALTORS®, and other affiliated entities provide continuing education opportunities for members (non-member licensees may attend for a higher registration fee). Courses are announced in newsletters, flyers that are provided to members, information shared with brokers, at these web sites: www.realestatend.org, www.ndrealtors.com, www.bmbor.org, and other means of communication.

8. What about the required Code of Ethics training?

The Code of Ethics training is required by the National Association of REALTORS® and is a requirement to maintain your membership in the Bismarck-Mandan Board of REALTORS®, the ND Association of REALTORS® and the National Association of REALTORS®. The Code of Ethics training is a quadrennial requirement – each member must take an approved course every four years. The current quadrennial cycle is January 1, 2005 to December 31, 2008. All members must have completed an approved Code of Ethics course by December 31, 2008 to continue their membership in the local, state, and national association.



Disciplinary Actions Taken

The following disciplinary actions have become effective since the last report in the newsletter.
A Stipulated Agreement is a settlement agreement between licensees and the Real Estate Commission and constitutes neither an admission nor a denial of any violation.

Name	Complaint#	Hearing Type	Order Date	Violation	Penalty
Spiess, Jason A	2008-07	None	09/17/2008	NDCC 43-23-11.1(1)(a) Making a material false statement in the licensee's application for a license or in any information furnished to the Commission. NDCC 43-23-1(1)(v) & NDCC 43-23-11.1(1)(w). It is alleged that on Respondent's 2008 application for license renewal he answered no to question #13 "Have you been a party defendant in any misdemeanor proceedings during 2007" when in fact he had.	Stipulated to cancellation of his salesperson real estate license.



Happy Holidays from The Commissioners & Staff



2008/09 Real Estate Required Courses

Licenses are required to take a total of 6 hours of required education for the 2008/09 continuing education cycle devoted to one or more of the following topics: “*Contract Law*” and/or “*Agency Law*”. A licensee can choose any topic or combination of topics to fulfill the 6 hour education requirement as long as the course or courses have been approved by the North Dakota Real Estate Commission for that purpose.

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