Department of Commerce & Insurance | Regulatory Boards

State of Tennessee
Department of Commerce and Insurance
Regulatory Boards Division
Tennessee Real Estate Commission

APPLICATION FOR DECISION REGARDING PRIOR CRIMINAL CONVICTION(S) AND/OR DISCIPLINARY SANCTION(S)

Tenn. Code Ann. §§ 62-13-303 and 62-13-312 provide, in part, that the Commission may deny a license to an applicant who has prior criminal conviction(s) and/or disciplinary sanction(s) imposed by an occupational licensing body. Please complete the form in its entirety. Return completed form to trec.info@tn.gov.

Have you taken the exam for licensure? ☐ Yes ☐ No (If yes, see "a"; if no, see "b")

a. You must answer all parts to this questionnaire and submit all required documentation. Applicants with a felony conviction or a misdemeanor conviction involving the theft of money, property or services, or had disciplinary sanctions imposed on them by any local, state or federal occupational licensing body must appear before the Commission to be considered for licensure. If it is determined that you must appear before the Commission, your Principal Broker will need to accompany you. You will be contacted to schedule an appearance.

b. You must answer all parts to this questionnaire and submit all required documentation. Because of the time and expense involved in becoming an applicant for licensure, the Commission affords an individual who has not yet become an applicant the opportunity to request that the Commission make a preliminary decision on the conviction(s) or the prior disciplinary sanction(s) before the individual takes the required education and examination for licensure. The purpose of a preliminary decision is merely to provide advisory guidance. However, the Commission may elect to allow a favorable preliminary decision to become its final decision without further investigation or hearing when the individual becomes an applicant for licensure. Applicants with a felony conviction or a misdemeanor conviction involving the theft of money, property or services must appear before the Commission to be considered for licensure. If it is determined that you must appear before the Commission, your Principal Broker will need to accompany you. You will be contacted to schedule an appearance.

Required Attachments

An individual seeking a preliminary decision must submit to the Commission a certified copy of the court disposition for the conviction(s) and/or a copy of the paperwork for disciplinary related sanctions imposed by another licensing regulatory authority. It must show the exact charge(s), judgment rendered, sentence or penalty. If the court disposition is unavailable, you must provide a letter from the court stating that the documents are not available. An individual may also provide the Commission with any additional information that the individual believes may assist the Commission in rendering a preliminary decision.

The Commission cannot begin its processing of your application until it receives all of the above items. The Commission will notify you of its decision when its investigation process is completed.

Section A: Applicant Information

Name: _____

Address: _____
Street

_____
City State Zip

Phone Number: _____ E-mail Address: _____

Date of Birth: _____ Social Security Number: _____

Today's Date: _____

Type of License for Which You Are Applying:

☐ Affiliate Broker ☐ Broker ☐ Timeshare Salesperson ☐ Acquisition Agent

Within the last ten (10) years, have you been convicted of, pled nolo contendere to, pled guilty to, or been granted first offender treatment upon being charged with any criminal offense(s) other than a traffic violation? This includes DUIs.

☐ Yes ☐ No

Within the last ten (10) years, have you been disciplined by any local, state, or federal licensing agency or authority that regulates any profession? Disciplinary actions include, but are not limited to, such actions as: a reprimand, a suspension, a revocation, a fine, or any restriction placed on your rights to operate as a licensee.

☐ Yes ☐ No

If you checked "Yes" to either of the above questions, you must complete this form in its entirety and submit to TREC along with all required documentation.

If you have more than one conviction and/or disciplinary action, you must list each one separately and answer the following questions relative to each conviction and/or disciplinary action. If necessary, attach additional sheets to respond fully to each question for each conviction and/or disciplinary action and number your responses to the corresponding question.

Section B: Prior Conviction/Disciplinary Action Information

If you have a criminal conviction, please complete this section and attach a copy of your court records showing final disposition.

What was the exact charge(s) of which you were convicted?

Conviction 1: _____ Date of Judgment _____

Sentence _____ Date Probation Ended _____

Conviction 2: _____ Date of Judgment _____

Sentence _____ Date Probation Ended _____

Conviction 3: _____ Date of Judgment _____

Sentence _____ Date Probation Ended _____

If you have been disciplined by any local, state, or federal licensing agency or authority that regulates any profession, please complete this section and attach a copy of your complaint and final disposition.

Complaint 1: _____

Disposition: _____

Complaint 2: _____

Disposition: _____

Complaint 3: _____

Disposition: _____

In your own words, describe in detail what happened for each separate conviction and/or disciplinary action. If necessary, attach additional page(s) to thoroughly explain.

_____

_____

_____

_____

_____

_____

1. How old were you at the time of the conviction(s)/disciplinary action?

   Conviction/Action 1: _____ Conviction/Action 2: _____ Conviction/Action 3: _____

2. Were any other parties involved? ☐ Yes ☐ No

3. Were any other parties harmed? ☐ Yes ☐ No

4. What were the circumstances surrounding your conviction(s)/disciplinary action(s)?

5. What was your motivation for committing the unlawful act(s)?

6. Have you made all required restitution? (If no, provide details.)

   Conviction/Action 1: ☐ Yes ☐ No
   Conviction/Action 2: ☐ Yes ☐ No
   Conviction/Action 3: ☐ Yes ☐ No

7. Have you completed all the conditions of your sentence? (If no, provide details.)

Conviction/Action 1: ☐ Yes ☐ No

Conviction/Action 2: ☐ Yes ☐ No

Conviction/Action 3: ☐ Yes ☐ No

8. What steps have you taken to prevent a recurrence of your unlawful act(s)?

9. List your work experience since the conviction(s)/disciplinary action(s):

10. Why do you think you should be granted a license in spite of the conviction(s)/disciplinary action(s)?

The undersigned applicant for preliminary decision by the Tennessee Real Estate Commission does hereby authorize representatives of the Commission to receive any criminal history record pertaining to the undersigned applicant which may be in the files of any federal, state, or local criminal justice agency. The undersigned applicant also certifies that all information given on this application is true, correct, and complete.

Applicant Signature _____ Date _____

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LETTER OF RECOMMENDATION

Please print or type all answers or furnish all requested information on your own letterhead.

TO: TENNESSEE REAL ESTATE COMMISSION

FROM: PRINCIPAL BROKER _____

LICENSE NUMBER _____

RE: License Application of: _____
(Applicant's Name)

BACKGROUND INFORMATION:

1. How long have you known the applicant? _____
2. In what capacity? _____
3. Are you related by blood or marriage to the applicant? ☐ Yes ☐ No

   If Yes, how? _____
4. What is your employment, business or profession? _____
5. How and when did you learn of the applicant's conviction? _____

Your comments regarding this Applicant: (Continue on back or attach additional page if necessary.)

_____ _____
Signature Date