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Department of Commerce and Insurance

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60th ANNIVERSARY

Created in 1951, The Tennessee Real Estate Commission licenses and registers Real Estate Firms, Brokers and Affiliate Brokers. The Commission also enacts rules addressing professional conduct and standards of practice.

The purpose is to license and regulate real estate brokers and affiliate brokers, real estate firms, rental location agents, time-share salespersons and developments, vacation clubs and vacation lodging services.

The mission of the Tennessee Real Estate Commission is to protect the public through establishment and administration of minimum requirements for candidates and licensees, effective professional education of licensees and enforcement of professional conduct.

ADVERTISING COMPLIANCE

The rules regarding advertising have not changed. Licensees that advertise traditionally with print and those using social media types such as Facebook®, YouTube®, LinkedIn®, and QR Codes shall conform to the requirements of the Rule 1260-02-.12. All advertising shall be under the direct supervision of the principal broker as stated in 1260-02-.12(2) (b). Click on the link provided to and scroll down to the section on advertising to review the current rules:



<http://tn.gov/sos/rules/1260/1260-02.20100614.pdf>

Make A Note - Website Change

The pink renewal cards that are sent out prior to your license’s expiry date list a web address that has recently changed. The process to renew online is still the same but the new address is <https://apps.tn.gov/cirens>.

Time Share Exam Review

Prepared by Carolyn Moore-Mooso, PSI Services, LLC.

On March 9th, there was a routine review and update of existing examinations developed, administered and maintained by PSI Services, LLC for the Tennessee Real Estate Commission. Participants in the review were Carolyn Moore-Mooso, facilitating the review for PSI; Eve Maxwell, Executive Director of TREC; Stephen McDonald, Education Director of TREC; Larry Musgrove, a Tennessee real estate broker experienced in time-share project brokerage, and Wayne Thorburn, a PSI consultant with broad real estate expertise including time-share brokerage. A second Tennessee time-share expert practitioner had been invited but became ill and was unable to participate.

The following tasks were completed at and immediately after the review meeting:

- **Review of the current examination specifications for the Time-Share Sales Agent/ Acquisition Agent Examination:**

All main topics and subtopics were affirmed as appropriate for the Time-share/Acquisition Agent examination. A slight adjustment in topic weights was made, reducing the weight of topic #2, “Powers of the Real Estate Commission,” from 5 items per exam to 4, and adding one item to topic #4, “Discrimination and Fair Housing,” which increased the weight of that topic area from 2 to 3 items per exam. In addition, the 8 subtopics listed under the first and most important topic area for the examination, “Statutory Requirements”, were slightly reorganized by combining two subtopics related to the regulation of advertising. This left 7 subtopics, to which participants assigned relative weights to ensure that the 20 items allocated to this topic were appropriately distributed to give key subtopics the most weight.

PSI PROCTORING SERVICES EXTENDED FOR TREC

The Commissioners extended the contract for another year allowing PSI to proctor the pre-licensing exams for the Tennessee Real Estate Commission. PSI provides testing for twenty-three (23) states. Within the state of Tennessee, PSI provides testing for nine (9) boards including TREC. There are six (6) testing centers that these nine (9) boards use located in Memphis, Jackson, Nashville, Chattanooga, Knoxville, and Johnson City. PSI added centers in Dyersburg, Lewisburg, Clarksville, and Cookeville just for TREC. These additions are making it more convenient for candidates across the state wishing to test for TREC licensure. The affiliate broker and broker examinations are divided into two sections: national and state. Candidates who pass one section but fail the other need retake only the section they failed. The passing score for one section of an examination is valid for two (2) retakes of the failed section or six (6) months, whichever comes first. The timeshare salesperson and acquisition agent exams are one-part.

For affiliate broker and broker examinations candidates who fail the first attempt at the examination may retake it as soon the day after the exam was taken. Those who make a third attempt at the examination must wait thirty (30) days after the second attempt. Those who fail the third attempt must obtain an additional twelve (12) hours of approved education and wait thirty (3) days before making a fourth attempt. After the fourth attempt, any subsequent exams may be scheduled immediately with no waiting period. These rules do not apply to the timeshare salesperson and acquisition agent exams.

TREC Participation with TAR®'s Spring 2011 Conference



The Tennessee Real Estate Commissioners and staff were again graciously invited to participate in a question and answer session at the 2011 Tennessee Association of Realtors® Spring Conference in Cool Springs. The question and answer period was moderated by TAR®'s General Counsel, Russ Farrar. During the 50 minute period, attendees asked a series of questions for the Commissioners and TREC's staff to respond to. The questions and the responses have been edited for ease of reading.

- Q1.** What is the future for the "Grandfathered" status of licensees?
- A1.** The "grandfather" modifier was added to Broker's originally licensed before January 1, 2005. Currently, TREC has 532 Affiliate, 497 Broker, and 716 Principal Brokers which account for the 1,745 total "grandfathered" Tennessee resident licensees. Any change would require legislation. Licensees would benefit from taking required CE to learn about the onset of technology and changes in the industry.
- Q2.** What is the difference between having a separate escrow account for rental escrow and a lease purchase?
- A2.** The Landlord Tenant Act requires rental escrow.
- Q3.** Why can't TREC use background checks on licensee applicants?
- A3.** 86% of TAR® members are in favor of background checks. TREC has explored the possibility of background checks and has found them to be too cost prohibitive.
- Q4.** Are there any technology courses for licensees?
- A4.** Yes. The list of approved schools and courses can be found on our website in the Quick Links Box under the Approved Schools and Courses link. Use the CTRL F function to search by specific tags, words, or names.
- Q5.** Why do licensees continue to work when they are in a Broker Released or Transferred status?
- A5.** TREC must receive process and validate before the status change is official.
- Q6.** What is the process for making the pre-license requirements greater than they are today for new applicants?
- A6.** Any change in the requirements for licensure would involve a legislative process.
- Q7.** What is the cost of the background check?
- A7.** The TBI background check is \$50-60 per applicant. This would require a legislative change. The timing for implementation would be lengthy and the fee would have to be applied to the application process. This process would also involve the exam provider.
- Q8.** Will the Commission approve in the future courses that were perceived as "touchy-feely" for continuing education hours?
- A8.** The Commission states that content for all continuing education courses shall be directly related to seventeen topics which can be found in Rule 1260-5-.03(5)(a). "Touchy-Feely" is a subjective and the Commission would have to review to see if the education would benefit licensees and thereby protect the public with the information presented.

LANDLORD AND TENANT ACT

“The Tennessee Uniform Residential Landlord and Tenant Act was enacted in 1975 to establish the rights and obligations of landlords and tenants involved in the rental of dwelling units.”

- Tennessee Consumer Affairs Division

The Act is under the control of the Tennessee Consumer Affairs Division. However, the real estate licensees that deal in rental property should be aware of the Act and what is required for them to remain compliant.

Each party must keep a signed copy of the rental agreement which should include the duration of the lease, the amount and date rent is due, pertinent information specific to the property and location of the escrow account where rental deposits are held. The rental deposits must be held in a separate account [Rule 1260-02-.09(1)]. Failure to furnish a copy of the lease agreement at the time of execution could permit discipline on the license [TCA § 62-13-312(8)]. If the landlord does not sign a written rental agreement, the acceptance of rent without reservation binds the parties to a month to month lease. Security deposits can be applied to any unpaid rents after thirty (30) days. Funds not collected after written notice from landlord to tenant may be retained by landlord after sixty (60) days.

The landlord must respect the privacy of the tenant and shall not enter the dwelling without consent. However, the tenant shall not unreasonably withhold consent. In the event of an emergency, the landlord may enter the dwelling. An emergency is any unexpected occurrence or set of circumstances demanding immediate action.

For the requirements placed on landlords and obligations required from tenants, contact the Division of Consumer Affairs at (615)-741-4737 or (800)-342-8355. www.tn.gov/consumer

EDUCATION AND RECOVERY FUND

By Eve Maxwell, Executive Director

TCA § 62-13-208 establishes the Education and Recovery Account and sets forth the procedures required for an individual to recover monies from the account.

Rule 1260-1-.11 establishes, in general terms, the educational purposes for which the monies in the account may be used.

The statute requires that all funds received by the commission for the E&R account be deposited in that account and held solely for the purposes established by the statute. The account is to maintain a minimum balance of \$500,000.00. Monies in the account are to be invested by the state treasurer for the sole benefit of the account. Each individual who applies for an affiliate license, a broker license or a timeshare license pays an additional fee of \$30.00 which is specifically earmarked for deposit into the E&R account. Further, TCA § 62-13-106(a) provides that application fees for educational courses are to be deposited in the E&R account to be used by the Commission for educational purposes.

One of the established purposes of the E&R account is to have available funds with which to pay individuals who have been harmed by the actions of a broker, affiliate broker or timeshare salesperson. In order to recover from the account, one must meet the criteria set forth in the statute and one must follow the procedures outlined in the statute.

In order to even be eligible for payment from the E&R account, when an aggrieved person begins an action which may result in collection from the account, such person must promptly notify the commission, in writing (sent certified mail) that such action is to commence.

After the aggrieved person obtains a valid judgment, on the merits of the case, and upon termination of all proceedings including reviews and appeals in connection with the judgment, the person must then exhaust all remedies at law to collect the judgment. This includes attachment, execution, levy and garnishment. If, after 60 days, and exhaustion of all remedies at law, all or any part of the judgment remains unpaid, the person may apply to the court in which the judgment was entered for an order directing payment from the E&R account. Once the commission receives notice of this application, the information is forwarded to the Attorney General's office for review. A representative from the AG's office represents the state at the hearing to ensure that the integrity of the E&R

REMEMBERING Frances Almany



The Tennessee Real Estate Commission remembers Frances Almany who lost her battle to cancer

June 5, 2011. Almany, a Sumner County native, was first appointed to the Commission in 1995 and served as both Chairman and Vice-Chairman. Almany will also be remembered for serving as a Board member for both ARELLO – The Association of Real Estate License Officials and Workforce Essentials, Inc., a private, non-profit corporation which provides employment training for businesses and opportunities for job seekers in nine Tennessee counties and at Fort Campbell. Commissioner Almany was the owner and president of Almany Realtors® in Hendersonville and was a life member of the Awards of Excellence for both the Greater Nashville Association of Realtors® and the Sumner Association of Realtors®.

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Time Share Exam Review...cont.

- **Training in Exam Item Writing and Evaluation:**

Participants were trained in basic principles of item writing, recognition of common errors and problems with items, and use of the item evaluation forms provided for item rating.

- **Review of difficult items:**

Reviewers evaluated 8 very difficult items. They elected to delete 2 of these items and to revise 1 of them for future use after pretesting of the revised version. The other 5 items were adjudged relevant and appropriate for retention despite their difficulty.

- **Review of easy items:**

Reviewers evaluated 12 very easy items. They elected to delete 4 of these items and to revise 5 of them for future use if pretesting of the revisions demonstrated that the revisions had made the items more challenging. The remaining 3 items were retained in their original versions.

- **Review of remaining item pool:**

The 71 remaining items in the item pool were reviewed and verified, with 7 minor edits and 1 substantial revision, which will be reactivated after pretesting if revised item performance statistics fall within PSI's acceptable ranges.

- **New item development:**

Review participants wrote 13 new items for the Timeshare/Acquisition Agent item pool, concentrated in the areas of fair housing and public offering statements. After the items were reviewed and rated by the group, 11 were retained for pretesting and future activation in the examinations.

- **Adjustment to exam duration:**

After returning from the examination review, PSI created a new examination plan incorporating the small change in general topic weighting and the specific weighting for subtopics recommended by the participants. In addition, items to be revised and pretested were removed from the active item pool as were the items the review group recommended for deletion, and new items were set for pretesting. In the course of establishing the new test plan, the time allowed for the exam was checked and found to be 4 hours, which seemed more than excessive for a 35-item examination. After research indicated that the average time used by candidates to complete the current exam is less than 29 minutes, PSI recommended reducing the allotted time for this exam and the similar Acquisition Agent examination to a maximum of 90 minutes, and received approval for this change from Eve Maxwell, Executive Director, and Stephen McDonald, Education Director, on behalf of the Tennessee Real Estate Commission.

Education and Recovery Fund...cont.

account is protected and that amounts paid from the fund meet the criteria set forth in the statute. If the court determines that all required attempts to satisfy the judgment have been made and the amounts are properly payable, then the court will enter an order directing the commission to pay the person from the E&R account.

When the commission receives the order from the court, it is remitted, through the legal department for payment out of the E&R account.

In order to be eligible to recover from the E&R account, the person must comply with all provisions of the statute—failure to do so, constitutes a waiver of rights afforded an aggrieved person.

The person must establish and the court must determine, that any losses resulted from a violation of the Tn. Real Estate Broker License Act of 1973 or the rules promulgated there under, committed by a broker, affiliate broker, or timeshare salesperson.

The maximum payment of the E&R account cannot exceed \$15,000.00 per transaction, regardless of the number of persons aggrieved or the parcels of real estate involved in the transaction.

The liability of the account for the acts of a broker, affiliate broker, or timeshare salesperson shall be terminated upon the issuance of court orders authorizing payments in an aggregate amount of \$30,000.00 on behalf of such broker, affiliate broker or timeshare salesperson.

A broker, affiliate broker or timeshare salesperson, acting as an agent, has no claim against the account. Likewise, a bonding company has no claim against the account.

If payment is made on behalf of any individual, the license of the licensed broker, affiliate broker or timeshare salesperson may be suspended or revoked by the commission. No broker, affiliate broker or timeshare salesperson whose license has been revoked as a result of payment from the account, shall be eligible to reapply for a license until that person has repaid in full the amount paid from the E&R account on that person's behalf, plus interest which would have accrued since payment.

CLAIMS AND PAYMENTS

- 1) There was a claim made against the E&R account in 2008 that was not approved by the court for the payment, as it did not meet the requirements set forth in TCA § 62-13-208. There was no notice given prior to commencement of the action, there was no decision on the merits and the aggrieved person was a licensee acting as an agent.
- 2) On 10/14/2009, the Metropolitan Nashville-Davidson County, Tennessee General Sessions Court in Case No. 09GC7722, Krista Strassner vs. Don R. Smith d/b/a Accredited Property Management et al, ordered that the E&R account pay Plaintiff the sum of \$4,580.00. The Court found that the Defendants had violated TCA § 62-13-312(b)(5) by failing to remit or account for moneys belonging to others.

COMMISSIONER UPDATES



Issac Northern Jr.

During the June 2011 Commission meeting, an election was held for the position of Chairman and Vice-Chairman of the Tennessee Real Estate Commission. Isaac Northern, Jr. of Memphis served as previous Chairman of the Commission and Allen Woods of Nashville served as Vice-Chairman of the Commission. The Commissioners elected Isaac Northern, Jr. to serve a second term as Chairman of the Tennessee Real Estate Commission and William “Bear” Stephenson of Clinton was elected to serve as Vice-Chairman of the Commission.



William “Bear” Stephenson

The June 2011 Commission meeting was also the expiry of Commissioner Carol Tate’s five year term. Commissioner Tate is Broker of Tate Realty and Construction in Memphis and a 30-year plus advocate to the real estate industry. Her service to the Commission and the public will not be forgotten.



Carol Tate

The Tennessee Real Estate Commission also welcomes Bill Giannini to the Department of Commerce and Insurance Regulatory Boards. Mr. Giannini has been appointed Assistant Commissioner of Regulator Boards and brings business and civic experience to the office. Assistant Commissioner Giannini served as chairman of the Shelby County

Election Commission and has been a Tennessee real estate licensee since 2005.

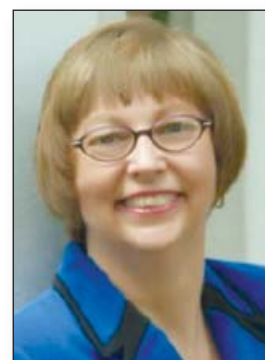
In July, Governor Haslam appointed two Commissioners to serve on the Tennessee Real Estate Commission. Janet DiChiara will fill the vacancy of retiring Commissioner Tate and Austin McMullen will assume the seat of Commissioner Woods.

DiChiara, a licensee since 1997, is Broker/Owner of Exit Select Realty in Jackson. DiChiara is an active member of the Central West Tennessee Association of REALTORS® and the Tennessee Association of REALTORS®. She is also an approved provider and instructor with the Tennessee Real Estate Commission. DiChiara will serve as an industry leader with the Commission.

McMullen is Partner with Bradley Arant Boult Cummings, LLP where he practices in the areas of Bankruptcy, Governmental Affairs, Business and Commercial Litigation and Business Formation law. He has undergraduate degrees in Business Administration and Economics from Millsaps College and a law degree from Vanderbilt University. McMullen is also Mayor of Oak Hill, a historic area of Nashville. He will serve as a consumer member on the Commission.



Bill Giannini



Janet DiChiara



Austin McMullen

Number of Licensees as of 6/30/2011

| Type | Active | Inactive | Retired | Broker Release | Grand Total |
|---------------|---------------|--------------|---------------|----------------|---------------|
| People | 24,759 | 2,322 | 10,149 | 609 | 37,839 |
| Firms | 4,152 | | 329 | | 4,481 |
| Totals | 28,911 | 2,322 | 10,478 | 609 | 42,320 |

| | |
|------------------------------------|-----|
| Timeshare Registration Active | 200 |
| Vacation Lodging Services Active | 135 |
| Licensed Acquisition Agents Active | 95 |

ERRORS & OMISSIONS I N S U R A N C E

This year the Commission voted to levy a civil penalty in the amount of \$1000.00 against: (1) Active Licensees who did not purchase E & O before 4/1/2011; (2) Principal Brokers who have affiliates (\$1000 per affiliate) who did not purchase E&O before 4/1/2011; and (3) People in Broker Release who did not purchase E & O before 4/1/2011.

In order to avoid a Formal Hearing, the licensee must: (1) Sign the Consent Order and return it; (2) Pay the \$1000.00 civil penalty; and (3) Show proof that they have E&O. This must be completed within 30 days. The legal department says the only choices available to the

licensees are to either comply fully with the Consent Order or have a Formal Hearing. IF scheduled for a Formal Hearing, the licensee will have additional monies to pay in the form of court filing fees which could cost at least \$200.00 and court costs of Formal Hearing which could cost another \$300-\$500. The Formal Hearings will be scheduled by the legal department and the Administrative Law Judge who will hear the cases. Anyone who has in fact purchased E & O before 4/1/2011, they must fax or email or send by post the Confirmation to TREC.

The Commission's mission is to

protect the public and to enforce the Broker's Act and the statutory requirement that all licensees get and maintain E&O insurance. This was enacted by legislature to protect the public.

As of July 19, 2011, the following individuals have not provided evidence of errors and omissions insurance coverage as required by § 62-13-112 and Tenn. Comp. R. & Regs. 1260-1-.15.* The Tennessee Real Estate Commission will make future lists available in every edition of the "News-Journal". *the aforementioned allegations have not been adjudicated.

| | | | | |
|-----------------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------|
| Allen, Linda License # 294829 Knoxville, TN | Burns, Tim License # 286511 Memphis, TN | Cooper, Wendell License # 2498 Nashville, TN | Douglas, Nathan*Nate* License # 312722 Nashville, TN | Glankler, Risa License # 292303 Germantown, TN |
| Alteri, Roger License # 319893 Nashville, TN | Burns, David License # 295348 Memphis, TN | Cox, Ann License # 239331 Knoxville, TN | Douglass Boone, Connie License # 288070 Knoxville, TN | Graves, Dennis License # 17358 Germantown, TN |
| Arciga, Hector License # 315589 Memphis, TN | Butler, Francis License # 268042 Cosby, TN | Cox, John License # 257889 Knoxville, TN | Downs, Jerrie License # 300339 Kimball, TN | Graybill, Michael License # 271931 Isle Of Palms, SC |
| Arp, Earnest License # 312537 East Ellijay, GA | Cassetty, Jim License # 8407 Hendersonville, TN | Crist, Laura License # 292478 Murfreesboro, TN | Elliott, Brenda License # 298050 Huntsville, AL | Green, Laura License # 268957 Lake Toxaway, NC |
| Ashley, Stanley License # 252512 Atlanta, GA | Clem, Amy License # 306292 Elkmont, AL | Cummings, David License # 296150 Columbus, GA | Emery, Anne License # 314733 Knoxville, TN | Guinn, Kenneth License # 51537 Memphis, TN |
| Bacon, Phillip "Phil" License # 265306 Chattanooga, TN | Clemmons, John License # 321579 Lebanon, TN | Cunningham-Arnold, Sherry License # 306983 Butler, TN | Ewoldt, Anita License # 317960 Savannah, TN | Hale, Jeffrey License # 317970 Chattanooga, TN |
| Bacon, Sally License # 319867 Chattanooga, TN | Cole, Charles License # 248000 Pigeon Forge, TN | Dakak, Janan License # 286451 Knoxville, TN | Ferge, Bailey License # 296165 Somerville, TN | Harrington, Glenard License # 12539 Lenoir City, TN |
| Baranski-Lovelace, Dawn License # 321122 Pigeon Forge, TN | Cole, Sandra License # 221944 Gatlinburg, TN | Damacen, Darwin License # 302706 Kimball, TN | Floto, Gary License # 291505 Sevierville, TN | Harris, Thomas License # 265497 Murfreesboro, TN |
| Barber, Deana License # 313396 Memphis, TN | Colleran, Vivian License # 258865 Sevierville, TN | Daniel, Bonnie License # 305964 Franklin, TN | Ford, Susan License # 283112 Bartlett, TN | Harris, Chauntay License # 284288 Memphis, TN |
| Bischoff, Dawn License # 259639 Gatlinburg, TN | Collison, Roslyn License # 303513 Hendersonville, TN | Dickerson, Catherine License # 237690 La Vergne, TN | Frazier, Nancy License # 295713 Chattanooga, TN | Helms, Roy License # 251300 Morristown, TN |
| Boutros, Pamela License # 321465 Butler, TN | Cooley, Lashanya License # 314244 Memphis, TN | Dimare, Katrina License # 293167 Nashville, TN | Freeman, Pennie License # 316197 St Simons Island, GA | Hicks, Ethyl"Darlene" License # 293890 Brentwood, TN |
| Bowers, Alicia License # 280874 Hendersonville, TN | Cooper, Gary License # 319924 Meridianville, AL | Dinofer, Glenn License # 318802 Blackshear, GA | Giles, Christopher License # 317034 Oak Ridge, TN | Horton, John License # 251143 Huntsville, AL |

ERRORS & OMISSIONS I N S U R A N C E (CONT)

| | | | | |
|------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------|
| Hoskins, David License # 303382 Sevierville, TN | Mayhorn, Corey License # 270001 Memphis, TN | Pickel, James License # 202469 Sevierville, TN | Sliney, Donna License # 22696 Germantown, TN | Thompson-Irvin, Nina License # 266143 Memphis, TN |
| Hoskins, Shondra License # 270488 Germantown, TN | McCarter, Megan License # 309273 Gatlinburg, TN | Pratt, Sherri License # 273481 Chattanooga, TN | Smith, Maximilian License # 309350 Nashville, TN | Tipton, Fred License # 285292 Clarksville, TN |
| Howard, Ralph License # 257402 Knoxville, TN | McDaniel, Mark License # 254403 Nashville, TN | Prevost, Mary License # 300220 Waynesville, NC | Smith, James License # 319928 Cookeville, TN | Townsend, Richard License # 288217 Linden, TN |
| Husney, Melvin License # 321178 Chattanooga, TN | McDaniel, Albert License # 15459 Nashville, TN | Pruitt, David License # 209527 Brentwood, TN | Smith, Lisa License # 278173 Knoxville, TN | Turner, Calvin License # 280915 Mount Juliet, TN |
| James, Clay License # 281992 Newport, TN | McGregor, Anthony License # 257738 Memphis, TN | Pruitt, Rachel License # 320042 Goodlettsville, TN | Smith, Stanley License # 322371 Lafayette, GA | Vincent, Jay License # 201698 Knoxville, TN |
| Johnson, Shanna License # 278245 Knoxville, TN | McMahan, Patty License # 277664 Clinton, TN | Ramsey, Stewart License # 320083 Jamestown, TN | Snow, Robert License # 271548 Paducah, KY | Wagner, Christopher License # 320151 Seymour, TN |
| Jordan, Carolyn License # 299804 Waynesville, NC | McPhearson, Melissa License # 313914 Jackson, TN | Reddice, Ida License # 284140 Memphis, TN | Spurgeon, Cynthia License # 320898 Trenton, GA | Wahl, Kirby License # 320188 Chattanooga, TN |
| Kemether, Michael License # 317356 Atlanta, GA | Miller, Tee License # 1514 Gatlinburg, TN | Rhynes-Hawkins, Shirley License # 276159 Memphis, TN | Stout, Jacqueline "NikkiNicole" License # 308102 Elizabethton, TN | Walker, Noel License # 717 Chattanooga, TN |
| King, Victor License # 322593 Gatlinburg, TN | Miller, Andrew License # 287148 Chattanooga, TN | Roach Jr., Charles License # 303666 Atlanta, GA | Strand, Steven License # 298897 Memphis, TN | Webb, Cynthia"Cyndy" License # 313071 Maryville, TN |
| Kirkpatrick, Allen License # 239300 Memphis, TN | Moore, Beverly License # 308054 Sevierville, TN | Rose, Eric License # 321274 Knoxville, TN | Stubblefield, Kristofer License # 307083 Monteagle, TN | Wiggins, Melvin License # 320963 Nashville, TN |
| LaChapelle, Pamela License # 281227 Mount Juliet, TN | Moore, Vincent License # 254911 Memphis, TN | Rose, Michael "Mike" License # 300144 Memphis, TN | Sullivan, Becky License # 316989 Nashville, TN | Williams, John License # 307480 Bristol, TN |
| Lane, Timothy License # 322420 Cleveland, TN | Morton, James License # 319429 Elizabethton, TN | Ross, Janeene License # 287339 Vilas, NC | Sumner-Grigg, Kristine"Tina" License # 293924 Nashville, TN | Williams, Stephen License # 289273 Powder Springs, GA |
| Langbehn, Cathy License # 288255 Middlesboro, KY | Muller Jr., John License # 322440 Germantown, TN | Sanders, Pamela License # 318953 Athens, AL | Taylor, John License # 320350 Madison, TN | Wilson, Robert License # 319885 Harrogate, TN |
| Lawson, Stephen License # 315786 Jefferson, NC | Norris, William License # 224063 Carthage, TN | Scruggs, Sharon License # 320420 Athens, AL | Taylor, Bruce License # 247386 Oak Ridge, TN | Witherspoon, Benjamin License # 235739 Chattanooga, TN |
| Lee, Donald License # 240848 Manchester, TN | Oglesby, Scott License # 320337 Bartow, FL | Shelton, Rose License # 283117 Marshall, NC | Thomas, Danell License # 287370 Nashville, TN | Wolbach, Charles License # 321607 Knoxville, TN |
| Lefevre, Joshua License # 319787 Jackson, TN | Pate, Lynn License # 19549 Franklin, TN | Shields, Travis License # 277022 Kimball, TN | Thomas, Gale License # 204668 Clinton, TN | Wyant, Dominique License # 262790 Atlanta, GA |
| Love, John License # 8787 Johnson City, TN | Penland, Dana License # 284162 Chattanooga, TN | Sledd, Austin License # 292302 Memphis, TN | Thompson, Darla License # 280709 Brentwood, TN | Wykle, Lillian License # 236407 Greeneville, TN |
| Marshall, Cheri License # 282095 Nashville, TN | Perry, David License # 288576 Murfreesboro, TN | Sledge, Sabrina License # 311837 Florence, AL | Thompson, Wesley License # 257281 Memphis, TN | |

TAR®S Spring Conference...cont.

Q9. How many licensees are TAR® members?

A9. At the time of the discussion, there was an active licensee count of 24,704. The rough estimate is that 80% of the active licensees are members of the Tennessee Association of REALTORS®. The 20% that are not are licensees and are not members of any local association or MLS. TREC oversees all licensees regardless of TAR® affiliation.

Q10. Can TREC require all licensees to provide fingerprints for licensure?

A10. This would require a change in legislation and a fee attached to the application process.

Q11. Who is monitoring social media?

A11. It is imperative that the Principal Broker supervise

their affiliates. The Principal Broker is encouraged to keep their affiliates informed with current advertising rules. TREC auditors are in the field and may review advertising for compliance.

Q12. How can a licensee living in another state and practice in Tennessee?

A12. A licensee can live in another state and practice in Tennessee if they have an active license and the firm and principal broker they are affiliated with hold an active Tennessee license.

Q13. How can TREC increase requirements for CE on professionalism?

A13. This question is problematic to answer as professionalism is really subjective and TREC regulates the license.

TREC TIPS

- The Code of Ethics course is a requirement for the National Association of REALTORS® and not TREC
- Mail is not forwarded from TREC. Inform TREC of any address change by completing a TREC Form 1 at no charge
- Funds in escrow must be dispersed or interplead within twenty-one (21) calendar days from the date of receipt of a written request for disbursement of earnest money
- Preserve your real estate files for three (3) years
- To check your education online, visit <http://verify.tn.gov/>
- Every licensee has their own personal expiry date
- You will owe (16) hours of CE every licensing period: (6) hour Mandatory TREC Core and (10) hours of elective education
- Office Broker Management is a pre-licensing course only
- TREC only recognizes an Active and Retired Status. Broker Release and Inactive are non-renewable license statuses
- A licensee has (10) days to answer a complaint received by the Commission
- A copy must be given of any listing, sale, lease or other contract relevant to a real estate transaction at the time of execution to all signatories
- When Broker Released, affiliate with another firm or retire your license within ten (10) days
- Always pick-up and sign for Certified Mail sent from TREC

NOTIFICATION OF ADDRESS CHANGE

Have you recently moved?? If yes, then TREC needs to know!! It is important to notify TREC of your change of address. We need this information because a growing number of licensees are not in constant contact with their firm. The process is fast and easy and of course NO CHARGE! Go online to www.tn.gov/commerce/boards/trec/forms and download the Transfer, Release and Change of Status Form (TREC Form 1) and submit to us. We will update your file. Make sure to provide all your information including your license number.

In an effort to provide outstanding service to individuals who call the TREC office, all staff members are required to introduce themselves by name. When calling, please note the name of the staff person with whom you spoke, in case you need to contact that person again.

"The Tennessee Department of Commerce and Insurance is committed to principles of equal opportunity, equal access, and affirmative action." Contact the EEO Coordinator or ADA Coordinator (615) 253-7685.

COMMISSION MEETING DATES

Aug 10 – 11, 2011 (Wed. & Thurs.) – Nashville
 Room 160, Davy Crockett Tower
 500 James Robertson Parkway
 Nashville, Tennessee 37243

Sep 8 – 9, 2011 (Thurs. & Fri.) – Chattanooga
 Developmental Resource Building
 First Floor Conference Room 1A
 1250 Market Street
 Chattanooga, TN 37402

Oct 13 - 14, 2011 (Thurs. & Fri.) – Kingsport
 Kingsport Center for Higher Education
 300 Market Street
 Kingsport, TN 37660

Nov 9 - 10, 2011 (Wed. & Thurs.) – Nashville
 Room 160, Davy Crockett Tower
 500 James Robertson Parkway
 Nashville, Tennessee 37243

Dec 7 - 8, 2011 (Wed. & Thurs.) – Nashville
 Room 160, Davy Crockett Tower
 500 James Robertson Parkway
 Nashville, Tennessee 37243

Meetings begin at 9:00 am at the local time of the Commission Meeting location.



2011 EDUCATION SEMINARS 2 HR COMPLIMENTARY CE!!

| Date | Time* | Association | City | Facility |
|-----------------|----------------------------|-------------------------------------------------|-------------|--------------------------------------------------------|
| July 27, 2011 | 1 pm – 3 pm | Central West Tennessee Association of REALTORS® | Jackson | @CWTAR® 935 B Old Humboldt Road Jackson, TN 38305 |
| July 28, 2011 | 9 am – 11 am & 1 pm – 3 pm | Memphis Area Association of REALTORS® | Memphis | @MAAR® 6393 Poplar Avenue, Memphis TN 38187-1159 |
| August 17, 2011 | 9 am – 11 am & 1 pm – 3 pm | Chattanooga Association of REALTORS® | Chattanooga | @CAR® 2963 Amnicola Hwy, Chattanooga, TN 37406 |
| August 18, 2011 | 9 am – 11 am & 1 pm – 3 pm | Great Smoky Mountain Association of REALTORS® | Sevierville | @GSMAR® 1109 Glennhill Drive, Sevierville, TN 37862 |

*Times listed reflect the local time of that location.

Tennessee Real Estate Commission
 500 James Robertson Parkway
 Nashville, Tennessee 37243-1151

TREC Contact Information

(615) 741-2273 or (800) 342-4031

www.tn.gov/commerce/boards/trec

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Eve Maxwell

Education Director:

Stephen McDonald

Legal:

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Administrative Assistance:

Betsy Bowman
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Office Manager:

Dennis Hodges

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Licensing:

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Contractor for

2011-2012

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