Lisa Musgrave has joined the Tennessee Real Estate Commission coming from Kelly Services. Having no previous knowledge of real estate, Musgrave states she is enjoying the challenge of learning the process of becoming licensed in real estate. Lisa is a native of Nashville and a graduate of Stratford Comprehensive High School. She is an avid reader, enjoys working with the ladies ministry where she attends church, and her pride and joy are her two dogs, Barkley and Hershey.

Johnny Kidd was hired as an Auditor for the West Tennessee Grand Division. Kidd, a Lawrenceburg native, graduated from Lawrence County High School and earned his BS and MBA in Accounting from the University of Tennessee at Knoxville. Prior to joining TREC, Kidd worked for 30 years developing accounting software for small to middle-sized companies. He also worked as a high school football official in Knoxville for the past 24 years. Kidd’s highlight game was working the 2008 TSSAA Class 2A Championship.

The highlight for the month of November was the award ceremony for the Middle Tennessee licensees who have held a real estate license for 40 years or more. These ceremonies date back to 2008 when the late Commissioner Charles Haynes worked to get this recognition approved. Held in each grand division, the ceremonies are designed to honor all those licensees who have had a real estate license 40 years or more.

The Middle Tennessee ceremony was held at the Bluegrass Country Club in Hendersonville. The Greater Nashville Association of Realtors® and RealTracs Solutions sponsored and hosted this well attended event. The morning was filled with reflection and the sharing of stories. The most discussed topics of the morning were the changes in the industry and the sharing of stories. A moment of silence was also taken to honor those licensees who have passed away. The contributions made by all of the early licensees are immeasurable and their legacy will not be forgotten.
On July 1, 2011, changes to the Vacation Lodging Services industry in Tennessee took effect. If a person named as a designated agent for a vacation lodging service firm has completed the course required pursuant to the act to be licensed as a designated agent prior to the effective date of the act or between the time the act was signed by the governor and July 1, 2011, such person shall not be required to retake any such course in order to be licensed as a designated agent by the Tennessee Real Estate Commission.

Below are some of the amendments made to Tennessee Code Annotated, section 62-13-104:

- “Designated agent” means an owner, principal, officer, or upper level manager of a vacation lodging services firm.
- Upon application for a firm license for a vacation lodging service and each renewal of the license, the firm shall designate one (1) individual from that firm who shall be individually licensed as a designated agent through the Tennessee Real Estate Commission. Such designated agent shall be responsible for the completion of training programs to be taught by an individual in the vacation lodging services business or other person who meets qualifications set by the Tennessee Real Estate Commission. Such training programs shall consist of instruction in the fundamentals of this subsection (b) and related topics. No person shall be licensed by the commission as a designated agent until such person completes the required eight-hour introductory course.
- Every two (2) years, as a requisite for the reissuance of a firm license for a vacation lodging service and for reissuance of the designated agent license, the firm shall furnish certification that the designated agent for the firm has completed eight (8) classroom hours in training programs approved by the commission.
- If a designated agent, as designated by a vacation lodging services firm, leaves or moves from the vacation lodging service firm, the firm or designated agent for such firm must notify the Tennessee Real Estate Commission within ten (10) days of such action. The vacation lodging service firm must replace the designated agent within sixty (60) days of such action and notify the commission of the name of the new designated agent. During such time period, all rules or regulations related to a vacation lodging service firm shall remain in full force and effect with respect to such a vacation lodging service firm until a designated agent is replaced. Any obligation or duty required to be fulfilled by the designated agent shall be fulfilled by another person in the vacation lodging service firm.
- A designated agent may serve as a designated agent for multiple offices of the same vacation lodging service firm within a fifty (50) mile radius of the principal office of the firm, but may not serve as a designated agent for multiple firms.
- The firm license and the license for the designated agent for the firm, and all renewals thereof, shall expire at the same time. If a license is issued to a designated agent following the date the firm license is issued or renewed, the license for the designated agent shall be issued or renewed so that it expires on the date the license of the firm is to expire. The commission is authorized to prorate the license for the designated agent or extend the date for the renewal of such a license to ensure the licenses expire concurrently.

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The average cost of a one (1) year E&O Policy for the year encompassing 2011 is $176.09.
- The most expensive is $272.00 for New Mexico as they had the most dollars paid out per insured and a recent large payout.
- The least expensive is $107.00 for Kentucky.
- Colorado had the most claims filed per licensee last year.
- All policies, except Tennessee and Nebraska, exclude appraisers from coverage and will only cover them by way of an endorsement and then only if the appraiser is also an active real estate licensee. The additional cost endorsement ranges from $100-$250 per year.
- A list of the uninsured shall be posted in every edition of this News-Journal.

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.
Licensees are responsible for complying with all statutes, rules and policies of the Tennessee Real Estate Commission. The answers provided here are based on statutes, rules and policies and fees listed are fees in effect at the time of publication and all are subject to change.

Q. What is the mailing address?
The office mailing address:
A. Tennessee Real Estate Commission
davy crockett tower
500 James Robertson Parkway
nashville, tennessee 37243-1151

Q. Where is the TREC office located?
The Office location:
A. Andrew Johnson tower, 3rd Floor
710 James Robertson Parkway
Nashville, tennessee 37243

Q. What are the telephone and fax numbers?
A. The Telephone number is:
(615) 741-2273 or 1 (800) 342-4031
The FAX number is: (615) 741-0313

Q. What are the normal business hours?
A. The office is open 8:00 AM until
4:30 PM Central Time Monday-
Friday. The office is closed on all
federal and state holidays.

Q. What are the telephone and fax numbers?
A. The Telephone number is:
(615) 741-2273 or 1 (800) 342-4031
The FAX number is: (615) 741-0313

Q. What is the TREC website address?
A. http://tn.gov/commerce/boards/trec/

Q. What activities require a license?
A. Any person who performs or offers,
 attempts or agrees to perform any
 single act defined in TCA § 62-13-
 102, is required to be licensed.

2012 Commission Schedule
TREC will continue to meet in each
Grand Division in 2012. The
Commission will hold their business
meetings in memphis, jackson,
Chattanooga, nashville and in a to-be-
determined location in East Tennessee.
You are encouraged to attend to not
only learn how business of TREC is
handled but to also receive (8) eight
hours of CE at no charge. If you are
interested in attending or would like
more information, contact Betsy
Bowman at betsy.bowman@tn.gov.

January 12 – 13, 2012: memphis
February 8 - 9, 2012: Nashville*
March 7 – 8, 2012: Nashville*
April 12 – 13, 2012: Chattanooga
May 9 – 10, 2012: Nashville*
June 6 - 7, 2012: Nashville*
July 12 – 13, 2012: Jackson
August 8 – 9, 2012: Nashville*
September 12 – 13, 2012: Nashville*
October 11 - 12, 2012: East Tennessee
– To Be Determined
November 7 - 8, 2012: Nashville
December 5 - 6, 2012: Nashville*

*Room 160, davy Crockett tower
500 James Robertson Parkway
nashville, tennessee 37243
Frequently Asked Questions (FAQs)...

**Q. What may an unlicensed employee, assistant or secretary do?**

1. Answer the phone, forward calls and give information contained only on the listing agreement as limited by the broker.
2. Fill out and submit listings and changes to any multiple-listing service.
3. Generate real estate leads by having unlicensed employees or assistants contact potential clients to generate real estate leads.
4. Discuss or explain listings, offers, contracts, or other similar matters with persons outside the firm.
5. Negotiate any terms of a real estate transaction.
6. Negotiate or agree to any commission split or referral fee on behalf of a licensee.
7. Be paid any compensation which is dependent upon, or directly related to, a real estate transaction.

**Q. May I pay an unlicensed assistant?**

A. Unlicensed assistants can be paid by the licensee for all clerical and secretarial activities conducted on behalf of the licensee. An unlicensed assistant cannot be compensated for the performance of duties that require a license.

**Q. I have a licensed assistant. How can I pay them for activities that require a license?**

A. A person engaged in activities that require a license must have a valid active license and be affiliated with a licensed real estate firm. Compensation received for activities that require a license must be paid by the licensed real estate firm where the assistant is affiliated.

**Q. I am a licensed auctioneer. I have a real estate license and I am affiliated with ABC Realty. I own a separate licensed auction firm, The Auction Company, licensed by the Tennessee Auctioneer Commission. Can I sell real property at auction using my real estate license and my auction firm license?**

A. NO. A real estate licensee from another state or jurisdiction cannot “cooperate” or “partner” with a Tennessee licensee in order to conduct business that requires a real estate license in this state without obtaining a license issued by the Tennessee Real Estate Commission (TREC). A licensed Tennessee broker may pay a commission to a licensed broker of another state provided such non-resident broker does not conduct in this state any of the negotiations for which a commission is paid. See: TCA § 62-13-302.

**Q. How do I obtain a real estate license in Tennessee?**

A. The TREC website contains information concerning licensure.

**Q. What could keep me from obtaining a Tennessee Real Estate License?**

A. The Commission very carefully examines all applications. Applicants who have been convicted of, pled nolo contendere to, pled guilty to or been granted first offender treatment upon being charged with any criminal offense other than a traffic violation or applicants who have held professional licenses which have been disciplined are thoroughly scrutinized. If you have a history of any of the above, you may seek a...
pредварительное решение от Комиссии перед началом работы и средства, полученные при предварительном лицензировании курса и экзамена, сопровождая таким образом “Предварительное решение о решении вопроса об иных или наличии лишних требований” и подавая его вместе с запросом ТREC с требуемой документацией.

Q. What do I need to send the Commission along with my application?

A. Documents required for an affiliate broker’s license:
- Application with picture - this is obtained at the testing center upon successful completion of the examination
- Proof of High School Graduation
- Proof of completion of pre-license education
- Proof of errors and omissions insurance policy
- Payment of all fees due.

Documents required for a broker’s license:
- Application with picture - this is obtained at the testing center upon successful completion of the Tennessee Broker’s examination.
- Proof of errors and omissions insurance policy.
- Payment of all fees due.

Q. How do I retire my license?

A. If you wish to stop practicing real estate for any reason, but do not want to give up your real estate license, you may place your license in retirement. In order to retire your license you must complete a TREC Form 1 and submit it to TREC along with any fees. You must have completed all educational obligations prior to retiring your license. While in retirement, you cannot participate in any real estate transactions; however, you may receive commissions from transactions completed prior to retirement.

Q. How do I reactivate my real estate license from an inactive or retired status?

A. A TREC Form 1 should be completed in its entirety and mailed to TREC with the appropriate fee. You must obtain the required E&O coverage before your change to active status will be approved. Include Certification of Coverage Form or Alternate and Equivalent E&O Insurance Coverage Form with the TREC Form 1.

Q. I am seeking to be licensed in another state or another profession and need the State of Tennessee to provide certification of my real estate license. How do I request this certification?

A. The Certification Request form must be completed in its entirety and mailed to TREC with the appropriate fee.

Q. What are my education requirements?

A. Affiliate Brokers:
- Pre-license: 60 Classroom Principles Course and 30 Hour Course for New Affiliates.
- Continuing Education: 16 hours total. The “TREC Core” course is a MANDATORY course.

Brokers:
- Pre-license: 120 hours including the 30 classroom hour “Office and Brokerage Management” course.
- Post-license: 120 hours during the first 3 years of licensure.

Continuing Education:
- Brokers licensed as Brokers after January 1, 2005, must complete continuing education requirements after completing post-license education, including the TREC Core course.

Timeshare Salespersons:
- Pre-license: 30 hours of classroom training
- Post-license: None
- Continuing Education: None

Q. What is the TREC Core Course?

A. The TREC Core Course is a specific six (6) hour course designated by the Commission which is required to be taken by licensees who must complete the 16 hour continuing education requirement. Licensees should remember that a failure to complete the TREC Core Course will prevent renewal of the license even if the licensee completes a total of 16 hours of education. (The Commission could increase the number of hours in the required Core Course).

Q. I want to take an education course in another state for a designation I am working on. Will I automatically get credit because it was given by the national association?

A. NO. All courses must be pre-approved by the Commission. You are responsible for ensuring that the courses you complete are approved by the Commission. The sponsor must apply for course approval prior to the course being given. TREC does not give retroactive credit.

Q. Where can I check my Education Credits on file with TREC?

http://verify.tn.gov

Q. How should Deposits and Earnest Money be handled?

A. Brokers are responsible at all times for deposits and earnest money accepted by them or their affiliate brokers, in accordance with the terms of the contract. Rental deposits must be held in a separate account. Funds should be disbursed or interpled within twenty-one (21) calendar days from the date of receipt of a written request for disbursement of earnest money.

Q. What documents must a principal broker maintain as a part of the firm’s records?

A. Firms are required to keep records of
all real estate transactions for a period of three years. These files must contain, at a minimum, the following:
- Listings
- Offers (Even offers that did not become contracts)
- Contracts
- Closing Statements
- Agency Agreements
- Agency Disclosure Documents
- Property Disclosure Forms
- Correspondence
- Notes
- Any Other Relevant Information

Q. What information must appear in all advertising?

A. Rule 1260-2-.12 ADVERTISING, provides the minimum information that must appear in all advertising including internet advertising. The firm name and firm phone number must appear in all advertising as well as every page of a website.

Q. May a Principal Broker act as a Principal Broker for two (2) firms?

A. YES. The PB can act as a PB for both firms as long as the firms are in the same location. Same location means that both firms are located at and use the same physical address.

Q. Does TREC allow home offices?

A. A licensee may have the main office or branch office of a firm in his home if the zoning allows a real estate office at that location. The office must have a firm license and Principal Broker.

Q. How do I?
Transfer to a new firm?
Change my name recorded with TREC?
Change my residence address recorded with TREC?
Change my firm name as recorded with TREC?
Inactivate, retire or reactivate my license?
Change the firm’s business address?

A. The TREC Form 1. This form should be completed as indicated and returned to TREC with a check or money order to cover the required fees for all the requests as stated on the form. For some changes other documents are required. The instructions are found either on the back of the TREC Form 1 or on the second page if the form is downloaded. All information is available on the TREC website.
**ERRORS & OMISSIONS**

Ewoldt, Anita  
License # 317960  
Savannah, TN

Guinn, Kenneth  
License # 51537  
Memphis, TN

Oglesby, Scott  
License # 320337  
Bartow, FL

Taylor, John  
License # 320350  
Madison, TN

Spurgeon, Cynthia  
License # 320898  
Trenton, GA

Shelton, Rose  
License # 283117  
Marshall, NC

Williams, John  
License # 307480  
Bristol, TN

Baranski-Lovelace, Dawn  
License # 321122  
Pigeon Forge, TN

Thompson-Irvin, Nina  
License # 266143  
Memphis, TN

Johnson, Shanna  
License # 278245  
Knoxville, TN

Bischoff, Dawn  
License # 259639  
Gatlinburg, TN

Vincent, Jay  
License # 201698  
Union City, GA

Langbehn, Cathy  
License # 288255  
Middlesboro, KY

Thompson, Darla  
License # 280709  
Brentwood, TN

Williams, Stephen  
License # 289273  
Powder Springs, GA

Colleran, Vivian  
License # 258865  
Sevierville, TN

Stubblefield, Kristofer  
License # 307083  
Sewanee, TN

Bowers, Alicia  
License # 280874  
Nashville, TN

King, Victor  
License # 322593  
Gatlinburg, TN

Cooley, LaShanya  
License # 314244  
Memphis, TN

Marshall, Cheri  
License # 282095  
Nashville, TN

Wolbach, Charles  
License # 321607  
Knoxville, TN

McMahan, Patty  
License # 277664  
Clinton, TN

Cassette, Jim  
License # 8407  
Hendersonville, TN

Reddice, Ida  
License # 284140  
Memphis, TN

Clem, Amy  
License # 306292  
Elkmont, AL

Howard, Ralph  
License # 257402  
Knoxville, TN

Cummings, David  
License # 296150  
Columbus, GA

Cunningham-Arnold, Sherry  
License # 306983  
Butler, TN

Dickerson, Catherine  
License # 237690  
La Vergne, TN

Giles, Christopher  
License # 317034  
Oliver Springs, TN

Green, Laura  
License # 268957  
Lake Toxaway, NC

Arciga, Hector  
License # 315589  
Arlington, TN

Lee, Donald  
License # 240848  
Manchester, TN

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*As of October 21, 2011 the aforementioned allegations have not been adjudicated.*

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**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/](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

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**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](http://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.
**TREC Contact Information**
(615) 741-2273 or (800) 342-4031
www.tn.gov/commerce/boards/trec

**PERSONNEL & AREAS OF RESPONSIBILITY**

**Administration**

- **Executive Director:** Eve Maxwell
- **Education Director:** Stephen McDonald
- **Legal:** Mark K. Green
- **Administrative Assistance:** Betsy Bowman, Kelly McDermott, Lisa Musgrave
- **Office Manager:** Dennis Hodges
- **Board Meetings:** Kelly McDermott
- **Complaints:** Conell House

**Licensing:**
Patricia Appleton
Kim Dorris
Gil Dyer
Rachel Fowler
Deborah Malugen
Karen Patton
Richard Thomas
Paula VanBuren

**Reception & Records Management:**
Ken Spurlock
Linda Wolfert

**Errors & Omissions Insurance:**
Contractor for 2011-2012
Rice Insurance Services Company, LLC
Phone: (888) 248-2444
Fax: (502) 897-7174
Web: www.risceo.com

**Editor/Chief:**
Stephen McDonald

**Department of Commerce and Insurance**
COMMISSIONER: JULIE MIX MCPEAK
ASSISTANT COMMISSIONER: BILL GIANNINI

**Members of the Commission**

ISSAC NORTHERN, JR., CHAIRMAN
Memphis, TN

WILLIAM “BEAR” STEPHENSON, VICE CHAIRMAN
Clinton, TN

GROVER COLLINS
Lewisburg, TN

MICHELLE HAYNES
Gallatin, TN

WENDELL ALEXANDER
Dresden, TN

VALERIE JOH
Kingsport, TN

DAVID FLITCROFT
Knoxville, TN

JANET DiCHIARA
Jackson, TN

AUSTIN McMULLEN
Nashville, TN

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“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.

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