

Commissioner Reports

None.

Staff Reports

SchraderBachar reported that she has been in contact with the Governor's office concerning the vacant seat for a public member and had nothing new to report.

Evans reminded the Commissioners that if they expect to be reimbursed for travel expenses, original and itemized receipts would need to be submitted to staff. Evans reported that the renewal period ended on January 30, 2019 with approximately 3,700 out of 4,500 licenses renewed and 782 licenses that were lapsed. Evans recognized staff for their hard work during the renewal period. Evans reported that staff is currently working on enhancements and improvements for DataPro, and will start 2019 errors & omissions insurance and continuing education audits this month. Evans informed the Commission that he is continually building accessible resources within the Google shared drive, such as travel payment and meal reimbursement updates. Evans also reported that he received a report from the Consumer Federation of America with the hopes that the respective Commissions will assist consumers in the understanding of the role of real estate agents in real estate transactions.

ARELLO

Motion by Telford for the Commission to approve sending Evans, Lundquist, Commissioner Duggan, and Commissioner Stolk to the 2019 ARELLO Mid-Year Meeting.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Communications

After discussion, **Motion by Telford to grant waiver 19-01.** The petitioner, who is a licensed attorney in Iowa since 2012, asked the Commission for a waiver of 193E Iowa Administrative Code §§ 4.1(9) & 16.2(1) and the requirement that a newly licensed salesperson complete the required sixty (60) classroom or computer-based hours of real estate principles and practices. Iowa Code § 543B.15(8) requires that a salesperson applicant complete at least thirty hours of real estate education during the twelve months prior to taking the salesperson examination, consequently, the Commission does require that at the time of the application for licensure, the Petitioner provide evidence of completion of 12 hours of Developing Professionalism and Ethical Practices, 12 hours of Buying Practices, and 12 hours of Listing Practices. If the petitioner has not obtained a passing score report on the real estate salesperson examination or before August 31, 2019, this waiver shall expire and will be deemed withdrawn.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Public Comment

McLaughlin reported the finalization of the Iowa Association of Realtor's move to 5950 Village View Drive #100, West Des Moines, Iowa. McLaughlin reported that there was a Director of Board meeting today at IAR's Winter Meetings and that the IAR Summer Meetings were scheduled for June 2019, to be held in Carroll, Iowa.

Closed Session

Motion by Telford to enter into closed session pursuant to Iowa Code §§ 21.5(1)(a), 21.5(1)(d), 21.5(1)(f) and 543B.15(9) to review pending licensee discipline cases and investigations, including any cases ready for final resolution through closure or consent order.

Seconded by Kimes.

VOTE: Roll call: DeMott, aye; Duggan, aye; Kimes, aye; Stolk, aye; and Telford, aye.

Motion passed unanimously.

The Commission entered into closed session at 9:25 a.m. and arose from there at 10:30 a.m.

Open Session

Motion by Kimes to return to open session.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to accept the signed settlements and/or consent agreements for the cases discussed in closed session and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed Settlement Agreements/Consent Agreements for the following cases: 18-084, 18-094, and 18-236.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Kimes to find probable cause for the cases discussed in closed session and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed Settlement Agreement for IREC Case No. 18-140.

Seconded by Telford.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Kimes to grant licensure for the following cases: 18-239, 19-007, and 19-011.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to enter into a Consent Agreement with the Applicant, with Executive Officer Evans signing on behalf of the Commission and then grant licensure when all other licensing requirements have been met for the following cases: 19-002, 19-003, 19-016, and 19-018.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to find probable cause for the following cases: 18-226, 19-009, 19-010, and 19-019 as discussed in closed session.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Motion by Telford to close the following cases: 18-224, 18-225, and 18-227 as discussed in closed session.

Seconded by Kimes.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 18-082 and the allegations of the unlicensed practice of real estate.

Motion by Telford to accept the signed consent agreement and cease and desist order and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed agreement.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Discussion was held re: IREC Case No. 18-083 and the allegations of the unlicensed practice of real estate.

Motion by Telford to accept the signed consent agreement and cease and desist order and to authorize Duggan (Chair), Stok (Vice Chair), or Evans (Executive Officer) to sign the accepted, signed agreement.

Seconded by DeMott.

VOTE: Aye: All Nay: None Abstaining: None

Motion passed unanimously.

Future Meetings

Future IREC meetings are tentatively scheduled as follows:

Investigation Committee

Wednesday, March 6
Wednesday, April 3
Wednesday, May 1
Wednesday, June 5
No July Meeting
Wednesday, July 31
Wednesday, September 4
Wednesday, October 2
Wednesday, November 6
Wednesday, December 4

Commission Meetings

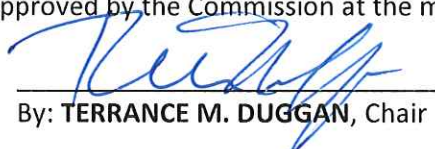
Thursday, March 7
Thursday, April 4
Thursday, May 2
Thursday, June 6
No July Meeting
Thursday, August 1
Thursday, September 5
Thursday, October 3
Thursday, November 7
Thursday, December 5

Meeting Adjourned

With all agenda items covered, the meeting adjourned at 10:40 a.m.

These minutes accurately reflect the minutes approved by the Commission at the meeting on:

3-7-19
Date


By: TERRANCE M. DUGGAN, Chair

Iowa Real Estate Commission Staff Report – Year-End 2018 February 7, 2019 IREC Meeting

LICENSING TOTALS:

	<u>Salespersons</u>	<u>Brokers</u>	<u>TOTAL IND. LICENSES</u>	<u>FIRMS</u>
Active	6,500	3,041		
Inactive	1,604	461		
Suspended	13	20		
TOTAL	8,117	3,522	11,639	1,098

EXAMINATIONS ADMINISTERED BY PSI:

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Broker	296	296	298	324	315	281
Salesperson	2,040	2,091	1,796	1,638	1,501	1,212

BROKERS & SALESPERSONS PROCESSED APPLICATIONS:

	<u>Year To Date</u>
2010	604
2011	562
2012	625
2013	835
2014	845
2015	972
2016	1,031
2017	978
2018	1,035

	<u>Salespersons</u>	<u>Brokers</u>	<u>TOTAL SALESPERSON & BROKER LICENSES ISSUED (YTD 2018)</u>
Exam	799	77	
Rule 5.3	89	35	
Reciprocity	15	20	
TOTAL	903	132	1,035

TOTAL FINGERPRINTS SUBMITTED TO FBI & DCI

<u>Turnaround Time (Days)</u>		<u>2018</u>
Minimum	7	Total Processed 1,291
Maximum	157	
Average	13	

AUDITS:

	<u>Year To Date Totals</u>
Continuing Education	172
E & O	577
Trust Account	361

PERCENTAGE OF NONCOMPLIANCE FOR E&O AND CE AUDITS:

<u>Year</u>	<u>E&O</u>	<u>Continuing Education</u>
2012	21%	5%
2013	11%	3%
2014	4.8%	1.8%
2015	15.9%	3.2%
2016	23.44%	4.7%
2017	17.87%	2.9%
2018	4.16%	0.59%

INVESTIGATIONS/CONTESTED CASE HEARINGS/DISCIPLINARY ACTION:

	<u>Year To Date Totals</u>
Complaint Cases Opened YTD	249
<u>Commission Action:</u>	
Closed	70
Closed and Granted License	11
Closed with Informal Cautionary Letter	25
Signed Informal Settlement Agreements	80
Signed Applicant Consent Agreements	12
Signed Cease and Desist by Consent Agreement	3
Statement of Charges Filed	1
License Denials	1
Formal Hearings	-
Total	178
<u>IREC Staff Action:</u>	
Closed	55
License Suspension	3
Total	58
Complaint Cases Closed YTD	236
Average Amount Of Time (Open To Close)	144 Days

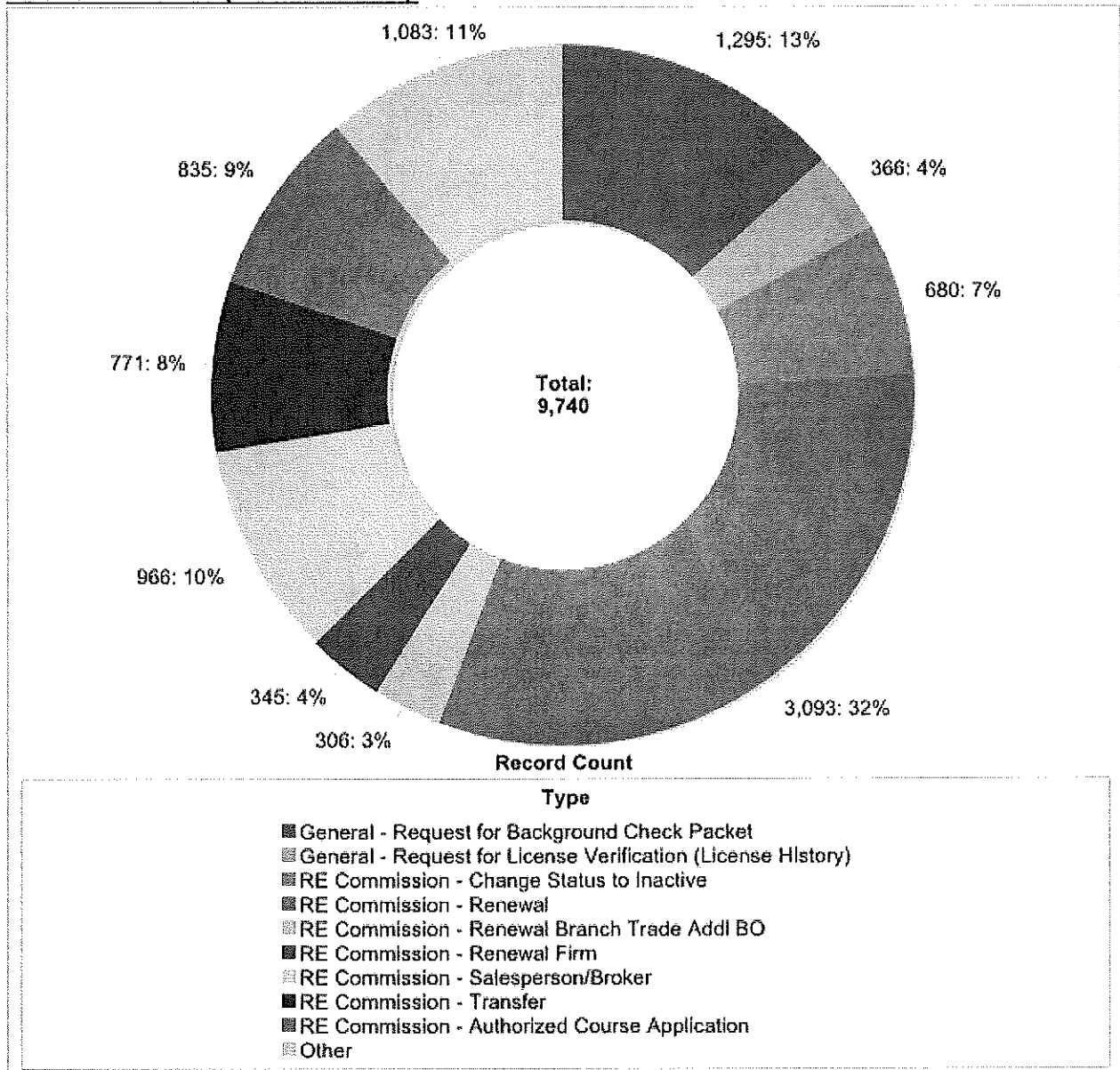
Disciplinary Action Totals:

Civil Penalties Assessed	\$97,250
Continuing Education Hours Assessed	172
CPA Audits Assessed	2
Trust Account Reexaminations Assessed	5
Probations Assessed	2
Suspensions Assessed	2
Revocations/Voluntary Surrenders	1
Statement of Charges Filed (Outstanding)	1

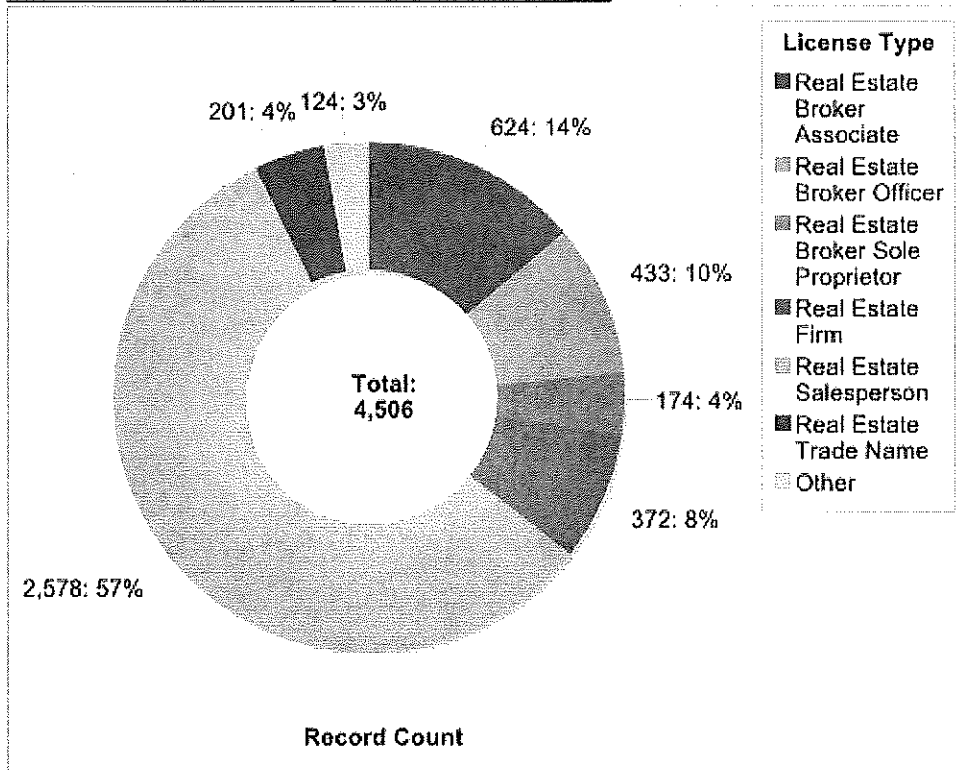
REAL ESTATE EDUCATION REPORT:

	<u>Year To Date Totals</u>
Course Approvals (New/Renewed)	819
Instructor Approvals (New/Renewed)	103
Provider Approvals (New/Renewed)	22
Pre/Post Course Approvals	61
Denied Courses	-

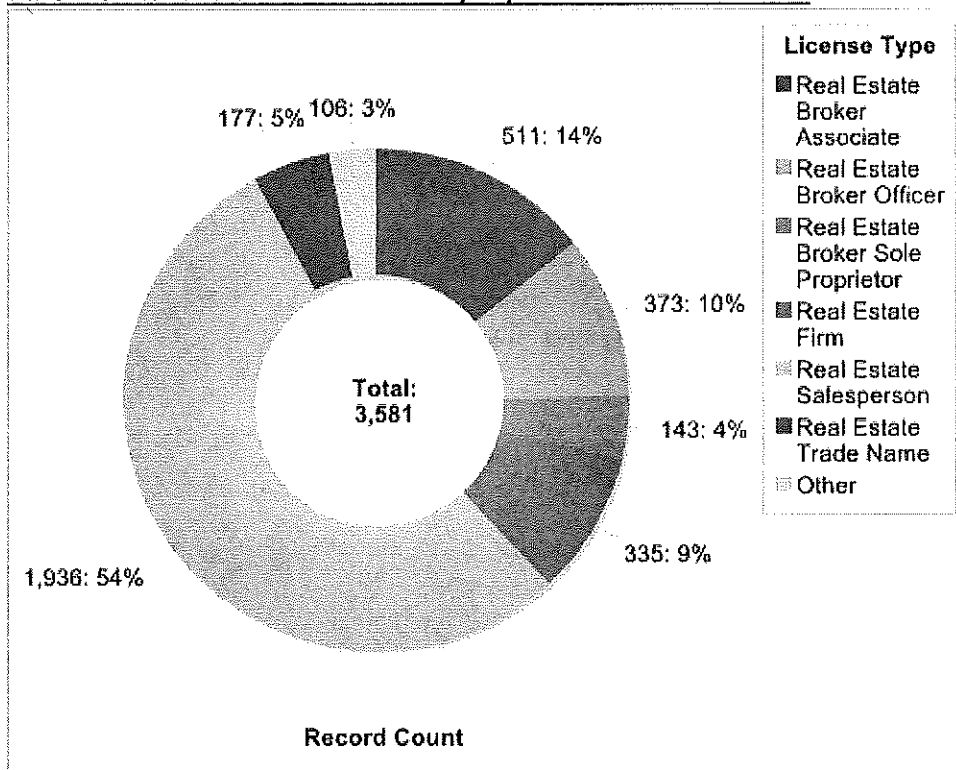
IREC APPLICATIONS (2018 YEAR-END):



IREC LICENSES WITH 12/31/18 EXPIRATION DATE:



IREC LICENSES RENEWED WITH 12/31/18 EXPIRATION DATE:



**Iowa Real Estate Commission
Staff Report – As of 01/31/19
February 7, 2019 IREC Meeting**

LICENSING TOTALS:

	<u>Salespersons</u>	<u>Brokers</u>	<u>TOTAL IND. LICENSES</u>	<u>FIRMS</u>
Active	6,408	3,015		
Inactive	1,239	240		
Suspended	12	20		
TOTAL	7,659	3,375	11,034	1,083

EXAMINATIONS ADMINISTERED BY PSI:

	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>
Broker	296	296	298	324	315	281
Salesperson	2,040	2,091	1,796	1,638	1,501	1,212

BROKERS & SALESPERSONS PROCESSED APPLICATIONS:

	<u>Year To Date</u>
2011	562
2012	625
2013	835
2014	845
2015	972
2016	1,031
2017	978
2018	1,035
2019	125

	<u>Salespersons</u>	<u>Brokers</u>	<u>TOTAL SALESPERSON & BROKER LICENSES ISSUED (YTD 2019)</u>
Exam	108	8	
Rule 5.3	8	-	
Reciprocity	1	-	
TOTAL	117	8	125

TOTAL FINGERPRINTS SUBMITTED TO FBI & DCI

<u>Turnaround Time (Days)</u>		<u>2019</u>
Minimum	12	Total Processed 119
Maximum	19	
Average	17	

AUDITS:

	<u>Year To Date Totals</u>
Continuing Education	-
E & O	-
Trust Account	44

PERCENTAGE OF NONCOMPLIANCE FOR E&O AND CE AUDITS:

<u>Year</u>	<u>E&O</u>	<u>Continuing Education</u>
2013	11%	3%
2014	4.8%	1.8%
2015	15.9%	3.2%
2016	23.44%	4.7%
2017	17.87%	2.9%
2018	4.16%	0.59%
2019	N/A	N/A

INVESTIGATIONS/CONTESTED CASE HEARINGS/DISCIPLINARY ACTION:

	<u>Year To Date Totals</u>
Complaint Cases Opened YTD	22

Commission Action:

Closed	-
Closed and Granted License	-
Closed with Informal Cautionary Letter	-
Signed Informal Settlement Agreements	-
Signed Applicant Consent Agreements	-
Signed Cease and Desist by Consent Agreement	-
Statement of Charges Filed	-
License Denials	-
Formal Hearings	-
Total	-

IREC Staff Action:

Closed	7
License Suspension	-
Total	7
Complaint Cases Closed YTD	7
Average Amount Of Time (Open To Close)	115 Days

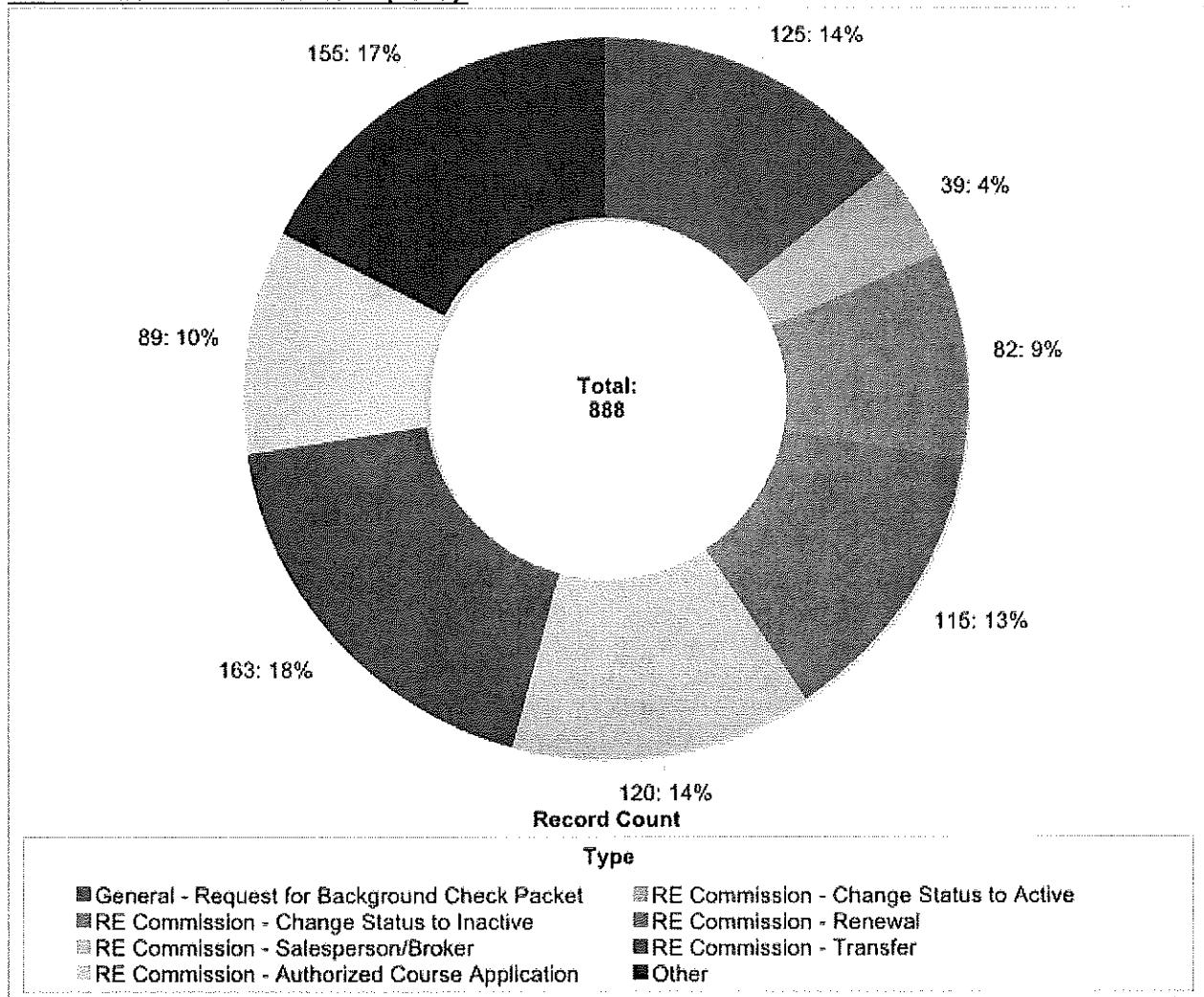
Disciplinary Action Totals:

Civil Penalties Assessed	\$ -
Continuing Education Hours Assessed	-
CPA Audits Assessed	-
Trust Account Reexaminations Assessed	-
Probations Assessed	-
Suspensions Assessed	-
Revocations/Voluntary Surrenders	-
Statement of Charges Filed (Outstanding)	-

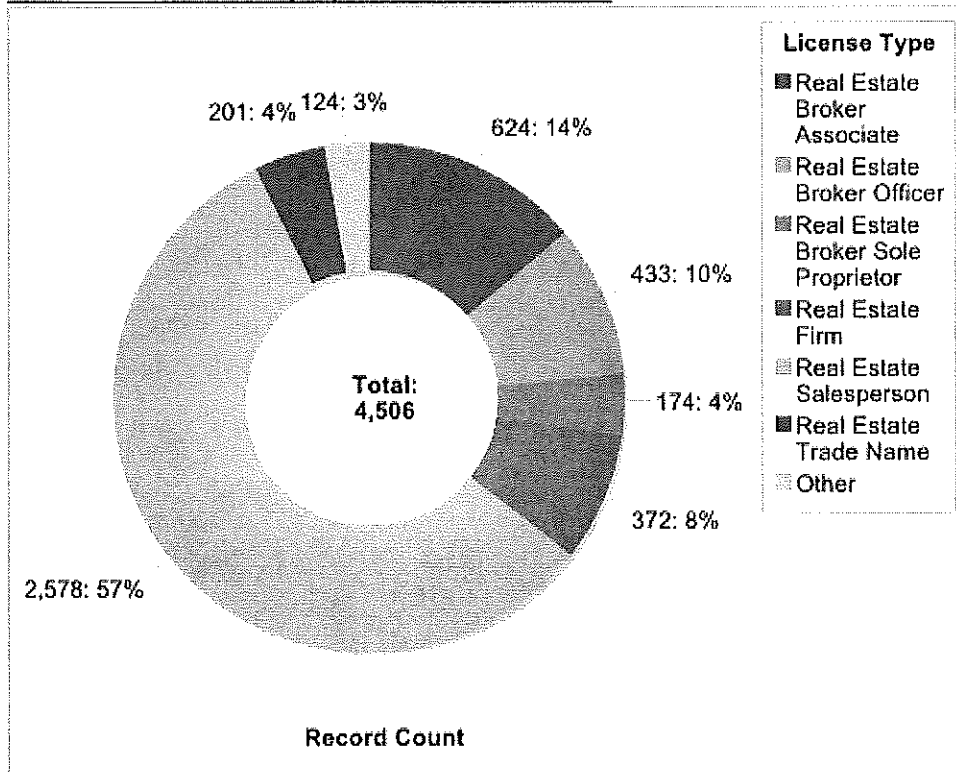
REAL ESTATE EDUCATION REPORT:

	<u>Year To Date Totals</u>
Course Approvals (New/Renewed)	37
Instructor Approvals (New/Renewed)	9
Provider Approvals (New/Renewed)	2
Pre/Post Course Approvals	-
Denied Courses	-

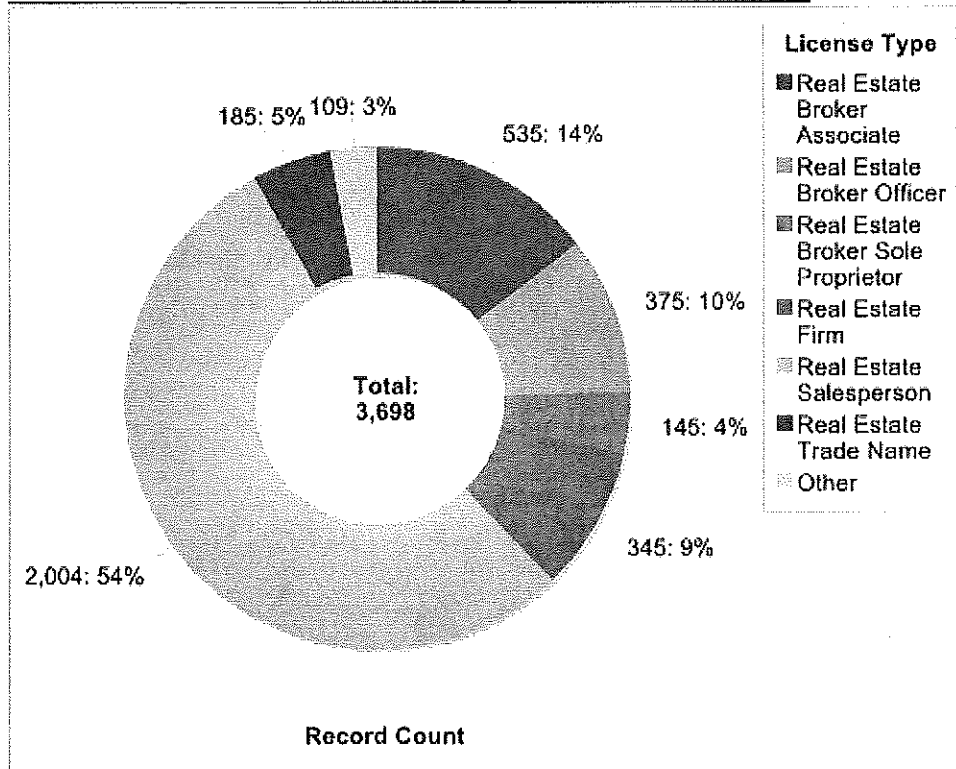
IREC APPLICATIONS PROCESSED (2019):



IREC LICENSES WITH 12/31/18 EXPIRATION DATE:



IREC LICENSES RENEWED WITH 12/31/18 EXPIRATION DATE:



IREC LICENSES LAPSED ON 01/01/19 WITH 12/31/18 EXPIRATION DATE:

