



COMMENTS FROM THE COMMISSION CHAIR

BY KELLY FISHER

Kudos To Bank Tellers:

A man walked into the downtown *Bank of America* and on the back of a deposit slip wrote, “this iz a stikkup. Put all your money in this bag.” While standing in line, waiting to give his note to the teller, the man began to worry that someone may have seen him write the note and might call the police before he could reach the teller. So, the criminal left the *Bank of America* and walked across the street to *Wells Fargo*. After waiting in line for several minutes there, he handed his note to a teller. After reading it, the teller determined that this robber was perhaps a few sandwiches short of a picnic. She told him that because his note was written on a *Bank of America* deposit slip, she could not honor his demand. He would either have to fill out a *Wells Fargo* withdrawal slip or go back to *Bank of America*. Feeling defeated, the man said he understood and left. The *Wells Fargo* teller promptly called the police, who arrested the man a few minutes later-still waiting in line at the *Bank of America*.

Some of you may be asking yourself the question, “ what does this have to do with real estate?” These are my top five responses (I couldn’t come up with ten, please feel free to email me with any suggestions):

5. This criminal was trying to cover the Earnest Money check he gave you before your broker has it deposited.
4. This is a lesson on using the proper form when writing up an agreement.
3. This criminal was merely attempting to provide his own loan modification program.
2. This criminal was following your instructions about staging/fixing his home but didn’t have any of his own funds to do so.
1. This criminal was one of your clients just trying to come up with the down payment for the property he wrote up with you last week.

My Admission:

Okay, I admit, I am only trying to fill in space. Our Administrative Assistant gave me plenty of notice to complete this article and I find myself confined to a computer on Memorial Day. I need to be paying my respect to ancestors and military, throwing Frisbees in the park and flipping hamburgers on the grill.

Alas, My Report:

It is my pleasure to serve the great people of Idaho as Chair of the Idaho Real Estate Commission. We have many wonderful licensees that provide a tremendous benefit to the public who have real estate needs. As we provide those benefits and want to always go the “extra mile”, we sometimes overstep our boundaries and perhaps at times, unknowingly. The following is a list of the most recent issues:

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Operator.....dial "0" or stay on the line



EXECUTIVE DIRECTOR'S REPORT

SONGS FROM THE COMMISSION'S I-POD VOL. III

BY JEANNE JACKSON-HEIM

Lean on Me

A song that has been recorded by various artists through the years relates to a question that comes up at the IREC office from time to time: Can a licensee place a lien on property in order to secure payment of a real estate commission? The answer is "No".

Idaho law grants statutory lien rights to persons who provide labor "in the construction, repair or alteration" of buildings, or in improving land – commonly referred to as mechanic's liens. (See Idaho Code 45-501.) Architects and licensed surveyors are also expressly granted lien rights for the performance of certain licensed activities for the benefit of real property. Performance of licensed real estate services does not fall within the meaning of this statute, however, and licensees have no statutory right to place a lien on someone's property for real estate services.

If there is no statutory authority for a lien, then liens may be filed against real property *only* if the parties have signed a specific written agreement to allow this process to secure unpaid obligations.

Liens that are not authorized either by statute or contract are called "common law liens", and they are not legal in Idaho. In fact, the Idaho Legislature passed legislation specifically prohibiting what they termed "nonconsensual common law liens". The 1996 law provides that **minimum statutory damages of \$5,000, plus costs and attorney fees**, can be imposed against anyone who records such a lien. (See Idaho Code 45-1701 through 45-1705.) A person who records a nonconsensual common law lien may also be liable for additional damages in an action for slander of title.

Changes in Latitudes, Changes in Attitudes

Calling all Parrotheads! This Jimmy Buffett song refers to changes for some new Idaho broker licenses. Effective July 1, 2010, an Idaho salesperson who obtains a broker license will keep the same renewal date as his previous salesperson license and have the benefit of a full 2-year license renewal period. That means any education taken during that 2-year renewal period will count for CE to renew the license, even if it is broker prelicense education.

This only applies to those who are already licensed as an Idaho salesperson at the time of the broker license application. For first-time Idaho licensees, the first broker renewal period will remain less than 2 full years – that is, one year plus the months through the licensee's birth month.

If you have any questions about your CE requirements, please contact the Education Department before you renew to make sure you will be in compliance.

Rhapsody in Blue

This Gershwin classic refers to the IREC Agency Disclosure Brochure, or "blue brochure". There are no changes to the July 2009 version of the "blue brochure", so the same version will be in effect again this year. The Real Estate Commission has a supply of printed Agency Disclosure Brochures available for sale, or you may download the brochure free from the IREC website. The brochure is also available through IAR®'s PC Forms. By the way, if you download the brochure from the computer, it does not have to be printed on blue paper.

AUDIT HONOR ROLL

Richard John White, Richard J. White
Real Estate, LLC: Re/Max River Cities,
Lewiston

Teresa Lynn Kamerrer, Parkview Real
Estate, P.L.L.C., Clarkston,

Kathryn Kay Donahue, The Lawson
Company Real Estate Professionals, LLC,
Boise

Timothy Charles Graver, Prime Inc,
Meridian

James L Boyd, J L Boyd Company, Boise

Robin L Moffitt, Gold Star Realty, Inc.,
Nampa

Marcelino "Marce" Barrera, Homes
Online Real Estate, Inc., Homes Online
Realty, Nampa

Steve M Lewis, Lewis Estate Brokerage,
Boise

John August Vogt, Vogt Real Estate, Inc.,
Eagle

Barton H Ballantyne, Barton H Ballantyne
Real Estate, Boise

Matthew Lynn "Matt" LeBaron, Trust
Real Estate Group, LLC, Trust Realty,
Nampa

Randy D Ware, Gold Key Inc., Gold Key
Real Estate, Boise

Russell L Stanley Jr., Lebois Realty, Boise

Ronda Sue Conger, CBH Sales &
Marketing, Inc., Meridian

Tami Jo McHugh, Heritage Real Estate,
LLC, Meridian

Jason Gray Smith, Richard B. Smith Real
Estate Inc., Windermere Real Estate/
Richard B. Smith Inc., Boise

David A Hunt, Boise Real Estate Store,
Inc., The Boise Real Estate Store, Boise

Clayton Edward "Clay" Nannini, Westerra
Group Inc., Westerra Real Estate Group,
Twin Falls

Honor Roll continued on page 4

AUDIT HONOR ROLL

continued from page 3

John P Merrigan, River Bridge Realty, Inc., Burley

Carla Shockey, Advantage 1 Realty, LLC, Advantage 1 Realty, Burley

Jared Christensen, Christensen Cornerstone Realty, Idaho Falls

Werner Rosenbaum Jr., Re/Max Country Real Estate Inc., Pocatello

Gordon L Wilks, Gate City Real Estate Co., Pocatello, Inc., Gate City Real Estate Company, Pocatello

Jerilyn Rindfleisch, Idaho 1st Class Properties, Idaho Falls

Edward O Adolfsen, Cedar Hills Realty, Inc., Firth

Mark Kendall Call, Idahoan Realty, Blackfoot

John M Fairchild, Heartland Real Estate Inc., Blackfoot

Larry Morgan Kelsey, River Valley Real Estate Inc., Blackfoot

ONLINE LOTTERY WINNERS!

December 2009 -- Michael P. Green, SP36681, Century 21 Whitewater Clark, McCall

January 2010 -- Robert D. Little, SP23233, an inactive Salesperson

February 2010 -- Sheryle L. Scott, SP9025, an inactive Salesperson

March 2010 -- Terri Karnes, SP23569, an inactive Salesperson

April 2010 -- Louise C. Howard, SP33331, RE/Max Country Real Estate Inc., Pocatello

May 2010 -- Katie M. Guerricabeitia, Windermere Real Estate/Capitol Group Inc., Boise



EDUCATION COUNCIL COMMENTS

ICE CREAM CONES BY DONNA CAPURSO



Knowledge is a precious commodity and must be nurtured to be of value. No one can know everything about any one thing, nor can anyone know something about everything. The exception to that of course is a teenager. They know everything about everything. Just ask them. How do I know that? Well, when you raise five kids, four girls and a boy, you learn a lot. When the youngest was thirteen and the oldest, my son, was nineteen, my parental learning experience was non-stop. One thing I learned when we had five teenagers at one time is that we survived and **nothing** scares me anymore! I also learned, not from a book but from experience, how to negotiate. Just try having one phone and one bathroom for four teenage girls.

IREC Education Council recommended the continuance of the free CORE classes throughout the state, and the Commissioners have approved our recommendation.

The things we learn in our everyday personal life can, and should, help us in our profession as real estate licensees. If you take a real estate class and you go home thinking what great ideas you heard, but instead of implementing those ideas, they get filed in a folder to take a look at later, then you defeated the time, effort, and money you spent on the class you took.

Knowledge not used will quickly be forgotten. To me, information is like an ice cream cone. Whether you lick it slowly or gobble it down quickly before it melts, you will have consumed the ice cream so you have it inside you. Did you eat it simply because you like ice cream or because you were hungry? I had a friend once that really didn't care for ice cream but she had a physical condition where she couldn't gain

weight. She ate ice cream everyday because it had lots of calories and she still looked like she would disappear if she turned sideways. I always envied that. Me? I look at an ice cream cone and gain five pounds. But if you get an ice cream cone and simply hold it and watch it melt and drip onto the ground, why bother to get it in the first place? Education is the same way. Did you take a class because you enjoy learning or were hungry for knowledge? Perhaps you took it because you had to keep

your continuing education up to date for your license renewal. Or, like the melting ice cream cone, you didn't bother to take your continuing education in a timely manner, so you took something at the last minute simply because you had to get your hours in and could not have cared less

what the course was all about. And of course there are those that missed the ice cream truck as it went by altogether, and end up paying for our free CORE classes through civil penalty fine money because they missed their renewal deadlines.

And speaking of civil penalty fine money, the IREC Education Council recommended the continuance of the free CORE classes throughout the state and the Commissioners have approved our recommendation. There will be 45 free CORE classes offered during the upcoming fiscal year. The CORE provides valuable, relevant topics including law and legislation updates that every licensee should be aware of. One CORE is required for your license renewal, but if you take a second CORE during your renewal period this will count as part of your required 16 hours

See Ice Cream Cones continued on page 10



EDUCATION UPDATE

DID YOU KNOW...
 BY MICHELL BIRD
 EDUCATION DIRECTOR

Each month licensees call our office with questions regarding their continuing education. We always welcome your questions but did you know, many of them can be answered by visiting our online services at the IREC website, www.irec.idaho.gov? There, licensees can review their continuing education records, search course schedules, search for provider information, and check the Commission meeting schedule.

Did you know if you take two different Idaho Commission Core courses in a licensing period one will count for an elective course and the other will count as your required Core? IREC does not require licensees to take the core course twice in a licensing period, but it is recommended. It is a great way to stay up to date in today's constantly changing real estate industry.

If the Core courses are not the same number of hours, then the Core course with the higher number of education hours will count toward the elective requirement, and the Core course with the lower number of hours will count toward the Core requirement. For example, if you take the Commission Core 2010 course (4 credits) and the Commission Core 2009 (3 credits) during the same license period, then the Core 2010 course will count as an elective course worth 4 credits and the Core 2009 course will count as your Core requirement.

You won't want to miss Core 2010. It contains new case law, legislative updates, and hot topics. This year's hot topics include Short Sale Fraud and Technology and Risk Management. Through an award of civil penalty fine money under Idaho Code 54-2059(4), 45 FREE Core 2010 courses will be offered around the state to all Idaho licensees. Postcards will again be mailed out to all licensees announcing these scheduled FREE Core courses; so watch for them.

Did you know courses taken to earn professional designations from a national organization in specialized areas of licensed real estate practice will be accepted for continuing education credit? The pre-approved designation courses are listed under the Education Search on the Commission website. If a pre-approved designation course is not offered through an Idaho certified provider, licensees wishing to receive credit can submit course completion certificates to IREC using the Licensee Request for CE Credit form (REE-153), also found on IREC's website.

Did you know you can get CE credit for attending a Commission meeting? You must arrive on time and attend 100% of the meeting until you are excused by the Commission Chair. You will receive a maximum of 4 hours of CE credit for attending a regularly-scheduled Commission meeting in any one license period. The number of CE credits awarded is based on the length of the meeting and when the Commission Chair excuses you.

Now you know, Idaho licensees have many options available to them to satisfy these CE credits, so take the time to check out our website for more education information.

DISCIPLINARY ACTIONS

November 1, 2009 -- April 30, 2010

Formal Actions taken by the Real Estate Commission

English, Jared - Works at a brokerage along the Utah border, and does not hold an Idaho license. English procured listings of Idaho property and entered them into the MLS. Stipulated to violation of Idaho Code section 54-2002 - unlicensed practice of real estate. Ordered to pay a \$500 civil fine and reimburse the Commission \$300 for costs and attorney's fees.

Plunkett, Donald Owns a brokerage on the Utah border. Plunkett holds an Idaho license. Jared English works for Plunkett but only holds a Utah license. English procured listings of Idaho property and entered them into the MLS. Plunkett stipulated to violation of Idaho Code sections 54-2038(3) - allowing an unlicensed person to represent the brokerage; 54-2050(1)(d) - preparing a representation agreement that did not include the fees to the brokerage; and 54-2053(1) - allowing someone who is not licensed to appear in advertising of Idaho property for sale. Issued a Formal Reprimand; ordered to pay a \$750 civil fine and to reimburse the Commission \$300 for costs and attorney's fees.

Hymas, Tanya M. Sold her own property short sale. Used Cudmore as the listing agent to hide the commission she would receive from her mortgage holder. She also created a business that acted as a "loss mitigation negotiator" and filtered more money to herself. Stipulated to violation of Idaho Code sections 54-2054(9) - accepting a real estate fee from someone other than her designated broker; 54-2060(2) - a continued or flagrant course of misrepresentation; and 54-2060(11) - dishonest or dishonorable dealings. Issued a Formal Reprimand; ordered to pay a \$5,000 civil fine; required to reimburse the Commission \$300 for the costs and attorney's fees; required to successfully complete a live Real Estate Law course and issued a six month withheld suspension

Disciplinary Actions continued on page 6

that may be imposed at any time within 12 months if she fails to comply with the terms of the Final Order or violates any other license law.

Cudmore, Stacie J. Posed as the listing agent for a licensee who was selling her own property in a short sale transaction. She accepted \$500, and the bulk of the sales commission went to the other licensee. The mortgage holder required the seller, who was the other licensee, to receive no monies from the short sale transaction. She stipulated to violation of Idaho Code section 54-2060(12) - reckless conduct in a regulated real estate transaction. Issued a Formal Reprimand; ordered to pay a \$500 civil fine; required to reimburse the Commission \$300 for the costs and attorney's fees; and must successfully complete a live Business Conduct and Office Operations class.

Pearson, Gary Had his license revoked 2/27/09. He continued to act without a license. Stipulated to violation of Idaho Code section 54-2002 - unlicensed practice. Ordered to pay a civil fine of \$5,000 and to reimburse the Commission \$300 in costs and attorney's fees.

Pearson, Timothy P. "Timm" Allowed a person whose license was revoked, to engage in unlicensed practice on behalf of the brokerage. Stipulated to violation of Idaho Code sections 54-2028(1)(a) - failure to supervise his unlicensed personnel; 54-2038.(3) - allowing a person who is not licensed to represent the brokerage; 54-2053(4) - providing information to the public which is misleading in nature; 54-2060(2) - engaging in a flagrant course of misrepresentation for participating in a cover up to conceal these activities from the Real Estate Commission. Issued a Formal Reprimand; ordered to pay a civil fine of \$2,500; required to reimburse the Commission \$200 for the costs and attorney's fees; required to successfully complete a live Real Estate Law class and a live Brokerage Management class. In addition, his license is revoked, but that revocation is withheld provided he complies with the terms of the Final Order and violates no other license law. He is subject to this "probationary" revocation until 12/23/2012.



ENFORCEMENT DEPARTMENT

UNLICENSED PRACTITIONERS BY CRAIG BOYACK CHIEF INVESTIGATOR

The Enforcement Department is currently investigating many cases where Idaho licensees are cooperating with the unlicensed practice of real estate. This article will key on two common situations, but they are by no means the only possibilities. This kind of cooperation can subject licensees to violations for bird dogging, reckless conduct, failure to supervise, and misleading advertising.

It is commonplace now that large commercial brokerages do not want to let go of their corporate clients when one of them crosses state lines. Keep in mind that brokering Idaho real estate requires an active Idaho real estate license. A licensee from outside Idaho can seek a referral fee, but that is all they are allowed to do.

Many outside brokers are listing Idaho properties for sale, and approaching Idaho licensees to assist with the sale. There seems to be a feeling that as long as an Idaho licensee is involved, everything is legal. Nothing could be further from the truth.

The only appropriate method is for the Idaho licensee to list and promote the property. The Idaho broker can pay a referral fee to an outside brokerage when applicable.

It is illegal for the outside brokerage to advertise the property for sale too; procuring buyers for Idaho property is unlicensed practice. Some Idaho brokers have gotten in trouble for advertising agents that are not licensed with their brokerage.

We are also seeing unlicensed referral companies operating in Idaho. Many of these companies are not only unlicensed in Idaho, they are not licensed anywhere. Under Idaho law it is illegal to procure buyers or sellers of real property without an active Idaho real estate license. Many of these companies require a fee whether the referral closes a transaction or not.

Always verify that someone who offers a referral has an active real estate license somewhere. A licensee from outside may have a client who sold and is moving to Idaho; a referral arrangement for this new buyer is acceptable under these circumstances. Anyone using lead generation software, and selling leads without any license at all, is probably guilty of unlicensed practice.

Unlicensed practitioners are not trained in real estate matters. They certainly don't know anything about Idaho laws. They place the public at risk for these reasons. They also take away legitimate opportunities, and possibly fees, from honest Idaho licensees. Cooperating with unlicensed practice can subject Idaho licensees to discipline by the Idaho Real Estate Commission.

You can file a complaint against an unlicensed practitioner by contacting the Enforcement Department at the Idaho Real Estate Commission.



ENFORCEMENT DEPARTMENT

BREAKING UP IS HARD TO DO BY KIMBERLY KELLEY INVESTIGATOR

No matter what way you look at it, breaking up is hard to do. If you are an agent or a broker looking to change brokerages, close a brokerage or change designated brokers, here are a few things you might find helpful.

Contrary to popular belief, you cannot “transfer” a listing agreement from your old brokerage to your new brokerage, even if your old broker agrees to release the listing. Because the listing contracts in Idaho belong to the broker, you must get a signed cancellation from the broker and the sellers and execute a new listing agreement at your new brokerage. Brokers may not agree to release the listings, in which case the agent has no right to interfere with the contract and cause the sellers to cancel the agreement.

Brokers may legally pay an agent for work completed while licensed at the brokerage after an agent has moved his/her license to a new brokerage; however, once an agent moves his/her license, he/she may no longer work for the brokerage he/she left. This means all pending contracts stay with the old brokerage and the broker can finish the transaction themselves or assign the transaction to another agent in the office to complete. Although it is legal for the broker to pay an agent for past work, agents should not assume the split on the commission will be the same as if they were still licensed with the brokerage.

Be sure to check whether your E&O insurance transfers to your new office before you move your license. This will help you to avoid a gap in coverage and the inevitable fine and disciplinary action that would follow such a lapse. It is also important to ensure that your license is active at the new brokerage before you start working again. Our online licensing

system gives you immediate real time access to this information so that you can check your license status and know you are properly licensed and activated with your new broker before you perform any activities that require a license at your new brokerage.

When a brokerage closes or changes designated brokers, where the files and trust account records go depends largely upon the structure of the brokerage to begin with. If the brokerage was a sole proprietorship, then all records and files remain with the designated broker and the broker has the responsibility to supervise and complete all pending transactions. If there were listing agreements still active at the time of the closure, they are cancelled at the time the brokerage closes. The responsibility for retaining the files and trust account records remains with the designated broker.

If the brokerage is a corporation or other business entity, the designated broker can be removed and a new designated broker appointed. In this circumstance, the old broker leaves all files, trust account records and listings and the new broker assumes responsibility for supervision and record retention under the law from the time their license is activated as the new designated broker for the brokerage.

Perhaps the most important thing agents and brokers can do to ensure smooth business transitions is to have a good, written agreement that addresses all of these issues and how they will be handled if they occur during the business relationship. Think “prenup” for your real estate career. However you look at it, it is always more professional for everyone involved if you have a written agreement outlining the expectations of the parties

See Breaking Up continued on page 10

Riviello, Michael A. Intended to move his license to Poydenis Properties, but never actually filed the change with the Real Estate Commission. He worked under her brokerage for a number of months while still licensed at his own brokerage. Stipulated to violation of Idaho Code sections 54-2053(4) - misleading advertising by indicating his affiliation with Poydenis in the MLS data sheets for his listings; and 54-2040(4) - operating under Poydenis Properties while he was licensed elsewhere. Issued a Formal Reprimand; ordered to pay a civil fine of \$1,500; required to reimburse the Commission \$300 for the costs and attorney’s fees; and must successfully complete a live Real Estate Law class.

Poydenis, Lynn R. Riviello intended to move his license to Poydenis Properties, but never actually filed the change with the Real Estate Commission. He worked under her brokerage for a number of months while still licensed at his own brokerage. Poydenis stipulated to violation of Idaho Code sections 54-2040(5) - allowing Riviello to advertise on the MLS as an agent of her brokerage; and 54-2038(3) - allowing a person who is not properly licensed to represent the brokerage. Issued a Formal Reprimand; ordered to pay a \$1,500 civil fine; required to reimburse the Commission \$300 for costs and attorney’s fees; and must successfully complete a live Real Estate Law class.

Thomson, John Stipulated to violation of Idaho Code section 54-2002 - unlicensed practice. He brokered unregistered timeshares without a real estate license, and was not the owner of the timeshares. Ordered to pay a \$3,000 civil fine; and required to reimburse the Commission \$1,200 for costs and attorney’s fees.

Cabezud, Steve Stipulated to violation of Idaho Code section 54-2002 - unlicensed practice. He brokered unregistered timeshares without a real estate license, and was not the owner of the timeshares. Ordered to pay a \$3,000 civil fine and required to reimburse the Commission \$1,200 for costs and attorney’s fees.

Calvert, Jonathan P. Asked the listing agent for permission to give his buyer occupancy to a property prior to closing. The listing agent told him no. Calvert gave

Disciplinary Actions continued on page 8

occupancy to his buyer anyway. Stipulated to violation of Idaho Code sections 54-2060(3) - failure to account for property, 54-2060(12) - gross negligence or reckless conduct, and 54-2086(1)(c) - failure to account for property. Given a Formal Reprimand; ordered to pay a \$1,500 civil fine; and to reimburse the Commission \$300 for costs and attorney's fee.

Hayenga, Phillip D. He engaged in unlicensed practice on behalf of an unlicensed LLC. Stipulated to violation of Idaho Code section 54-2002 - unlicensed practice as defined by 54-2004(33)(a)(b) (c) and (d). Ordered to pay a \$5,000 civil fine and reimburse the Commission \$300 for costs and attorney's fees.

Pickett, Bradley K., Created Home Help Marketing LLC and did brokerage business under this company even though it was not licensed. He hired someone to procure sellers for Home Help Marketing, and paid him commissions for his efforts. Home Help Marketing was defrauding mortgage holders into lower payoffs than they would have agreed to, and flipping short sale properties for a profit. Pickett stipulated to violations of Idaho Code sections 54-2003(4) - attempting to evade the license law by conducting brokerage activity through his unlicensed LLC; 54-2040(4) - conducting business under a name other than the one in which the license was issued; 54-2051(4)(c), (d) and (g) - failure to include required elements in a Purchase and Sale Agreement; 54-2051(5) - failure to obtain the buyer's and seller's initials to all changes to a Purchase and Sale Agreement; 54-2054(2) - fee splitting with an unlicensed person; 54-2054(3) - paying finder's fees to an unlicensed person to induce that person to secure prospects; 54-2055(2) - failure to disclose his real estate license in a transaction where he was principal; 54-2060(1) - fraudulent misrepresentation for using false Purchase and Sale Agreements to induce mortgage holders to accept lower payoffs than they should have; 54-2060(11) - dishonest and dishonorable dealings for loan fraud against the mortgage holders; and 54-2060(12) - gross negligence and reckless conduct for having homeowners fill out blank transaction documents as prohibited under ICS 48-603(12). Given a Formal Reprimand; ordered to pay a \$5,000 civil fine; required to reimburse

Disciplinary Actions continued on page 9



LICENSING DEPARTMENT

DO YOU LIKE GIVING YOUR HARD EARNED MONEY AWAY?
BY NEAL BERNKLAU
LICENSING SUPERVISOR

A reminder to those licensees having Group E&O Insurance with Rice Insurance Services Company (RISC), your policy is due for renewal on October 1, 2010. Renewals will be mailed out to all individuals at their licensed business address on August 10, 2010. The premium cost will remain the same as last year at \$186. Between August 10 – October 1, 2010, you will be able to renew your E&O insurance either by mail or on the Internet at <http://www.risceo.com>. By 5:00 p.m MST/MDT on October 1, 2010, licensees that have not purchased E&O insurance and have an active license **will** be subject to fines and penalties.

Rule 121.03 Failure to Maintain Insurance. Any failure of a licensee to maintain errors and omissions insurance while on active license status, **regardless whether coverage is later obtained and made retroactive by the carrier**, shall constitute a violation of these rules, and shall be grounds for disciplinary action as provided in Sections 54-2059 and 54-2060, Idaho Code, including but not limited to the assessment of civil fines. **A late renewal is considered failure to maintain insurance and constitutes a violation of the law. (New language effective 3/29/10.)**

Procrastination Can Be Costly!

Would you procrastinate and lose that million dollar sale costing you several thousand dollars in commission?

Procrastinating to purchase E&O can be just as costly. You ask how?

If you have an active license and procrastinate in renewing your E&O insurance it could cost you a civil penalty fine with the Commission ranging from \$100 - \$5000, but even more dangerous, it could cause a gap in your insurance and not pay for a law suit from that house you sold a year ago. Say you received \$7,000 commission from that sale and now you are being sued. Does a \$1000 deductible sound better than \$25,000 + in damages and legal fees out of your own pocket?

A late E&O insurance renewal could possibly leave you in this type of position plus having to pay a fine to the Commission.

**Better to be safe than sorry!
Renew on-time!!**

~ In Memory ~

The Idaho Real Estate Commission
extends its deepest sympathies to the family of:

Marion John Voorhees
1917 - 2009

Commission's Executive Director
1956 - 1977



ASK HELENA?

REACTIVATION OR RENEWAL??? BY HELENA GUEST TECHNICAL RECORDS SPECIALIST I

There seems to be a bit of confusion for licensees on the difference between reactivating vs. renewing a license.

If your license is on Inactive status and you want to become Active again, this would be reactivating.

If you want to keep your license Inactive and it's time to pay your licensing fees, this is called renewing.

Whether you are reactivating or renewing an Active license, you need to make sure you have completed the Continuing Education (CE) requirement. The CE requirement is 16 hours of electives, plus an Idaho Commission Core course. You can find a schedule of CE courses through IREC's online services.

If you are renewing an Inactive license, you are not required to meet the CE requirement.

If you don't renew your license, whether Active or Inactive, it will expire. You may still renew your license after it expires by paying the renewal fee of \$160, along with the \$25 late fee.

If your license was ACTIVE upon expiration, you will also need to complete the Late License Renewal or Reactivation (LLR) along with your

license renewal. The LLR is now part of the online renewal and asks whether or not you had any real estate activity while your license was expired. If you had activity, you will have to pay a civil penalty fine along with your renewal fee and late fee, according to Idaho Code Section 54-2018(3).

You can only renew an expired license on INACTIVE status, whether online or in our office. Your broker has to reactivate your license online.

Make sure you have met all Continuing Education (CE) requirements and have errors and omissions insurance in effect before asking your broker to reactivate your license.

If you're the Designated Broker and have let your license expire, you will need to submit a "Notice of Real Estate License Change" form for reactivation. You will also need to submit the renewal fee and late fee for the company if you are reactivating a business entity.

One year after a license expires, it terminates and cannot be renewed.

If you have any licensing questions feel free to contact me directly at: 208-955-8472.

the Commission \$300 for the costs and attorney's fees; and his real estate license revoked effective 1/31/10.

Camberlango, Marty K. Prepared a Purchase and Sale Agreement that represented he was in possession of \$10,000 earnest money. He failed to collect the money and complainant was unable to demand the money from designated broker Reed. Stipulated to violation of Idaho Code Sections 54-2051(4)(b) - misrepresenting the earnest money in the Purchase and Sale Agreement; 54-2060(3) - failure to account by his failure to remit the transaction documents to Reed for almost 2 weeks; and 54-2086(1)(d) - failure to disclose an adverse fact to the seller about his inability to collect the earnest money. Given a Formal Reprimand; ordered to pay a \$1,500 civil fine; must reimburse the Commission \$300 for costs and attorney's fees; and must successfully complete a live Risk Reduction course.

Reed, Kenneth W. Reed's licensee, Camberlango, prepared a Purchase and Sale Agreement that represented he was in possession of \$10,000 earnest money. Camberlango failed to collect the money, and the complainant was unable to demand the money from Reed. Stipulated to violation of Idaho Code Sections 54-2038(1)(a) - failure to supervise his agent after learning an accepted contract existed and the earnest money was not in possession; 54-2038(1)(b) - failure to review and approve the transaction after learning of its existence, and 54-2044(2) - for failure to create a ledger card and assign a transaction number. Given a Formal Reprimand; ordered to pay a \$500 civil fine; must reimburse the Commission \$300 for costs and attorney's fees; and must successfully complete a live Business Conduct and Office Operations course.

Cervantes, Leon The Cervantes assisted as dual agents with a sale where the owner carried paper. They failed to remit the contract and transaction fees to their designated broker for over 6 months. They also did not conduct the closing through a title company. The buyer moved into the home with no mortgage documents in place and nothing more than a Purchase and Sale contract for over 6 months. Stipulated to violation of Idaho Code sections 54-2060(3) - failure to account for

Disciplinary Actions continued on page 10

LICENSE STATS

As of May 1, 2010

Active (Broker and Sales)	7609
Active Brokers	2156
Active Sales	5453
Inactive (Broker and Sales)	3157
Inactive Broker.....	475
Inactive Sales	2682
Active Companies	1185

and remit the transaction documents and transaction fees to the broker for over 6 months; 54-2060(12) - gross negligence or reckless conduct; and 54-2087(2) - failure to exercise reasonable skill and care on behalf of their buyer and seller clients. Given a Formal Reprimand; ordered to pay a \$1,500 civil fine; must reimburse the Commission \$300 for costs and attorney's fees; and must successfully complete a live Broker Management class.

Cervantes, Tamara The Cervantes assisted as dual agents with a sale where the owner carried paper. They failed to remit the contract and transaction fees to their designated broker for over 6 months. They also did not conduct the closing through a title company. The buyer moved into the home with no mortgage documents in place and nothing more than a Purchase and Sale contract for over 6 months. Stipulated to violation of Idaho Code sections 54-2060(3) - failure to account for and remit the transaction documents and transaction fees to the broker for over 6 months; 54-2060(12) - gross negligence or reckless conduct; and 54-2087(2) - failure to exercise reasonable skill and care on behalf of their buyer and seller clients. Given a Formal Reprimand; ordered to pay a \$1,500 civil fine within 30 days; required to reimburse the Commission \$300 for costs and attorney's fees; and must successfully complete a live Broker Management class within 6 months.

The following licensees stipulated to violation of Idaho Code sections 54-2023(1)(a) and 54-2060(7) – failure to obtain Continuing Education in a timely manner and 54-2060(7) – misstatement in the application for renewal of a real estate license. They paid the civil fine amount shown. A “***”, denotes a second time violation, and therefore the fine was doubled. Unless otherwise noted, all are located in Idaho.

- Adams, Wendy D.**, salesperson in Boise - \$750
- Amen, Jeannie R.**, salesperson in Boise - \$300 - **
- Anderson Paul D.**, salesperson in Nampa - \$750 civil
- Bendeck, Jacobo J. “Jake”**, salesperson in Boise - \$500

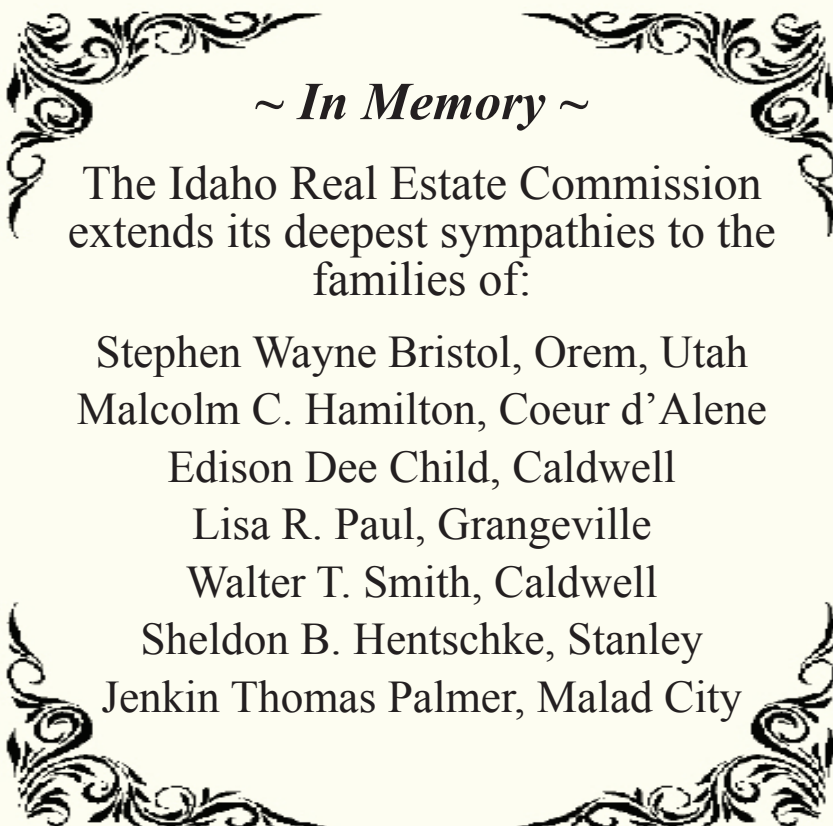
Disciplinary Actions continued on page 11

Breaking Up continued from page 7

and how matters will be handled in the event they occur in the future.

The IREC enforcement department is always happy to answer any questions licensees may have regarding compliance with license law. Please

feel free to call us or email us if you have any questions about transitioning from one brokerage to another, closing a brokerage, opening a new brokerage or changing your designated broker. We will help in any way we can.



~ In Memory ~

The Idaho Real Estate Commission extends its deepest sympathies to the families of:

Stephen Wayne Bristol, Orem, Utah
 Malcolm C. Hamilton, Coeur d'Alene
 Edison Dee Child, Caldwell
 Lisa R. Paul, Grangeville
 Walter T. Smith, Caldwell
 Sheldon B. Hentschke, Stanley
 Jenkin Thomas Palmer, Malad City

Ice Cream Cones continued from page 4

of continuing education, and helps to keep you updated in our ever changing and challenging real estate market. Free ice cream anyone?

There will also be two broker classes offered at the reduced price of \$100 each. These classes will be Brokerage Management and Real Estate Law. There will be a total of eight classes offered throughout the state. Even if you are not interested in getting your Broker's or Associate Broker's license, these are great classes that will help

you become a more knowledgeable and proficient real estate agent.

Keep in mind that if you take any NAR designation classes, these also count towards your CE. Just make sure that you submit documentation so that you will receive credit from IREC for your classes.

Summer is almost here and it's a great time for eating ice cream and taking classes, and there are so many choices to be had.

Comments from Commission Chair continued from page 1

1. Short sale transactions continue to stay on our radar screen. The problems vary from well thought out schemes to innocent one time deals. If you find yourself involved in a short sale transaction, be sure to talk to your broker and if you have further questions don't hesitate to call the Enforcement Department at the Idaho Real Estate Commission.
2. With the economy slipping, many out of state brokers/agents have been listing Idaho property without an Idaho license. We have seen these listings advertised on signs, internet and other means. The Idaho Real Estate Commission has been contacting these unlicensed Idaho brokerages to resolve this problem. In some cases they have enlisted the help of local companies with showings, etc., however, the out of town broker/agent continues to be in charge of offers, advertising and contact with the buyers and sellers. You, as an Idaho agent, are in violation of the license law in this type of arrangement. Be careful.
3. Some licensees have failed to report a felony conviction within the time allotment.
4. Misleading advertisements have been another issue lately.
5. Allowing a buyer access to property prior to closing without permission.
6. Withholding material facts.
7. Receiving compensation from more than one party without proper disclosure.
8. Failure to timely turn in to the broker all offers and earnest money.
9. Failure to include all terms of a sale in the Purchase and Sale Agreement.

This list includes most of what we at IREC have been seeing so far this year. I hope it helps by giving you a "heads up" to the current problem areas. Education is always a great way to stay out of trouble. I encourage you to attend as many courses as you can. I especially encourage you to attend the "CORE" class every year. It will bring you up to date on new legislation and the "Hot Topics" for that year.

Kudos to the IREC Education Department:

The Idaho Instructor Development Workshop in May was well attended and very worthwhile. I have heard many positive responses. Keep up the good work. Read more Education news on page 5.

Final Comments:

Looks like I was into bullet points with this article. Hey kids, fire up the grill, dad is ready to flip those burgers. Have a great Summer.

Bickelhaupt Tanner B., salesperson in Coeur d'Alene - \$150
Blake, Alison A., salesperson in Eagle - \$150
Blewett, Robert W., associate broker in Grangeville - \$500
Brown, Douglas G., salesperson in Boise - \$500
Brown, Russell C., salesperson in Boise - \$500
Brumbaugh, Connie L., salesperson in Nampa - \$500
Catovic, Adin, salesperson in Boise - \$1,000
Chambers, Jacqueline, salesperson in Boise - \$500
D'Andrea, Leslie A., salesperson in Boise - \$500
Davenport, Robert K. "Bob", salesperson in Melba - \$500
Einerson, Trevor J., salesperson in Rexburg - \$500
Elitharp, Karen L., salesperson in Eagle - \$500
Ertel, Paul B., salesperson in Coeur d'Alene - \$1,000
Fettig, Alicia L., salesperson in Jackson, WY - \$500
Gibbs, Christopher D., associate broker in Hayden - \$1,000
Givens, Daniel L., salesperson in Boise - \$150
Gneiting, Nolan, designated broker in Rigby - \$750
Green, Michael P., salesperson in McCall - \$500
Grover, Diana B., salesperson in Rigby - \$500
Halden, Claudia, salesperson in Caldwell - \$500
Hernandez, Staci Jo, salesperson in Pocatello - \$500
Hill, Charles A. "Chuck", salesperson in Rexburg - \$150
Hill, Erica Lynne, designated broker in Boise - \$500
Jones, Stephen W., associate broker in Boise - \$500
Kingston Danielle, salesperson in Idaho Falls - \$500
Kraus, Gary J., salesperson in Meridian - \$500
Lampman, Jason R. H., salesperson in Nampa - \$150
Lunsford, Jill R., salesperson in Boise - \$150
Maitland, Catherine M. "Cathy", salesperson in Eagle - \$500

Disciplinary Actions continued on page 12

Have you moved? You must notify the Idaho Real Estate Commission within 10 days (Idaho Code Section 54-2018(9))

To change your address go to www.irec.idaho.gov and log in to IREC's online services. Once you have logged in you will be on your account page. There you can update your address or contact information. Remember to Click the "Save Changes" button to save your updated information.



Maricich, A. Nicholas "Nick", salesperson in Ketchum - \$300 **
Marx, Amy E., designated broker in Sun Valley - \$500
Metez, Kimberly A., salesperson in Eagle - \$150
Murray, Martin A., salesperson in Coeur d'Alene - \$150
Olsen, Ryan L., designated broker in Paris - \$500
Olson, Joel L., associate broker in Coeur d'Alene - \$150
Pelton, Rob D., salesperson in Boise - \$1,000
Phelps, Stanley E., salesperson in Glens Ferry - \$500
Pittman, Shawn E., salesperson in Boise - \$150
Powell, Nancy L., salesperson in Boise - \$750
Ripley, Jiwan B., designated broker in Sandpoint - \$500
Robinson, Dana P., salesperson in Coeur d'Alene - \$150
Robnett, Margaret E., designated broker in Eagle - \$150
Rose, Duston E., salesperson in Boise - \$500
Rudigoz, Margaret J. "Maggie", salesperson in Ketchum - \$1,000
Schamber, Melanie K., salesperson in Boise - \$150
Skinner, Becky J., salesperson in Boise - \$750
Smith, Jessi R., salesperson in Lewiston - \$150
Smith, Monte C., salesperson in Boise - \$150
Syms, Jeffra S., salesperson in Ketchum - \$500
Taylor, Shawn T., associate broker in Sandpoint - \$500
Tolman, Jacque L., salesperson in Boise - \$150
Webb Destry S., salesperson in Idaho Falls - \$1000
Wells, Lynn, associate broker in Sandpoint - \$150
Williamson, Barbara A., salesperson in Boise - \$1,000

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The following sales associates, associate brokers, designated brokers and firms stipulated to violation of Idaho Code section 54-2013 - failure of a licensee to maintain Errors and Omissions insurance or failure of a licensee to submit or cause to be submitted a certificate of coverage.

All were issued a civil fine of the amount shown. Second "\*\*\*", third "\*\*\*\*" or fourth "\*\*\*\*\*" time violations show a doubled fine.

**Adams, Travis B.**, salesperson in Eagle - \$100  
**Amar, Stephen F.**, salesperson in Meridian - \$200 \*\*  
**Anderson, Paul**, salesperson in Boise - \$100  
**Andrews, Ryan**, salesperson in Twin Falls - \$100  
**Arledge, Cheryl**, salesperson in Murtaugh - \$200 \*\*  
**Arnell, Guy E.**, designated broker in Burley - \$200 \*\*\*  
**Arrow Rock Realty LLC**, limited liability company in Victor - \$200 \*\*  
**Aylward, Naomi**, salesperson in Boise - \$100  
**Baird, Jill**, salesperson in Boise - \$100  
**Baldwin Realty, Inc.**, in Horseshoe Bend - \$100  
**Banrock Investments, LLC**, limited liability company in Boise - \$100  
**Barrera, Martin**, salesperson in Nampa - \$200 \*\*  
**Batis, Angela "Angie"**, salesperson in Boise - \$100  
**Batt, Lindsay**, salesperson in Meridian - \$100  
**Bausman, Mitch**, designated broker in Twin Falls - \$100  
**Beck, James**, salesperson in Boise - \$100  
**Beitzel, Julie**, salesperson in Meridian - \$100  
**Blair, Steven**, salesperson in Coeur d'Alene - \$100  
**Blewett, Robert**, associate broker in Grangeville - \$100  
**Boise Realty Inc.**, (Tricia Callies, designated broker) in Boise - \$200\*\*  
**Boyce, Lance**, salesperson in Island Park - \$100  
**Brand Jr., Robert V.**, salesperson in Ketchum - \$100  
**Brooks, Debbie J.**, salesperson in Pocatello - \$100  
**Brown, Tracy C.**, salesperson in Boise - \$100  
**Bryant, Christopher K., Allison**, salesperson in Boise - \$100  
**Burry, Jess D.**, salesperson in Pocatello - \$100  
**Cain Sr., Don W.**, associate broker in Moore - \$100  
**Callies, Tricia**, designated broker in Boise - \$100  
**Carr, Ernie**, designated broker in Garden City - \$200 \*\*\*

**Castaneda, Sylvestre**, designated broker in Nampa - \$200 \*\*\*\*  
**Chambers Ranch Realty, LLC**, limited liability company in Driggs - \$100  
**Chambers, Ken**, salesperson in Driggs - \$100  
**Chatterton, Greg**, salesperson in Meridian - \$100  
**Child, Jordan**, salesperson in Caldwell - \$100  
**Ciesinski, Kristine**, salesperson in Victor - \$100  
**CityBurb.com**, limited liability company in Boise - \$100  
**Clements, Matthew**, salesperson in Nampa - \$100  
**Complete Property Management & Investment Realty Inc.**, corporation in Boise - \$100  
**Cracchiolo, Michelle**, salesperson in Eagle - \$100  
**Crandall, Shauna**, salesperson in Driggs - \$100  
**Crane, Heidi**, salesperson in Nampa - \$100  
**Crisp, Ruth M.**, salesperson in Idaho Falls - \$100  
**Croghan, Chris**, salesperson in Coeur d'Alene - \$200 \*\*\*  
**Dalton, James C.**, salesperson in Nampa - \$100  
**DeLong, Teresa M.**, salesperson in Idaho Falls - \$200 \*\*  
**Derig, Vince**, salesperson in Boise - \$200 \*\*\*  
**Diaz, Raul**, salesperson in Eagle - \$100  
**Doughty, Kelly M.**, salesperson in Meridian - \$200 \*\*\*  
**Doughty, Russell S.**, salesperson in Meridian - \$100  
**Drury, Michael**, designated broker in Midvale, UT - \$100  
**Dunlap, Alexander G.**, designated broker in Saint Regis, MT - \$100  
**Dunn, Cheryl**, salesperson in Meridian - \$100  
**Dyer, Larry W.**, designated broker in American Fork, UT - \$100  
**Esparza, Michael**, salesperson in Twin Falls - \$100  
**Farmer, Clint**, salesperson in Island Park - \$200 \*\*  
**Fedoruk, Debra S.**, salesperson in Boise - \$100  
**Feldtman, Stephen**, designated broker in Twin Falls - \$100  
**Finegan, Casey**, salesperson in Ketchum - \$100  
**First Service Group Real Estate**, limited liability company in Boise - \$100

*Disciplinary Actions continued on page 13*

- Florence, Jacob**, salesperson in Boise - \$100
- Foreman, Maria**, associate broker in Moscow - \$200\*\*
- Gale, Kathleen L.**, salesperson in Boise. \$100
- Gardner, Miste B.**, salesperson in Boise - \$100
- George, Andrew M.**, salesperson in Boise - \$200 \*\*
- Gingrich, Janet**, salesperson in Boise - \$100
- Griffith, Bill J.**, designated broker in Moab, UT - \$200 \*\*
- Haase, Terri**, salesperson in Meridian - \$100
- Hall-Contreras, Lisa**, designated broker in Mountain Home - \$100
- Hamilton, Blaine R.**, designated broker in Declo - \$100
- Hansen, Loa Lee**, salesperson in Rexburg - \$100
- Harlow, Francis**, salesperson in Nampa - \$100
- Harris, Stacey**, salesperson in Boise - \$100
- Haxton, Stuart**, salesperson in Boise - \$100
- Hobson, Jeffrey M.**, salesperson in Boise - \$200 \*\*
- Hollett, Graham**, salesperson in Sunnyvale, CA \$200 \*\*
- Holzwarth, Philip**, salesperson in Boise - \$100
- Hutchison, L. Thomas**, associate broker in Boise - \$100
- Hutton, Nathan**, salesperson in Boise - \$200 \*\*
- Jeppesen, Andrea**, salesperson in Idaho Falls - \$100
- Johnson, Jennie K.**, salesperson in Boise - \$100
- Johnson, Michele R. "Tracy"**, salesperson in Weiser - \$100
- Jones Lang LaSalle Brokerage Inc.**, corporation in Seattle, WA - \$100
- Jones, Clayton L.**, salesperson in Boise - \$100
- Jones, Misty**, salesperson in Boise - \$100
- Kegley, Rodney**, salesperson in Hailey - \$200 \*\*
- Keller, Lori B.**, salesperson in Boise - \$100
- Kingston, Danielle**, salesperson in Bellevue - \$100
- Klahr, Keith B.**, designated broker in Boise - \$100
- Kukla, Norma**, salesperson in Eagle - \$100
- La Peter II, Alfred "Alfie" R.**, designated broker in Boise - \$200\*\*
- Lackaye, Tawny**, salesperson in Sandpoint - \$100
- Lakatos, Lora**, salesperson in Boise - \$100
- Lanterman, LeeAnn**, salesperson in Meridian - \$100
- Latah Realty, LLC**, limited liability company in Moscow - \$100
- Lewis, Jeffrey A.**, salesperson in Coeur d'Alene - \$100
- Lindstrom, Kim**, salesperson in Soda Springs - \$100
- Loffer, Ellen**, salesperson in Meridian - \$100
- Lopez, Silvia**, salesperson in Nampa - \$200 \*\*
- Lost River Realty**, corporation in Moore - \$100
- Loughmiller, Pamela**, salesperson in Boise - \$100
- Manser, Timothy S.**, salesperson in Meridian - \$100
- Marusich, Allison**, salesperson in Boise. \$200 \*\*
- McLaughlin, Ronda**, salesperson in Payette - \$200 \*\*
- McNeil, Ana Cristina**, salesperson in Nampa - \$100
- McNeill, Charles**, salesperson in Idaho Falls - \$100
- Mecurio, Sal**, designated broker in Post Falls - \$100
- Medley, Jeanne**, salesperson in Clarkston, WA - \$100
- Meyer, Alana**, salesperson in Boise - \$100
- Meyerdierks Real Estate Group**, limited liability company in Bellevue, WA - \$100
- Mitcham, Thomas**, salesperson in Boise - \$200 \*\*\*
- Moncur, Gregory**, salesperson in Boise - \$200 \*\*
- Myers II, Jim C.**, salesperson in Emmett - \$100
- Neilsen, Teri Rae**, salesperson in Boise - \$200 \*\*
- Nelson, June**, salesperson in Logan, UT - \$100
- Nelson, Tina**, salesperson in Pahoa, HI - \$100
- Northwest Park Brokerage, Inc.**, corporation in Portland, OR - \$100
- Nunn, Dawn Elaine**, associate broker in Midvale, UT - \$100
- Nunnallee-Horning, Christel**, salesperson in Spirit Lake - \$100
- O'Connor, Mary Sue**, salesperson in Eagle - \$100
- O'Rullian, Jon**, salesperson in Rexburg - \$100
- Odenbrett, Tammie**, salesperson in Meridian - \$200 \*\*
- OK Investments, Inc.**, in Jackson, WY - \$100
- Olson, Mark**, salesperson in Middleton - \$100
- Ordway, Kevin**, salesperson in Twin Falls - \$100
- Page, Michael**, salesperson in Ketchum - \$100
- Paris, Brian**, associate broker in Boise - \$100
- Patnode, Loretta**, salesperson in Boise - \$100
- Paul, Lisa**, salesperson in Grangeville - \$100
- Paul, Shane**, salesperson in Grangeville - \$100
- PC Realty LLC**, limited liability company in Tetonia - \$100
- Peters, David E.**, associate broker in Idaho Falls - \$100
- Piper, Michelle**, salesperson in Garden City - \$100
- Planinshek, Dawn**, associate broker in Nampa - \$100
- Prather, James**, designated broker in Meridian - \$100
- Prather, Pamela**, salesperson in Meridian - \$100
- Premier Properties, Inc.**, corporation in Boise - \$100
- Prigge, Heidi N.**, salesperson in Boise - \$200 \*\*
- Pyne, Tara D.**, salesperson in Pocatello - \$100
- Raeber, Scott W.**, salesperson in Meridian - \$100
- Realteam Real Estate Center, Inc.**, corporation in Coeur d'Alene - \$200\*\*
- Reed, Kenneth W.**, designated broker in Boise - \$100
- Reed, Susan J.**, salesperson in Boise - \$100
- Rehana, Ashour**, salesperson in Boise - \$100
- Ridgway, Robert**, salesperson in Eagle - \$100
- Rist, George M.**, designated broker in Placerville, CA - \$200 \*\*
- Rivers North Realty, LLC**, limited liability company in Salmon - \$100
- Robison, Melinda Michelle**, salesperson in Rigby - \$100
- Rosholm, Donald**, designated broker in Santa Ana, CA - \$100

**Sandler, Renice**, designated broker in Coeur d'Alene - \$100  
**Saunders, Stephen R.**, salesperson in Hayden - \$200 \*\*  
**Scaggs, David**, salesperson in Boise - \$100  
**Schoening, Amber**, salesperson in Kamiah - \$100  
**Schroeder, Neil**, salesperson in Rexburg - \$200 \*\*  
**Scott, Tom**, salesperson in Caldwell - \$200 \*\*  
**Seid, Terrie**, salesperson in Star - \$100  
**Shores, Ray**, salesperson in Boise - \$100  
**Simpson, Perry R.**, salesperson in Idaho Falls - \$100  
**Sleight, R. Paul**, salesperson in Caldwell - \$200 \*\*  
**Smedley, Timothy**, salesperson in Weiser - \$100  
**Smith, Garrett "Gary"**, salesperson in Ketchum - \$100  
**Snake River Properties, LLC**, limited liability Company in Victor - \$100  
**Snake River Realty Inc.**, corporation in Idaho Falls - \$100  
**Stephenson, Patricia**, salesperson in Boise - \$100  
**Stoneberg, Jesse**, salesperson in Boise - \$100  
**Stosich, Jon**, salesperson in Meridian - \$200 \*\*  
**Strom, Harry R. "Butch"**, designated broker in Grangeville - \$100  
**Swenson, Heidi**, salesperson in Eagle - \$100  
**Tattersall, Justin**, designated broker in Victor - \$200\*\*  
**Taylor, Carol G.**, salesperson in Idaho Falls - \$100  
**Ternus, Gary**, salesperson in Blackfoot - \$100  
**Terra Primus**, corporation in Boise - \$100  
**Thomas, Jacob**, salesperson in Pocatello - \$100  
**TIP Realty Inc.**, corporation in Boise - \$100  
**Travis, Caylon**, salesperson in Boise - \$100  
**Turner, Carolyn**, salesperson in Ontario, OR - \$100  
**United Business Brokers**, limited liability company in Midvale, UT - \$100  
**Wadsworth, Marion**, salesperson in Burley - \$100  
**Walker Kay**, salesperson in Idaho Falls - \$200 \*\*  
**Warr, Michael M.**, salesperson in Boise - \$200\*\*

**Weber, Sara E.**, salesperson in Twin Falls - \$100  
**Welch, Jonathan**, salesperson in Boise - \$200 \*\*\*  
**Westing, Anna**, salesperson in Caldwell - \$100  
**Wiebe, Heinrich**, designated broker in Boise - \$100  
**Wiebe, Inc.**, corporation in Boise - \$100  
**Williams, Roberta Jessica**, salesperson in Fruitland - \$100  
**Wolfe, Rory J.**, salesperson in Sandpoint - \$100  
**Yasen, Jenifer**, salesperson in Coeur d'Alene - \$200 \*\*  
**Zebe, Donald I.**, salesperson in Idaho Falls. \$100  
**Zehring, Brian**, salesperson in Meridian. \$200 \*\*

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Sales associates, associate brokers and designated brokers who stipulated to violation of Idaho Code sections 54-2002, 54-2018(2) and 54-2060(10) – failure to renew or activate license in a timely manner, and continuing to practice as a licensee after their license had expired or been inactivated. All were issued a civil fine of the indicated amount. Second "***", third "****" or fourth "*****" time violations show a doubled fine. The licensee's designated broker (shown in parentheses) stipulated to violation of Idaho Code sections 54-2038(3) and 54-2060(10) – failure to adequately supervise by allowing an unlicensed person to represent the broker, and was issued a civil fine of the same amount as shown for the licensee, unless otherwise indicated.

Anderson, Cora, salesperson in Meridian. (Michael Edgar) \$150
Anderson, Janet R., salesperson in Boise. (Aaron Doughty) \$150
Baird, Jill, salesperson in Boise. (Robert D. Parsons - \$150) \$300 **
Salisbury Arvid Ray, designated broker in Caldwell. \$1,610.00
Bartley, Francine, salesperson in Kellogg. (Rose Breazeal) \$150
Bergquist, Mary Helen, salesperson in Boise. (Erica L. Hill) \$150
Brierley, Elizabeth, associate broker in Twin Falls. (Jill L. Stone) \$150

Carothers, Jack A., designated broker in Post Falls. \$170
Carothers, Joshua A., salesperson in Post Falls. (Jack Carothers) \$150
Caven, Steve, salesperson in Boise. (Gary Sackett) \$150
Chance, Joe C., salesperson in Boise. (Justin Bateman - \$150) \$300 **
Cracchiolo, Michelle, salesperson in Boise. (Clark Bilyeu) \$150
Crum, L. Scott, salesperson in Boise. (Andy Enrico) \$150
Egbert, Justin, salesperson in Rexburg. (Mary Lee Hill) \$500
Erickson, Lon, designated broker in Idaho Falls. \$150
Fields, Lawrence, salesperson in Eagle. (KaLinn Dishion) \$150
Fife, Paul, associate broker in Idaho Falls (Douglas S. Page) \$300
Florence, Jacob, salesperson in Twin Falls. (Clay Nannini) \$150
Goucher, Robert, salesperson in Coeur d'Alene. (John Beutler) \$150
Gregg, Michael, salesperson in Coeur d'Alene. (Gary Schneidmiller) \$150
Grindstaff, Tobi "Tobiann" Ann, salesperson in Boise. (Pricilla Breck) \$150
Gunther, Richard, salesperson in Coeur d'Alene. (Gary T. Schneidmiller) \$150
Harrison, Robert, salesperson in Eagle. (Stephen A. Barbey - \$150) \$300 **
Herrick, Douglas, associate broker in Jackson, WY. (Clayton C. Andrews) \$150
Hymas, Paul, salesperson in Idaho Falls. (Greg Vinnola) \$150
Jacoboni, Jennifer, salesperson in Boise. (Nicholas "Nick" Roundtree) \$150
Kearns, Kelly T., salesperson in Sandpoint. (Angie Piazzola) \$300
Kincheloe, Richard, salesperson in Nampa. (Betty Lanum) \$500
King, Brent, salesperson in Fruitland. (Natalie Sue Mio) \$150
Koskan Carolyn J., designated broker in Smithfield, UT. \$300
Kunz, Debbie, designated broker in Saint Anthony. \$190
Laraway, Janet, salesperson in Nampa. (Daniel Riess) \$150
Lirette, Gary P., salesperson in Sandpoint. (Jeffrey S. Bond) \$150
McKibben, Tyrell, salesperson in Boise. (Justin Bateman - \$150) \$300 **
Middleton, William C. "Bill", designated broker in Boise. \$230 ***
Middleton, William C. "Bill", designated broker in Boise. \$360 ****

Miller, Donald W., salesperson in Boise. (Erica L. Hill) \$150
Moortgat, James, salesperson in Boise. (Michael Swope) \$150
Moss, Jeffery, Todd, salesperson in Boise. (George S. Iliff) \$300
Mulick, Lani, associate broker in Bellevue. (Judy L. Cash) \$300
Noah, Malia, salesperson in Cambridge. (Creed Noah) \$300 **
Parker, Rachel, salesperson in Boise. (Robert Parsons) \$150
Patterson, Kristie, salesperson in Boise. (Charles "Rex" Frazer) \$150
Petrilli, Christopher, salesperson in Boise. (Joseph "Rusty" Lucas) \$300 **
Price, Jonathan, salesperson in Burley. (David Reed Price) \$150
Puckett, Thomas E., salesperson in Sandpoint. (Albert D. McLaughlin) \$150
Reinhard, Louis, salesperson in Boise. (Jason Smith) \$150
Reynolds, Ronald, salesperson in Twin Falls. (Clayton Nannini) \$150
Roe, Douglas E., salesperson in Twin Falls. (Sid Lezamiz) \$150
Simmons, Julie K., salesperson in Boise. (Steve Jensen) \$150
Snyder, Richard, salesperson in Boise. (Erica L. Hill) \$150
Spencer, Stephanie, salesperson in Eagle. (Paul E. Doughty) \$150
Spiering, Holly K., associate broker in Weiser. (Rodney C. Panike) \$150

Thompson, Christian, salesperson in Sandpoint. (Albert D. McLaughlin) \$300
Wiebe, Heinrich, designated broker in Boise. \$170
Wilde, Shelly, salesperson in Idaho Falls. (Mertello Baird) \$150
Williams, Christopher, salesperson in Emmett. (Kari Crisp) \$150
Winn, Randy S., associate broker in Boise. (Georgia Vreeland) \$150
Witzke, Tom M., salesperson in Eagle. (Paul E. Doughty) \$300
Worthington, Thomas R., salesperson in Burley. (Jerry L. Hines) \$300
Wright, Connie S., salesperson in Montpelier. (Paul Webb) \$150
Wyman, Charlene, salesperson in Idaho Falls. (Mertello Baird) \$150

The following designated brokers were issued a citation and civil fine as shown for violations found during their office audits:

Baird, Martello "Tello", designated broker with Exit Realty Idaho Falls, in Idaho Falls. \$75
Boren, Dawneeta, designated broker with Stubbs Realty, Inc., in Kuna. \$25
Coelho, Larry, designated broker in Eagle. \$25
Doughty, Aaron, designated broker with Silvercreek Realty Group, in Boise. \$75

Ferrigno, Leonard, designated broker with Lewis Clark GMAC Real Estate, in Clarkston, WA. \$225
Hutchison, Janice, designated broker with Alpine Realty, in Twin Falls. \$225
Koltes, Thomas M., designated broker with The TNT Group, in Nampa. -\$25
Kowallis, Douglas, designated broker with Kowallis & Mackey LLC, in Boise. -\$25
Lanum, Betty, designated broker with Idaho Real Estate Co., in Nampa. \$100
Mayes, Blake, designated broker with Re/Max Capital City, in Boise. \$25
McArthur, August, designated broker with Owyhee County Realty LLC, in Nampa. \$100
Price, David Reed, designated broker with Western Hills Realty, in Burley. \$25
Scott, Stanley H., designated broker with Scott's Desert Sun Realty, in Mountain Home. \$25
Uhlenhoff, Walter, designated broker with ATS Realty, in Boise. \$25
Vejar-Diaz, Jahil, designated broker with El Centro, in Nampa. \$25
Vreeland, Georgia, designated broker with Prudential Idaho Realty, in Boise. \$25
Wixom, Don, designated broker with Re/Max Advantage, in Nampa. \$75

Commission Meeting - Burley, Idaho

The Commission packed up their equipment and bags and headed off to Burley in April. We had a great turnout of 59 licensees in attendance for CE credit.

IREC would also like to thank the Mini Cassia Association of REALTORS® for its generosity in providing delicious refreshments for everyone.



Keep an eye out for upcoming meetings, we may just come by your way!





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REAL ESTATE COMMISSION

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