

The Educator

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INSTRUCTOR TRAINING—MAY 1, 2015

Boost Licensing Exam Readiness with Enhanced Course Exams

Dr. JoEllen Carlson

Do your salesperson prelicense course exams adequately prepare your students for the licensing exam? Are you comfortable writing your own exam items? Instructors must make sure course exams not only cover current information but also prepare students for the type of exam items on the licensing exam. In this instructor training, Dr. Carlson will focus on creating salesperson prelicense course exams that align closely with the licensing exam. The training includes aligning content coverage, maximizing the level of thinking/application required by questions, reflecting best-practice standards, boosting confidence and skill for mathematics questions, and other enhancements. **This training is hands-on, so bring 5-10 questions from your course exam that you would like to work with. (Other instructors will not see your questions.)**

Dr. Carlson is currently involved in the Coalition for Science Literacy and is an Associate Professor at the University of South Florida, which is where she earned her Ph.D., M.A., and B.A. degrees. She has also served as the Director of the External Degree Programs at Troy University in Montgomery. She has been involved in testing services for multiple locations including ARELLO (Association of Real Estate License Law Officials), McGraw-Hill, and the New York Stock Exchange. Her role with ARELLO includes reviews and recommendations for the certification of licensure exams for all exam providers. Dr. Carlson has been the author/coauthor/supervisor of more than 100 papers, reports, and other documents of limited distribution or confidential nature.



DATE:	May 1, 2015
COURSE:	<i>Boost Licensing Exam Readiness with Enhanced Course Exams</i>
LOCATION:	Alabama Real Estate Commission Training Room
REGISTRATION:	8:30–9:00 a.m.
TIME:	9:00 a.m.–4:00 p.m.
COST:	\$95.00 (includes lunch and breaks)

All participants must register through Auburn University's Office of Professional & Continuing Education (OPCE).
Use the registration form or register online at auburn.edu/outreach/opce/re/arec.htm.

Remember, the hours for this training are not interchangeable with CE hours that are needed to renew your broker license. These CE hours are only applied toward the renewal of your instructor approval that will take place in 2015. Take advantage of this great training opportunity and acquire not only hours needed for instructor renewal, but also valuable information and knowledge that can be used in the classroom.

REGISTRATION FORM

Boost Licensing Exam Readiness with Enhanced Course Exams

Presented by Jo Ellen Carlson

Friday, May 1, 2015 9:00 a.m. – 4:00 p.m.

1201 Carmichael Way, Montgomery, AL

Alabama Real Estate Commission

REGISTRANT INFORMATION

Name _____
LAST FIRST MI

Address _____

_____ CITY STATE ZIP

Phone _____ Fax _____

Email Address _____

NAME AND AFFILIATION PREFERENCE FOR NAME TAG

COURSE INFORMATION

Lunch will be provided.

(\$ 95) *Boost Licensing Exam Readiness with Enhanced Course Exams – Received by April 17*

(\$130) *Boost Licensing Exam Readiness with Enhanced Course Exams – Received after April 17*

FOUR EASY WAYS TO REGISTER

FAX this form to 334/844-3101

CALL in your information to 334/844-5100

MAIL this form to Office of Professional & Continuing Education, 301 O.D. Smith Hall, Auburn, AL 36849

WEB online at www.auburn.edu/outreach/arec

PAYMENT INFORMATION

Check Money Order Purchase Order
 Visa MasterCard American Express Discover

Expiration Date _____ Card or Purchase Order Number _____

Authorized Signature _____

Registrations received via FAX, email or telephone MUST contain a credit card number or purchase order number. Otherwise, you will not be considered registered.

MAKE CHECKS PAYABLE TO AUBURN UNIVERSITY TOTAL ENCLOSED _____

CANCELLATIONS and REFUNDS

Written refund requests received no later than seven days prior to the program will result in a refund of fees less a \$15 administration charge. Refund requests received after that cannot be honored. A substitute participant may be designated in place of a registrant who cannot attend. Auburn University and the Office of Professional & Continuing Education reserve the right to cancel, postpone, or combine workshop sections, to limit registration, or to change instructors or speakers.

This program is designed to be accessible to all who wish to attend. Should you have a special need, please call 334.844.5100.

Future Disciplinary Action for Credit Errors



The 2014 license renewal revealed the same problems that have occurred in the past. Too many CE credit entries are being made after the official deadline or mistakes are being made when entering credit for licensees, resulting in errors that have to be corrected. This causes problems for the Commission as well as the individual licensees affected by the errors. The following are problems that have been experienced:

- CE credit for license renewal entered into CMap after midnight of September 30 in the even years
- Errors in credit entries negatively affecting licensees and their activation or renewal of a license
- Duplicate credit entries such as CE credit for the same courses being entered a few days after originally entered

- CE credit being entered for licensees more than 10 days after course completion
- Incorrect course codes being used for CE credit resulting in credit being given for classroom courses instead of distance education courses or vice versa

Alabama License Law addresses these errors in Section 34-27-6 (g) and Rules 790-X-1-.12(6) and 790-X-1-.17(5).

The Commission has provided warnings for these mistakes after previous license renewals but the problem continues. Therefore, **formal complaints will be filed after the 2016 license renewal based on the number of errors made in CMap entries affecting the credit of licensees during this current license period.** Mistakes can be avoided if the Administrator of the school pays close attention to the information being entered into CMap. There is no excuse for an incorrect course code being used or credit being given to the wrong licensee. All information can be checked and verified prior to *committing* the credit entries in our system.

2015 AREEA Meeting

The Alabama Real Estate Educators Association (AREEA) will hold its Spring meeting on Thursday, April 30, at the Commission office in Montgomery. More details will be emailed to instructors as they become available.

2015 REEA Conference

The Real Estate Educators Association (REEA) will hold its annual conference June 18-22 at the University of Connecticut in Storrs, CT.

Registration for the conference is available online at reea.org.

The Commission will grant 12 hours of Instructor CE credit for attending all of the education sessions on Saturday, June 20 and Sunday, June 21. No partial credit will be given for attending a small number of education sessions. You can also earn 6 hours of Instructor CE by attending one of the two Instructor Development Workshops being held on June 18. Karel Murray will present "Becoming the Instructor of Change" and Julie Garton-Good will present "15 Surefire Steps for Launching Courses Online."



New Instructor Orientation

The next New Instructor Orientation will be held July 30-31 in the Commission's training room. If you know of anyone who is working to become a Preliminary/Post License Instructor, please have them contact David Bowen at david.bowen@arec.alabama.gov to develop a plan to achieve the required number of points on the *Application for Preliminary/Post License Instructor*. Applicants must hold a broker's license in order to be approved as a Preliminary/Post License Instructor.



QUESTION

I have seen and heard references made about ARELLO guidelines and distance education courses that are ARELLO-certified. Who is ARELLO and what is its connection to real estate?

ANSWER

ARELLO is the **Association of Real Estate License Law Officials** and this international organization is made up of jurisdictions (countries and states) that regulate the sale and leasing of real estate. It is their aim to standardize the regulatory practices of its members by promoting excellence and accountability in every jurisdiction. ARELLO provides leadership, expertise, and oversight in areas such as Education, Enforcement, Exam Accreditation, Licensing, and Timeshare Registry. Additional information on ARELLO can be found on their website at arello.org.



Trust Funds

By Mandy Lynn,
Assistant General Counsel

If you have read *The Update* newsletter recently, it is obvious that violations of trust fund requirements under Alabama's License Law continue to be an issue with some licensees. This is one violation that is almost 100% preventable. The Law and the Administrative Rule of this subject are straightforward in their requirements which I will explain here.

Section 34-27-36(a)(8) of the Code of Alabama requires that a licensee deposit and maintain, at all times, funds belonging to others in a real estate transaction. Also in this section is the

requirement that licensee funds not be commingled in accounts with trust funds and that a complete record of all funds belonging to others be maintained for three years. (*Please note that the Commission does allow licensees to provide the funds necessary in trust accounts for the purpose of paying bank fees and this not be considered commingling.*)

Rule 790-X-3-.03 expounds on the above law of trust fund requirements. This rule is where you will find the following requirements:

- Trust accounts must be in a federally insured account or a financial institution located in Alabama.
- Qualifying brokers must be a signatory on all trust accounts.
- All associate brokers and salespersons must pay over to their qualifying broker all trust funds immediately upon receipt.
- Cash shall be deposited immediately upon receipt.
- Checks are to be deposited upon formation of a purchase contract unless another time is stated by the parties. At its simplest, a contract is formed when both parties agree to the same material terms.
- Trust funds may be held by either broker involved in the sale.
- In the case of a successor qualifying broker, the original qualifying broker shall provide a complete account and transfer the funds to the successor broker.
- Upon consummation of a transaction, a qualifying broker that is holding trust funds shall distribute those funds within seven days.
- In a failed transaction, the qualifying broker cannot make a determination as to whom the funds belong. Funds can only be distributed upon mutual agreement of the parties or a court order. (See Rule 790-X-3-.03(5))
- A qualifying broker may, but is not required to, interplead trust funds into the court. For more information on this, contact the Legal Division.

The Commission has many other resources available regarding trust fund requirements under license law. You will find four articles that discuss trust fund requirements on the Commission's website under the *Media* link on the *Briefly Legal Index* page:

- "Deposit of Funds Rule Changes" (Summer 1996)
- "Your Company Trust Accounts" (Winter 1999)
- "Self-help to Trust Funds" (Spring 2013)
- "The Process of File Maintenance and Trust Fund Accounting" (Fall 2014)

In addition, the "Office Audit Checklist" can be found on the Forms page of the website and the Commission has issued the "Advisory Trust Account Guidelines," which can be found in the Appendix section of the license law book.



Education Renewal Coming This Summer

All instructors, administrators, schools, and courses must be renewed this summer by September 30. Renewal instructions will be mailed in June explaining the online renewal process which should be available in early July.

Prelicense/Post License Instructors must pay the renewal fee this summer AND complete 12 hours of instructor training by the September 30 deadline. The Commission will hold instructor trainings on May 1 and August 28. Instructor CE hours may also be earned by attending the REEA Conference in June.

If you are currently a Prelicense/Post License Instructor and you wish to teach only CE courses in the future, you can request that your approval be converted to a Continuing Education Instructor. There are no training hours required for the renewal of a Continuing Education Instructor. If you would like to change your instructor status, contact David Bowen at david.bowen@arec.alabama.gov.



Education Snapshot

November 2014-February 2015

SALESPERSON EXAMINATION

Overall	First Time
Taken - 894	Taken - 458
Passed - 361	Passed - 220
Overall Passing % - 40.4	First Time Passing % - 48.0

BROKER EXAMINATION

Overall	First Time
Taken - 51	Taken - 39
Passed - 40	Passed - 34
Overall Passing % - 78.4	First Time Passing % - 87.2

RECIPROCAL SALESPERSON EXAMINATION

Overall	First Time
Taken - 81	Taken - 74
Passed - 73	Passed - 69
Overall Passing % - 90.1	First Time Passing % - 93.2

RECIPROCAL BROKER EXAMINATION

Overall	First Time
Taken - 42	Taken - 35
Passed - 35	Passed - 30
Overall Passing % - 83.3	First Time Passing % - 85.7

CALENDAR OF EVENTS

- APRIL 15-18** ARELLO Midyear Conference | Albuquerque, NM
 23 Commission Meeting | Montgomery
 27 Confederate Memorial Day •
 30 AREEA Spring Meeting | Montgomery
- MAY 1** Instructor Training with Dr. JoEllen Carlson
 21 Commission Meeting
 25 Memorial Day •
- JUNE 1** Jefferson Davis' Birthday •
 4-6 ARELLO District 2-3 Conference | Little Rock, AR
 15-17 AAR Summer Conference | Pensacola, FL
 18-22 REEA Conference | Storrs, CT
 25 Commission Meeting
- JULY 3** Independence Day Observed •
 23 Commission Meeting | Montgomery
 30-31 New Instructor Orientation

•Commission Offices Closed for State Holiday

What's in a Name?

According to Alabama's license exam provider....there is a lot in a name. We have seen several instances where exam candidates were not allowed to take the exam at an AMP exam site because the name on their identification did not match the name in the examination eligibility database as entered by the candidate. **Prelicense students need to be aware that the name that they use to pre-register on the Commission's website should be an exact match with the name on their identification. Any variation with the name could result in them being unable to take the exam.**

Upon completion of the prelicense course, a student's exam eligibility is sent electronically from the Commission to AMP and is based on the information entered by the student through the pre-registration process. The name entered by the student when pre-registering will be the exact name that proctors at the AMP exam site will be looking to match. For example, there could be a person whose legal name is *Joseph* but he has used the nickname *Jody* for most of his life. Out of habit, he enters *Jody* as his name during the pre-registration process and that information is sent to AMP upon prelicense course completion. The AMP exam site proctor will not allow entrance for the exam because the name *Jody* is not on the individual's identification.

Arriving at the exam site and being unable to take the exam is not only frustrating but time-consuming and costly. Some individuals may have taken time off from work or driven a lengthy distance only to arrive and be unable to take the exam. To help eliminate this situation, all prelicense students must enter the name on their official identification into the Commission's record when pre-registering. Prelicense instructors and administrators can help by making sure this information is provided to students while enrolled in the course.

We are also seeing an issue with students who were previously licensed in Alabama and now have outdated information in our system. If you have current prelicense students that previously held a real estate license in Alabama, it is extremely important that they update their contact information in our system as soon as possible. The contact information sent to AMP for their examination eligibility should be current and this information could have changed since their previous licensure.

Basically, all of these issues can be avoided if students will ensure that the name in our system matches the name on their identification and that the Commission has their current contact information.