



# THE UPDATE

ALABAMA REAL ESTATE  
**COMMISSION**  
 EMPOWER, CONNECT, AND EDUCATE

## Welcome New Commissioners **JOYCE SHIVERS HARRIS AND SUSAN T. SMITH**

The Commission is excited to announce the addition of our two new Commissioners: Joyce Shivers Harris, who is serving as Member-at-Large and Susan T. Smith, who is serving in the fourth Congressional District.

Commissioners Harris and Smith join current Commissioners Chairman Bill Watts (District 6); Vice Chairman Danny Sharp (District 2); Reid Cummings (District 1); Cindy Denney (District 7); Carole Harrison (District 3); Emmette Barran (District 5); and Vaughn Poe (Consumer Member-at-Large).

Joyce Shivers Harris is a lifelong resident of Dallas County who understands the value of longevity of relationships and real estate. She and her husband, Johnny Harris Sr., have been married for 40 years and have two adult married children, Consetta Harris Galloway and Johnny "Jay"



Harris Jr. Harris is a graduate of Keith High School and holds a Bachelor of Science Degree in Medical Technology from Alabama State University. Her passion for this field of study led to post-graduate training from St. Margaret's Hospital School of Medical Technology. For nearly three decades, Harris serviced the Vaughan Regional Medical Center as medical technologist and laboratory director. After retiring from her full-time career in healthcare, Harris was introduced to real estate by her daughter. After three years in the business, a fervor for entrepreneurship led to the establishment of Covenant Realty LLC, where Harris presently serves as qualifying broker.

As nurtured by her mother, Harris has a servant's heart and is an active member of Bethel Church in Selma, Alabama. She serves as a board member for Habitat for Humanity and the Salvation Army and mentors youth through the YMCA's Reach & Rise program. Outside of work and volunteerism, she enjoys spending quality time with her family and friends, gardening, cooking, traveling and experiencing the seasons of life. Harris' ever-growing relationship with the Lord and the strength of her family and community serve as daily reminders that she is here to humbly serve all people.

Susan T. Smith is the qualifying broker of Southern Properties Agency Inc. and Legend Realty in Fort Payne, Alabama. Smith has been in real estate for twenty-five years and has earned the designations of Certified Residential Specialist, Graduate of the REALTOR® Institute and Certified Negotiating Expert. She is also a Certified Real Estate Instructor and is the owner of Real Estate Education Center, offering pre-license, post-license, and CE courses

throughout Alabama.

Smith is active in the DeKalb County Association of REALTORS®, having served two terms as president, along with many other offices and committee positions over the past twenty years. She has been a past member of the board of directors and has served on numerous committees of the Alabama Association of REALTORS®. She was elected a Regional Vice President of AAR in 2016 and was selected as a member of the first AAR Leadership Team in 2002.



Smith holds a bachelor's degree from Auburn University, where she was a pilot on the War Eagle Flying Team and a member of the Aviation Fraternity. She was also a pianist with the Auburn University Theatre.

Smith is married to Steve Smith and together they have two adult children and one grandson. They enjoy traveling, flying together (Steve is also a private pilot) and frequent trips to their 'home away from home' at the beach.

Congratulations to Commissioners Harris and Smith.



### THE UPDATE IN THIS ISSUE

- Attention Brokers and Instructors:  
Are You Giving Out Bad Information? ..... 2
- **TECHNOLOGICALLY SPEAKING.** ..... 2
  - Online Renewals at All-Time High During This Renewal Period .. 2
- **LICENSING REVIEW**
  - Confirm Your Status Through License Status Verification ..... 3
  - Report: Most Fair Housing Complaints Are Disability-Based ..... 3
- **EDUCATION CORNER**
  - How Can I Satisfy the CE Requirement for License Renewal or Activation? (Part 1 of 3) ..... 4
  - Upcoming Events ..... 4
  - Qualifying Brokers Signing Applications for New Licensees ..... 5
  - Certification of Licensure is Not Your License ..... 5
  - Still Have Not Renewed Your Real Estate License? It's Not Too Late! ..... 5
- **DISCIPLINARY ACTIONS TAKEN** ..... 6
  - Other Administrative Actions (June - September 2018) ..... 7
  - Briefly Legal And Commission Note ..... 8

# Attention Brokers and Instructors: Are You Giving Out Bad Information?

By Teresa Hoffman, Assistant Executive Director

Increasingly the Commission has received numerous incomplete or, in some cases, totally blank applications for licensure along with requests for fingerprint cards. Many have said that the brokers or trainers recruiting them, or their instructors, have told them to do so. If you are doing this, please stop. **This is incorrect.** The Commission team members remain dedicated to providing accurate information and assisting those in need, but we need your help. To assist the Commission, here is the **CORRECT** information you need to provide:

- To comply with Alabama License law, **completed** applications and all additional materials and

fees **MUST** be submitted to the Commission within 90 days of passing the licensing examination. Failure to meet this deadline will mean your exam score is null and void.

- **The fingerprinting process changed in February.** Now, along with the complete application, applicants must submit to a fingerprint-based federal and state criminal background check by working with the Commission's processing company, Gemalto. Applicants must follow the instructions for fingerprint scanning

and processing found at [aps.gemalto.com](http://aps.gemalto.com).

- **Use of fingerprint cards is only for non-residents who CANNOT come to Alabama to have their fingerprints scanned.**

We know you are trying to help new applicants and the Commission, but please refer to our website [arec.alabama.gov](http://arec.alabama.gov) to update your information periodically and make sure you are advising people correctly. If you are unsure about any application procedures, please contact the Commission before providing information to people. Thank you for your assistance.



## TECHNOLOGICALLY SPEAKING

By Brett Scott, Information Technology Director

### Online Renewals at All-Time High During This Renewal Period

For the current 2019-2020 license renewal period, many licensees successfully renewed their licenses online and did it much earlier than the September 30, 2018 deadline.

The Commission first started offering online license renewals in 2002. With each subsequent renewal period, the online renewal numbers and percentages have steadily increased. This renewal period there was a sharp incline in the number of online renewals. As of October 12, 2018, the Commission records showed a total of 27,366 licensees renewed. Of this total a record low number of licensees, 4,054, mailed renewals to the Commission.

The number of online renewals for the 2019-2020 license renewal period peaked at 23,312, up from the previous high of 20,118 during the 2017-2018 renewal period. This means that 85.19% of licensees renewed online and 14.81% mailed in renewals.



### LICENSE RENEWAL UPDATE (As of December 2, 2018)

<b>Total Salespersons Renewed</b>	<b>15,782</b>
(including Reciprocal)	
Active	11,086
Inactive	4,696
<b>Total Brokers Renewed</b>	<b>7,803</b>
(including Reciprocal)	
Active	6,583
Inactive	1,220
<b>Total Companies/Branches Renewed</b>	<b>3,781</b>
Active	3,735
Inactive	46
<b>TOTAL Renewed Licenses</b>	<b>27,366</b>
<b>TOTAL Current Licenses</b>	<b>30,027</b>

## Confirm Your Status Through License Status Verification

You can confirm your license status for the new 2019-2020 renewal year by searching License Status Verification on the Commission's website, [arec.alabama.gov](http://arec.alabama.gov). Performing this search will confirm whether your license is active, inactive and renewed, or inactive and expired (not renewed). The status of a company license can also be verified using this search feature.

To use *License Status Verification*, select *Professionals* on the main menu of the Commission's website. Go to the Licensing section, select *License Search* and then select *License Search Verification*. From this screen you will be able to search by name or license number to locate an individual's or a company's license status. You can also choose the Advanced Search option to perform a more detailed search.

Once you locate your individual or company license record you will be able to verify whether the license is active or inactive, renewed and/or

current until September 30, 2020 by reviewing the Renewal Expires and License Expires dates. If both dates read September 30, 2020 then the license is current and renewed. If you renewed your license and find that it is inactive, but you anticipated it being active, then you probably did not meet the 15-hour CE requirement by September 30, 2018. If this is the case, then you must complete your CE requirements prior to activating your license. The fee to activate an inactive license is \$25. If both dates are September 30, 2018 then the license has expired and has not been renewed.

Temporary salesperson licenses and original licenses issued on or after October 1, 2018 did not require renewal for 2019-2020; however, the status of licenses that fall into these categories can still be checked using this search.

## Report: Most Fair Housing Complaints Are Disability-Based

© ARELLO® Reprinted courtesy of ARELLO's *Boundaries* magazine.

According to a recent report issued by the National Fair Housing Alliance (NFHA), there were 28,843 complaints of housing discrimination in 2017, up slightly from 2016, the majority of which were based on disability.

Now in its 50<sup>th</sup> year, the Fair Housing Act (FHA), Title VIII of the Civil Rights Act of 1968, prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex or national origin. The FHA was amended in 1989 by the Fair Housing Amendments Act (FHAA) which expanded FHA coverage to prohibit discrimination based on disability or familial status, established new administrative enforcement mechanisms for actions brought by HUD attorneys on behalf of housing discrimination victims, and expanded the jurisdiction of the U.S. Department of Justice (DOJ) to bring federal court suits on behalf of victims. The NFHA is a consortium of more than 220 private, nonprofit fair housing organizations, state and local civil rights agencies, and individuals throughout the U.S. that

work to eliminate housing discrimination and ensure equal housing opportunities. The NFHA recently issued its 2018 Fair Housing Report: *Making Every Neighborhood a Place of Opportunity*, the latest in an ongoing annual series that provides insights into "current fair housing needs that require more attention from housing advocates, housing providers, industry, and the federal government." According to NFHA's recently released report highlights:

- There were 28,843 complaints of housing discrimination in 2017.
- The three most common types of complaints were based on disability (57 percent), race (19 percent), and family status (9 percent).
- Since 1991, more than 70,000 units of multi-family housing have been made accessible to persons with disabilities through litigation brought primarily by DOJ and private, nonprofit fair housing organizations.

- More than half a million housing discrimination complaints have been processed since 1996, when NFHA first began collecting complaint data.

According to the NFHA report, 71.3 percent of the complaints were handled by private, nonprofit fair housing organizations; most of which are NFHA members. NFHA also says that "In comparison, HUD, which Congress has tasked with ensuring effective enforcement of the Fair Housing Act, processed 1,311 complaints, less than five percent of the total. State and local governmental Fair Housing Assistance Program (FHAP) agencies processed 6,896 complaints and DOJ brought 41 cases." The report also details NFHA's view of recent obstacles to fair housing, such as "the federal government's failure to enforce the law vigorously," "Facebook's enabling of discriminatory ads by housing providers" and "HUD's suspension of the Affirmatively Furthering Fair Housing rules."



# How Can I Satisfy the CE Requirement for License Renewal or Activation? (Part 1 of 3)

**THIS ARTICLE IS THE FIRST OF THREE ARTICLES THAT WILL BE EXPLAINING THE VARIETY OF WAYS THE CONTINUING EDUCATION (CE) REQUIREMENT IS SATISFIED. THE THREE PARTS INCLUDE THE FOLLOWING:**

**Part 1:** *CE for licensees who were licensed in Alabama by taking the 60-hour prelicense course and license examination*

**Part 2:** *Three exceptions for the CE requirement involving new licensees, reciprocal licensees, and the age exemption*

**Part 3:** *Options for satisfying the CE requirement including classroom courses, online courses, courses taken in other states, and certifications of licensure*

This first article focuses on licensees who were first licensed in Alabama by taking the 60-hour prelicense course and passing the license examination. These licensees can satisfy the 15-hour CE requirement by taking approved courses in a classroom or taking approved courses online.

## CLASSROOM COURSES

Classroom courses are offered throughout the state by approved schools and instructors. The 15-hour CE requirement can easily be satisfied within a two-year license period by attending courses as they are scheduled. This includes the two required Risk Management courses. Complete CE courses at an approved school and your CE credit will be electronically sent to the Commission. A licensee can log in to *Online Services* on the Commission's website at any time and verify the correct courses have been submitted. Classroom courses can also be taken in

another state. This will be explained in detail in Part 3 of this article which will be published at a later date.

## ONLINE COURSES

Online (a.k.a. distance education) courses are offered through schools which have been approved by the Commission for this specific type of course. Some of these online schools offer 15-hour course packages containing all necessary courses which make it easy to satisfy the CE requirement. Online courses allow licensees the opportunity to complete CE courses on their own time and not be required to travel to a specific location at a specific time.

## LICENSE ACTIVATION

If CE courses are taken to activate a license for the first time during a license period, those 15 hours are archived on the date of license activation. This means the courses cannot be used again. Therefore, another 15 hours must be completed to renew the activated license for the next license period. If the CE is not completed, the license will automatically be placed on inactive status until the CE requirement for renewal has been satisfied.

*The next issue of the Update Newsletter will include Part 2: explaining the three exceptions for the CE requirement involving new licensees, reciprocal licensees, and the age exemption.*

## KEEP CURRENT WITH YOUR CONTACT INFORMATION



Have you moved?  
Make sure your:

- Residence Address
- Business Address
- Email Address
- Phone Number

is correct with the Commission!

Update your information:

### ONLINE SERVICES

[Online Services Login](#)

The Commission must be notified within 30 days of the change.

Section 34-27-35(h)



To log in to Online Services, go to: [arec.alabama.gov](http://arec.alabama.gov)

# UPCOMING EVENTS

THE UNIVERSITY OF ALABAMA®

Culverhouse College of Business  
Alabama Center for Real Estate

**FEB 7 & 8**  
Birmingham

ACRE's Annual Conferences  
**ACREeres & ACREcom**

**For more information, visit [ACREevents.info](http://ACREevents.info)**



# Qualifying Brokers Signing Applications for New Licensees

When individuals pass a licensing examination, such as the temporary salesperson exam, reciprocal exam, or broker exam and they ask you to sign their application to be their qualifying broker, please help the Commission and the applicant by reviewing the application with them. Ensure that they have completed it correctly and have attached all the required documentation and fees requested on the instruction pages. Ensure they enter your correct company name, license number, and address in the areas indicated.

Also, ensure they have properly completed the fingerprinting process through our vendor, Gemalto. **Fingerprint cards mailed to the Commission office will not be accepted.** Applications received incomplete or missing required documentation will cause a delay in license issuance or may be subject to being returned by the Commission.



## Certification of Licensure is Not Your License

Occasionally salespersons and associate brokers log on to the Commission's website attempting to print their license and select "Certification of Licensure" from the menu of services. They pay the fee of \$10 for this document thinking they are printing their license only to find out that this is not their license.

A Certification of Licensure is a document requested by other licensure bodies in their license issuance and renewal processes. Your actual real estate license, by law, can only be in the possession of Qualifying Brokers; therefore, it is only available to Qualifying Brokers for printing online or receiving by mail from the Commission office. When applying for your broker's license, your broker can provide your salesperson license to attach to your

application. If you believe you require a copy of your license for any other reason it is recommended that you contact the Commission for assistance.

The Certification of Licensure, sometimes referred to as a license history, certifies detailed information regarding your licensure in Alabama including the current status of your license; your license type; the course work and examination passed to obtain your license; your license history for at least the last ten years; and a statement regarding any disciplinary actions against your Alabama real estate license. If an organization or individual requests written proof that you have or have had an Alabama real estate license, this document will provide them more information than

a copy of your current or last license.

If you determine that you need this document the fee is \$10. It can be requested from the Commission's website by logging in under Online Services or you can mail in a request to the Commission by completing the *Request for Certification* form located on the Commission's website under *Forms*. If you request the document with a printed Alabama state seal it will not be mailed but will be made available for printing by you for 3 days. If you require a document with a raised (embossed) Alabama state seal the document will be prepared at the Commission and mailed from the Commission office. Contact the Commission if you have any questions before purchasing this document.

## STILL HAVE NOT RENEWED YOUR REAL ESTATE LICENSE? IT'S NOT TOO LATE!

If you have an inactive license that expired on September 30, 2018 you have until September 30, 2019 to renew the license, with a late fee, to get it back to current status and updated to a September 30, 2020 expiration date.

If you do not renew your license during this grace period it will lapse on October 1, 2019. A lapsed license cannot be renewed and you must meet all licensing requirements again if you choose to engage in real estate activities in the future. Therefore, keeping your license renewed and current will prevent it from a lapsed status. This can be to your advantage if real estate-related activities are in your future. If you know someone with an expired real estate license, please pass this information on to them.



# DISCIPLINARY ACTIONS

*Penalties for violations of the Real Estate License Law and Commission rules vary depending upon the particular facts and circumstances present in each case. Due to space limitations in The Update, a complete description of the facts cannot be reported below.*

## DISPOSITION

The below were found guilty of violating Section 34-27-36(a)(16) for presenting to the Alabama Real Estate Commission, as payment for a fee or fine, a check which was returned unpaid by the bank upon which it was drawn.

### **Jearena R. Campbell**

**License No. 000064301**

Salesperson; Mobile, Alabama  
Date of Hearing: June 21, 2018

**Fined \$500**

### **Ronald S. Lewis Jr.**

**License No. 000108909**

Salesperson; Birmingham, Alabama  
Date of Hearing: May 24, 2018

**Fined \$500**

### **David Williams**

**License No. 000045039-1**

Salesperson; Orange Beach, Alabama  
Date of Hearing: May 24, 2018

**Fined \$500**

### **Eugene Oliver (Chip) Webber**

**License No. 000111192**

Salesperson; Montgomery, Alabama  
Date of Hearing: April 29, 2018

**Fined \$300**

### **Jennifer Michelle Hillegas**

**License No. 000115256**

Qualifying Broker; Rome, Georgia  
Date of Hearing: February 22, 2018

**Fined \$500**

## DISPOSITION

The below were found guilty of violating Section 34-27-36(a)(8)a. for failing, within a reasonable time, to properly account for or remit money coming into their possession that belonged to others and guilty of violating Section 34-27-36(a)(8)b. for failing to deposit and account for at all times all



funds belonging to, or being held for others, in a separate federally insured account or accounts in a financial institution located in Alabama.

### **Leonard B. Brooks**

**License No. 000031032-0; 000031032-2**

Qualifying Broker; Tuscaloosa, Alabama  
Date of Hearing: March 22, 2018

**License revoked**

### **Peerless Property Managers**

**License No. 000044740**

Company; Tuscaloosa, Alabama  
Date of Hearing: March 22, 2018

**Fined \$2,500**

### **Eric Cochran**

**License No. 000095725**

Salesperson; Tuscaloosa, Alabama  
Date of Hearing: March 22, 2018

**Fined \$2,500**

### **Michael Lee Langston**

**License No. 000075237-0; 000075237-1; 000075237-2**

Qualifying Broker; Dadeville, Alabama  
Date of Hearing: March 22, 2018

**Fined \$7,500 and license revoked**

### **The Lake Martin Experience**

**License No. 000108149**

Company; Dadeville, Alabama  
Date of Hearing: March 22, 2018

**Fined \$2,500 and license revoked**

### **James H. Huggins**

**License No. 000007584-0; 000007584-2**

Qualifying Broker; Leeds, Alabama  
Date of Hearing: June 21, 2018

**License revoked**

### **J. Huggins Realty Inc.**

**License No. 000054486**

Company; Leeds, Alabama  
Date of Hearing: June 21, 2018

**License revoked**

## DISPOSITION

The below was found guilty of violating Section 34-27-36(a)(19) by failing to comply with Rule 790-X-3-.01 in that he failed to notify the Commission in writing within thirty (30) days after changing the address of his place of business as set out on his numbered license certificate.

### **Maximilian J. Grelier**

**License No. 000053801**

Qualifying Broker; Huntsville, Alabama  
Date of Hearing: May 24, 2018

**Fined \$100**

## DISPOSITION

The below were found guilty of violating Section 34-27-36(a)(23)b. by having a final judgment for money damages rendered against him which resulted from an act or omission occurring in the pursuit of his real estate business or involving the goodwill of an existing real estate business.



MARCH - SEPTEMBER 2018

APPLICATION FOR LICENSURE

(Includes Applications for Temporary, Broker or Reciprocal licenses.) These numbers represent persons who have come before the Commission requesting hardship extensions to renew licenses, complete exams or submit applications past the deadline. They also represent those who request applications for change in status (i.e. salesperson to broker).

APPROVED ..... 19
DENIED ..... 3

DETERMINATION OF ELIGIBILITY

(Applications for Licensing Eligibility Determination)

These numbers represent persons who come before the Commission requesting approval to be licensed, mainly persons who have criminal prosecutions show in their criminal background checks. They have an opportunity to explain to Commissioners the circumstances surrounding these incidences and be granted permission to proceed with the licensing process or not, based on the Commissioners' ruling.

APPROVED ..... 8
DENIED ..... 3

COMPLAINTS AND INQUIRIES HANDLED BY LEGAL AND INVESTIGATIVE STAFF

FROM LICENSEE ..... 2,302
FROM PUBLIC ..... 880
ANONYMOUS/COMMISSION ..... 76

Jack F. Granger

License No. 000016011-0
Qualifying Broker; Birmingham, Alabama
Date of Hearing: March 22, 2018
Fined \$500

Jack F. Granger

License No. 000016011-3
Continuing Education Instructor; Birmingham, Alabama
Date of Hearing: March 22, 2018
Found guilty; no further action

Granger Thagard and Associates Inc.

License No. 000056220-0
Company; Birmingham, Alabama
Date of Hearing: March 22, 2018
Fined \$500

DISPOSITION

The below was found guilty of violating Section 34-27-36(a)(19) by failing to comply with Section 34-27-31(j) in that she failed to notify the Commission within ten days after notice to her of the institution of a civil suit against her; found guilty of violating Section 34-27-36(a)(19) by failing to comply with Section 34-27-31(k) in that she failed to notify the Commission within 10 days after she received notice of a judgment against her in a civil suit; and guilty of violating Section 34-27-36(a)(23)b. by having a final money judgment rendered against her.

Elizabeth Cole Woods Montgomery

License No. 000088213-0; 000088213-1
Qualifying Broker; Birmingham, Alabama
Date of Hearing: February 22, 2018
Reprimanded

DISPOSITION

The below was found guilty of violating Section 34-27-36(a)(8)b. by failing to deposit and account for at all times all funds belonging to, or being held for others, in a separate federally insured account or accounts in a financial institution located in Alabama; guilty of violating Section 34-27-36(a)(19) by failing to comply with Rule 790-X-3-.03(2) in that she failed to

pay over to her qualifying broker all funds coming into her possession in trust for other parties immediately upon receipt; and guilty of violating Section 34-27-36(a)(26) by exhibiting conduct that constitutes or demonstrates dishonest dealings, bad faith or untrustworthiness.

Kristen Walden

License No. 000102255
Salesperson; Huntsville, Alabama
Date of Hearing: March 23, 2017
Fined \$3,000 and license revoked

DISPOSITION

The below were found guilty of violating Section 34-27-36(a)(8)a. for commingling money belonging to others with company funds in the trust account.

Dennis Scott Norton

License No. 000096336-0; 000096336-1
Qualifying Broker; Huntsville, Alabama
Date of Hearing: February 22, 2018
Fined \$2,500; Required to complete Risk Management for Brokers course and a Property Management course

Rocket City Property Management LLC

License No. 000109051
Company; Huntsville, Alabama
Date of Hearing: February 22, 2018
Fined \$2,500

DISPOSITION

The below was found guilty of violating Section 34-27-36(a)(19) by failing to comply with Section 34-27-30(8) in that he procured or assisted in procuring prospects for the purpose of effecting rental of real estate situated within the State of Alabama and violating Section 34-27-36(a)(19) by failing to comply with Section 34-27-30(10) by presenting himself as being able to perform an act for which a license is required.

Randall D. Hilsman

License No. 000048532
Salesperson; Gulf Shores, Alabama
Date of Hearing: September 29, 2014
No punishment



ALABAMA REAL ESTATE

# COMMISSION

EMPOWER, CONNECT, AND EDUCATE



**EMPOWER** Empowering the real estate professional and the consumer.



**CONNECT** Connecting the real estate professional and consumer to the resources they need.



**EDUCATE** Educating the real estate professional and the consumer.

## COMMISSIONERS

- Bill Watts, Birmingham, *Chairman*
- Danny Sharp, Dothan, *Vice Chairman*
- Emmette Barran, Decatur
- J. Reid Cummings, Mobile
- Cindy Denney, Tuscaloosa
- Joyce Shivers Harris, Selma
- Carole J. Harrison, Auburn
- Vaughn T. Poe, Eutaw
- Susan T. Smith, Fort Payne

## ALABAMA REAL ESTATE COMMISSION

- Patricia Anderson, Executive Director
- Teresa D. Hoffman, Asst. Executive Director
- Vernita Oliver-Lane, Editor
- Lori Moneyham, Associate Editor

1201 Carmichael Way  
 Montgomery, Alabama 36106  
 Phone: 334.242.5544  
 Fax: 334.270.9118

[arec.alabama.gov](http://arec.alabama.gov)  
[arec@arec.alabama.gov](mailto:arec@arec.alabama.gov)



## THE UPDATE

is published for the benefit of the Alabama Real Estate Industry by the Alabama Real Estate Commission.

## COMMISSION MEETINGS OPEN TO THE PUBLIC

All Commission meetings are open to the public and that includes real estate licensees. Commissioners welcome and encourage attendance and observation by any licensee in any location. Locations, dates, and times can be found on the Commission's website at [arec.alabama.gov](http://arec.alabama.gov).

## REAL ESTATE LICENSES EXPIRE SEPTEMBER 30, 2020

Remember to renew all broker, salesperson, and company licenses in every even-numbered year.

Presort Standard  
 U.S. Postage  
**PAID**  
 Montgomery, AL  
 Permit 286

# Briefly Legal and Commission Note

*The Commission will be sending out our new "Briefly Legal and Commission Note" email at a minimum of once a month to share legal tidbits and Commission information. The format below will be used for each. There will be a License Law question and answer and then a Commission note to share information about Commission business you will find helpful. Previously emailed "Briefly Legal and Commission Notes" are archived on our website, [arec.alabama.gov](http://arec.alabama.gov), on the Media menu under Publications. If you have a License Law question or topic you would like addressed, please send it to [mandy.lynn@arec.alabama.gov](mailto:mandy.lynn@arec.alabama.gov).*

## TODAY'S QUESTION

Once you have a contract on a property, how long must you continue presenting additional offers to the seller?

## THE ANSWER

Section 34-27-84(a)(5) of the License Law states, **"(a) Licensees shall have all of the following obligations to all parties in a real estate transaction: (5) When assisting a party in the negotiation of a real estate transaction, to present all written offers in a timely and truthful manner."** It does not say you can stop whenever you choose. Therefore, all written offers that you sometimes call back up offers, must be presented until the transaction has been completed or in other words until closing.

All obligations that licensees owe to consumers in a real estate transaction as stated in Section 34-27-84, also appear on the Real Estate Brokerage Services Disclosure form

as required by RECAD. As a reminder, this form must be given to consumers for their signature and kept in the company files for a minimum of three years.

## COMMISSION NOTE

If you want to read about Commission meetings, the minutes are posted online after they are adopted. Go to [arec.alabama.gov](http://arec.alabama.gov), click on "Commission" at the top of the page to get the drop-down menu, and then click on "Meeting Minutes." Select the meeting you would like to read about. All meetings are open meetings and the minutes are posted whether they are the regular Commission meetings or special meetings. For example, the Commission's Strategic Planning Meeting was August 23, 2018 and the regular Commission meeting was August 24, 2018. You will see minutes for each of those meetings.