



SPECIAL RENEWAL ISSUE!

See inside for complete details on Renewal Requirements and Procedures, Online Renewals, License Fees, CE Requirements, CE Age Exemptions AND MORE.

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RENEW ONLINE!

www.arec.alabama.gov

• eCheck • Visa • MasterCard • Discover • American Express

RENEW **ONLINE**

Renewing online is the best way to renew your license. It is quick, efficient and paperless. Upon completion, you will receive a confirmation that you can print for your files and be assured that you have paid your fee and renewed your license.



FOLLOW THESE EASY STEPS

- Go to the Commission's Web site at www.arec.alabama.gov and select the button under the Quick Links labeled "License Renewal."
- You will then see a page with a link to "Online Services" showing a list of on-line services. Click on "Online Services."
- You will be taken to a login screen where you can access your record. Enter your five-digit license number (without the leading zeros and the extension), the last four digits of your social security number, and your date of birth (format with 2 digits each for month and day, 4 digits for year, ex. MM/DD/YYYY).
- Once logged into your record, you will see a screen that will allow you to change your home address, home zip code, phone number, and email address, if needed. After the information has been changed or confirmed, click "Next" at the bottom of the screen.
- The next screen will show the current contact information the Commission has on record for you and also a list of Available Services. Click on "License Renewal" and begin the process of renewing your license.
- In this phase you will be given the renewal fee amount and payment options. You will then put in your payment information for credit card or eCheck. Upon completion of payment, there will be a confirmation page that you can print and keep for your records.

DEADLINE

Remember, if renewing online, you must do so by **midnight on August 31, 2008**, to avoid the \$150 penalty. Do not rely on your computer clock if you are renewing close to midnight. The Alabama Real Estate Commission is synced to the NIST clock at nist.time.gov.

MULTIPLE BROKER LICENSES

Brokers who hold multiple licenses can renew all licenses at one time after logging in. If choosing not to renew all licenses, make sure you are renewing the one(s) you wish to renew.

■ **Renewing Company License Online:**

Qualifying brokers can renew the company license by logging into the company record. On the login screen, put in the company license number, the last four digits of the qualifying broker's social security number, and the qualifying broker's date of birth.

■ **Renewing All Licensees in Company:**

Qualifying brokers can renew all or part of their licensees by logging into

the company record. There the qualifying broker will see a list of all salesperson and broker licensees and can check off the ones to be renewed. The payment screen will then give a total amount due for all licenses to be renewed.

Again, we encourage all licensees to renew online. There is then no worry about whether or not the Commission received your mailed renewal and you will receive an immediate confirmation that your license is renewed.

TRANSACTION FEE

A \$3.50 fee is charged by Alabama Interactive to process the transactions.

PAYMENT ONLINE

- Credit Cards:
 - Visa
 - MasterCard
 - American Express
 - Discover
- eCheck

ATTENTION BROKER EXAMINEES

If you pass the broker's examination anytime during June, July, August or September of 2008, you will have a choice to make. You can continue to work under your salesperson's license through September 30 and have the broker's license issued effective October 1 OR you can have the broker's license issued prior to September 30. If you choose to have it issued prior to September 30, then you must renew the broker's license.

When making your decision, remember this. In either case, there is no need to renew your salesperson's license UNLESS you fail to pass the broker's exam and you need the salesperson's license in order to continue to operate after October 1, 2008. If you pay the salesperson's renewal fee, it cannot be refunded to you nor can it be credited toward your broker original license fee.

RENEW BY MAIL



- Submit your renewal form and appropriate fee TOGETHER.
- Have your renewal postmarked by **August 31, 2008**, to avoid the \$150 penalty.
- Make sure the check is in the correct amount, please.
- No changes can be made on the renewal form.
- Do not use someone else's renewal form unless you are trying to renew his/her license!

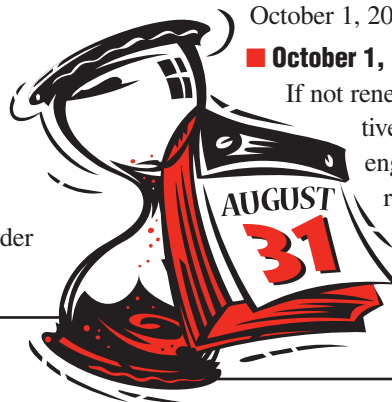
PAYMENT BY MAIL:

- Company check • Personal check • Cashier's check • Money order

RENEWAL DEADLINES

FOR 2009-2010 LICENSES

- **August 31, 2008** - last day to renew without penalty
- **September 1, 2008** - add \$150 penalty fee
- **September 30, 2008** - last day to renew in order to have license issued to active status on October 1, 2008



- **October 1, 2008** - 2006-2008 licenses expire. If not renewed for 2009-2010, you are inactive by operation of law and may not engage in real estate activities that require a license.
- **September 30, 2009** - last day to renew the 2009-2010 licenses.

RENEWAL FEES



If submitted by **AUGUST 31, 2008**

(Submitted means paid online by midnight on **August 31, 2008**, or if submitted by mail, the official postmark for the form and fee is on or before August 31, 2008.)

- Broker \$195
- Salesperson \$175
- Company \$170

If submitted on or after **SEPTEMBER 1, 2008**

(Submitted means paid online after midnight on **August 31, 2008**, or if submitted by mail, the official postmark for the form and fee is on or after September 1, 2008)

- Broker \$345
- Salesperson \$325
- Company \$320

Licenses To Be Renewed

ALL licenses must be renewed EXCEPT 1) temporary salesperson's licenses and 2) salesperson's licenses of those who pass the broker exam in June, July, August or September and do not want the broker's license issued until October 1, 2008. If you hold or are responsible for one of the following licenses, renew it before September 1, 2008, to avoid an additional \$150 penalty fee. The following must be renewed if you want to keep them:

ACTIVE LICENSES

- Salesperson licenses (not temporaries)
- Broker licenses, which includes:
 - First, second, third, fourth, etc. broker licenses
 - All associate brokers
 - All qualifying brokers
 - All temporary brokers
- All company licenses, which includes:

- Sole Proprietorships
- Corporations
- Branch Offices
- Partnerships

INACTIVE LICENSES

- Salesperson licenses (not temporaries)
- Broker licenses

NOTE:
**ALL COMPANY
LICENSES MUST
BE RENEWED.**

EDUCATION CORNER

Check Your CE Credit on the Commission's Web Site

By Ryan Adair, Education Director

- 1.** Go to the Commission's Web site at www.arec.alabama.gov and select the top button under the Quick Links labeled "Check CE Credit."
- 2.** You will be taken to a login screen that requires your five-digit license number (without the leading zeros and the extension), the last four digits of your social security number, and your date of birth (entered MM/DD/YYYY).
- 3.** Once logged in, you will see a screen that will allow you to change your home address, home zip code, phone number, and email address if needed. After the information has been changed or confirmed, click "Next" at the bottom of the screen.
- 4.** The next screen will show the current contact information the Commission has on record for you and also a list of Available Services. Click on "Licensee CE Credit" to see a list of all courses taken for which credit has been submitted. If you have completed a course and it is not identified in the list, you should contact the instructor or school and let them know.
- 5.** Click on the course title and you will see specific course information.
- 6.** In the list of courses, you will also see an option to evaluate the course. Course evaluations are available 30 days after the completion date of the course. The button in that column will identify the number of days left to evaluate the course. If the 30 days have lapsed, it will tell you the course evaluation has expired. An expired course evaluation does not affect your course credit in any way.

NOTE CE credit for the 2008 license renewal will be removed from the Commission's Web site effective **October 1, 2008**. Make sure you print a final copy of your credit prior to that date so you will have a record of it in case it is needed for other reasons. ■

Q's & A's

Q: In what time frame do courses have to be taken to count toward the 2008 renewal?

A: Courses taken only between October 1, 2006, and September 30, 2008, are acceptable for meeting renewal requirements in 2008.
[License Law Section 34-27-35 (j) (1)]

Q: How do I know how many CE hours I have taken?

A: All licensees must check their CE credit by logging into the Online Services section of the Commission's Web site and selecting the link entitled Licensee CE Credit under Available Services.
[License Law Rule 790-X-1-.12 (7)]

Q: How can I find out where courses are being offered?

A: There is a Real Estate Course Search feature on the Commission's Web site located under the Quick Links on the home page. This feature allows licensees to search for courses using any of the following criteria: course type, location, course name, and instructor's last name.
[License Law Rule 790-X-1-.12 (5)]

Q: If I am a new licensee and recently completed the 30-hour Post License course, do I have to take more courses for renewal?

A: No. The 15 hours of CE earned from the post license course will be applied toward the first renewal of a license.
[License Law Rule 790-X-1-.12 (13)]

Q: If I took 15 hours of CE during this current license period to activate my license, will those hours take care of my renewal for the next period?

A: No. If 15 hours of CE were taken to activate a license for the first time during this license period, an additional 15 hours will need to be taken to renew that license for the next period. Even if your license was activated in late July, an additional 15 hours will need to be taken prior to September 30 for renewal purposes.
[License Law Rule 790-X-1-.13 (1) and Section 34-27-35 (j) (1)]

Q: What if I took some courses in another state?

A: Courses taken in another state can be used to satisfy the requirement of 12 elective hours of CE. If you have already taken courses in another state since October 1, 2006, or are planning on taking courses in another state prior to October 1, 2008, you must submit the following documentation to the Commission's Education division in order to receive credit:

1. Verification that the course is approved by any real estate commission
 2. Verification of the number of hours for which it is approved
 3. Verification that you attended 100 percent of the course
- [License Law Rule 790-X-1-.12 (15)] ■

Renewal Requirements for **RECIPROCAL LICENSEES**

Reciprocal licensees have options from which to choose to satisfy continuing education requirements for license renewal.



Option 1

Take 15 hours of Alabama-approved CE, including three hours of Risk Management and 12 elective hours. The elective hours can be taken out-of-state as long as you provide verification of the dates that you attended the course, verification that the course was approved by any real estate commission, and the number of hours for which it was approved.

Option 2

Submit a certification of licensure or letter from the regulatory agency in the state where prelicense course work was completed and the licensing examination was passed. The certification of licensure or letter must show:

1. the type of license
2. proof that the license is active and current at least through September 30, 2008
3. proof that a full licensing examination, not just the state portion, was passed in that state

The certification of licensure or letter must be dated no earlier than June 1, 2008, and it must be an original unless it was faxed directly from the real estate commission office.

A letter was mailed to all reciprocal licensees detailing these options and requirements of each. If you are a reciprocal licensee and did not receive this letter, please contact the Education Division. ■

License Renewal Information

- All licenses, except temporary salesperson licenses, expire at midnight on September 30, 2008.
- Both active and inactive licenses must be renewed to remain current.
- Renew online at www.arec.alabama.gov.
- Renewal forms will be mailed by **August 1, 2008**.
 - If you have not renewed online by August 10, 2008, and have not received a renewal form by then, you must notify the Alabama Real Estate Commission that you have not received a form.
 - Licenses not renewed by September 30, 2008, will be placed on inactive status on October 1, 2008.
- **Renewal fees are as follow:**
 - Broker: \$195 • Salesperson: \$175 • Company: \$170
 - The above fees are the license renewal fee plus the \$2.50 per year (\$5.00 total) real estate research and education fee.
 - All company licenses must be renewed, including the sole proprietorships.
 - Renewal fees received September 1, 2008, through September 30, 2008, will be subject to a \$150 penalty fee to be paid in addition to the renewal fee.
- **Late renewal fees are as follow:**
 - Broker: \$345 • Salesperson: \$325 • Company: \$320
- **Acceptable forms of payment:**
 - **Online:** Visa, MasterCard, American Express, Discover, eCheck
 - **Mail:** Personal check, business check, certified funds. No credit cards by mail.

Other license transactions, such as a license transfer, must be done through regular transfer procedures and cannot be accomplished through the renewal process. The renewal process only renews the license. ■

Continuing Education Requirements for 2008 License Renewal

BASIC INFORMATION:

- **Total CE needed:** 15 hours
License Law Section 34-27-35 (j) (1)
License Law Rule 790-X-1-.11 (1)
- **Deadline:** September 30, 2008
License Law Section 34-27-35 (j) (1)
- **Courses to take:** 3 hours in Risk Management
12 hours in approved elective courses
License Law Rule 790-X-1-.11 (1)

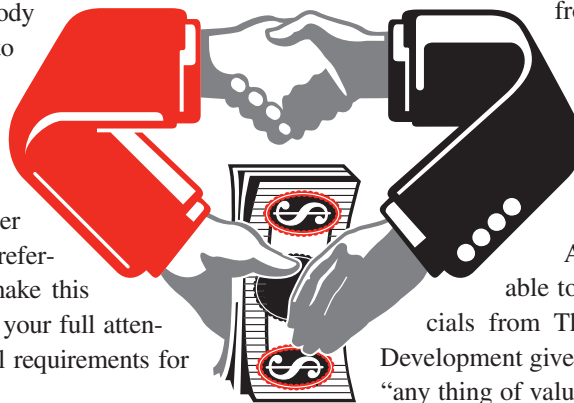
BRIEFLY LEGAL

No Referral Fees to Unlicensed Persons

By Charles R. Sowell, General Counsel

I bet when you are in a class everybody knows that it is against the rules to pay any compensation or commission to an unlicensed person. Well then how is it that we hear stories about unlicensed friends and business acquaintances receiving gift certificates, dinner certificates, and like compensation for referring business to some of you? I will make this short and to the point, because we want your full attention directed towards complying with all requirements for license renewal.

Real estate licensees are subject to disciplinary action for violating Section 34-27-36(a)(11) Ala. Code which prohibits "...paying and profit, compensation, commission, or fee to, or dividing any profit, compensation, commission, or fee with anyone other than a licensee or multiple listing service..." These practices are also a violation of federal law. Section 8 of the Real Estate Settlement Procedures Act (RESPA) prohibits anyone



from giving or accepting a fee, kickback or any thing of value in exchange for referrals to settlement service providers such as real estate licensees. Violations of this provision of RESPA are punishable both as criminal acts and by civil penalties.

At a recent ARELLO conference I was able to hear two top RESPA enforcement officials from The Department of Housing and Urban Development give a presentation on this subject. They said "any thing of value" includes dinners, gift certificates, and the like. Perhaps there has been some confusion caused by their admission that violations under \$50 are usually not pursued, simply as a matter of resource management. They added, however, that this should not be relied upon. They reserve the right to go after any violations, depending on the facts. We at the Commission take the same position, but we have no policy on value of the payment, no matter how minimal. ■



THE AGE EXEMPTION FOR CE CREDIT

Confusion still exists regarding the age exemption for CE credit. Many licensees think that the exemption applies as soon as they turn 65. This is not true. As stated in Section 34-27-35(j)(2), any licensee reaching the age of 65 on or before September 30, 2000, AND having been licensed 10 years prior to that date is exempt from CE requirements. Rule 790-X-1-.13(2) provides more detail by saying licensees are exempt from meeting continuing education requirements only if they were both 65 years old prior to October 1, 2000, AND held a real estate license continuously from October 1, 1990-September 30, 2000. Licensure for that 10-year period could be active, inactive, or a combination of the two. You will see from both of these references to Alabama License Law that there are two qualifications required to meet the age exemption:

1. You must have turned 65 on or before **September 30, 2000**
AND
2. You must have been licensed continuously from **October 1, 1990**
through September 30, 2000

Licensees must meet both of these requirements in order to be exempt from continuing education requirements. Licensees who have reached age 65 since October 1, 2000, are not exempt and **MUST** meet CE requirements. If you are exempt from taking continuing education, you will see that identified when you log in through Online Services on the Commission's Web site to check your CE credit. Otherwise, 15 hours of continuing education must be completed by September 30, 2008, to have your license renewed on active status as of October 1.

DISCIPLINARY ACTIONS TAKEN

March 2008 through April 2008

DISPOSITION

The below were found guilty for violation of Section 34-27-36(a)(16) by 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.

Kesha Baltimore

License No. 000083352

Salesperson; Birmingham, Alabama

Date of Hearing: March 10, 2008

License Revoked; Ordered to replace the \$25 for the check and to pay the \$30 bad check fee

Bradley A. Beasley

License No. 000076588

Qualifying Broker; Mobile, Alabama

Date of Hearing: March 10, 2008

Fined \$250

Betty Spradley Kimber

License No. 000092100

Salesperson; Tuscaloosa, Alabama

Date of Hearing: March 10, 2008

Fined \$250

Nicole Shields

License No. 000090180

Salesperson; Montgomery, Alabama

Date of Hearing: March 10, 2008

Fined \$250

Tina H. Hunt

License No. 000090160

Salesperson; Huntsville, Alabama

Date of Hearing: April 4, 2008

Fined \$250

Donna C. White

License No. 000091657

Qualifying Broker; Nashville, Tennessee

Date of Hearing: April 4, 2008

Fined \$250

REMEMBER... All licenses, active and inactive, must be renewed.

DISPOSITION

The below was found guilty of violation of Section 34-27-36(a)(8)a. and 34-27-



36(a)(8)b. for failure to deposit and account for at all times all funds being held for others by having a shortage of such funds.

Alean W. Middleton

License No. 000046897

Qualifying Broker; Huntsville, Alabama

Date of Hearing: March 10, 2008

Fined \$1,000

DISPOSITION

The below was found guilty of Count #1 and Count #2 for violation of Section 34-27-31(j) and Section 34-27-31(k) through Section 34-27-36(a)(19) for failing to notify the Commission of the institution and disposition of a civil action involving a real estate transaction and Count #3 for violation of 34-27-36(a)(23)b. for having a final money judgment 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.

Shawn Pinion

License No. 000053859

Associate Broker; Northport, Alabama

Date of Hearing: March 10, 2008

Reprimanded

REMEMBER... Renewal fees must arrive in the Commission office or be postmarked by August 31, 2008, to avoid a \$150 penalty.

DISPOSITION

The below were found guilty of Count #1 for violation of Section 34-27-36(a)(2) for engaging in misrepresentation or dishonest or fraudulent acts when selling, buying, trading, or renting real property of her own or her spouse and failing to disclose the existence of the two contracts and the repayment to the buyer and Count #2 for violation of Section 34-27-36(a)(21) for misrepresenting or failing to disclose to a lender and mortgage broker the true terms of a sale of real estate.

Renae Jones

License No. 000081702

Associate Broker; Decatur, Alabama

Date of Hearing: April 4, 2008

Guilty of Count #1 and Count #2; License Revoked

Theresa L. Simon

License No. 000089806

Salesperson; Decatur, Alabama

Date of Hearing: April 4, 2008

Guilty of Count #2; License Revoked

REMEMBER... Check your CE Credit at www.arec.alabama.gov

OTHER ADMINISTRATIVE ACTIONS

DETERMINATION OF LICENSURE

Approved..... 15
Denied 5

DETERMINATION OF ELIGIBILITY

Approved..... 1
Denied 4

COMPLAINTS AND INQUIRIES HANDLED BY LEGAL AND INVESTIGATIVE STAFF

From Licensees..... 887
From Public..... 423
Anonymous..... 14



**ALABAMA
Real Estate Commission**

1201 Carmichael Way • Montgomery, AL 36106

OUR MISSION

To protect the public through the licensing and regulating of Real Estate licensees.

OUR VISION

To insure public confidence in real estate transactions.

OUR VALUES

Effective management of our resources, excellent customer service, innovation, and honesty and integrity.

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

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**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 Web site at www.arec.alabama.gov.

LICENSE RENEWAL DATES

**Real Estate licenses expire
September 30, 2008.**

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

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SPECIAL RENEWAL ISSUE!

Renewal Deadline: August 31, 2008

See inside for complete details on Renewal Requirements and Procedures, Online Renewals, License Fees, Requirements for Reciprocal Licensees, CE Requirements, CE Age Exemptions AND MORE.

**The Alabama Real Estate Commission will be closed
on the following 2008 official state holidays.**

Labor Day	September 1
Columbus Day/Fraternal Day/American Indian Heritage Day	October 13
Veterans Day	November 11
Thanksgiving	November 27
Christmas Day	December 25