



A Property Manager's Brief Guide to Compliance with Real Estate License Law

1. Licensure Requirements:

- A person, who, for another, operates, manages, or rents, or offers or attempts to operate, manage, or rent, other than as custodian, caretaker, or janitor, any building or portions of buildings to the public as tenants must have a real estate license. *O.R.C. 4735.01; 4735.02*
- An individual working with residential rental property who works under the supervision of a broker and whose compensation for service is primarily on a salaried or hourly basis **does not** have to obtain a license if he or she only performs the following limited duties:
 - (1) Maintenance;
 - (2) Clerical or administrative support;
 - (3) Collects or accepts rents and/or security deposits which are made payable to the owner or real estate brokerage;
 - (4) Exhibits or shows residential rental units to prospective tenants;
 - (5) Furnishes published information;
 - (6) Supplies applications and leases;
 - (7) Receives applications and leases for submission to the owner or brokerage for approval.
- Under **no circumstances** may a person do the following without a license:
 - (1) Negotiate contracts or lease agreements;
 - (2) Vary or deviate from the rental price and/or other terms and conditions previously established by the owner or broker when supplying information concerning the rental of property to a prospective tenant;
 - (3) Approve applications or lease agreements, or settle or arrange the terms and conditions of a lease on behalf of the owner or broker;

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Cleveland Office Closing - see page 20 for details

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- (4) Offer inducements to prospective tenants unless they are previously advertised or prearranged with the owner or broker;
- (5) Interpret or provide their opinion concerning the terms or conditions of a lease agreement;
- (6) Indicate to the public that he is in a position of authority which has the ultimate managerial responsibility of the rental property.

O.A.C. 1301:5-5-07

Q & A on licensure requirements

Q: As a property manager, am I able to have a maintenance worker unlock a property to allow prospective tenants access to a property?

A: *Yes, under very limited services. The actions of the maintenance worker would be limited to unlocking the property. He or she could not answer questions about the property, provide lease terms, "market" the property by pointing out amenities, or any other activities that require a license.*

Q: I have a salesperson's license and would like to manage property outside of and separate from my brokerage activities. Is this permissible?

A: *No. To engage in property management activities that require a license, you would either have to obtain your broker's license or run the property management through your broker.*

Q: What happens if I'm caught managing property without a license?

A: *The Ohio Real Estate Commission may assess a civil penalty of up to \$1,000 per violation, per day against any person found to be engaging in unlicensed activity, a violation of R.C. 4735.02. Each action taken without a license is considered a separate violation. For example, if you run an ad for a property for two weeks, show the property five times within that two-week period and negotiate two leases on behalf of the owner, you have committed 21 violations and may be fined up to \$21,000.*

Q: What if I'm showing properties to prospective tenants for an owner, but I don't get paid money to do so? I'm only doing it because I want her to continue to use my landscaping business.

A: *Even if you don't get paid money to perform activities that require a license, you may still be participating in unlicensed activity because license law indicates expecting to receive something of value is sufficient to trigger licensure requirements. You are expecting to receive the value of the owner's continued patronage of your landscaping business; therefore, you are expecting valuable consideration.*

2. Trust Account Requirements

- All brokerages engaging in the management of property for another shall establish and maintain a separate trust account(s), to be designated as property management trust account(s), for the deposit of security deposits, rents, and money received from the owner(s) or on the owner's behalf for payment of expenses related to the management of property.
- Before making disbursements from a property management trust account, the real estate licensee shall ensure that the account balance for that owner's property is sufficient to cover the disbursements.
- A property management trust account established by a broker may earn interest. Except as provided below, the interest earned shall be payable on a pro rata basis to the owner(s) of the property on whose behalf monies are deposited in the property management trust account.
- The interest shall be paid or credited on a regular basis, but in no event later than on a quarterly basis.
- The property owner(s) and broker may agree that the interest due the owner(s) will be paid in a manner other than specified and to a party other than the owner(s). Any such agreement must be specified in writing, signed by the owner(s) and the broker or an authorized agent of the broker.

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- A broker's property management trust account does not have to earn interest.
- A separate ledger sheet shall be maintained for each owner of property managed by the brokerage identifying the following information in columnar form:
 - (1) Name and/or address of the property;
 - (2) Parties to the transaction;
 - (3) Amount, date, and purpose of deposit(s);
 - (4) Party from whom deposits are received;
 - (5) Amount, date, check number, and purpose of disbursements;
 - (6) Party to whom disbursements are made;
 - (7) Running balance of funds on deposit for the particular owner of property;
 - (8) Amount of interest earned on behalf of the owner(s) of the property(ies) if any.
- In paying expenses on behalf of an owner from a property management trust account, there must be enough funds credited and deposited to the owner's account to cover said expense.
- Security deposits received by a licensee must be deposited and maintained in the property management trust account unless the lease and property management agreement provide otherwise.
- Security deposits maintained in the property management trust account must be clearly identified and credited to the tenant.
- All brokerages who engage in property management activities shall provide an accounting to each owner of property managed on a regular basis, but in no event not less than on a quarterly basis.

O.A.C. 1301:5-5-11

- Brokerages engaged in the management of property for another may, pursuant to a written contract with the property owner, exercise signatory authority for withdrawals from property management account(s) maintained in the name of that property owner. The contract with the property owner shall specify the purposes for which the brokerage may make withdrawals from the owner's account(s) and any dollar limits that exist on the amounts the brokerage may withdraw. Any modification to these specifications must be agreed to in writing.
- A brokerage that withdraws funds from a property management account maintained in the name of the property owner, pursuant to a written contract with the property owner, does not violate division (A) of section 4735.18 of the Revised Code.
- Brokerages engaged in the management of property on behalf of property owners through property management accounts maintained in the owner's name, must comply with paragraphs (C) and (E) of rule 1301:5-5-11 (the ledger and accounting requirements above) of the Administrative Code.

O.A.C. 1301:5-5-23

3. Disclosure Requirements

Consumer Guide to Agency Relationships

http://www.com.state.oh.us/real/Model_Consumer_Guide_Update.aspx

- A licensee must provide a Consumer Guide to Agency Relationships to an owner or tenant prior to certain triggering events described below except that a licensee does not have to provide a consumer guide regarding the rental or leasing of residential premises if the rental or lease agreement can be performed in eighteen months or less or for the referral of a prospective tenant or owner to another licensee.
- A licensee acting as an owner's agent shall provide the owner with the Consumer Guide to Agency Relationships prior to marketing or showing the owner's real estate and shall obtain a signature from the owner acknowledging receipt unless the owner refuses to provide a signature. If the owner refuses to provide a signature, the licensee shall note this on the policy.
- A licensee working directly with a tenant/lessee in a real estate transaction, whether as the tenant/lessee's agent, the owner's agent, or the owner's subagent, shall provide the tenant/lessee with the Consumer Guide to Agency Relationships, obtain a signature from the tenant/lessee acknowledging receipt of the policy unless the tenant/lessee refuses to provide a signature. If the tenant/lessee refuses to provide a signature, the licensee shall note this on the policy.

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- The licensee shall provide the brokerage policy on agency to a tenant/lessee prior to the earliest of the following actions of the licensee:
 - (1) Initiating a prequalification evaluation to determine whether the purchaser has the financial ability to purchase or lease a particular real estate property;
 - (2) Requesting specific financial information from the purchaser to determine the purchaser's ability to purchase or finance real estate in a particular price range;
 - (3) Showing the real estate to the purchaser other than at an open house;
 - (4) Discussing, with the purchaser, the making of an offer to purchase or lease real estate;
 - (5) Submitting an offer to purchase or lease real estate on behalf of the purchaser.
- If the earliest event described above is by telephone or electronic mail, the licensee shall disclose by that same medium the nature of the agency relationship that the licensee has with both the owner and the tenant/lessee. The licensee shall provide the tenant/lessee with the consumer guide at the first meeting with the purchaser following this disclosure of the agency relationship.

R.C. 4735.56

Agency Disclosure Statement

http://www.com.state.oh.us/real/documents/2005-01-01_Agency_Disclosure_Form_000.pdf

- In addition to the consumer guide, licensees must present an Agency Disclosure Statement prior to one of the triggering events below except with respect to the rental or leasing of residential premises if the rental or lease agreement can be performed in eighteen months or less or for the referral of a prospective purchaser or seller to another licensee;
- A licensee who is a tenant's agent or an owner's subagent working with a tenant shall present the Agency Disclosure Statement to the tenant and request the tenant to sign and date the statement no later than the preparation of an offer to purchase or lease, or a written request for a proposal to lease. The licensee shall deliver the statement signed by the tenant to the owner's agent, or to the owner if the owner is not represented by an agent. Prior to presenting the owner with either a written offer to purchase or lease, or a written request for a proposal to lease, the owner's agent, or the tenant agent if the owner is not represented by an agent, shall present the agency disclosure statement to the owner and request the owner to sign and date the statement.

R.C. 4735.58

Q: I only provide services to commercial clients. Do I have to follow disclosure requirements for the Consumer Guide to Agency Relationships and the Agency Disclosure Statement?

A: *Yes. There are no exemptions with respect to commercial property. Even if the lease is eighteen months or less, you must follow disclosure requirements.*

4. Property Management Agreements

- Property management agreements are agency agreements and, therefore, must contain the following:
 - (1) An expiration date;
 - (2) A statement that it is illegal, pursuant to the Ohio fair housing law, division (H) of section 4112.02 of the Revised Code, and the federal fair housing law, 42 U.S.C.A. 3601, to refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of race, color, religion, sex, familial status as defined in section 4112.01 of the Revised Code, ancestry, military status as defined in that section, disability as defined in that section, or national origin or to so discriminate in advertising the sale or rental of housing, in the financing of housing, or in the provision of real estate brokerage services;
 - (3) A statement defining the practice known as "blockbusting" and stating that it is illegal: "It is also illegal, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representations

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regarding the entry into the neighborhood of a person or persons belonging to one of the protected classes.”

(4) A copy of the United States department of housing and urban development equal housing opportunity logotype, which may be found at <http://www.hud.gov/library/bookshelf11/hudgraphics/fheologo.cfm>.

- Each written agency agreement shall contain a place for the licensee and the client to sign and date the agreement.
- A licensee shall furnish a copy of any written agency agreement to a client in a timely manner after the licensee and the client have signed and dated it.

Q: Do property management agreements have to be in writing?

A: *No. License law only provides specific requirements if the agreement is in writing. However, the Division encourages you to put your agreements in writing to avoid confusion and disputes with respect to your expected duties and compensation.*

Q: I only manage commercial property. Do my management agreements with respect to commercial property have to meet these requirements?

A: *The requirements listed above only apply to an agency agreement in which the property identified on the agency agreement falls within the definition of housing accommodation as contained in any municipal, state, or federal fair housing law and regulation.*

Section 4112.01 of the Revised Code defines “housing accommodations” as “any building or structure, or portion of a building or structure, that is used or occupied or is intended, arranged, or designed to be used or occupied as the home residence, dwelling, dwelling unit, or sleeping place of one or more individuals, groups, or families whether or not living independently of each other; and any vacant land offered for sale or lease.” “Housing accommodations” also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesperson, or agent, by any other person pursuant to authorization of the owner, by the owner, or by the owner’s legal representative.”

5. Basic License Law Requirements

- The following are fiduciary duties that must be followed by any licensee who has an agency relationship, including that of manager/property owner, with a client:
 - Exercising reasonable skill and care in representing the client and carrying out the responsibilities of the agency relationship;
 - Performing the terms of any written agency agreement;
 - Following any lawful instructions of the client;
 - Performing all duties specified in this chapter in a manner that is loyal to the interest of the client;
 - Complying with all requirements of this chapter and other applicable statutes, rules, and regulations, including the Ohio fair housing law, division (H) of section 4112.02 of the Revised Code, and the federal fair housing law, 42 U.S.C.A. 3601;
 - Disclosing to the client any material facts of the transaction of which the licensee is aware or should be aware in the exercise of reasonable skill and care and that are not confidential information pursuant to a current or prior agency or dual agency relationship;
 - Advising the client to obtain expert advice related to material matters when necessary or appropriate;
 - Accounting in a timely manner for all moneys and property received in which the client has or may have an interest;
 - Keeping confidential all confidential information, unless the licensee is permitted to disclose the information pursuant to division (B) of section 4735.74 of the Revised Code. This requirement includes not disclosing confidential information to any licensee who is not an agent of the client.

R.C. 4735.62

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- A licensee shall disclose to any tenant all material facts of which the licensee has actual knowledge pertaining to the physical condition of the property that the tenant would not discover by a reasonably diligent inspection, including material defects in the property, environmental contamination, and information that any statute or rule requires be disclosed. Actual knowledge of such material facts shall be inferred to the licensee if the licensee acts with reckless disregard for the truth.
- A licensed property manager may be disciplined by the commission for doing the following:
 - Knowingly making any misrepresentation;
 - Making any false promises with intent to influence, persuade, or induce;
 - A continued course of misrepresentation or the making of false promises through agents, salespersons, advertising, or otherwise;
 - Acting for more than one party in a transaction except as permitted by and in compliance with section 4735.71 of the Revised Code;
 - Failure within a reasonable time to account for or to remit any money coming into the licensee's possession which belongs to others;
 - Dishonest or illegal dealing, gross negligence, incompetency, or misconduct.
 - Procuring a license under this chapter, for the licensee or any salesperson by fraud, misrepresentation, or deceit;
 - As a real estate broker, having demanded, without reasonable cause, other than from a broker licensed under this chapter, a commission to which the licensee is not entitled, or, as a real estate salesperson, having demanded, without reasonable cause, a commission to which the licensee is not entitled;
 - Except as permitted under section 4735.20 of the Revised Code, having paid commissions or fees to, or divided commissions or fees with, anyone not licensed as a real estate broker or salesperson under this chapter or anyone not operating as an out-of-state commercial real estate broker or salesperson under section 4735.022 of the Revised Code;
 - Having falsely represented membership in any real estate professional association of which the licensee is not a member;
 - Having accepted, given, or charged any undisclosed commission, rebate, or direct profit on expenditures made for a principal;
 - Having offered anything of value other than the consideration recited in the sales contract as an inducement to a person to enter into a contract for the purchase or sale of real estate or having offered real estate or the improvements on real estate as a prize in a lottery or scheme of chance;
 - Having acted in the dual capacity of real estate broker and undisclosed principal, or real estate salesperson and undisclosed principal, in any transaction;
 - Having guaranteed, authorized, or permitted any person to guarantee future profits which may result from the resale of real property;
 - Having placed a sign on any property offering it for sale or for rent without the consent of the owner or the owner's authorized agent;
 - Having induced any party to a contract of sale or lease to break such contract for the purpose of substituting in lieu of it a new contract with another principal;
 - Having negotiated the sale, exchange, or lease of any real property directly with a seller, purchaser, lessor, or tenant knowing that such seller, purchaser, lessor, or tenant is represented by another broker under a written exclusive agency agreement, exclusive right to sell or lease listing agreement, or exclusive purchaser agency agreement with respect to such property except as provided for in section 4735.75 of the Revised Code;
 - Having offered real property for sale or for lease without the knowledge and consent of the owner or the owner's authorized agent, or on any terms other than those authorized by the owner or the owner's authorized agent;
 - Having published advertising, whether printed, radio, display, or of any other nature, which was misleading or inaccurate in any material particular, or in any way having misrepresented any properties, terms, values, policies, or services of the business conducted;
 - Having knowingly withheld from or inserted in any statement of account or invoice any statement that made it inaccurate in any material particular;
 - Having published or circulated unjustified or unwarranted threats of legal proceedings which tended to or had the effect of harassing competitors or intimidating their customers;

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- Having failed to keep complete and accurate records of all transactions for a period of three years from the date of the transaction, such records to include copies of listing forms, earnest money receipts, offers to purchase and acceptances of them, records of receipts and disbursements of all funds received by the licensee as broker and incident to the licensee's transactions as such, and records required pursuant to divisions (C)(4) and (5) of section 4735.20 of the Revised Code, and any other instruments or papers related to the performance of any of the acts set forth in the definition of a real estate broker;
- Failure of a real estate broker or salesperson to furnish all parties involved in a real estate transaction true copies of all listings and other agreements to which they are a party, at the time each party signs them;
- Failure to maintain at all times a special or trust bank account in a depository in this state, to be used exclusively for the deposit and maintenance of all rents, security deposits, escrow funds, and other moneys received by the broker in a fiduciary capacity in the course of managing real property. This account shall be separate and distinct from any other account maintained by the broker. The name, account number, and location of the depository shall be submitted in writing to the superintendent. This account may earn interest, which shall be paid to the property owners on a pro rata basis.
- Having failed to put definite expiration dates in all written agency agreements (property management agreements) to which the broker is a party;
- Having an unsatisfied final judgment in any court of record against the licensee arising out of the licensee's conduct as a licensed broker or salesperson;
- Failing to render promptly upon demand a full and complete statement of the expenditures by the broker or salesperson of funds advanced by or on behalf of a party to a real estate transaction to the broker or salesperson for the purpose of performing duties as a licensee under this chapter in conjunction with the real estate transaction;
- Failure within a reasonable time, after the receipt of the commission by the broker, to render an accounting to and pay a real estate salesperson the salesperson's earned share of it;
- Performing any service for another constituting the practice of law, as determined by any court of law;
- Having been adjudicated incompetent for the purpose of holding the license by a court, as provided in section 5122.301 of the Revised Code. A license revoked or suspended under this division shall be reactivated upon proof to the commission of the removal of the disability.
- Having authorized or permitted a person to act as an agent in the capacity of a real estate broker, or a real estate salesperson, who was not then licensed as a real estate broker or real estate salesperson under this chapter or who was not then operating as an out-of-state commercial real estate broker or salesperson under section 4735.022 of the Revised Code;
- Having knowingly inserted or participated in inserting any materially inaccurate term in a document, including naming a false consideration;
- Having failed to inform the licensee's client of the existence of an offer or counteroffer or having failed to present an offer or counteroffer in a timely manner, unless otherwise instructed by the client, provided the instruction of the client does not conflict with any state or federal law.

R.C. 4735.18

Appraisal Subcommittee (ASC) Review

Appraisal Subcommittee (ASC) policy manager Jenny Tidwell, assisted by Denise Graves, visited the Division in November 2007 and conducted a thorough evaluation of Ohio's real estate appraiser regulatory program.

The audit included a complete review of appraiser applications, appraiser enforcement case files and educational programs to ensure compliance with federal guidelines and regulations.

In her detailed report, Ms. Tidwell deemed Ohio as having a model appraiser regulatory program and repeatedly noted Ohio's "incredible progress" in the investigation and complaint resolution process.

In a response letter, Division Superintendent Kelly Davids thanked the ASC for recognizing Ohio's progress and wrote, "Substantial compliance with Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, as amended ... can only be accomplished through the hard work and dedication of all. We are fortunate to have a tremendous team of licensing, investigative, and legal staff who are overwhelmingly supported by the administration and the Board."

Real Estate Continuing Education (CE) Compliance for Real Estate Brokers and Salespeople

How Can I Find Out My Continuing Education Due Date?

Ohio Real Estate license information can be found at the Division of Real Estate's eLicense center. Go to the [Lookup License Information](#) section and enter the licensee's last name or license number and choose *Division of Real Estate and Professional Licensing* from the Board Dropdown.

Do I need to submit Continuing Education Certificates?

YES! All licensees are required to submit proof of their completion of continuing education (CE) on a Real Estate Continuing Education Compliance Form. Copies of certificates from CE courses attended MUST accompany the completed form. The [Combined Renewal Application with Education Compliance Form](#) can be found on the Division of Real Estate's website. The website is interactive so the form can be completed and then printed. The compliance form explains in detail how to submit proof of completion of the hours required. Any compliance form that is not properly completed, or education that is submitted without the correct certificates, will be returned to the licensee for correction.

Can a course provider submit my CE Certificates for me?

No! Each licensee is responsible for submitting proof of CE completion as part of the license renewal process. While CE providers are required to submit electronic rosters of all CE classes for attendance verification, it does not relieve the licensee of their obligation to show proof of CE completion.

I have seen that some CE Providers offer immediate or "rush" data submission for a fee. If I am very close to my due date, can this help me meet my timelines?

NO, IT WILL NOT!!!

Certificates and the Real Estate Continuing Education Compliance Form must be postmarked on or before your renewal due date. CE Providers are required to submit this information within 14 days of each held class. Regardless of when the CE Provider submits the data, licensees are responsible for timely submission of renewal information.

What will happen if the CE Provider has submitted my attendance verification data, but I have failed to submit my proof of certificates by my due date?

Your license will be suspended for failure to comply Ohio Administrative Code 1301:5-7-02 (F).

Attention Licensees!

Home Address Update

Pursuant to Ohio Revised Code 4735.14, renewal notices for brokers and salespersons must be mailed to the licensee's personal residence. The Ohio Division of Real Estate & Professional Licensing is finding many home addresses are not valid – especially those on file for brokers.

There are three ways to update your home address with the Division:

- E-mail the information, including license number and name, to webreal@com.state.oh.us
- Fax the information, including license number and name, to (614) 644-0584.
- Go to the [e-License center](#), enter your user ID and Password and update your home address.

If you have any questions or to obtain your user ID and Password, please contact the Division at (614) 466-4100.

Remember: If you do not get your renewal notice and then forget to renew, your license could be revoked!

Answers to Your Questions On Continuing Education



Q. I have taken some real estate courses in Ohio that were NOT approved by the Division of Real Estate for Continuing Education. Is there any way that I can use these courses for credit toward my 30 hours of Continuing Education?

A. No. Courses taken in Ohio but not approved by the Division are not recognized toward continuing education credit.

Q. I took a real estate course in Chicago, can I receive continuing education credit for attending the course?

A. Possibly. Continuing Education courses not previously approved by the Division of Real Estate and **not available in Ohio** may receive continuing education credit under specific circumstances. However, there is a \$100 non-refundable processing fee for each course petitioned to be recognized, and, if approved, the course hours will only be recognized toward elective credits. The form to petition the Division of Real Estate to recognize an out-of-state continuing education course can be found at: http://www.com.state.oh.us/real/documents/COM_CE_Not_Previously_Approved_000.pdf

Q. Can I use the above form to petition the Division to recognize a pre-licensure or College course?

A. No. Courses must be offered for Continuing Education and cannot be college courses, pre-licensure or post-licensure courses of any kind.

Q. If I petition for the Division to recognize a distance (online) course, will it be recognized?

A. No. Only Division-approved distance (online) courses will be recognized for continuing education credits. These courses are listed on the online look up. The lookup can be found at: https://www.com.ohio.gov/real/real_apps/real/ce_lookup/default.aspx

Q. How can I make sure a course is approved by the Division of Real Estate?

A. All classes listed on the Division of Real Estate's Course Lookup have been approved for continuing education credit. The lookup can be found at: https://www.com.ohio.gov/real/real_apps/real/ce_lookup/default.aspx

Q. I just received information about a course being held next month, but it is not listed on the Division's website. Does that mean it will not be recognized by the Division of Real Estate?

A. Not necessarily. Providers may submit previously approved courses in as little as 10 days prior to the date of the course. Thus, the application may go through the approval process and be recognized closer to the date of the course. We encourage continuing education providers to submit class applications well in advance of the mandated time frames so that attendees can feel confident about their continuing education choices.

ARE YOU AN APPRAISER WHO HAS BEEN PRESSURED TO "HIT A NUMBER?" THERE IS HELP!

Pursuant to Ohio Revised Code 4763.12(E), "No person, directly or indirectly, shall knowingly compensate, instruct, induce, coerce, or intimidate, or attempt to compensate, instruct, induce, coerce, or intimidate, a certificate holder or licensee for the purpose of corrupting or improperly influencing the independent judgment of the certificate holder or licensee with respect to the value of the dwelling offered as security for repayment of a mortgage loan."

Appraisers who are pressured to "hit numbers" in their appraisals should promptly report such conduct to:

Office of Ohio Attorney General Nancy H. Rogers
Consumer Protection Section
30 E. Broad Street, 14th Floor
Columbus, Ohio 43215
www.ag4ohio.gov
1-877AG-4-OHIO

Friendly Reminders...

Note your name, license number and reason for payment on every payment remitted to the Division.

Return an original license...

- ...when a broker or salesperson reactivates from a suspension.
- ...when a broker or salesperson places his or her license in an inactive status.
- ...when a broker transfers to a new company, return the original brokerage license and addendum from the current company and the new company.
- ...when a notice is received from the Division asking for the return of a license.

When a salesperson transfers to a new brokerage, the original license does not need to be returned to the Division.

Renewal of your real estate license is a 2-step process:

1) Renewal Application

a. on-line renewal at <https://elicense1-secure.com.ohio.gov>

- fast & easy
- all questions, signatures & fees are correct
- make certain to print confirmation page
- mail in CE certificates and Education Compliance Form

b. paper renewal

- answer all questions
- make certain to submit correct fees
- sign application
- submit CE certificates and Education Compliance Form

2) Continuing Education

Only paper format is available at this time. Submit class certificates and completed education compliance form.

The required CE courses are:

- Core Law - 3 hours
- Civil Rights - 3 hours
- Ethics - 3 hours
- Electives - 21 hours (The **E** requirement is waived for licensees who are 70 years of age or older.)

All renewal and education forms, certificates and correct fees must be delivered to the Division or be post-marked on or before the licensee's due date to prevent the license from being suspended.



Home Builders - Inducements

Ohio Revised Code 4735.18(A)(14) requires real estate agents to include in the purchase contract any inducements to enter into the purchase contract. Generally, agents will recite the inducement in an addendum.

For example, a salesperson offers to rebate a portion of his/her commission to a buyer to induce the buyer to buy a new-build home. This rebate must be included in the contract. If a salesperson does not do so, he/she is in violation of license law and may be disciplined by the Ohio Real Estate Commission.

Be compliant with the law and include the addendum!

Legal Q & A

Q: I am a business broker in Florida. I would like to be able pursue some business opportunities in Ohio and I would like to know Ohio's licensing requirements. In searching your website, I see no mention of business brokerage. Am I right to conclude that I do not need any specific licensing to perform business brokerage activities in Ohio?

A: *Ohio Revised Code 4735.01(I)(5) provides an exemption from licensure "as a person who engages in the brokering of the sale of business assets, not including the negotiation of the sale, lease, exchange, or assignment of any interest in real estate." In other words, if you are going to sell businesses, you do not need a license as long as real estate is not included as an asset being sold, leased, etc. Often, business brokers work with an Ohio licensed broker to handle the selling/leasing of real estate related to the business. The civil penalty for unlicensed activity is up to \$1,000 a day for each violation, so resist the temptation to list the property, as well as the business.*

Q: Since I have my real estate license in Florida, if I have a local Ohio real estate broker handle the real estate portion of the transaction, am I eligible to receive a referral fee?

A: *The O.A.C. provides the following:*

· A licensed real estate broker of this state may pay a commission or referral fee to a licensed real estate broker of another state who refers clients or prospects to the Ohio real estate broker, except as provided in ORC 4735.022. The out-of-state broker who refers clients or prospects to an Ohio real estate broker may not perform any of the other acts of a real estate broker with regard to property located in Ohio unless they first obtain an Ohio real estate broker's license.

· A licensed real estate broker of this state may receive a commission or referral fee from a licensed real estate broker of another state for the referral of clients or prospects to the licensed real estate broker of another state.

· As used within this rule, the term "refer" or "referral" means the introduction or directing of a person by one broker to another broker for real estate brokerage services.

O.A.C. 1301:5-5-06 Referral fees paid to persons licensed in other states.

Q: I am creating a website for my brokerage. Are there any specific advertising requirements for a website?

A: *In addition to the requirements of ORC 4735.16 (brokerage/broker must be identified and the salesperson's name must be in equal prominence), the following requirements are specific to websites:*

· All internet advertising of real estate services shall disclose the name of the broker or brokerage on every viewable web page of the website. For purposes of this rule, a web page is one that may or may not scroll beyond the borders of the screen.

· Information maintained by a licensee and posted on an internet website that becomes outdated or expired shall be updated within fourteen days of the information becoming outdated or expired. Each website maintained by a licensee shall disclose the date upon which the information contained therein was most recently updated. If a licensee's website is maintained on the licensee's behalf by a third party, the licensee shall provide to the third party, a timely written notice, by mail, fax or electronic means, of any updates to outdated or expired information, so that such updates may be accomplished in accordance with this paragraph. A licensee who provides such timely notice shall not be in violation of this paragraph, if the third party fails to effect a requested change as notified.

O.A.C. 1301:5-1-02 Advertising.

Walk-In “Receipt” Q & A

Q: I used to get a “walk-in approval” signed by a customer service representative when I would hand deliver a transfer, reactivation, or renewal application. Now I just get a “walk-in application receipt.” Why was the process changed?

A: *The Division recently clarified the process when receiving hand-delivered transfers, reactivations, and renewal applications. The Division provides a “walk-in receipt” signed by a customer service representative because a licensing examiner must review the paperwork submitted to determine if there is a defect in the application or a legal/ethical history issue. If found, the application may not be approved, rendering the “walk-in approval” inaccurate.*

The majority of hand-delivered applications will be approved and the approval date will be retroactive to the day the application was received.

Q: How long does it take a licensing examiner to review my application?

A: *Applications are generally processed within three business days. Most are approved and the approval date is recorded as the day received.*

Q: Why wouldn't I be approved?

A: *The superintendent may refuse to approve an application if the licensee is no longer in compliance with license law. The reasons a licensee would not be approved include: being convicted of a serious felony, having received serious discipline against another professional license, or having failed to comply with an outstanding order by the Real Estate Commission. Fortunately, the Division does not receive many applications that indicate reasons sufficiently serious to warrant disapproving a transfer, reactivation or renewal application.*

Q: Can I practice real estate while the examiner processes my hand-delivered application?

A: *Yes. Once your application is processed, your approval date is retroactive to the day you walked in your application. During that processing time you may continue to practice real estate. If, ultimately, your application is not approved, the Division will not consider enforcement action for practicing during the time in which your application was processed unless the licensee **inflicted public harm, knowingly misrepresented information on the application, or otherwise acted in bad faith with respect to the application process.***

Q: How do I know I was approved?

A: *The quickest way to confirm your application was processed is to look up your license at <http://elicense1-lookup.com.ohio.gov/SearchCriteria.asp>. You may also call the Division at 614-466-4100.*

IRS Offers Income Verification Express Service (IVES) Processing

In October 2006, the Internal Revenue Service began the Income Verification Express Service (IVES) program, offering electronic delivery of IRS transcripts and records upon submission of IRS Form 4506-T, *Request for Transcript of Tax Return*.

The IVES program is used by the financial community to confirm the income of a borrower during the processing of a loan application. The IRS provides return transcripts, W-2 transcripts and 1099 transcripts generally within 2 business days to a third party with the consent of the taxpayer. The transcript information is delivered to a secure mailbox based on information received from a Form 4506-T, *Request for Transcript of Tax Return*. A \$4.50 fee is imposed on each transcript requested.

This service replaces the previous process that required manual pick-up and delivery of transcripts from the seven IRS Return and Income Verification Services (RAIVS) units located across the country.

The new service automates the delivery portion of the process. Customers will now log on to www.irs.gov to retrieve their requested transcripts from a secure mailbox located on the e-Services electronic platform.

The “front end” of the process remains the same. Customers will continue to fax or mail the signed Form 4506-T, *Request for Transcript of Tax Return*, to one of the designated RAIVS units.

Ohio businesses should submit their requests to the Cincinnati RAIVS unit:

Cincinnati RAIVS Team
P.O. Box 145500 Stop 2800F
Cincinnati, Ohio 45250
Fax (859) 669-3592

For details on participation in the IVES program, including submission of requests, fees and payments, please go to www.IRS.gov (keyword IVES).

Federal Trade Commission Tutorial

The United States Federal Trade Commission (FTC) recently rolled out an on-line website that provides a free tutorial guide to educate businesses about protecting the personal information of customers, clients and employees. The interactive tutorial, called “Protecting Personal Information: A Guide for Business,” is available at www.ftc.gov/infosecurity. It is supplemented by a print version of the guide, a coordinated slide show and articles on related subjects that may be reprinted. The guide also includes checklists of steps that can be taken to improve data security and provides related information links.

Ohio law requires real estate licensees to maintain the confidentiality of transaction-specific information such as social security numbers, personal financial data and other information. While some real estate companies may have sophisticated records security systems, others may not. Even though the above information from the FTC is not specifically directed at real estate businesses, it may help licensees to better protect confidential, sensitive information.

Licensing Status Q & A – Resigned and Voluntary Hold statuses

Q: I no longer wish to hold my Ohio Real Estate Broker and/or Salesperson license. Is there any way to give up my license without it showing up REVOKED?

A: Yes, effective 9/22/08, a licensee may place the license in a **RESIGNED** status.

The resignation of a license allows the licensee to **permanently** give up the license if he/she no longer wishes to hold the license. The resignation of a license is considered to be **final** without the taking of any action by the superintendent. A licensee whose license is active, inactive or suspended (except due to disciplinary action) may request that the license be put into a resigned status.

If a person whose license is in a resigned status wishes to obtain an active license, the person shall apply for an active license in accordance with the requirements specified in Ohio Revised Code 4735.07 or 4735.09, as applicable.

Please note: Once a license is placed in a resigned status, the licensee cannot reactivate that license. A new license must be obtained.

Q: I'm not sure if I want to permanently give up my license. Is there a way to hold off making this permanent decision until I decide what I want to do?

A: Yes, effective 9/22/08, a licensee whose renewal fees and continuing education requirements are current may place the license in a **VOLUNTARY HOLD** status for up to 12 months.

If the licensee's triennial renewal date occurs during the twelve-month period, the licensee's renewal fee and continuing education would be due **at the time of reactivation**. If the licensee does not apply to reactivate a license on voluntary hold during the twelve-month period or does not fulfill the renewal and/or continuing education requirements in that time, the license will be automatically **resigned**.

Please note: If an active Broker places his/her license in a **voluntary hold** or **resigned** status that results in the closure of the broker's brokerage, the broker must provide to each salesperson associated with that broker a written notice stating that fact within three days of applying to the division for the voluntary hold or resigned status.

Real Estate Citations

Upon receipt of evidence of a violation of Ohio license law, the Superintendent has discretion to:

- Initiate a formal investigation, or
- Issue a citation for certain violations (*if a licensee is cited more than three times within twelve consecutive months, the Superintendent must issue formal charges*)

Once a citation is issued, the Superintendent:

- Gives notice to licensee of the alleged violation
- Issues a fine of up to \$200 per violation, which is ultimately deposited in the Real Estate Recovery Fund
- Gives the licensee the opportunity to request a hearing within 30 days of the issuance of the citation

If no hearing is requested, the citation becomes final on the 31st day after issuance. Failure to pay the citation within 60 days of the date of issuance results in an automatic suspension of the license.

A citation may be issued for the following license law violations:

- Advertising
- Consumer Guide to Agency Relationships
- Agency & Dual Disclosure Statement
- Fair Housing
- Agency Agreements

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Real Estate Citations continued...

The following citations were issued in 2007:

Date	Licensee	Fine Paid	Violation	Citation
01/31/07	Michael E. Irwin	\$200	RC 4735.18(A)(21)	Advertising Violation
01/31/07	William Balcer	\$200	RC 4735.55(A)(2)	Fair Housing Violation
02/01/07	Gary Elswick	\$200	RC 4735.18(A)(21)	Advertising Violation
02/12/07	Phillip Covic	\$200	RC 4735.18(A)(9) as it incorporates 1301:5-1-02	Fair Housing Violation
02/12/07	Ryan Phillips	\$200	RC 4735.18(A)(9)	Consumer Guide Violation & 4735.181 as it incorporates 4635.56(D)
02/12/07	Helen Turchin	\$200	RC 4735.18(A)(9)	Fair Housing Violation as it incorporates 4735.55(A)(2)
02/12/07	Rubber City Realty	\$200	RC 4735.18(A)(9)	Fair Housing Violation as it incorporates 4735.55(A)(2)
03/01/07	Helen K. McClaskie	\$200	RC 4735.18(A)(9)	Fair Housing Violation as it incorporates 4735.55(A)(2)
03/01/07	Julie Hupp	\$400 (\$200 per violation)	RC 4735.18(A)(9) as it incorporates 4735.55(A)(2)	Agency Agreement Violation & Fair Housing Violation
03/07/07	Kenneth J. Marchinak	\$200	RC 4735.18(A)(21)	Advertising Violation
04/04/07	Michael S. Boyce	\$200	RC 4735.18(A)(21)	Advertising Violation
04/04/07	Ohio State Realty.com	\$200	RC 4735.18(A)(21)	Advertising Violation
04/06/07	Sandra D. Wilburn	\$400	RC 4735.18(A)(21) (\$200 per violation)	Advertising Violation
04/20/07	Elaine M. Kress	\$200	RC 4735.18(A)(21)	Advertising Violation
04/20/07	Mike Baughman	\$400 (\$200 per violation)	RC 4735.18(A)(6) as it incorporates 4735.58(A) & 4735.18(A)(9) as it incorporates 4735.56(D)	Agency Disclosure Form Violation & Consumer Guide Violation
05/24/07	Michael C. McDaniels	\$200	RC 4735.18(A)(21)	Advertising Violation
07/19/07	Constantine Glaros	\$200	RC 4735.18(A)(9) as it incorporates 4735.55(A)(2)	Fair Housing Violation
07/23/07	Keith J. Kistler	\$200	RC 4735.18(A)(9) and 4735.181(A) as it incorporates 4735.56(C)	Consumer Guide Violation
07/23/07	Richard L. Helminiak	\$200	RC 4735.18(A)(21) as it incorporates 4735.16(B)	Advertising Violation
07/26/07	Fred A. Borgerson	\$200	RC 4735.18(A)(9) as it incorporates 4735.55(A)(2)	Fair Housing Violation
08/16/07	Home Town Realty of Vandalia	\$200	RC 4735.18(A)(21) as it incorporates OAC 1301:5-1-02(D)	Advertising Violation
10/10/07	James R. Lance	\$200	RC 4735.18(A)(21) as it incorporates OAC 1301:5-1-02(B)	Advertising Violation
11/08/07	Tina R. Pence	\$200	RC 4735.18(A)(21) as it incorporates 4735.16(B)(1)	Advertising Violation
11/08/07	Jan M. Metz	\$200	RC 4735.18(A)(21) as it incorporates 4735.16(B)(1)	Advertising Violation

Real Estate Disciplinary Actions

Listed below are the Real Estate Disciplinary Actions for October 2007 to April 2008. The actions can be found on the website at: http://www.com.ohio.gov/real/docs/real_RealEstateDiscipline.pdf.

REVOCATIONS/PERMANENT SURRENDER

Martha E. Baker	Salesperson	Canton
Richard R. Bevilaqua, Jr.	Salesperson	Painesville
Candace L. Casey	Salesperson	Apison, TN
Vicki J. Knight	Salesperson	Cuyahoga Falls
Meryl Tyrone Rowley	Broker	Maumee
Jeff Snyder	Salesperson	Canfield

SUSPENSIONS, FINES, EDUCATION and REPRIMANDS

Jaunece S. Adams	Salesperson	Pepper Pike
Steven Barlow	Salesperson	Columbus
Angela C. Bartley	Salesperson	Columbus
Nicole E. Bauer	Salesperson	Mason
BCD Holding Co.	Real Estate Company	Celina
C. Gregory Bettendorf	Salesperson	Beavercreek
Elias E. Boulos	Broker	Youngstown
Judith L. Casmo	Salesperson	Columbus
Ross David Casmo	Salesperson	Columbus
Central Group, LLC	Real Estate Company	Toledo
William A. Chapman	Salesperson	Toledo
Steven N. Chupp	Salesperson	New Philadelphia
Manuel Lorenzo Curry	Broker	Woodmere Village
Andrew R. Denkowski	Broker	Columbus
Velva Dunn	Salesperson	Columbus
Ginni Elzey	Salesperson	Cincinnati
FRI Mason, LLC	Real Estate Company	Mason
Hanna Referral Assoc.	Real Estate Company	Poland
Haven Realty, Inc.	Real Estate Company	Garfield Heights
Pamela Hines	Salesperson	Athens
Leigh Ann M. Lee	Salesperson	Dublin
Deborah L. Loughborough	Broker	Akron
Barbara S. Nering	Salesperson	Middleburg Heights
Ohio Equities, LLC	Real Estate Company	Columbus
Donna L. Perkins	Salesperson	Dayton
Mario Pignatelli	Broker	Columbus
Larry D. Prince	Salesperson	Wooster
Robert J. Raglin	Broker	Columbus
Rapino Realty, Inc.	Real Estate Company	Holland
Margaret L. Rauch	Salesperson	Columbus

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Real Estate Disciplinary Actions continued...

Diane I. Remar	Broker	Independence
Trevor P. Renner	Salesperson	Copley
Results First Realty, Inc.	Real Estate Company	Dayton
John E. Rich	Salesperson	Mason
Jeannette R. Ruggiero	Salesperson	Barberton
Shelly J. Sammons	Salesperson	Newark
Michael E. Samuels	Broker	Cincinnati
Christian E. Sanchez	Salesperson	Columbus
James J. Shalaty	Salesperson	Cleveland
Andrew N. Siers	Broker	Dublin
James E. Simpson	Broker	Columbus
Arnold Smith	Broker	Miamisburg
Elaine Smith	Salesperson	Canton
Ronald D. Snyder	Broker	Bluffton
Leeann M. Starks	Salesperson	Cincinnati
Sulphur Springs Realty, Inc.	Real Estate Company	Toledo
David R. Tobin	Salesperson	Cincinnati
Patti Urbatis (1)	Broker	Granville
Patti Urbatis (2)	Broker	Granville
Lenny Vaccaro	Salesperson	Seven Hills
Gregory H. Webb	Salesperson	Portsmouth
Eugene L. Wells	Broker	Mount Gilead
Roxanne Whatley	Salesperson	Akron
Larry A. Whited	Broker	West Chester
Heather D. Whitehead	Salesperson	New Albany
Nicole R. Yoder-Barnhart	Salesperson	Columbus
Y-Town Realty, Inc.	Real Estate Company	Youngstown

UNLICENSED ACTIVITY

American Midwest Mortgage Corp.	Willoughby
B & D Maintenance-Management	Columbus
Business Recourse Group, LLC	Wooster
Kamal J. Gregory	Dayton
Madison Marquette Realty	Dayton
Lynnette S. Maly	Twinsburg
Shari L. Morter	Stow
Gary Underhill	Wooster
Janet Winrod	Columbus
Mike Zuren	Willoughby

Appraiser Disciplinary Actions

Listed below are the Appraiser Disciplinary Actions for September 2007 to March 2008. The actions can be found on the website at: http://www.com.ohio.gov/real/docs/real_AppraiserDiscipline.pdf.

REVOCATIONS/PERMANENT SURRENDER

Richard Amrhein	Registered Appraiser Assistant	Troy
Donna Chapman	Licensed Residential Appraiser	Cardington
James Gaither	Licensed Residential Appraiser	Canal Winchester
Norman Galloway	Licensed Residential Appraiser	Chardon
John Hedeem	Certified General Appraiser	Plymouth
Vivian Howe	Licensed Residential Appraiser	Troy
Daniel Nichter	Licensed Residential Appraiser	Hilliard
Richard Risser	Licensed Residential Appraiser	Mansfield

SUSPENSIONS, FINED, ADDITIONAL EDUCATION AND REPRIMANDS

James Allmon	Licensed Residential Appraiser	Grove City
Charlotte Barcey	Certified General Appraiser	Salem
Lysa Reed Blackburn	Certified Residential Appraiser	Dublin
Bruce Bradic	Licensed Residential Appraiser	Lakewood
Terry Bryant	Licensed Residential Appraiser	Hamilton
Bruce Buckholz	Certified Residential Appraiser	Rocky River
James Caldwell	Certified General Appraiser	Rocky River
Sally Carothers	Certified General Appraiser	Reynoldsburg
Corinna Catauro	Certified General Appraiser	Youngstown
Jeffrey Compston	Licensed Residential Appraiser	Jamestown
William Cook	Certified Residential Appraiser	Hubbard
Timothy Corey	Licensed Residential Appraiser	Youngstown
Jeffrey Cox	Licensed Residential Appraiser	Reynoldsburg
Leroy Culp	Licensed Residential Appraiser	Loveland
Richard Scott Davis	Licensed Residential Appraiser	Dayton
Thaddeus Eugene Dawson	Certified General Appraiser	Cincinnati
Barbara Dehays (1)	Licensed Residential Appraiser	Columbus
Barbara Dehays (2)	Licensed Residential Appraiser	Columbus
Barbara Dehays (3)	Licensed Residential Appraiser	Columbus
David Derouaux	Licensed Residential Appraiser	Sunbury
Dennis Dolan	Licensed Residential Appraiser	Worthington
Thomas Emerson	Certified Residential Appraiser	Troy
Raymond Fountain	Licensed Residential Appraiser	Beachwood
Randall Gaspar	Licensed Residential Appraiser	West Chester
Anthony Glass	Licensed Residential Appraiser	Cincinnati
Heath Harner	Licensed Residential Appraiser	Lancaster
Terasa Hisle	Licensed Residential Appraiser	Franklin
Tina Hoffacker	Certified Residential Appraiser	Waynesville

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Appraiser Disciplinary Actions continued...

Tim Hoover	Licensed Residential Appraiser	Toledo
Robert Hudak	Licensed Residential Appraiser	North Royalton
John Jewett	Licensed Residential Appraiser	McArthur
Michael Jones	Licensed Residential Appraiser	Cincinnati
Shawn Kirkhart	Licensed Residential Appraiser	Columbus
Robert Kokai	Licensed Residential Appraiser	Medina
Pamela Lawrentz	Licensed Residential Appraiser	Tallmadge
Wayne Levering	Certified General Appraiser	Gates Mills
Debra Lind	Certified Residential Appraiser	Lorain
Brian Mack	Licensed Residential Appraiser	Middletown
Judson McCann	Licensed Residential Appraiser	Akron
Richard McGinty	Certified Residential Appraiser	Warren
Lori McIntire	Licensed Residential Appraiser	Mentor
Jeffrey McIntyre	Licensed Residential Appraiser	Bowling Green
John McIntyre	Certified Residential Appraiser	Toledo
John McNally	Licensed Residential Appraiser	Loveland
Rick Miller	Certified General Appraiser	West Milton
Jean York Mueller	Licensed Residential Appraiser	Cincinnati
Zilber Plair	Licensed Residential Appraiser	Cincinnati
Chad Price	Licensed Residential Appraiser	Dublin
Reginald Pugh	Certified Residential Appraiser	Euclid
Danny Quicci	Licensed Residential Appraiser	Canton
Stacey Lynn Rentz	Licensed Residential Appraiser	Mentor
James Ritner	Licensed Residential Appraiser	Sagamore Hills
Angel Rogers	Licensed Residential Appraiser	Columbus
Leo Rowe	Certified Residential Appraiser	Columbus
Walter Sambi	Certified Residential Appraiser	Maineville
Dirk Schneider	Certified General Appraiser	Cincinnati
Corinne Schumacher	Licensed Residential Appraiser	Gibsonburg
George Scott	Licensed Residential Appraiser	Bradenton
Jacqueline Sherlock	Licensed Residential Appraiser	Fairlawn
Kent Smith	Certified General Appraiser	Dublin
Cheryl Snyder	Certified General Appraiser	West Milton
Tabitha Stephens	Certified Residential Appraiser	North Royalton
Ronald Stickelman	Certified General Appraiser	Fairborn
James Tagg	Certified General Appraiser	Cambridge
Lynn Tankersley	Licensed Residential Appraiser	Carlisle
Kevin Tomes	Certified Residential Appraiser	Lewis Center
Susan Vermeire	Licensed Residential Appraiser	Westerville
Marcia West	Licensed Residential Appraiser	Willard
Jason Yonker	Licensed Residential Appraiser	Fostoria
Tanya Ziegler	Licensed Residential Appraiser	Westerville

Cleveland Staff Retiring...Office to Close

The Division will say farewell to its Cleveland appraiser licensing staff in September. The Cleveland office will close August 29, 2008, and all operations will transfer to the Division's Columbus office. Adam Tonti, Diane Burke and Barbara Johnson are retiring after a combined 94.5 years of service! Their dedication and hard work has made the appraiser licensing program a great success! The division offers many thanks for their years of service!

Adam Tonti has worked for the State of Ohio since 1970. Early in his career with the State, Adam worked as an assistant Sergeant of Arms and then in the claims section of the Attorney General's office. He joined the Ohio Department of Commerce in 1975 as a financial examiner in the Division of Securities. In 1977, he was assigned to the Division of Real Estate as the real estate enforcement investigator supervisor and supervised twelve investigators. In 1991, he moved to the appraiser enforcement section. From 1993 to 2000, Adam processed and presented complaints filed against cemetery owners and operators to the Ohio Cemetery Dispute Resolution Committee (now a commission) and handled registrations of cemeteries. His most recent duties included managing the division's Cleveland office, supervising four employees and reviewing the appraiser applications for compliance with Appraiser Qualifications Board experience and education requirements.

He plans to spend time with his wife and children, grandchildren and great-grandchildren and play a few rounds of golf during his retirement.



Diane M. Burke joined the division's Cleveland office in 1979. She began her career in the real estate licensing section, processing new applications and administering the sales exam at the Brook Park Armory. She transferred to the appraisal licensing section in 1987 when the program was first implemented. Her duties included all phases of the appraisal licensing process, from the initial applications to annual renewals.

Diane's retirement plans include pursuing her union activities in the theatre entertainment industry and visiting her youngest son, who is a firefighter in the United States Air Force. She also looks forward to spending more time with her three grandchildren. Her husband of 32 years also retired in April.

She will miss her co-workers and friends in both the Columbus and Cleveland offices, with whom she shares many memories with over the years. She is thrilled for the opportunity to pursue her other interests and wishes everyone good luck for the future.

Barbara Johnson joined the division's Cleveland office in 1980. She was originally hired as the receptionist for the office. In 1986, she was promoted to secretary and began to work in the real estate enforcement section. By the next year, she was working specifically in the appraisal and cemetery enforcement sections processing complaints. In 2003, Barb was promoted to administrative assistant and primarily worked in the appraisal enforcement section, which included preparing the Appraiser Board Meetings, preparing adjudication letters, processing cases, and tracking all appraiser disciplinary actions along with working in the licensing section processing renewals. Barb will take with her a lot of memories from the years she's worked for the Division. She has enjoyed working with her co-workers in Cleveland and Columbus and will miss everyone.



From left to right: Diane Burke, Barbara Johnson and Adam Tonti

Barb is planning on being a stay-at-home mom for awhile and volunteering at her daughter's school for her last year in junior high. She intends to go back to school and pursue something in the medical field (part time). She is really looking forward to spending more time with her husband and daughter and helping her mother, who is going to be turning 80! Barb wishes all well and is looking forward to a new beginning.

“Take Your Child to Work Day” in the Division

The Division of Real Estate participated in Take Your Child to Work day on Thursday, April 24. Five children – Nathan, Julia, Baylee, Cierra and Mitchell – visited the Division for a day of fun-filled activities. The children enjoyed a Division of Real Estate tour; fingerprinting and accelerant detection canine demonstrations courtesy of the State Fire Marshal’s office; a presentation on saving money by the Division of Securities; and a tour of the Ohio Statehouse.



From left to right: Baylee Davis (Jeff Davis – dad); Julia Miller (Rick Miller – dad); Superintendent Kelly Davids; Nathan Miller (Rick Miller – dad); Mitchell Mayerchak (Madelin Esquivel – mom) and Cierra Tomlinson (Willetta Marcum – aunt)



State of Ohio
Department of Commerce
Division of Real Estate and Professional Licensing
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