



**The Ohio
Department
of Commerce**

Winter 2003/2004

Division of

Real Estate and Professional Licensing

◆ N E W S L E T T E R ◆

Bob Taft
GOVERNOR

Lt. Gov. Jennette Bradley
DIRECTOR

Anne Moorhead Petit
SUPERINTENDENT

◆ New Year Brings New Mediation Process

Due to the adoption of administrative rule 1301:5-5-24, effective January 1, 2004, the Division of Real Estate implemented a mediation process as part of the informal meeting that precedes a Division investigation. When a complaint is filed with the Division and it is determined to be within the Division's regulatory authority, the complainant and licensee(s) will have an opportunity to participate in this informal/mediation meeting. It is important to remember that both parties must agree to mediation in writing. If an agreement is not reached during mediation, or the licensee(s) fail to comply with the terms of the mediation agreement, the Division will continue with a formal investigation. If an agreement is reached and the terms fulfilled, the Division will close the investigation initiated by that complainant.

For further information regarding the mediation process, we have included a fact sheet on page 3.

New Residential Property Disclosure Form Effective January 1, 2004

Following the completion of the necessary process to adopt into law a new Residential Property Disclosure Form, the new form became effective on January 1, 2004. This marks the first time the form has been updated since its inception in June of 1993. The new form – reflecting more stringent disclosure – is the result of collaboration between the Division and the Ohio Association of REALTORS, which presented the findings of an OAR Task Force that studied the form and made recommendations for improvements.

The form goes from a two-page legal-size document to a four-page letter size document. The new effective date of 1/1/04 is printed in the upper right hand corner of the first page. Questions were added to require disclosure of whether a property has been inspected for mold, whether there is any smoke damage to the property, whether the property is located in a flood plain or the

Lake Erie Coastal Erosion Area and whether the property is located in a historical area or an area subject to fees and assessments.

Additionally, sellers will be required to provide more meaningful disclosure of problems and defects with mechanical systems, water quality and intrusion and nonconforming uses of the property. Finally, the form includes a notification to the purchaser of how to obtain information with respect to Ohio's Sex Offender Registration and Notification law (SORN), commonly known as Megan's Law.

The new form with heightened levels of disclosure will assist both sellers and buyers in averting legal action by ensuring that many of the issues that result in litigation are known up front. Licensees will likewise benefit because the new form is consistent with industry standards in other jurisdictions.



Superintendent Anne Petit receives the ARELLO (Association of Real Estate License Law Officials) Consumer Education Award from Scott Taylor, ARELLO President. The Ohio Division of Real Estate & Professional Licensing was selected to receive the award for its leadership in the development of the June 2003 "Pathways to Home Buying" training seminar.

"I am so pleased and proud that the award committee recognized the innovation outreach and educational benefits of the Division's flagship efforts in this area," Superintendent Petit said. "This award is the direct result of my staff's hard work and commitment."

SUSPENDED License - How does it happen? What must you do? Can you continue to sell real estate?

There are four reasons your license may be suspended:

- Your continuing education was not submitted on time;
- You did not pay your annual renewal by your birthday;
- The broker/brokerage license is suspended;
- The Ohio Real Estate Commission has suspended the license for some type of law or rule violation.

No matter the reason for your suspension, either a Broker Transfer/Reactivation or a Sales Transfer/Reactivation Application must be completed and returned with your original license. The appropriate fee for reactivation must accompany your application. Put your **request in writing** to your broker/brokerage for the return of your original license. Fax or mail a copy of your written request to the Division of Real Estate. This is important because a broker has (three) 3 business days from the time the Superintendent of the Division is notified that you have requested the return of your license (ORC 4735.13). The Division wants to process your application as quickly as possible, but we cannot complete your application until the original license is returned to the Division. The date on your new license will be the date the Division receives all the correct paperwork, the original license and fees. The change will not appear on our website until your application is actually processed on our internal computer system. The processing date is always later than the license date due to internal processing time.

You cannot continue to engage in real estate activity while you are in a suspended status.

ACTIVE License

All renewal fees have been paid, your education is up to date and you have your license with a broker.

INACTIVE License

You cannot work; your license has been sent back to the Division and will be held at the Division until you submit an application to reactivate the license. The license may remain in this status indefinitely as long as your education requirements are current and your annual renewal fee has been paid.

The Homebuying Season Is Upon Us!

This time every year, many Ohio consumers begin considering their options in the housing market. Do they want to change neighborhoods? Is it time to purchase a new home, continue renting, build or select their very first home?

Whatever their choice, this simple fact remains. Many do not have the appropriate information to assist them in making educated decisions in the process of purchasing a home. Before a consumer becomes emotionally involved in this process, they should consider taking these steps: evaluating their finances, understanding home values, familiarizing themselves with the real estate forms and types of agency, choosing a real estate agent and selecting a lender. It is essential for each prospective homebuyer to be equipped with a sound education of all transactions involved in the purchase of a home.

The Division of Real Estate and Professional Licensing has a "Consumer Outreach Program" that includes all of the educational tools necessary to assist consumers with making wise choices when considering their home purchase.

This Homebuyers' Program can be tailored to the educational needs of consumer audiences throughout Ohio. Additionally, the Division invites agencies and real estate boards across Ohio to collaborate in its efforts to broaden the scope of a consumer's understanding in their endeavor to attain the American Dream.

Should your agency or local board desire more information on this program and how you can become involved, please contact Mary Petro at (614) 466-6297.

The Division of Real Estate and Professional Licensing Newsletter is published quarterly by The Ohio Department of Commerce, Division of Real Estate and Professional Licensing.

77 South High Street
20th Floor
Columbus, Ohio 43215-6133

Columbus Office
Voice (614) 466-4100
FAX (614) 644-0584

Cleveland Office
Voice (216) 787-3100
FAX (216) 787-4449

Commission Members
Owen V. Hall, President
Cheryl A. Churchill
Dale W. Marks
George M. Sarap
Lois L. Yeager

Appraiser Board Members
Lawrence A. Kell, Chairman
Margaret A. Hambleton
Richard H. Hoffman
Robert J. Weiler
Cheryl H. Love

Mediation Process Fact Sheet

Ohio Division of Real Estate & Professional Licensing

INFORMAL MEETING/MEDIATION FACT SHEET: WHAT CAN BE EXPECTED

When a written complaint is filed with the Division of Real Estate and the complaint is determined to be within the Division's regulatory authority, the parties will have an opportunity to participate in an informal meeting/mediation. Mediation is a cooperative approach to resolve differences. It is a process in which a neutral third-party (i.e. mediator) helps parties to facilitate an agreement that is acceptable to both sides. Importantly, mediation is completely confidential and voluntary and parties control and make the decisions regarding how their conflict will be resolved, not the mediator.

How Does Mediation Occur?

In order for mediation to occur, both the complainant and the licensee(s) must agree to mediation in writing. If one party does not elect to participate, the Division will proceed with a formal investigation based upon the complaint.

The Mediation Process Explained

If both parties agree to the informal meeting/mediation, the mediation process will begin.

- ⇒ The mediator will contact both parties to schedule the meeting, explain how mediation will be conducted and address any questions the parties may have.
- ⇒ During the meeting, each party tells his or her story regarding the complaint.
- ⇒ The mediator cannot give either party legal advice.
- ⇒ Each party may have an attorney present but it is not required.

The Mediation Agreement/Accommodation

- ⇒ If an accommodation is reached, the mediator will prepare an accommodation agreement.
- ⇒ The agreement will outline the terms of the accommodation, duties of all parties to the mediation and will specify that neither the complainant nor the licensee may use the agreement in any succeeding civil dispute.
- ⇒ The agreement will be signed by both parties which will bind both parties to the agreed upon resolution.
- ⇒ When the terms of the agreement are satisfied, no further action will be taken and the investigation will be closed.

What Happens if No Accommodation/Agreement is Reached?

If an agreement is not reached during the meeting, the Division will proceed with a formal investigation.

What Happens if Terms of the Agreement are not Satisfied?

If the terms of the agreement are not met, the agreement becomes void and a formal investigation is opened.

Benefits of Mediation

- ⇒ The parties make the decision(s) on how their differences will be resolved.
- ⇒ Mediation avoids a formal investigation.
- ⇒ Mediation is a short process versus a formal investigation. Investigations may take many months to resolve.
- ⇒ It's a win-win situation where both parties' needs are met.
- ⇒ It avoids the cost of attorney fees associated with a formal investigation.
- ⇒ The process is confidential.

Appraiser Disciplinary Actions

Dennis Raymond Long, License No.: 439650, a State Licensed Residential Real Estate Appraiser from Akron, Ohio was found to have violated Ohio Revised Code Section 4763.11 (G)(5) as that Section incorporates Uniform Standards of Professional Appraisal Practice, Standards Rule 1-5 (b) and Ohio Revised Code Section 4763.11 (G)(6). For these violations Dennis Raymond Long is issued a written reprimand and is admonished to clearly state and research any recent sales of the subject property, particularly when the sale price deviates considerably from the final value estimated. Further, Dennis Long is ordered by the Appraiser Board to complete a fifteen (15) hour classroom course in Uniform Standards of Professional Appraisal Practice and successfully pass the course examination. The additional appraisal education can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. Dennis Raymond Long did the following with respect to an appraisal report; he did not recite any prior sale of the subject property as occurring within one year of the date of the sale.

Ronald L. Powers, License No.: 405413, a State Licensed Residential Real Estate Appraiser from Wooster, Ohio was found to have violated Ohio Revised Code Section 4763.11 (G)(5) as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-2. For this violation Ronald L. Powers is issued a written reprimand and admonished to follow procedures in his future activities. Ronald L. Powers did the following with respect to an appraisal report; he failed to prominently state the reporting option in the Appraisal Report for the subject property.

Thomas Edward Arnold, License No.: 381121, a State Licensed

Residential Real Estate Appraiser from Uniontown, Ohio, as to count two, is found to have violated Ohio Revised Code Section 4763.11 (G)(5), as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-3 and Ohio Revised Code Section 4763.11 (G)(6). For these violations the Residential Real Estate Appraiser License of Thomas Edward Arnold, is suspended for thirty (30) days. Further, Thomas Edward Arnold is ordered by the Appraiser Board to complete a fifteen (15) hour classroom course in Uniform Standards of Professional Appraisal Practice and successfully pass the course examination. This course must be taken within ninety (90) days. The additional appraisal education can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. Thomas Edward Arnold did the following with respect to an appraisal; he failed to indicate in the appraisal report another persons' significant contribution in the preparation of the report.

Michael Stephen Docs, License No.: 420066, a State Licensed Residential Real Estate Appraiser from Elyria, Ohio is found to have violated as to count one, Ohio Revised Code Section 4763.11 (G)(5), as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 1-1 (c), and Ohio Revised Code Section 4763.11 (G)(6) and (G)(7). For these violations, Mr. Docs is issued a written reprimand and advised of the importance to stay within a market area or otherwise conduct sufficient research or use of an assistant that is familiar with the subject's market area to have the ability to accurately select comparable properties that are truly comparable to the subject property. Further, Mr. Docs is ordered by the Appraiser Board as to count one to complete a fifteen (15) hour classroom course in the Uniform Standards of Professional Appraisal

Practice and successfully pass the course examination. As to count two, Mr. Docs is found to have violated Ohio Revised Code Section 4763.11 (G)(5) as it incorporates Uniform Standards of Professional Appraisal Practice, Standards Rule 1-1 (b) and 2-1 (a) and Ohio Revised Code Section 4763.11 (G)(6) and (G)(7). For these violations, Mr. Docs is ordered to complete a thirty (30) hour classroom course in Appraisal Procedures and successfully pass the course examination. All courses ordered must be taken within one hundred twenty (120) days. The additional appraisal education taken can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. With respect to the second charge, Mr. Docs improperly used comparable properties located outside the market area boundaries and failed to make an adjustment to a comparable property for physical attributes. Michael Stephen Docs reported multiple inaccuracies with respect to an appraisal report. He incorrectly was noting the zoning classification as R-510; incorrectly noting that the subject property has a fireplace; when it does not, incorrectly noting the distance of the subject property to each of the comparable properties, incorrectly noting the lot size of the comparable property and incorrectly noting the sales dates of comparable properties.

Robert E. Heflin, License No.: 380234, a State Licensed Residential Real Estate Appraiser, from Columbus, Ohio is found to have violated as to count one, Ohio Revised Code Section 4763.11 (G)(5), as it incorporates the Uniform Standards of Professional Appraisal Practice Standards Rule 1-1 (c). For this violation the residential real estate appraiser license of Robert E. Heflin

Continued on Next Page...

is suspended for thirty (30) days. He is ordered to complete a fifteen (15) classroom hour course in the Uniform Standards of Professional Appraisal Practice and successfully pass the course examination. This course must be taken within one hundred twenty (120) days. The appraisal education taken can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. With respect to the second charge, Robert E. Heflin is found to have violated Ohio Revised Code Section 4763.11 (G)(6). For this violation the residential real estate appraiser license of Robert E. Heflin is suspended for thirty (30) days to run consecutively with the thirty (30) days suspension issued for count one, for a total of sixty (60) days. Further, he is ordered to complete a course of no less than fourteen (14) classroom hours in Appraisal procedures to be taken within one hundred twenty (120) days. The appraisal education taken can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. Additionally, for both of these violations, Robert E. Heflin is issued a written reprimand for failing to exercise due diligence by not investigating previous sales of the comparable properties and for failing to include the sales history data for comparable properties used in the appraisal report. Mr. Robert E. Heflin made omission in reporting sales history data for comparables used in the market analysis portion of the report and incorrectly cited the zoning classification. Further, Mr. Heflin failed to exercise due care in preparation of the appraisal report.

Lawrence R. Hamilton, License No.: 386412 a State Certified Residential Real Estate Appraiser from Gahanna, Ohio is found to have violated Ohio Revised Code Section 4763.11 (G)(5), as it incorporates the

Uniform Standards of Professional Appraisal Practice, Standards Rule 1-1 (a) and Ohio Revised Code Section 4763.11 (G)(6). For these violations Lawrence R. Hamilton is ordered by the Appraiser Board to complete a fifteen (15) hour classroom course in the Uniform Standards of Professional Appraisal Practice and a course of no less than fifteen (15) classroom hours in Appraisal Procedures and successfully pass each of the course examinations. Courses are to be taken within one hundred twenty (120) days. The additional appraisal education taken can not be used for credit toward the fourteen (14) hours of annually required appraiser continuing education. Lawrence R. Hamilton failed to appropriately utilize the cost approach in completing the appraisal report.

Larry E. Alban, License No.: 382805, a State Licensed Residential Real Estate Appraiser from Columbus, Ohio is found to have violated Ohio Revised Code Section 4763.11 (G)(5) as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 1-1 (c) and 2-2 and Ohio Revised Code Section 4763.11 (G)(6). For these violations the residential real estate appraiser license of Larry E. Alban is suspended for one year. Mr. Alban did the following with respect to an appraisal; he failed to set forth the reporting option utilized in the preparation of the report. Mr. Alban's appraisal report included several deficiencies including the erroneous report that the subject property had curbs/gutters and sidewalks, when it did not. Further, Mr. Alban failed to properly state the neighborhood boundaries and failed to report the correct distance the comparable properties were located from the subject property.

Joe F. Zajac, License No.: 426172, a State Licensed Residential Real Estate Appraiser, from Cincinnati, Ohio is found to have violated as to count one, Ohio Revised Code Section

4763.11 (G)(5), as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-2 and Ohio Revised Code Section 4763.11 (G)(6). As to count two, Mr. Zajac is found to have violated Ohio Revised Code Section 4763.11 (G) (5) as it incorporates the Uniform Standards of Professional Appraisal Practice, Standards Rule 2-2 (a), 2-1 (b) and Ohio Revised Code Section 4763.11 (G)(6). For these violations Joe F. Zajac is issued a written reprimand and is admonished with respect to both charges. The Board ordered that Mr. Zajac be more diligent in addressing the physical facts that affect the property and the affect on the final value estimate included in the report. Additionally, Joe F. Zajac is ordered to complete a fifteen (15) hour classroom course in the Uniform Standards of Professional Appraisal Practice and a fifteen (15) hour classroom course in Market Approach to Value with proof of successful passage of both of the course examinations within one hundred twenty (120) days. The additional appraisal education taken cannot be used for credit toward the fourteen (14) hours annually required appraiser continuing education. Mr. Zajac did the following with respect to an appraisal report, he failed to prominently state the reporting option in the Appraisal Report for the subject property. Mr. Zajac failed to include a description in his report that the subject property is located next to a freeway interchange. Additionally, he did fail to address the negative implications of this factor in his analysis in determining the value of the property. As a consequence, the soundness of the final estimate of value in the report was undermined and suspect.

Note: The appraisal education taken to satisfy these orders can not be used for credit for the 14 hours of approved continuing education required annually.

Real Estate Disciplinary Actions

REVOCATIONS

THOMAS P. WELLS, salesperson, Canal Winchester, Ohio, had his license revoked for violating Ohio Revised Code 4735.18(A). Mr. Wells voluntarily pled guilty to a felony crime of bank fraud (18 USC 1344), on May 4, 2001, and was sentenced/ convicted on June 7, 2002.

SHEILAH M. MOORE, salesperson, Fairview Park, Ohio, had her license revoked for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code 4735.02, when she provided real estate services while not licensed. In addition, her license was revoked for violating Ohio Revised Code 4735.18(A)(8), when she misrepresented on a reinstatement application that she had no prior convictions, but she had pled guilty to two misdemeanor crimes in the years 1994 and 1997.

BRUCE W. PELZ, salesperson, Lakewood, Ohio, had his license revoked and was fined \$2,000.00 for violating Ohio Revised Code 4735.18(A)(6), 4735.18(A)(11) and 4735.18(A)(13), when he was instrumental in having a real estate commission paid to an unlicensed entity. In addition, his license was revoked and was fined \$500.00 for violating Ohio Revised Code 4735.18(A)(6), when he caused his spouse to make the payment to this unlicensed entity. Finally, his license was revoked and was fined \$2,000.00 for violating Ohio Revised Code 4735.18(A)(1), 4735.18(A)(14) and 4735.18(A)(6), when he made false representations to the buyer that a portion of their mortgage would be paid each month.

SUSPENSIONS, FINES, EDUCATION

NORMAN QUINN, broker, Columbus, Ohio, had a five (5) day suspension of his license, which commenced on October 3, 2003, was fined \$750.00, and was required to complete and to submit proof of

completion of the ten (10) hour brokerage post-licensure course, for violating Ohio Revised Code 4735.18(A)(19). Mr. Quinn negotiated the sale of property when knowing the probability that there was an outstanding exclusive agency agreement with another company. In addition, Mr. Quinn was fined \$500.00 and was required to complete and to submit proof of completion of a three (3) hour course on agency, for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code 4735.58 and 4735.71, when he acted as a dual agent without properly establishing this agency representation.

RONALD N. STACK, broker, Sheffield Lake, Ohio, had a thirty (30) day suspension of his license, which commenced on October 2, 2003, was fined \$1,000.00, and was required to complete and to submit proof of completion of the ten (10) hour brokerage post-licensure course. Mr. Stack was found to have violated Ohio Revised Code 4735.18(A)(6) and 4735.18(A)(11), when he allowed his company to receive a commission though representatives acting on his company's behalf who had not participated in the transaction.

BRENDA A. WILLIAMSON, salesperson, Cleveland, Ohio, was fined \$300.00 for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code Section 4735.55(A)(2), (A)(3) and (A)(4), when she used an exclusive listing agreement that did not contain the proper fair housing language.

FREDERICK W. RECTOR, salesperson, Columbus, Ohio, was fined \$300.00 and was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(9), as that section incorporates Ohio Revised Code 4735.71(A). Mr. Rector failed to obtain written consent to dual agency.

ALEXANDER JON MACKE, salesperson, Columbus, Ohio, was fined \$1,000.00 and was required to complete and to submit proof of completion of the ten (10) hour sales post-licensure course, for violating Ohio Revised Code 4735.18(A)(9), as that section incorporates Ohio Revised Code 4735.71(A), Ohio Revised Code 4735.18(A)(6) and 4735.18(A)(25). Mr. Macke failed to obtain the written consent of the buyers to a dual agency relationship. He also failed to properly complete the agency disclosure form and failed to provide the buyer's with a copy of the real estate purchase agreement.

ARLEEN WILLIAMS, broker, Columbus, Ohio, was fined \$300.00 and was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Administrative Rule 1301:5-6-06. Ms. Williams failed to recite on an agency disclosure form, the buyers refusal to sign the form and reason for their refusal.

ERIC J. SHEA, salesperson, Dublin, Ohio, was fined \$200.00 and was required to complete and to submit proof of completion of three (3) hours of continuing education courses for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code 4735.58(A). Mr. Shea marketed the real estate without first furnishing an agency disclosure statement.

TODD R. LHAMON, salesperson, Lima, Ohio, was fined \$250.00 for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Administrative Rule 1301:5-1-10. Mr. Lhamon issued to the Division a personal check for his renewal fees. The check was returned to the Division "unpaid." Despite notice to him of the return of this check, the fees remained unpaid.

Continued on Next Page...

Real Estate Disciplinary Actions

BILL M. STEPHAN, salesperson, Grove City, Ohio, was fined \$500.00 for violating Ohio Revised Code 4735.18(A)(6) as that section incorporates Ohio Revised Code 4735.57(A)(2). Mr. Stephan presented an agency disclosure form to the seller, but failed to assure that the seller dated the form when it was signed. He also failed to disclose future agency relationships on the form. In addition, Mr. Stephan was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(6) as that section incorporates Ohio Revised Code 4735.71, when he neglected to prepare a dual agency disclosure form.

JAMES M. IONA, broker, Tallmadge, Ohio, was fined \$250.00 for violating Ohio Revised Code 4735.18(A)(6). Mr. Iona failed to prepare the in-house transaction portion of the agency disclosure form. In addition, Mr. Iona was fined \$250.00 and was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(9) as that section incorporates Ohio Revised Code 4735.71(A), when he failed to prepare and have executed by the parties, the dual agency disclosure form.

JOE E. MARTIN, salesperson, Tallmadge, Ohio, was fined \$250.00 and was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(6). Mr. Martin became involved in the listing of a property and assisted the buyers in the purchase of the property, but failed to assure the completion of the in-house transaction portion of the agency disclosure form.

JAMES P. MACHO, broker, Fairview Park, Ohio, was fined \$2,500.00 and was required to complete and to submit proof of completion of the ten (10) hour brokerage post-

licensure course, for violating Ohio Revised Code 4735.18(A)(34). Mr. Macho permitted an individual to operate as a salesperson when their license was in a suspended status due to their failure to fulfill continuing education requirements.

NYMFA A. O'CONNOR, broker, Middleburg Heights, Ohio, was fined \$500.00 and was required to complete and to submit proof of completion of a three (3) hour agency course, for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code 4735.57(A)(1). Ms. O'Connor did not properly have the seller complete and sign the agency disclosure statement.

ARTHUR M. VOLPE, broker, Cleveland, Ohio, was fined \$200.00 for violating Ohio Revised Code 4735.18(A)(6), as that section incorporates Ohio Revised Code 4735.58(B)(1)(c). Mr. Volpe failed to present the agency disclosure form to prospective buyers at the time he showed a property.

Please use the most recent versions of all forms and applications. They can be downloaded from the Division's Web site at www.com.state.oh.us/real

NOTIFICATION OF A CONVICTION

- Q.** Is an individual required to disclose prior convictions when applying to sit for the real estate salesperson examination?
- A.** Yes. An applicant must honestly and thoroughly answer the specific related question on the sales application regarding any conviction, excluding minor traffic violations.
- Q.** Is a licensee required to disclose a felony conviction to the Superintendent?
- A.** Yes. Ohio license law requires a licensee to report a felony conviction, a conviction for a crime involving moral turpitude, or a conviction for violation of any federal, state, or municipal civil rights law pertaining to discrimination in housing. The licensee must notify the Superintendent within 15 days of the date of the conviction. Failure to notify the Superintendent of the conviction may result in the automatic revocation of the licensee's license.

◆ License Renewal

In order to retain your real estate license, you must renew it annually on your birthday, regardless if your license is in an active or inactive status. Every licensee is sent a renewal form sixty days prior to their birthday each year. The license may be renewed on-line using a major credit card and the one-time secure pin number that is provided on the renewal form. The renewal form is mailed to your home address, so please be sure to provide the Division with your new address should you move.

If you have been granted a medical extension for continuing education you still must renew your license annually, otherwise your license will be suspended for failure to renew. Remember, you must complete your continuing education to remain in an inactive status as well as an active status. Failure to complete and submit the required thirty (30) hours every three (3) years will result in your license being suspended.

If you need a list of the continuing education courses available in your area, you can request a list from the Division. When you call or e-mail your request, please provide us with the area you want to take the courses in, a date range for the courses and an address to which you would like the information mailed.

◆ Helpful Hints to Pass an Examination

You can help yourself as you prepare to take a real estate examination by using the following hints.

1. Schedule the examination when you are at your best mentally.
2. Make sure that you are well rested when you take the examination.
3. Do not eat a heavy meal prior to the examination.
4. Arrive at the testing center early so you can relax a little prior to going into the examination.
5. Read each question carefully at least twice prior to answering.
6. After you have read and understand what the questions ask, do not read anything into the question. Do not fall into the, but "**what if?**" syndrome.
7. If you have a problem with a question, note the question number and return to it later to review and answer the question.
8. When you answer a question do not go back and change your answer, your first answer will in most cases be the correct one.
9. Make sure that you have answered all of the questions prior to turning in your examination.
10. Do your best to relax while taking the examination, this may be the most helpful of all the hints in passing the examination.

Effective February 1, 2004, Experior Testing will be administering the sales and broker exams at Experior testing locations. For further information, please refer to the new Candidate Information Bulletin, located in the Real Estate Box on our website at www.com.state.oh.us

2004 Commission Meeting Schedule

The Ohio Real Estate Commission (OREC) meetings for this year have been scheduled and will be held in the Division's Columbus office at 77 S. High Street, 20th Floor Hearing Room, Columbus, OH 43215-6133. All OREC meetings are open to the public but are subject to change. If you wish to address the Real Estate Commission, you must formally request an appearance in writing. Please contact the Division if you have questions.

January 7
February 11
March 17
April 21
June 2
July 7
August 11
September 22
October 27
December 1



**The Ohio
Department
of Commerce**

State of Ohio
Department of Commerce
Division of Real Estate and Professional Licensing
77 South High Street, 20th Floor
Columbus, OH 43215-6133

PRESORTED STANDARD
U.S. POSTAGE
PAID
Columbus, OH
PERMIT NO. 5455

THE OHIO DEPARTMENT OF COMMERCE IS AN EQUAL OPPORTUNITY
EMPLOYER AND SERVICE PROVIDER.