

## **Administrative Sanction Report/Compliance Caseload Report Real Estate Commission South Meeting December 5-7, 2017**

### **Administrative Sanction Report**

The Administrative Sanction Report includes all of administrative sanctions imposed since my last report to you at our meeting in August 2017. Since this time we have issued a total of **198** administrative fines for a total **\$80,250.00**.

### **Compliance Caseload Report FY 2018**

The Compliance Data Report reflects the Compliance activity from July through October 2017. During this time period we received a total of **113** complaints in the North and **678** complaints in the South for a total of **791** complaints received by the Compliance Section. During the same time period the Compliance Section opened a total **513** investigations and closed **510**. As of October 2017 we had a total of **274** cases in active investigation.

### **Current Issues Under Investigation**

- Broker's failing to submit their annual Trust Account Reconciliations to the Division.
- Broker's failing to submit their affidavit informing the Division they have not over the handled monies belonging to others during the prior year (form 546A)
- Agents not including the name of their brokerage in their advertising or misleading agent advertising.
- Unlicensed real estate activity by local individuals and out of state licensees
- Unlicensed property management activity to include real estate licensees and unlicensed individuals
- Unlicensed real estate/property management activity to include licensed agents allowing unlicensed assistants to conduct activity requiring real estate/property management licensure
- Agents advertising property without consent of the property owner or the owner's agent.
- Trust account reconciliations submitted by brokers indicating suspicious, questionable or mishandling of monies belonging to others
- Property Managers failing to account for or remit funds to include failure to promptly remit and account for rents to property owners or security deposit refunds to tenants
- Trust account embezzlement or mismanagement of trust accounts to include brokers, property managers, and their employees stealing monies held in trust accounts that belong to others, i.e., owners/tenants

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- Failure to respond to the Division's request for information or failure to cooperate with the Division's investigation
- Failure to disclose, i.e., status as a real estate licensee, interest in the property or in a party involved in transaction or material fact related to the property/transaction