

**REAL ESTATE COMMISSION MEETING: SEPTEMBER 2018**

**REPORT OF AUDITS SINCE JUNE 2018**

<b>AUDIT DATE</b>	<b>SPONSOR</b>	<b>COURSE NUMBER, TITLE, DESIGNATION, HOURS AND DELIVERY METHOD</b>	<b>AUDITOR RATING AND COMMENTS; STAFF ACTION AND SPONSOR RESPONSE</b>
6/27/18	Windermere	CE.6029000-RE That's My Money! How To Keep Your Commission! 3.0 Hours Agency Classroom	<ol style="list-style-type: none"> <li>1. The course and the instructor were good.</li> <li>2. She spent most of the class on ethics rather than agency. While she did cover agency, it was more of an ethics class. We reviewed arbitration and some on mediation and we had a lot of discussion of what happens in hearings and how panels decide.</li> <li>3. The instructor didn't really follow the content outline although she did get through everything on the outline. The only handouts we received were the outline in a power point format and the arbitration and mediation paperwork from GLVAR. The participants benefited from the class and she was extremely personable, likeable and fairly knowledgeable. I think they learned more than agency information. They learned about ethics as well.</li> <li>4. This course did enhance the licensee's knowledge to better serve the public, i.e. practical value of content. The course helps students understand how to handle certain things in the property way (i.e. what to do when the commission that is being offered is low? - Do you skip showing it?) She talked about the buyer brokerage and the conversations that take place when what is being offered is less than the buyer brokerage which would leave you paying the difference.</li> <li>5. She did well. She needs to bring in the statutes that compliment the Code of Ethics. She also needs to get a better grip on the timing of the material so as not to hurry at the end.</li> <li>6. There were little materials given. We did not review how to</li> </ol>

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			<p>file for arbitration nor did we go over mediation. The discussions that dealt with how to handle things that come up were the best parts of the class.</p> <p>7. She was a very sincere instructor and with a little coaching she could be great!</p> <p><i>An email was sent to the sponsor. No further action required for this audit.</i></p>
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6/25/2018	GLVAR	CE.5992000-RE 79 <sup>th</sup> Nevada Legislative Update Law & Legislation 3.0 Hours Classroom	<ol style="list-style-type: none"><li>1. The course and the instructor were both excellent.</li><li>2. The course did merit the number of hours and designation that it was approved for. This class was action packed. In order to understand where we are headed, I believe the instructor did a fantastic job of starting with history and “how a bill is passed.”</li><li>3. The instructor followed the content outline. The booklet was easy to follow. The courses on the slide screens were orderly and the bullet points which followed the course outline. Linda explained the bills with stories.</li><li>4. This course enhanced the licensee's knowledge to better serve the public with practical value of content. Political involvement is necessary and essential. The instructor explained how the NV RE Division who serves the public and the Realtors had times where budgets cuts put serving the public at risk. She explained what many don't realize that preserving and increasing staff at the division is beneficial to all. She went over the 79th Legislative session and reiterated that fees are a good thing.</li><li>5. The instructor had quite a talent of taking a boring bill and bringing it to LIFE with a relevant story that Realtors could relate to. We are certainly lucky to have this instructor teach this class. Linda could take questions and answer</li></ol>

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			<p>them promptly and get right back to the subject matter.</p> <p>6. I rarely find information and the ability to learn as an unhelpful process. This course would be beneficial to ALL REALTORS.</p> <p><b>USEFUL: Explaining bills and the process. Linda was clear and concise.</b></p> <p>7. Linda didn't promote any service or brokerage that she worked for. The sponsor was BCH Inspections. They spoke for 6 minutes. Paul and Leanora were the monitors and did a great job.</p> <p>8. Linda started the class by explaining how a bill starts</p> <ul style="list-style-type: none"><li>• History Pre 79th Session</li><li>• Pertinent RE Laws from 2017 NV Legislature</li><li>• Discussed evens that shape our Future</li><li>• Learned process involved in RE Legislation</li><li>• Importance of Lobbyist</li><li>• Importance of political involvement</li><li>• Linda spoke highly of all departments of the NV Real Estate Division as well, and expressed Fees are a good thing and we need to preserve our staff at RE Division</li></ul> <p>She was an absolute delight. I also looked around the room to see how the class was involved and everyone was listening and looking at her instead of distracted.</p>
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7/19/18	Steven Kitnick Seminars LLC	CE.6088000-RE Ethics of the Profession Ethics 3.0 Classroom	<ol style="list-style-type: none"><li>1. The course and the instructor were good.</li><li>2. The course material was adequate and did merit the three hours and designation for ethics course coverage. The handouts were helpful, including the code of ethics and slides provided by the instructor.</li><li>3. For the most part, the instructor followed the course outline, perhaps spending too much time on some subjects and consequently not enough on others. At times he became distracted and spent too much time on some topics and perhaps not enough on others. The instructor did make the learning experience fun and engaging with the students and I believe that the students walked away with a better understanding of the NAR Code of Ethics, Nevada Revised Statutes and Nevada Administrative Codes.</li><li>4. The course provided students with a better understanding of the NAR Code of Ethics and how they are tied back to NRS and NAC. Through course discussion and interaction students were asked to discuss examples in their professional experiences as well as mediations, arbitrations and Division hearings. Students definitely walked away better informed.</li><li>5. The instructor kept the students engaged and interested in the topic. He sometimes became distracted and spent more</li></ol>

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			<p>time than necessary on certain topics.</p> <p>6. NAR Code of Ethics and the slides were most helpful. The sales pitch by the developer representative/sponsor was least helpful as it did not relate to the session on ethics.</p> <p>7. The course was offered in a model home in the Inspirada Community. The location was initially difficult to find. The course sponsors provided a lunch for the participants as the course was offered over the lunch hours...10am to 1pm. This was actually a very effective way to have agents see your product and new home community. Chairs were set up in the model home with 48 students it was pretty tight.</p>
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7/25/2018	Ticor Title of Nevada, Inc.	CE.6117000-RE Navigating Multiple Offers Contracts 3.0 Hours Classroom	<ol style="list-style-type: none"><li>1. The course and the instructor were both excellent.</li><li>2. The course did merit the number of hours and designation that it was approved for as described.</li><li>3. The instructor followed the content outline to detail.</li><li>4. The practical applications from the course include potential problem areas with multiple offers. The instructor said there is no exact right way but several ways and to be aware of them all.</li><li>5. The instructor communicated with the class well. What could use improvement were the examples of real world stories that were intended to help students. The problem is that the instructor comes from an exclusively investor experience where often many properties are being purchased at one time. She is a representative of Starker Exchanges so much of what she tells is about 1031's. It is not a 1031 class. She passed out marketing information regarding the 1031's which was fine by me. This took about 5 -8 minutes of the class.</li><li>6. After 28 years in the business it is hard to say any of the information is most useful. It is a repeat of long standing practices. However it helps those who don't have the background I have. And there were many newer agents with good questions. About half the class I would say. The rest were agents such as me.</li></ol>

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7/23/2018	Truckee Meadow Community College	CE.5987000-RE Broker Update and Legal Considerations 4.0 Hours Internet	<ol style="list-style-type: none"><li>1. The course did merit the number of hours and designation that it was approved for.</li><li>2. No question regarding the online content was asked.</li><li>3. The course structure and materials did aid the self-paced study process.</li><li>4. The course enhances the licensee's knowledge by covering ethics, law, and Broker Management information to be compliant.</li><li>5. The most helpful information in the course was the questions in the quizzed that hammered home the importance and knowledge needed for brokers. There was nothing that was least helpful.</li></ol>



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7/2018	Brightwood Career Institute	CE.5501001-RE Nevada Contracts: Details Count Contracts 3.0 Hours Correspondence	<ol style="list-style-type: none"> <li>1. The course and the content were average.</li> <li>2. The course merited the 3 hours of CEU for an average licensee. The 47 pages of material that were covered actually took longer than 3 hours to review. I am concerned that some of the materials focused on short sales which were very common a few years ago and less so today may want to update the course materials.</li> <li>3. A question was asked and an online source responded timely.</li> <li>4. The course was fully self-paced and actually took longer than three hours to review the materials for the exam.</li> <li>5. The course enhances the licensee's knowledge by giving practical information, but the course instructor may want to update some of the course materials as the copyright is dated 2012.</li> <li>6. The most helpful information were the sample contracts, terms and practices most commonly needed and used in the execution of a contract. The least helpful was the information related to short sales as this is no longer a common practice in this real estate market.</li> <li>7. The actual process of registering, receiving materials and mailing back a form before I could begin the course took</li> </ol>

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			<p>more than 2 weeks and was not an easy process. They need to find a way to streamline the online process. A couple times I had to call them, once in the beginning and once at the conclusion to obtain the certificate and I was transferred three times, each time before I was able to connect with someone who could assist me.</p> <p><i>An email was sent to the sponsor. No further action is required for this audit.</i></p>
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8/14/2018	Ben C. Scheible Seminars	CE.5907000-RE New Real Estate Laws 2017 Law & Legislation 3.0 Hours Classroom	<ol style="list-style-type: none"><li>1. The course and the instructor were both excellent.</li><li>2. The course did merit the number of hours and designation that it was approved for as described. Substantial information was presented regarding the 18 bills passed in the 2017 legislative session dealing with real estate and regulations amended by the Real Estate Commission. Ben Schieble also presented information for the most frequently recurring violations committed by licensees as well as information about several Real Estate Division documents and Informational Bulletins.</li><li>3. The instructor followed the content outline with minimal variation. All information in the outline was presented. Most of the attendees actively participated in the discussion of the topics. Many asked questions that lead to more in-depth explanations of the topics.</li><li>4. The course enhanced the licensee's knowledge by giving practical information and knowledge to better serve the public. Licensees who attended this course were given the most current changes to Nevada Law effecting real estate and regulations amended by the Real Estate Commission. The knowledge gained in this course allows licensees to serve their clients in compliance with NRS 645 and NAC</li></ol>

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			<p>645.</p> <ol style="list-style-type: none"><li>5. The instructor involved the attendees in discussions of the material being presented. He was able to translate the new legislation into understandable language. The only area that was not presented extremely well was the video used. The quality of the video was somewhat blurred.</li><li>6. The most useful information presented was the detail of the new law along with examples of the application of the new laws and their effect on the real estate licensees. The least helpful was the discussion of the conflict between Nevada State law and Federal law regarding recreational marijuana. It would have been more beneficial to focus on Nevada State law and its impact on real estate licensees.</li><li>7. The materials given to the attendees included copies of Real Estate Division Advisory opinions, Informational Bulletins and a statement published by the education section. Additionally, the instructor provided a copy of an advisory published by the US Department of the Treasury for real estate professionals with information on money laundering. Each of these materials is an excellent resource for the licensees.</li></ol>
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8/14/2018	At Your Pace Online LLC	CE.6091000-RE Nevada 12 Hour General Real Estate Concepts Package General 12.0 Hours Internet	<ol style="list-style-type: none"> <li>1. The course and the content were excellent.</li> <li>2. <i>The course clearly merited the hours, but it misses the mark when it comes to approved designation. It appears that the instructor is Oregon based and Oregon only requires a certain number of CE hours with certain content requirements - much like our Post Licensing - but no categories such as Agency, Contracts, etc. However, the content provided was enough to qualify for 3 Hours of Agency, 3 Hours of Contracts, 3 Hours of Ethics, and 3 Hours of General.</i></li> <li>3. The course structure was primarily reading from a well-structured Moodle delivery system and was easy to use. I worked both on my PC and iPad tablet with good results. The screen automatically resized according to actual screen/window size.</li> <li>4. The course enhanced the licensee's knowledge by giving practical information and knowledge to better serve the public. This course's strength was the detailed, in-depth content that supported the learning experience.</li> <li>5. The most helpful information was the Agency, Contracts, and Ethics material. It was robust and not just a rehash of other courses. The Title, Loan, Escrow, and Tax subjects were a very good condensed version of pre-licensing material that is covered in the Dearborn book for the</li> </ol>

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			<p>National test in Nevada. Yet it was done in a way that is a good follow-up to that material. <i>The least helpful aspect of the course was the missed opportunity to incorporate any Nevada specific content anywhere in the course. This impacted topics such as Agency, tax discussions, business broker discussions, etc.</i></p> <p>6. The title of the course “Nevada 12 Hour General Real Estate Concepts” did not align well with NRS645 and NAC645 with respect to Agency and disclosures. If it is a Nevada course, I would expect it to address specific Nevada statutes rather than discussing Oregon or Texas and suggesting that the student find out how it's handled in their state. Obviously this course was written generically for any state - and that's fine. It gives this course and content excellent props for content overall. I would just like to have seen it Nevada oriented and with more visual and/or multimedia materials. The few pics and illustrations were super - just not enough of them. The escrow pictorial flow chart was exceptional.</p> <p>7. <i>Again, the 12 hour course should be broken apart and reorganized into four 3-Hour courses that follow Nevada CE categories and that could still be offered in this bundle. It is really frustrating to have such a quality course with well written content - only offer 12 hours of general to our licensees!</i></p> <p><b>An email was sent to the sponsor. No further action required.</b></p>
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8/15/18	Performance School of Real Estate	CE.5969000-RE Appraisal Methodology Contracts 3.0 Hours Classroom	<ol style="list-style-type: none"><li>1. The course and the content were average.</li><li>2. The course did not merit the "Contracts" designation nor did the material merit the hours. The class was dismissed 17 minutes early, after two ten minute breaks were given. One slide had one direct and one indirect mention of a contract, at no other time was contracts discussed or referred to. The instructor spoke of personal experiences and experiences as a loan officer to fill the class, with the exception of one story regarding horse property, did not reference contracts or appraisals. As a result, the class did not merit the hours. Strictly presenting the material, as the instructor did, would take no greater than thirty minutes.</li><li>3. The content outline was followed. The instructor attempted to engage the class by asking general questions with little to no response. Two participants seemed engaged. Many class participants made critical comments but I noted one individual's evaluation filled out with all "Excellent." The participants' completion of the evaluation should be addressed as a larger issue.</li><li>4. As a Contract's class, this course did not enhance the licensee's knowledge. As a General class, the class would need to increase the volume of content or the explanation of content to meet an hour designation.</li><li>5. The instructor had all material ready for participants and</li></ol>

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			<p>gave clear rules of conduct initial instruction that was followed by the class. The instructor seemed personable. The instructor incorrectly answered two questions and for another comment, challenged a participant who was later able to show proof of statements and the instructor wrong. The instructor made several false statements. A greater knowledge of the material being taught would better serve the instructor in the future.</p> <ol style="list-style-type: none"><li>6. I honestly can't think of something that was helpful. Least helpful were the instructor's personal stories of Venetian plaster, skin allergies, dislike of HOAs, stories about her neighbors, assumptions that licensees dislike appraisers.</li><li>7. A representative of Driggs Title, the host site, spoke for 10 minutes and the comments were appropriate. Frequently, the instructor would refer to her availability as a loan officer. In one example, she stated that a potential client of hers, purchasing a home in Henderson, used Wells Fargo and received an appraisal that did not appraise at value. She stated that "FDIC banks, like Wells Fargo, have different appraisals. Wells Fargo's appraisers do not even need a license- they don't even have a license." This is either not true or a violation of NRS 645C.260.</li><li>8. She went on to state that she ultimately acted as the borrower's lender. There were several solicitations by the instructor. The instructor stated that she went "above and beyond" preparing for this class. She stated that she really wanted to understand all of the information. It was clear, and admitted by the instructor, that she did not write the class and it was a national class that she acquired. She referenced a female and stated that she "got it through" as a Contracts class. The instructor would read the slides. The</li></ol>
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			<p>first slide took 18 minutes due to the instructor's attempts to engage the class in non-class subjects and to tell non-class subject stories. A series of slides, not provided in the handout addressed the Income Approach method of appraisal. One slide, which the instructor read out to the class, gave a step by step method to arrive at the Gross Rent Multiplier (GRM). The next slide had a scenario that discussed an adjustment and in the equation noted the GRM. This slide resulted in a question from a participant who asked "why does it increase?" The instructor quickly moved back to the slide that had the method, perhaps realized it was too much material to quickly assess, and stated incorrectly that the difference in price was because of the GRM (when the slide was designed to show the adjustment and use of a GRM in an ultimate calculation and the GRM was a constant.) The instructor missed an opportunity during her sales pitch of Home is Possible (a down payment assistance program) to speak how an appraiser looks at various types of non-conventional financing. The instructor's comments regarding the increased requirements of FHA and VA appraisals was overreaching and potentially providing a problematic misconception for the licensee. Stating that most people who use FHA and VA are first time buyers and need extra inspections because they (the buyer's) don't know what to look for is not the best comment. The greater concern is that the instructor then stated issues such as; electrical issues, peeling paint "and you know Lead Based Paint" would be noted by the appraiser. A licensee may believe this to be true and rely on appraiser to review or inspect these items. The instructor did point out that one of the</p>
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			<p>slides was incorrect when it warned against licensee's attempting to hold back payment from an appraiser; she correctly noted that this was not an option. At the bottom of each slide, a reference was cited. Most references were from 2016. One that seemed odd to me was "J. House, 2016". I have searched for that reference using Google and I do not see any reference material, article, etc. Several class participants stated "she doesn't know what she's talking about", "I thought this class would have been taught by an appraiser" and "she's just wrong." Another participant asked the instructor about the Tidewater Initiative, a subject the instructor may have known about, and was told that it would be addressed later. It wasn't. The class was basically a Wikipedia article on appraisals and the instructor was incapable of answering 3 out of the total 4 questions she was asked. She did correctly respond to an agent asking about a mortgage demand for an FHA loan, when she stated an FHA loan may not have the same pre-payment penalties as the Home Is Possible program.</p> <p><i>An email was sent to the sponsor in reference to this audit. No further action required.</i></p>
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8/21/18	First Centennial Title of Nevada	CE.6021000-RE Advertising Do's and Don'ts Ethics 3.0 Hours Classroom	<ol style="list-style-type: none"><li>1. The course and the content were both excellent.</li><li>2. The course did merit the number of hours and designation that it was approved for as described.</li><li>3. The instructor followed the content outline and it appeared that all received a positive learning experience and what was expected based on the topic.</li><li>4. The course enhanced the licensee's knowledge by giving practical information and knowledge to better serve the public. Agents now understand the Do's and Don'ts in advertising themselves and their listings. They are aware that truth in advertising is both in their best interest and in the public's best interest.</li><li>5. The instructor related well to the agents and their questions. The instructor related well to the agents and their questions. I would have liked to see more time spent in regards to the specifics of what an agent can and should do in response to other agents' misrepresentations or breaking of laws.</li><li>6. The most helpful aspects of the class were the examples of law on what could and could not be done in advertising. The discussion referencing "putting" was entertaining but a better example of one that moves from acceptable to unacceptable would have been</li></ol>

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			<p>helpful to get a better understanding.</p> <p>7. All of the most common mistakes in advertising which could become a checklist for agents and brokers could be very helpful to licensees.</p>
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