

Administrative Sanction Report/Enforcement Caseload Report Real Estate Commission Meeting February 20-22, 2024

Administrative Sanction Report

The Administrative Sanction Report includes all of the administrative sanctions imposed since the last report to you at our meeting in November 2023. During this period, we have imposed a total of **49** administrative fines for a total of **\$22,500.00**.

Enforcement Data Report FY 2023

The Enforcement Data Report reflects the activity for FY 2024. In FY 2024 we have received a total of **18** complaints in the North and **580** complaints in the South for a total of **598** complaints received. Current for FY 2024 we opened a total of **238** investigations and closed **263**. We currently have a total of **151** complaints under investigation. So far for FY 2024 our Enforcement Section has answered nearly **2,998** phone calls and met with nearly **326** members of the public and licensees in person to provide information and assistance. Since our last meeting we have hired two new Compliance/Audit Investigators. We have Shaun McLean in the North and Sean Gustafson in the South. We are excited to have them both on the Enforcement team.

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 and real estate license number 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.
- Failure to disclose material or relevant facts regarding the property that is subject to transaction.
- 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, or employees stealing monies held in trust accounts that belong to others, i.e., owners/tenants.
- Failure to provide Duties Owed Form prior to the execution of transaction documents.
- Failure to provide all transaction documents to the broker within 5-calendar days from the date the documents were executed by all parties.