



The View from the Chair

We have seen many changes in 2006 in our Real Estate Commission rules and regulations. I am sure we are all still adjusting, and, as always, change is irritating to many. Just when you think you have it figured out, someone wants to try a new idea. At the Commission we encouraged and fostered these changes to improve the quality and delivery of continuing education; to increase the education and training level of our newest licensees; and to ensure the level of service to our consumers.

As your education providers struggle with the revamped pre-examination and continuing education requirements, we encourage your involvement as licensees. Please let us know your opinions of the new courses and their delivery. We would like to hear the good, the bad, and the ugly so that we can all improve our system and its content. We have a new Education Specialist, Betty Lilley, who seeks your input and constructive suggestions.

Big changes may also be coming in the manner in which we test brokers. We are considering a test that would be interactive and based on situations that brokers would face in their practice. The Commissioners have sampled the proposed test and felt it had great potential. Also a review of the licensing exam is underway which includes developing new questions. Several of our licensees were asked to participate in this review and have generously given their time and expertise.

As you may remember, last year when you renewed, you were asked to supply your CE certificates. In 2008 the Commission's intent is that you will be able to access your education record online and know what your completed hours of core and elective CE are at any time

before renewal in 2008. When the technology is available, the licensees will be able to check their status regarding CE. The Commission was spending much of its time dealing with the audits of CE and violations of the requirements by licensees under the affidavit and self-reporting procedure we formerly employed. I was always amazed at the number of licensees that failed to report their CE accurately! When the

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Governor

The Honorable Matt Blunt

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STATE OF MISSOURI
Division of Professional Registration

MREC Newsletter is an official publication of the
Division of Professional Registration

Department Migration

On August 28, 2006, the Division of Professional Registration became a part of the Missouri Department of Insurance, Financial Institutions and Professional Registration (DIFP). This name stems from the transfer of the Divisions of Finance, Credit Unions and Professional Registration from the Department of Economic Development to the Department of Insurance.

In February 2006, Gov. Blunt signed Executive Order 06-04 to form this new department. His goal in creating DIFP is to allow for a more coherent and comprehensive approach to regulating professionals and financial industries. This consolidation allows us to share our expertise with each other to better protect Missouri consumers.

Because of this transfer, our rules transferred from 4 CSR 250 to 20 CSR 2250. Our office is in the process of updating the statutes and rules book. Once we have completed the update, all licensees will be provided with a copy.

The new department's web site is <http://www.difp.mo.gov>. From this site, one can connect to division web sites.

DIFP Mission

The mission of the Missouri Department of Insurance, Financial Institutions and Professional Registration is to efficiently and effectively encourage a fair and open market for consumer service industries.

The department is committed to the following objectives:

- To maintain consumer confidence by examining and monitoring the financial industries and business professionals
- To protect public interest by establishing coherent and evolving policies that balance the interests of consumers, professionals and industry
- To effectively enforce state laws and regulations governing business to protect consumers from unfair and inequitable treatment
- To lower the burdens of regulation and the cost to consumers by increasing efficiencies
- To encourage a competitive environment for industries and professions that gives consumers access to quality products

Message from the Division Director

by: David Broeker, Division Director



My sincere appreciation to Governor Blunt for having appointed me the Director of the Division of Professional Registration beginning July 2. It is certainly a pleasure to serve in this position.

For the last 14+ years I owned and operated my own business in Jefferson City. Prior to that, I spent 17 ½ years in state government; in the Governor's Office, State Auditor's Office, and the Department of Agriculture.

As you probably know, the Governor issued Executive Order 06-04 on February 1, 2006, that created the Department of Insurance, Financial Institutions, and Professional Registration. By a Type III transfer our division became a part of this new department on August 28. A type III transfer is the transfer of a department, division, agency, board, commission, unit, or program to the new department with only such supervision by the head of the department for budgeting and reporting. The Division of Professional Registration was previously a division within the Department of Economic Development.

I am most grateful to the Division's and Boards' staff for the support, advice, and counsel they have given me. This is truly a great group of people.

I look forward to working with all my associates in Professional Registration and continuing the excellent service the entire division has given the approximately 400,000 Missourians who are licensed and regulated and who represent 240 different trades and professions.

Please feel free to contact me if I can be of assistance to you. I look forward to working with you in the years to come.

Team Names

It is not uncommon for affiliates of a brokerage to work together as a team (such as a husband and wife, two good friends, or a licensee who

has one or more licensed assistants working with them), and frequently these individuals attempt to advertise under a team name. Missouri license law does not recognize them as such. Members of the team are recognized simply as licensees affiliated with an individual broker or brokerage, and their advertisements must include the company's name and telephone number. The broker or designated broker and/or office manager are responsible for providing proper supervision to all affiliates, and are ultimately responsible for the affiliates' actions regardless of the formation of any teams within the brokerage.

Over the past few months this office has received multiple calls and faxes from licensees identifying themselves as a team member and wanting to register their team name as a fictitious name. These individuals are advised that only individual brokers, corporations, associations, and partnerships can register fictitious names with this office. Because of this, some of these licensees have requested their broker to register the team name as a fictitious name for the brokerage.

An individual broker and/or designated broker of a brokerage are not prohibited from registering any fictitious name that has been properly filed with the Missouri Secretary of State's office. However, consider this example: Brokerage ABC Realty Company registers the team name, "The Smith Team," as a fictitious name. Members of "The Smith Team" will no longer have to include ABC Realty Company's name in their advertising. This is because their team name is now registered as a fictitious name for the company and by using their team name they are using a fictitious name of the company. If the broker elects to go forward and register the team name, and brokerage identity is important to the business model, the broker may also want to consider establishing an office policy that requires incorporating the company's name into any fictitious team name filed. For example, both team recognition and brokerage identity might be better served by filing the fictitious name of "The Smith Team of ABC Realty Company" or "ABC Realty Company's Smith Team."

Please remember that if the broker chooses to file a fictitious name, only fictitious names

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Auditor's Corner

Changes to Brokerage Agreements

Licenses should remember that all changes (examples: price changes, extensions, etc.) to brokerage agreements are to be initialed, or an addendum signed, by the owners/buyers and licensees before the changes can be initiated. This includes all brokerage agreement extensions and changes in sales price. Verbal changes to brokerage agreements are not recognized as being in compliance. However, the Commission will allow e-mailed changes to brokerage agreements provided that both owner and broker expressly agree to allow them in the original listing agreement and that the owner's/buyer's e-mail address (i.e. owner@aol.com) is specified.

Changes in the Escrow Account

If you have an escrow account, use the Consent to Examine Form to notify the Commission within ten (10) days of any of the following changes to your account. You must include a copy of a deposit ticket from the account with the Consent to Examine Form.

- Open a new account
- Closing an account
- If the bank closes an account due to the account being dormant
- Changes to the bank name, possibly due to a merger
- Changes to the account number
- Changes to the bank address

After completion of the form, mail it to the Missouri Real Estate Commission, or fax to 573-751-2777.

Agent Handshake Agreement

The Commission recently reviewed a website tool labeled as an "agent handshake" agreement. This tool involves an agent including in their own website listing information belonging to another brokerage. The listing information appears on the agent websites outside of the broker's framed IDX sites. It is the Commission's opinion that this type of advertising of others' listings is not in compliance with the statutes and regulations and such advertising should cease.

The View from the Chair continued...

technology is available, the education provider will electronically submit your attendance and you can check it to make sure that what should be there is there!

Please be aware that due to a regulation change, you must submit documentation at least 90 days prior to your renewal in 2008 along with a \$10.00 fee per course to have staff determine if education you have taken that was not a pre-approved course can be approved for CE credit for you.

Our lean staff machine is working well as always. As Chair I certainly appreciate all they do on a regular basis to support our responsibilities. Governor Matt Blunt filled five Commissioner vacancies in the last 18 months and all are applying themselves well to the reading and studying required for each Commission meeting. At each Commission meeting there are open and closed sessions, and you are welcome to attend any of the open sessions which include hearings on violations and presentations on new ideas we are considering.

We are looking forward to a productive year and wish the same for each of you as well.

Sharon Keating
Chair
Missouri Real Estate Commission

Team Names continued...

properly registered with the Missouri Secretary of State's office by individual brokers and brokerages will be accepted by this office. Therefore, the individual broker or brokerage must be identified as 100% owner of the name, not team member(s).

Avoid Earnest Money Violations

There have been a number of complaints recently from the general public over the issues of earnest monies and how they are handled. As a general rule the complaints might have been avoided with the following actions:

- Should earnest money funds become non-negotiable, for example, a returned non-sufficient fund check, stop payment, or a closed account, the broker and/or agent should immediately inform all parties to the transaction. All parties would include the seller and buyer, and could include the lender and title company.
- An agent who receipts earnest money via a signature on the contract should immediately turn the instrument (a check, money order, or cash) over to the broker or title company as indicated on the contract. It is advisable to make a copy of the instrument for your records, and note when you received the earnest money and where it was deposited. This allows the money to actually be deposited into the appropriate account on or before the ten (10) day period required. This means the money has been deposited into the account, not turned over to a party by that date. Otherwise you are creating a violation for not only yourself, but your broker as well. (See 20 CSR 2250-8.120 – Deposits to Escrow or Trust Account)
- Review the contract clauses on earnest money and disputed escrow money disputes with your clients. Remind them you are closely governed on how their deposit is handled. This is for all parties' protection, including theirs. This review might keep your customers/clients from "placing blame" with you or your broker when earnest money differences arise and your customer/client expects immediate action on a matter you may or may not be able to control. (See 20 CSR 2250-8.130)

Fictitious Names

20 CSR 2250-4.030 requires a broker or entity to file a fictitious name when conducting business under any name other than the broker's or entity's legal licensed name. The Commission must be provided a copy of this official registration within ten (10) days of receipt from the Secretary of State.

The fictitious name registration form (Fictitious Name Filing Instructions) must list the fictitious name being filed, as well as the owner. For our office to accurately reflect the fictitious name in our records, the 'owner' section of the form must be completed listing the actual licensed name. In other words, if the licensed entity filing the fictitious name is a corporation, that licensed corporation name must be listed in the owner section of the form. If the licensee is an individual broker, that licensed broker name must be listed as the owner. Completing the owner section with anything other than the licensed broker/entity name will require correction and/or refileing the form with the Secretary of State.

Automated Phone System

During the months of August and September of 2006 the Missouri Real Estate Commission received approximately 14,000 phone calls. It is because of this high volume of incoming calls that the Missouri Real Estate Commission implemented an automated phone system that allows callers to be routed to the appropriate staff through a numeric selection process. In addition, you can call during non-business hours and still get general information. It also allows you to leave voice messages and the appropriate staff member will return your call, typically on the same day. Just be sure to leave your

name, phone number and a brief explanation of your call.

Here is a brief overview of the options:

Press 1 – general information such as office hours, address, fax number, web address and testing information

Press 2 – licensing questions (if all licensing staff are already on the phone, you will receive a busy signal and will need to call again)

Press 3 – general real estate statute and regulation questions (NOTE: we can not provide legal advice)

Press 4 – complaint process or checking the status of a pending complaint/investigation

Press 5 – audit process or to leave a message for a field examiner

Press 6 – school accreditation or course approval process

Press 7 – all other inquiries

Recap of Statutory and Regulation Changes

STATUTORY CHANGES

Section 339 was amended effective August 28, 2006 (HB1339) implementing new broker requirements for licensure. A broker applicant must now have two (2) years of active licensed real estate experience immediately preceding the submission of the license application. In addition to the required experience, the salesperson must take the 48-hour broker pre-examination course and pass both the national and state portions of the broker examination.

The Missouri Real Estate Commission (MREC) has agreed to recognize 24 out of the last 30 months to satisfy the “immediately preceding” requirement. This will allow for those whose license was cancelled or non-renewed for a short period of time to still be able to meet the requirement.

Once again, to receive a broker’s license, the applicant is required to have two (2) years

of active licensed real estate experience immediately preceding the date of license application AND submit proof of having taken the broker pre-examination course and passing both portions of the broker examination before applying for a broker’s license.

REGULATION CHANGES

Effective October 1, 2006, there were many education related changes to the requirements to make application for a license.

First the salesperson pre-examination course requirement was reduced to 48 hours but a 24-hour course titled “The Missouri Real Estate Practice Course” (MREP) must also be taken before making application for a salesperson license.

Depending on how each individual school has set up its schedule, the MREP may or may not be offered immediately following the pre-examination class. The 24-hour MREP must be taken after the pre-examination course and before they apply for licensure. It is up to the individual applicant whether they want to take the AMP examination before or after the 24-hour MREP.

Work permits will not be issued until the applicant has made proper application for a salesperson’s license. This means that before a work permit can be issued, the applicant will have taken the 48-hour pre-examination course, the 24-hour MREP course, passed the examination and made application for licensure.

License applications must be made within six (6) months of the completion date of the 48-hour salesperson pre-examination course.

The new regulations have also eliminated the special 12-hour MREP continuing education (CE) course for new licensees. Instead, all licensees will have to take the regular (twelve) 12 hours of continuing education. At least three (3) of those hours will have to be a Missouri approved core course.

For this transitional renewal period, those licensees who were issued an original 2008 salesperson license prior to 10/1/06 will have several options for their 2008 CE requirement.

Due to the fact that the 'old' twelve (12)-hour practice course may become less available, or possibly non-existent, the Commission has decided that those individuals who were advised they needed the 12-hour practice course to renew in 2008 will have three options to satisfy their 2008 CE requirement: 1) Take the 'old' 12-hour MREP CE Course; 2) Take 12 hours of Missouri approved CE, of which at least three hours must be approved as core credit; or 3) Take the 'new' 24-hour practice course and submit it in lieu of 12 hours of Missouri approved continuing education. Again, these options are available ONLY to those who were issued NEW 2008 licenses prior to October 1, 2006.

The 60-hour salesperson's pre-examination course will be available to students through June 2007. Since the 60-hour salesperson's pre-examination course exceeds the new requirement, it will be accepted as meeting the requirement of the 48-hour pre-examination course. Regardless of which pre-examination course the applicant takes - the 48 or 60-hour course - any application for a salesperson's license made after September 30, 2006 will have to submit proof of completing the 24-hour MREP as well.

OTHER CHANGES DUE TO REGULATION CHANGES

- The MREC staff is currently working with the MIS staff to provide an on-line schedule of courses. This will allow individuals to go to our website and find out what courses are available. They will be able to look for specific schools, specific courses, or specific dates of offering. Watch the MREC website for notice of when the on-line schedule is implemented.

- Continuing education waiver requirements have been strengthened. If you request a medical waiver or a military waiver, your documentation must show that the illness or military service occurred throughout the entire two (2) year period.

New statute/regulation booklets are currently being printed and mailed to each licensee. If you have not already received it, you should be receiving a copy soon. Please keep this copy as a handy reference. Additional copies can be printed from www.pr.mo.gov/realestate.asp.

Individual Request for Continuing Education Credit

The Individual Request for Continuing Education Credit (ICE) form and regulations have changed. A copy of the new form is included in this newsletter. The changes that have occurred are:

- The cost to review courses is \$10.00 per course.
- ICE forms must be submitted no later than 90 days prior to renewal date. For broker renewal, the last day to submit an ICE for review will be March 30, 2008. For salesperson's renewal, the last day to submit an ICE for review will be June 30, 2008. **THERE WILL BE NO EXCEPTIONS.**

Below is a list of the common reasons why an ICE was rejected for the 2006 renewal period:

- Completion certificates were submitted with the name of the licensee handwritten on the certificate. (Certificates that are of a 'fill-in' nature are not acceptable. Completion certificates must be typed and completed by the provider prior to delivery to the student or a letter signed by the provider verifying the licensee's attendance can be submitted. For each course to be considered, the completion certificate or letter must include the name of the licensee, name of the school, name of the course, number of class hours earned and signature of the school's representative.)

- A copy of the provider's course description of the course content was not provided.
- For an on-line course, no proof of a final examination was provided.
- For a correspondence or home study course, no proof of a closed book proctored final examination was provided.

Licenseses holding licenses in other states should remember that the non-resident continuing education you are required to take will not be automatically approved for Missouri credit. The ICE form along with all

proper documentation and fees will have to be submitted before courses are reviewed for approval.

Licenseses should keep a copy of the enclosed revised ICE form and discard any and all 'old' copies of the ICE form, since use of old forms may cause the application to be returned.

Information, NOT Legal Advice

The Missouri Real Estate Commission staff is always ready and willing to provide assistance to licenseses and the public. However, that assistance must come only in providing information. The staff cannot provide interpretations of license law or regulations or advise callers how to proceed in a particular situation.

The staff often receive requests for legal advice on contracts. They are unable to help with those requests. No staff person is licensed to practice law. Secondly, not even an attorney could give competent advice or an interpretation over the phone without having seen the contract itself. Third, the Commission is not authorized to give legal advice to anyone.

Staff will be happy to:

- Refer callers to relevant provisions of the license law and regulations
- Describe the process for reinstating a lapsed or inactive license
- Tell a licensee how much continuing education he or she is required to have to renew or reinstate a license
- Mail any of the Commission's information or application forms and answer any questions about them
- Provide a list of approved schools with their address and telephone number
- Explain how to file a complaint with the Commission and mail a complaint form
- Give out names and phone numbers of other agencies or organizations that might be of assistance to the caller.

Just as they can not interpret the license law and regulations or give advice, they cannot:

- Waive or modify any requirement of the license law or regulations
- Assist in resolving disputes about commissions or fees
- Recommend a brokerage firm, a sales associate or an approved school



INDIVIDUAL REQUEST FOR CONTINUING EDUCATION CREDIT

**MISSOURI REAL ESTATE
COMMISSION
3605 MISSOURI BLVD
PO BOX 1339
JEFFERSON CITY MO 65102
573/751-2628
Fax 573/751-2777**

Fee Rec'd _____ FORM I

20 CSR 2250-10.100 (5) provides that licensees may, if acceptable to the Commission, receive continuing education credit for courses not previously submitted by the provider for approval. To have non-preapproved course(s) evaluated, complete this form and submit it along with all attachments listed below. A copy of this form will be returned to you showing credit granted.

Applications for non-preapproved course credit must be postmarked as applied by the postal service or hand delivered to the office of the Missouri Real Estate Commission no later than ninety (90) days prior to the licensee's renewal period.

ATTACH THE FOLLOWING:

- A check for **\$10 per course** made payable to the Missouri Real Estate Commission. All fees are non-refundable.
- Either provide course completion certificates from the course sponsor that have been typed and completed by the provider prior to delivery to the student or provide a letter signed by the provider verifying your attendance. For each course to be considered, certificate or letter must include name of licensee, name of course sponsor, number of class hours earned, and signature of the sponsor's representative. Certificates that are a "fill-in" nature are not acceptable.
- A copy of the provider's description of the course content.
- Proof of a proctored closed-book exam for each correspondence or home study course and/or proof of a final closed-book exam for on-line or computer based training (CBT) courses.
- Self-addressed stamped envelope.

LICENSEE NAME	MISSOURI REAL ESTATE LICENSE NUMBER	LICENSE TYPE
COMPLETE MAILING ADDRESS (STREET, CITY, STATE, and ZIP CODE)		
EMAIL ADDRESS:	BUSINESS PHONE NUMBER:	FAX NUMBER:

LIST NON-APPROVED COURSES FOR WHICH CREDIT IS REQUESTED

TITLE	HOURS	DATE OF COURSE COMPLETION

Note: Missouri law requires all licensees to complete 9 elective hours and 3 core curriculum hours during each license period. Any course or program must be at least 3 hours in duration but no classroom course can exceed 6 hours per day.

Hours must be earned during the current license period.

DO NOT WRITE BELOW THIS LINE - FOR MREC USE ONLY

You were granted _____ elective hours and/or _____ core hours toward your real estate license renewal in _____

_____ Education Specialist _____ Date

Keep this Individual Request with your license records.

Send a copy of this completed Individual Request with your license renewal application and fees. This request was reviewed after your license renewal application was printed.

Need A Certification of Licensure or License

History

- Submit Request for Certification of Licensure found on web site (www.pr.mo.gov/realestate.asp), click on Application Forms.
- Use this form if requesting verification of licensure.
- If you need continuing education verification, you will need to attach current continuing education completion certificates.
- Fee schedule for certifications are: if licensed after 1985, \$10.00; if licensed before 1985, fee is \$13.75.

DIFFERENCE BETWEEN AN INACTIVE LICENSE AND HAVING A REFERRAL COMPANY HOLDING A LICENSE

During this past renewal period, licensees called our office stating that since their license is held by a referral company, that their license is in an inactive status. There is a big difference between having an inactive license versus a referral company holding their license.

Inactive license – Licensee has requested the Missouri Real Estate Commission to transfer their license to inactive status. The request must be made on the Application for License/Information Change form. A license will be sent to the licensee clearly printed with the word “inactive.” If your license is in an inactive status, the licensee cannot be associated with a broker or engage in any activity for which a license is required. A licensee with an inactive license will not be required to complete the continuing education requirement for license periods during which the license is inactive, however, the license must continue to be renewed. To reactivate the license, the licensee will have to complete

the pre-examination course and make proper application.

Referral Company Holding License – If the licensee has a referral company holding their license, the license is still considered “active.” The Commission makes no distinction between a referral company and other real estate brokerages. A licensee that has their license with a referral company is associated with a broker and is considered to be engaging in real estate activity. A licensee with a license at a referral company is required to complete all continuing education requirements and renew.

CONTINUING EDUCATION WAIVER REQUIREMENTS

Continuing education waiver requirements have been strengthened. If you request a medical waiver or a military waiver, your documentation must show that the illness or military service occurred throughout the entire two (2) year period. (20 CSR 2250-10.100 (6))

MISSOURI REAL ESTATE COMMISSION WEBSITE

Please utilize our website whenever possible to download forms, check on license information, for the latest copy of the Statutes and Rules and much much more.

This will allow us to better serve you.
www.pr.mo.gov/realestate.asp

Do not call the Missouri Real Estate Commission with questions that require legal analysis/interpretation/advice. You must obtain legal advice from YOUR attorney.

Want to do Business as a Corporation or Limited Liability Company

If an individual broker, broker-salesperson, broker-partner, or broker-associate wants to form a new corporation, partnership or a limited liability company then that entity must be licensed and the designated broker must also become licensed under the entity. If you are the designated broker and have decided to form an entity, you will need to complete the required applications, Application for a Real Estate Corporation, Partnership, or Association (LLC) License, Application for License Information/Change form, and the Consent to Examine/Audit Escrow or Trust Account form. In addition, you may be required to complete the Affidavit for Closing of a Real Estate Firm, if you have an entity/brokerage that will no longer be licensed once your new entity is licensed. If you have any listings in the prior company, then you will have to cancel those listings as those listings do not automatically transfer over to the new entity. Please visit the website, www.pr.mo.gov/realestate.asp, click on Application Forms, then click on Application for A Real Estate Corporation, Partnership or Association (LLC) License. A large number of these applications are returned for correction. The next article contains information that you will find helpful in getting your application submitted right the first time.

How to Avoid Having your Entity Application Returned

How to properly complete the Application for a Real Estate Corporation, Partnership, or Association (Limited Liability Company) License:

1. **Company Name:** Indicate the **exact name** that has been registered with the Missouri Secretary of State's Office. (Refer to your certificate to make sure you use the full name).

2. **Address/Phone Number:** You must indicate the physical location of the business. If you wish to use a PO Box or a different address for mailing purposes, also indicate that under the physical address. **(We must have the physical location and phone number.)**

3. **Fictitious Name:** If doing business in any name other than the exact name of your company, you must file a fictitious name with the Missouri Secretary of State's office, and indicate the name in the space provided. (NOTE: When filing a fictitious name for your company you must show that the company, not the individuals, owns the name.) Attach a copy of the official fictitious name registration with your application.

4. **Franchise Agreement:** If using a franchise or trade name, include a copy of the complete, signed franchise or trade agreement.

5. **Section II: Indicate the Appropriate Titles:**

a. **Corporation Titles:** President, Vice President, Assistant Vice President, Treasurer, Secretary, Assistant Secretary, Director, Chairman of the Board, or CEO. **(No other titles will be accepted.)** Indicate home address and if licensed or unlicensed in the space provided.

b. **Limited Liability Titles:** Member, Organizer, Manager, are the only acceptable titles. Indicate home address and if licensed

or unlicensed in space provided.

6. Section III: If conducting Missouri activity in any other location, this portion must be completed and you must indicate who the manager of the branch office will be.

7. Section IV: Read carefully before answering these questions. Pay special attention to question # 3. If the company holds a real estate license in another state, you must attach a license history from the nonresident real estate commission. (The application will be returned if this is not attached.)

8. Section V: Designated broker must sign.

9. Section VI: To be completed if the company is in another state.

10. Attach appropriate fee: Missouri \$80.00 Nonresident \$150.00

11. Attach a copy of the Certificate of Incorporation, Organization, or Certificate of Foreign Authority, depending on what type of company you are licensing.

12. Consent to Examine and Audit Escrow Account form must be completed.

a. If registering an account, complete Part I and Section A. Attach a copy of a voided deposit ticket verifying the account numbers, sign and date.

b. If you are not registering an account, complete Part II on the reverse side and mark the appropriate box, sign and date.

Reciprocal Agreements Rescinded

Due to the recent statute changes, all existing reciprocal agreements have been rescinded.

An individual who holds a real estate license in another state/jurisdiction desiring to obtain a real estate license in Missouri, must fulfill the following requirements:

Salesperson

If an individual holds a current and active salesperson license in another state/jurisdiction at the time they apply for a Missouri salesperson license, they must pass the STATE portion of the Missouri salesperson examination and take the 24-hour Missouri Real Estate Practice (MREP) Course. The MREP course can be taken before or after the examination date, but must be taken prior to applying for licensure. The 48-hour Missouri Salesperson Pre-Examination Course is not required. Application for licensure must be submitted to the MREC within six months of passing the STATE portion of the Missouri salesperson examination.

A license (history) certification issued within three months from the real estate commission of the state/jurisdiction from where applying must be provided with the application for licensure. A copy of the license is not acceptable. Certifications that are more than three months old, or do not reflect that the individual holds a current and active license, will cause the application to be deemed incomplete.

If a licensing application is not provided by AMP at the test site upon passing the State portion of the examination, contact the Missouri Real Estate Commission at 573-751-2628 (option 2). Missouri resident salesperson application fees are \$95.00 and nonresident salesperson application fees are \$155.00. Nonresidents must also include a Nonresident Consent form with the application for licensure.

Broker

If an individual holds a current and active salesperson license in another state/jurisdiction and wishes to obtain a Missouri broker's license, they will be required to have 24 of the last 30 months active salesperson experience, take the Missouri 48-hour Broker Pre-Examination Course, take BOTH portions of the Missouri broker examination and apply

for licensure within six months of the 48-hour Broker Course completion date.

If an individual holds a current and active broker license in another state/jurisdiction (other than those states/jurisdictions who have ONLY broker licenses) they must have 24 of the last 30 months active license experience as a salesperson or broker, pass the STATE portion of the Missouri broker examination and apply for licensure within six months of passing the STATE portion of the Missouri broker examination. The 48-hour Broker Pre-Examination Course is not required.

If licensed in a state/jurisdiction that only issues broker licenses, Missouri will recognize the single license as a salesperson license.

A license (history) certification issued within three months from the real estate commission of the state/jurisdiction from where applying must be provided with the application for licensure. A copy of the license is not acceptable. Certifications that

are more than three months old, or do not reflect that the individual holds a current and active license, will cause the application to be deemed incomplete.

If a licensing application is not provided by AMP at the test site upon passing the examination, contact the Missouri Real Estate Commission at 573-751-2628 (option 2). Missouri resident broker application fees are \$135.00 and nonresident broker application fees are \$205.00. Nonresidents must also include a Nonresident Consent form with the application for licensure.

If planning to operate as a corporation, partnership or LLC, the applicant will also need to obtain a real estate license for that entity. The entity application, Application for a Real Estate Corporation, Partnership or Association (LLC) License, can be located on the Missouri Real Estate Commission's web site at www.pr.mo.gov/realestate.asp under Application Forms. Fee for a Missouri entity is \$80 and nonresident entity is \$150.

Licensee Count on the Rise

The Missouri Real Estate Commission has seen a marked increase in licensee count over the past 4 years. Here is the licensee count from March, 2003 and from March, 2007

	2003	2007
Broker	5,956	5,843
Broker Associate	825	2,205
Broker Officer	2,812	2,837
Broker Partner	162	122
Broker Salesperson	4,465	4,965
Inactive Broker	1,152	995
Inactive Salesperson	2,990	2,899
Prof. Corp. Broker Salesperson	59	118
Prof. Corp. Salesperson	130	289
Real Estate Association	653	1,822
Real Estate Corporation	1,954	2,035
Real Estate Partnership	103	81
Salesperson	20,321	26,765
TOTAL	41,582	50,976

What you will find at www.pr.mo.gov/realestate.asp

www.pr.mo.gov/realestate.asp is the Missouri Real Estate Commission website. All licensees are encouraged to visit often and explore the valuable information that can be found. You may find that a few clicks of your mouse will save you from having to call the Commission. Some of the information you will find on the website is as follows:

1. Application Forms – Many of our forms have been revised, or are in the process of being revised. During the 2006 renewal period, our office noticed that many licensees were submitting outdated forms. All licensees should check this area to verify that the forms they are using are current. Some of the forms you will find here are:
 - a. Affidavit for Closing a Real Estate Firm
 - b. Application for License/Information Change
 - c. Application for a Real Estate Corporation, Partnership, or Association (LLC) License
 - d. Change in Designated Broker
 - e. Consent to Examine and Audit Escrow or Trust Account
 - f. Fictitious Name Filing Instructions
 - g. Individual Request for Continuing Education Credit
 - h. Nonresident Consent Form
 - i. Request for Certification of Licensure
 - j. Professional Corporation Application
 - k. Professional Corporation, Approval of Name of
2. Approved Education Providers – Explore this topic to find out who are the approved providers for continuing education courses as well as providers of the pre-examination courses and the 24-hour Missouri Real Estate Practice Course. (NOTE: Just because a provider is listed does not mean that all of its courses are necessarily approved for continuing education or pre-examination credit.)
3. Audit Guidelines – If your office has been scheduled for an upcoming audit, you can find the guidelines that the examiner will use when completing the audit.
4. Broker Disclosure Form
5. Complaint Form
6. Fees
7. Newsletters – The most recent newsletter is listed first. Just click on the date of the newsletter you wish to read or print.
8. Rules and Statutes

Another useful item you will find on the website is the “Licensee Search.” Individuals who utilize this can find such details as name, address, license number and the expiration date of current licensees. Just click on “Licensee Search”, select “licensee name”, enter the name in the box provided (example: Smith, John) and click the search button. Click on “detail” to verify information.

If you type in the exact name (Doe, John) and no licensee is found, this could mean the individual is not licensed or has failed to renew his license. Please verify information with the licensee or with this office.

Disciplinary Actions

Aultman, Lynette Menzie Springfield, MO

By Order of the MREC, Aultman's real estate license was revoked on March 11, 2006.

Violations: 339.100.2(1), (2), (3), (14) and (15) RSMo

Aultman, a salesperson, conducted property management activity outside of the company with whom her license was affiliated. The company was unaware of Aultman's management activity. Aultman did not have a written property management agreement. Aultman collected approximately \$2,200 in rent payments for the property and used these funds to pay her own personal expenses. In another transaction, Aultman, as a listing agent, encouraged the seller to allow a buyer to move into the home. Aultman failed to inform the seller that the buyer was in the middle of filing for bankruptcy even though Aultman had knowledge of this fact. In another transaction, Aultman knew the buyer had borrowed their down payment funds from an investment company. At closing, the seller paid off the debt to the investment company, thus giving the buyer 100% financing. Aultman did not indicate in the sales contract or settlement statement that the seller's payment to the finance company was to pay off the buyer's loan for the down payment.

Baker, Lucinda Union, MO

By Settlement Agreement with the MREC, Baker's license was placed on probation for a period of five years beginning September 14, 2006.

Violations: 339.100.2 (14) and (15) RSMo

Baker made changes to the agreed upon contractual terms and failed to obtain the signatures or initials of the parties to the transaction.

Bechler, Glenn Bryan Kansas City, MO

By Order of the MREC, Bechler's license was placed on five (5) years probation beginning March 5, 2005.

Violations: 339.100.2 (15) and (17) RSMo

On or about November 12, 2003, Bechler pleaded guilty to bank fraud.

Bentley, Larry St. Louis, MO

By Order of the MREC, Bentley was issued a four-year probated license beginning September 3, 2004.

Violations: 339.100.2 (15), (17) and (18) RSMo

On or about September 26, 1995, Bentley pleaded guilty to attempt to possess with intent to distribute 5 kilograms or more of cocaine.

Beverly, Willie St. Louis, MO

By Order of the MREC, Beverly was issued a two-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about June 10, 2005, Beverly pleaded guilty to possession of a controlled substance.

Briggs, Candace N. St. Louis, MO

By Order of the MREC, Briggs was issued a five-year probated salesperson license on October 26, 2006.

Violations: 339.100.2(16), (18) and (19) RSMo Cum. Supp. 2004

On or about January 6, 2003, Briggs pleaded guilty to possession of marijuana, possession of drug paraphernalia, and possession of a controlled substance.

Disciplinary Actions

Buff, Rex O. Springfield, MO

By Order of the MREC, Buff's real estate license was suspended for two years, which was stayed, followed by five years probation beginning January 28, 2006.

Violation: 339.100.2 (17) RSMo

On or about April 3, 2003, Buff pleaded guilty to leaving the scene of a motor vehicle accident.

Campbell, Melissa S. Walnut Grove, MO

By Joint Stipulation with the MREC, Campbell's license was revoked on February 3, 2006.

Violations: 339.100.2 (10), (14), and (15) RSMo

On or about August 18, 2002, Campbell completed an application to renew her salesperson license wherein she asserted that she had "met the appropriate continuing education requirements." Upon request, Campbell failed to provide documentation evidencing her successful completion of all 12 hours of the required continuing education.

Carmona, Ben Wentzville, MO

By Order of the MREC, Carmona was issued a five-year probated salesperson license on October 26, 2006.

Violations: 339.100.2(10), (16), (18) and (19) RSMo Cum. Supp. 2004

On or about February 16, 2001, Carmona pleaded guilty to possession of cocaine. On or about August 4, 1992, Carmona pleaded guilty to burglary in the second degree and third degree assault. Carmona did not disclose the burglary and assault offenses on his application.

Childers, Fredrick L. Thayer, MO

By Order of the MREC, Childers was issued a two-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about March 3, 2004, Childers pleaded guilty to driving while intoxicated – persistent offender.

Cova, Robert A. Troy, MO

By Order of the MREC, Cova was issued a two-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about March 17, 2003, Cova pleaded guilty to distributing or delivering not more than 5 grams of marijuana.

Crutcher, Jake B. Florissant, MO

By Order of the MREC, Crutcher was issued a two-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about February 16, 2001, Crutcher pleaded guilty to possession of a controlled substance.

Cruz, Carlos Ruan Kansas City, MO

By Order of the MREC, Cruz's license was revoked on November 5, 2006.

Violations: 339.100.2(2), (16) and (18) RSMo

On or about July 18, 2005, Cruz pleaded guilty in the United States District Court, Western District of Missouri, to conspiracy to defraud a federal home loan program.

Disciplinary Actions

Demba, Ernest A.

St. Louis, MO

By Order of the MREC, Demba's real estate broker license was placed on probation for four years beginning March 11, 2006.

Violations: 339.100.2(14) and (15) RSMo

On or about August 22, 2001, the MREC conducted an audit of Demba's individual broker license. It was found during the audit that Demba, through his sole proprietorship, Ernest A. Demba & Associates, entered into a property management agreement with a LLC of which Demba was the sole member. The agreement authorized a 10% management fee to be paid to Demba. Sometime during the audit Demba scratched out the 10% and inserted 0% for the management fee. The management agreement did not contain all of the required criteria. Demba, through his sole proprietorship, also entered into a management agreement with his father. This management agreement indicated that no fee was to be paid to Demba. This management agreement did not contain all of the required criteria. The escrow account had a net shortage of \$722.87. Demba failed to notify the MREC of a change in the name of the financial institution in which his escrow account was maintained. Demba did not adopt an agency policy that identified and described the relationship in which he and affiliated licensees may engage with any seller, landlord, or tenant. Demba failed to provide the Missouri Broker Disclosure form. Demba also failed to retain records related to the escrow account.

Dickens, Leslie M.

St. Louis, MO

By Joint Stipulation with the MREC, Dickens' license was revoked on May 9, 2006.

Violations: 339.100.2 (14), and (15) RSMo

On or about September 13, 2002, Dickens

completed an application to renew his salesperson license wherein he asserted that he had "met the appropriate continuing education requirements." Upon request, Dickens failed to provide documentation evidencing his successful completion of the required 12 hours of continuing education within 30 days of the MREC's written request.

Dille-Loucks, Nancy

Rocky Mount, MO

By Settlement Agreement with the MREC, Dille-Loucks' license was placed on probation for a period of two years beginning March 23, 2006.

Violations: 339.100.2(2), (10), (16), and (19) RSMo

On or about January 22, 2004, Dille-Loucks pleaded guilty to stealing and received a suspended imposition of sentence. On or about September 16, 2004, Dille-Loucks renewed her real estate license for the 2004 - 2006 licensing period and failed to disclose this guilty pleading on her renewal application.

Edrington, David K.

Maryville, IL

By Order of the MREC, Edrington's real estate license was suspended for two years beginning January 30, 2006, followed by three years probation beginning January 30, 2008.

Violations: 339.100.2 (16) and (18) RSMo

On or about September 17, 2004, Edrington pleaded guilty to two felony counts of stealing.

Eidson, Linda C.

Lebanon, MO

By Settlement Agreement with the MREC, Eidson's license was placed on two years probation beginning August 24, 2006.

Violations: 339.100.2 (1), (14), and (23)

Disciplinary Actions

RSMo 2000

The MREC staff conducted an escrow audit on the real estate records of Eidson, an individual broker, and the following violations were found: 1) temporary overage in the sales escrow account; 2) incomplete sales contracts; 3) broker failed to verify the accuracy of the closing statements; 4) incomplete listing and property management agreements; and 5) the date was not identified on the written confirmation of the licensee's agency relationship.

Farr, Lamont E. St. Louis, MO

By Order of the MREC, Farr was issued a 50-month probated broker-salesperson license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo Cum. Supp. 2004

On or about April 10, 1995, Farr pleaded guilty to conspiracy to distribute cocaine and possession of cocaine with the intent to distribute.

Foote, Jerald Springfield, MO

By Order of the MREC, Foote was issued a five-year probated salesperson license on October 26, 2006.

Violations: 339.100.2(10), (16), (18) and (19)
RSMo Cum. Supp. 2004

On or about July 22, 1994, Foote pleaded guilty to possession of a controlled substance. Foote failed to disclose this conviction on his application.

Fretwell, Sarah Beth Fulton, MO

By Settlement Agreement with the MREC, Fretwell's license was placed on probation for a period of two years beginning March 14, 2006.

Violations: 339.100.2 (18) RSMo

On or about January 31, 2003, Fretwell submitted notice to her designated broker of her intent to transfer her license. Fretwell also presented her designated broker with photocopies of termination notices for five listings. Per the company's written policy, only the designated broker had authority to terminate listings. Fretwell was requested to submit the original termination notices, but she failed to retain the original documents.

Gaut, Joshua P. Kansas City, MO

By Order of the MREC, Gaut was issued a four-year probated license on May 31, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo

On or about August 15, 2005, Gaut pleaded guilty to possession of a controlled substance.

Gelbach, Margie Warrensburg, MO

By Order of the MREC, Gelbach's license was revoked effective January 18, 2007.

Violations: 339.100.2 (16) and (18)
RSMo

On or about October 6, 2005, Gelbach was found guilty of a felony count of stealing.

Gooch, Stephanie Y. St. Louis, MO

By Order of the MREC, Gooch was issued a two-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo Cum. Supp. 2004

On or about October 2005, Gooch pleaded guilty to property damage first degree and assault third degree, and received a suspended imposition of sentence.

Disciplinary Actions

Hardin, Donald Ira Edwardsville, IL

By Order of the MREC, Hardin was issued a three-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about August 12, 2004, Hardin pleaded guilty to aggravated DUI.

Harvey, Kelly A. Greenwood, MO

By Order of the MREC, Harvey was issued a two-year probated license beginning July 5, 2006.

Violations: 339.100.2 (10), (16), (18) and (19) RSMo Cum. Supp. 2004

Harvey disclosed the following offenses on her application for licensure: on or about March 21, 1990 and December 26, 1990, she pled guilty to passing a bad check under \$150; and on or about March 12, 1992, she pled guilty to passing a check on a closed account. Harvey failed to disclose on her application that on or about April 8, 1991, she pled guilty to stealing under \$150 and that on or about November 28, 2005, she pled guilty to passing a bad check.

Hasley, Michael D. Ava, MO

By Order of the MREC, Hasley was issued a five-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

Hasley disclosed the following criminal offenses on his application for licensure: on or about March 14, 1995, Hasley pled nolo contendere to misdemeanor assault; on or about May 17, 1996, Hasley pled nolo contendere to DWI; on or about October 17, 1996, Hasley was convicted of possession of a controlled

substance for sale, possession of a controlled substance, possession of marijuana for sale, and sale of a controlled substance; on or about July 28, 1997, Hasley pled nolo contendere to possession of a controlled substance for sale; on or about July 8, 1998, Hasley pled nolo contendere to stealing; and on or about September 14, 2000, Hasley pled nolo contendere to possession of a controlled substance.

Hayes, Ernest W. St. Louis, MO

By Settlement Agreement with the MREC, Hayes' license was placed on probation for a period of three years beginning April 12, 2006.

Violations: 339.100.2 (15), (17) and (18) RSMo

On or about July 26, 2002, Hayes pleaded guilty to the felony offense of criminal non-support.

Hertel, Mike D. Ballwin, MO

By Order of the MREC, Hertel was issued a two-year probated salesperson license on January 10, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about January 4, 2000, Hertel pleaded guilty to the misdemeanor charge of driving while intoxicated. On or about January 6, 2005, Hertel was charged with driving while intoxicated – persistent offender.

Hopkins, Jamie R. O'Fallon, MO

By Order of the MREC, Hopkins was issued a two-year probated license on May 30, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo

On or about August 31, 2001, Hopkins pleaded guilty to the crime of distribution,

Disciplinary Actions

delivery, manufacture, produce or attempt to possess with the intent to distribute, deliver, manufacture, or produce a controlled substance.

**Hosack, William Gregg
Olathe, KS**

By Order of the MREC, Hosack was issued a five-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo

On or about September 19, 2002, Hosack pleaded no contest to, and was found guilty of, attempted aggravated battery on a law enforcement officer, felony flee to elude, possession of cocaine, and driving under the influence of alcohol and/or drugs.

**Jones, Anthony M.
Florissant, MO**

By Order of the MREC, Jones was issued a one-year probated salesperson license beginning March 27, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo Cum. Supp. 2004

On or about December 17, 2001, July 19, 2002, January 17, 2003, and August 21, 2003, Jones pleaded guilty to the offenses of passing a bad check.

**Jones, Anthony M.
Florissant, MO**

By Order of the MREC, Jones was issued a nine-month probated broker-salesperson license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19)
RSMo Cum. Supp. 2004

On or about December 17, 2001, July 19, 2002, January 17, 2003, and August 21, 2003, Jones pleaded guilty to the offenses of passing a bad check.

**Kramer, John Ervin
Bonne Terre, MO**

By Order of the MREC, Kramer's real estate license was placed on one year probation beginning March 11, 2006.

Violations: 339.100.2(1), (14) and (15)
RSMo

The MREC conducted an audit of records related to Kramer's real estate company. The audit revealed the following: 1) a net overage in the escrow account; 2) funds were being held without written authorization from the parties to the transaction; 3) commission was not removed from the escrow account at the completion of the transaction; 4) failed to obtain a written agency agreement before representing a party to a transaction; 5) did not obtain written authorization to act as a dual agent; and 6) failed to check the box on the sales contract that disclosed the brokerage relationship.

**Lawshe, Charles W.
St. Louis, MO**

By Joint Stipulation with the MREC, Lawshe's license was placed on probation for a period of two years beginning February 10, 2006.

Violations: 339.100.2 (14) and (15)
RSMo

Lawshe failed to enter into a written agency agreement with a buyer and failed to provide the broker disclosure form to a party or otherwise confirm that the brokerage relationships were disclosed upon first contact. Lawshe entered into a listing agreement without written authorization from his supervising broker. Lawshe failed to complete the statement of the listing that permitted or prohibited the licensee from acting as a transaction broker. Lawshe made changes to a listing agreement and failed to have the property owners initial the changes. Lawshe identified himself as a

Disciplinary Actions

designated agent in a listing agreement, but also signed the document as the “authorized agent”. Lawshe did not obtain the consent of parties for dual agency in a transaction, did not disclose the existence of the dual agency, and did not have the dual agency relationship confirmed in writing by the parties to the transaction.

**Leone, Janine M.
Kansas City, MO**

By Joint Stipulation with the MREC, Leone’s licenses were placed on three years probation beginning September 22, 2006.

Violations: 339.100.2 (14) RSMo

Leone, as the supervising broker, failed to provide adequate supervision over an affiliate’s involvement in a real estate transaction, and also failed to establish reasonable procedures to verify affiliates were adequately supervised. Upon learning of questionable conduct of an affiliate, Leone attempted to persuade the principals of the transaction to execute a release of liability. She also requested the release of liability from the principals as a condition of releasing them from their agreements.

**Maupin, Daniel F.
Chesterfield, MO**

By Settlement Agreement with the MREC, beginning September 20, 2006, Maupin’s license was placed on probation for ninety days beyond his criminal supervision.

Violations: 339.100.2 (17) RSMo

On or about October 22, 2003, Maupin was convicted of a felony count of driving while intoxicated – persistent offender.

**Mays, Reginald B.
St. Louis, MO**

By Joint Stipulation with the MREC, Mays’ license was placed on probation for a period

of five years beginning February 10, 2006.

Violations: 339.100.2 (14) and (15) RSMo

Mays failed to properly maintain a special account, separate and apart from his personal or other business accounts, for all moneys belonging to others that were entrusted to him regarding real property sales contracts. Mays and/or his affiliated licensees, whom he was responsible for supervising, failed to: identify in a sales contract the city or town in which the property was located; to enter into a written agency agreement with a buyer; and provide the broker disclosure form to a party or otherwise confirm that the brokerage relationships were disclosed upon first contact. Mays acted as a dual agent without written authorization. Mays held and disbursed money without written authorization. Earnest money was deposited into Mays’ operating account and not into the sales escrow account. Copies of the deposit tickets and/or closing statements were not retained. Disbursements were made from the property management escrow account for an owner when the owner’s funds in the account were not sufficient to cover the disbursement. The property management account had a negative balance. The related transaction was not identified on multiple checks or check stubs to the property management escrow account. Disbursements were made from the property management escrow account without maintaining supporting documentation for the disbursement. Mays failed to adopt a written office policy that identified and described the relationships in which he and affiliated licensees may engage with any seller, landlord, buyer, or tenant. Affiliated licensees entered into listing agreements on behalf of the company without written authorization from Mays. The statement in the listing agreement that prohibited or permitted the licensee from acting as a transaction broker

Disciplinary Actions

was not completed. Changes made to the listing agreement were not initialed by the property owner. Mays used fictitious names that were not registered with the Missouri Secretary of State and/or the MREC.

McLucas, Pamela St. Louis, MO

By Settlement Agreement with the MREC, McLucas' real estate license was placed on probation for a period of two years beginning March 14, 2006.

Violations: 339.100.2(14), (15), (16), (18), and (19) RSMo

McLucas failed to timely renew her broker-salesperson license for the period from July 1, 2002 through June 30, 2004. McLucas did not renew her license until on or about March 20, 2003, and therefore, her license was non-current from July 1, 2002 through March 20, 2003. McLucas conducted activity that required a real estate license while her license status was non-current.

Meyer, James L. St. Louis, MO

By Order of the MREC, Meyer was issued a two-year probated license beginning February 24, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo

On or about February 1, 2002, Meyer pleaded guilty to Assault 2nd degree (DWI).

Moore, Dennis Branson, MO

By Order of the MREC, Moore was issued a five-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about March 6, 2003, Moore pleaded guilty to failure to file state individual income

tax returns and failure to remit state individual income tax.

Moore, Twila J. Nixa, MO

By Order of the MREC, Moore's license was revoked on August 6, 2006.

Violations: 339.100.2 (2), (3), (4), (14), and (15) RSMo

Moore listed a property, which she owned with her husband, with the brokerage that held her salesperson license. Subsequent to listing the property, Moore accepted an offer on the property for approximately \$78,000 above the listed price. Moore and her husband entered into a promissory note to borrow money from a company to make modifications to the home. This company appeared to be owned by the loan officer providing financing to the purchaser of Moore's home. In the promissory note, Moore and her husband agreed to repay the loan within three months, but also to loan the company an amount equal to the amount they were borrowing. The lending company was not advised of the loan between the Moores and the company owned by the loan officer. Moore did not timely submit copies of documents for this transaction to her broker. Two sets of settlement statements were created. One shows a payment from Moore and her husband to the loan officer's company, and another not showing the loan payment but identified a higher increased seller's proceeds amount paid to Moore and her husband.

Morgan, Jonathan P. St. Louis, MO

By Order of the MREC, Morgan was issued a two-year probated salesperson license on January 10, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

Disciplinary Actions

On or about June 22, 1994, Morgan entered an Alford Plea to a misdemeanor charge of stealing. On or about February 13, 1996, he pleaded guilty to the misdemeanor charge of stealing. On or about June 17, 2000, Morgan pleaded guilty to possession of a controlled substance. On or about November 16, 2000, Morgan pleaded guilty to prostitution. On or about September 7, 2000, Morgan pleaded guilty to possession of a controlled substance. On or about October 17, 2005, he pleaded guilty to assault of a law enforcement officer in the third degree and resisting arrest.

Moyer, Darren R. Kansas City, MO

By Order of the MREC, Moyer was issued a two-year probated salesperson license effective January 8, 2007.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about February 18, 2004 Moyer pleaded guilty to unlawful possession of a controlled substance and possession of marijuana.

National United Properties LLC Kansas City, MO

By Order of the MREC, National United Properties LLC was issued a three-year probated license on November 9, 2006.

Violations: 339.100.2 (1), (3), (14), (15), and (22) RSMo

The MREC staff conducted an escrow audit on the records of National United Properties LLC before the license lapsed on June 30, 2004, and the following violations were found: 1) failure to account for funds of others; 2) overages and/or shortages found in the escrow accounts; 3) failure to maintain records; 4) unlicensed individuals signed management agreements on behalf of the company; 5) failure to disclose brokerage relationship in writing to tenants; and 6) failure to remove man-

agement fees as specified in the management agreement.

Neistat, Patrick St. Charles, MO

By Order of the MREC, Neistat was issued a one-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about May 2, 2001, Neistat pleaded guilty to burglary second degree and property damage first degree and received a suspended imposition of sentence.

Onstott, Rick W. St. Louis, MO

By Joint Stipulation with the MREC, Onstott's license was placed on probation from June 26, 2006 to April 12, 2008.

Violations: 339.100.2 (16) and (18) RSMo Cum. Supp. 2004

On or about November 1, 2004, Onstott pled guilty to exposing other persons to HIV infections without their knowledge and consent.

Partney, John H. Van Buren, MO

By Order of the MREC, Partney's license was revoked effective November 5, 2006.

Violations: 339.100.2 (15) and (17) RSMo

On or about August 4, 2004, Partney pleaded guilty to two counts of violating 36 C.F.R. 261.8 before the United States District Court, Eastern District of Missouri.

Patterson, Ralph D. III St. Charles, MO

By Order of the MREC, Patterson was issued a two-year probated license on May 31, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo

Disciplinary Actions

On or about March 28, 2003, Patterson pleaded guilty to possession of a controlled substance.

Perkins, Carl Curtis Joplin, MO

By Order of the MREC, Perkins was issued a three-year probated license on May 30, 2006.

Violations: 339.100.2 (18) RSMo

On or about October 2, 1998 Perkins pleaded guilty to possession of methamphetamine. On or about November 6, 2000, Perkins pleaded guilty to possession of a controlled substance. On or about May 17, 2001, Perkins pleaded guilty to possession of a controlled substance.

Perryman, Donna M. St. Louis, MO

By Order of the MREC, Perryman was issued a four-year probated license beginning February 28, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about October 2, 2000, Perryman pleaded guilty to possession of a controlled substance. On or about December 1, 2000, Perryman pleaded guilty to impersonation.

Robinett, Karie O'Fallon, MO

By Order of the MREC, Robinett was issued a two-year probated salesperson license on August 24, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about March 20, 2000, Robinett pleaded guilty to the criminal charge of involuntary manslaughter – DWI.

Robinson, Andrew Ash Grove, MO

By Order of the MREC, Robinson's license was revoked on August 6, 2006.

Violations: 339.100.2 (10), (14), and (15) RSMo

On or about June 28, 2002, Robinson completed an application to renew his broker license wherein he asserted that he had "met the appropriate continuing education requirements." Upon request, Robinson failed to provide documentation evidencing his successful completion of the required 12 hours of continuing education within 30 days of the MREC's written request.

Robinson, Neshobey C. St. Louis, MO

By Order of the MREC, Robinson was issued a three-year probated broker license on July 27, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about February 9, 2004, Robinson pled guilty to stealing by deceit and received a suspended imposition of sentence.

Rogers, Paul A. Florissant, MO

By Joint Stipulation with the MREC, Rogers' license will be placed on two years probation upon reactivation of his license from its current suspension.

Violations: 339.100.2 (2) and (15) RSMo
Rogers failed to respond within thirty days to repeated written requests sent to him by staff of the Missouri Real Estate Commission.

Disciplinary Actions

R.T.J.K. Investments, LLC
Woods, Kathleen D.
St. Louis, MO

By Joint Stipulation with the MREC, the association license of R. T. J. K. Investments and the broker-associate license of Woods were revoked effective April 25, 2006.

Violations: 339.100.2 (1), (14), (15) and (18) RSMo

The MREC staff conducted an escrow audit on the records of R. T. J. K. Investments, dba Dublin Realty, and the following violations were found: 1) commingling in the sales escrow account; 2) failure to maintain records; 3) failure to disclose brokerage relationship; 4) failure to identify the source of compensation in the written brokerage relationship disclosure; 5) failure to hold earnest money where specified in the contract; 6) failure to identify the related real estate transaction on each record of disbursement; 7) writing checks on the sales escrow account to someone/something other than the general operating account or the licensee owed the commission; 8) failure to identify the accuracy of the closing statement; and 9) misuse of escrow accounts.

Ross, Rachael Marie
Squires, MO

By Order of the MREC, Ross was issued a two-year probated license on May 30, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo

On or about January 21, 2000, Ross pleaded guilty to possession with intent to distribute approximately 26 pounds of cocaine.

Ruzzo, John
Farmington, MO

By Order of the MREC, Ruzzo's real estate license was revoked effective January 19, 2006.

Violations: 339.100.5 RSMo Cum. Supp 2005

On or about October 7, 2004, Ruzzo pleaded guilty to and was found guilty of three counts of statutory rape in the second degree and three counts of statutory sodomy in the second degree.

On or about February 3, 2005, Ruzzo pleaded guilty to and was found guilty of statutory rape in the second degree and also statutory sodomy in the second degree.

Schneider, Scott W.
St. Charles, MO

By Order of the MREC, Schneider was issued a five-year probated salesperson license on November 15, 2006.

Violations: 339.100.2 (15), (16), (18) and (19) RSMo

On or about December 28, 1999, Schneider was convicted of driving while intoxicated, aka DWI. On or about March 21, 2002, Schneider pled guilty to driving while intoxicated. On or about February 9, 2004, Schneider pled guilty to driving while intoxicated – persistent offender.

Short, Kenneth Lee
Galena, MO

By Order of the MREC, Short was issued a three-year probated license beginning July 5, 2006.

Violations: 339.100.2 (16), (18) and (19) RSMo Cum. Supp. 2004

On or about July 14, 2004, Short pleaded guilty to the crime of felonious restraint.

Trumbo, Nicolette R.
Kansas City, MO

By Joint Stipulation with the MREC, Trumbo's license was suspended for one year, which was stayed, followed by five years probation beginning July 22, 2006.

Disciplinary Actions

Violations: 339.100.2 (2), (4), (5), (14) and (15) RSMo

In a real estate transaction Trumbo failed to immediately provide copies of executed documents to the parties; did not disclose that she owned a leasehold interest in the property; transferred earnest money from the title company to a company she owned; represented to the parties of the transaction, through the preparation of false documents, terms different than those actually agreed upon; requested money not authorized or requested by a party to the transaction; offered the property at terms other than those authorized by the property owner; and failed to ensure all terms and conditions authorized by the property owner were included in the contract.

**Vision Realty and Investment Group Inc.
Brown, Wayne A.
St. Louis, MO**

By Settlement Agreement with the MREC, Vision Realty and Investment Group Inc.'s license was placed on probation for one year beginning October 7, 2006, and Brown's license was suspended for one year, which was stayed, followed by probation for three years beginning October 7, 2006.

Violations: 339.100.5.1 RSMo and 339.100.2(14), (15), (16), (18), and (19) RSMo

The MREC staff conducted an escrow audit on the records of Vision Realty and Investment Group Inc., of which Brown was the designated broker, and the following violations were found: 1) numerous overdrafts in the property management escrow account; 2) escrow account was not registered with the MREC; 3) \$113.45 shortage in the escrow account; 4) failure to remove management fees from the account monthly; 5) managing property without a current written management agreement; 6) failure to maintain records necessary to determine the adequacy of

the escrow account; and 7) failure to retain deposit tickets and/or receipts or invoices for disbursements.

**Wesson, Joann
Kansas City, MO**

By Settlement Agreement with the MREC, Wesson's license was placed on suspension for two years beginning March 3, 2006, followed by two years probation.

Violations: 339.100.2(2), (15), (16), (17) and (19) RSMo

Wesson entered into an Exclusive Right to Sell brokerage service agreement, however, the listing agreement expired and was not renewed. Subsequent to the expiration of the listing agreement, Wesson helped execute a sales contract for the property that was contingent upon the buyer selling their existing home. Wesson did not accept the buyer's request for an extension of the closing date of the contract, nor was the contract cancelled. Wesson allowed the seller to accept another offer on the property while the initial contract was still valid.

**Yancy, Sylvia
Kansas City, MO**

By Joint Stipulation with the MREC, Yancy's license was placed on probation for a period of three years beginning September 7, 2006.

Violations: 339.100.2 (1), (3), and (14) RSMo

Yancy was the real estate licensee involved in a transaction that required rehabilitation of the property in question. Yancy presented the closing agent an invoice that indicated she was authorized to pick up remittance for a contractor used in the rehabilitation work. The check was endorsed to be made payable to Yancy. Yancy endorsed and cashed the check. Yancy failed to maintain records of how the funds were disbursed.

State Holidays

The Missouri Real Estate Commission will be closed on these State of Missouri Holidays during the remainder of 2007:

May 28	Memorial Day
July 4	Independence Day
September 3	Labor Day
October 8	Columbus Day (observed)
November 12	Veterans Day (observed)
November 22	Thanksgiving
December 25	Christmas

Commission Meetings for the Balance of 2007

Licenseses and members of the public are invited to attend the open session of any meeting, which are interspersed between closed sessions throughout the day. Typical meetings start promptly at 8 a.m. In conjunction with upcoming Commission meetings, the Missouri Real Estate Commission will be holding open forums in June, August, October and December of this year to discuss the possible implementation of fingerprinting license applicants. The Commission will also hold open discussion on the value of the existing inducement laws.

These 1:00 p.m. open forums will be held as follows:

June 13, 2007 - St. Louis
Renaissance St. Louis Hotel Airport
9801 Natural Bridge Road

August 8, 2007 - Lake Ozark
Lodge of the Four Seasons
Horseshoe Bend Parkway

October 10, 2007 - Jefferson City
Division of Professional Registration
3605 Missouri Boulevard

December 12 - Kansas City
Exact location to be posted on our website.

All interested parties are invited to attend and share their opinions. Time limits may be imposed to speakers, should participation warrant.

Those wishing to share their viewpoints may also do so by sending written comments to the attention of Janet Carder, Executive Director, P.O. Box 1339, Jefferson City, Missouri 65102.

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