

BOARD OF REALTY REGULATION NEWSLETTER

VOLUME 3, ISSUE 4.....OCTOBER 2011

MONTANA BOARD OF REALTY REGULATION

Position Statement RE: Continuing Education and Renewal

The Board has noted a trend wherein licensees are making false statements on their renewal forms with regard to continuing education.

Each licensee is currently required to complete 12 hours of continuing education prior to renewing their real estate license. The Board believes this education enhances the professionalism of licensees and contributes to the public's confidence in licensed agents and property managers. In order to renew, a licensee must be able to truthfully affirm that the education has been completed. This is done either on a paper renewal form or on the online renewal system. In either event, the deadline for renewal is October 31 of each year. After October 31, a licensee can still renew their license. Importantly, a licensee can still legally practice for up to 45 days after the renewal date even if they are not yet renewed. However, when they do renew during that 45 day period, they will still need to truthfully affirm that they have completed the education, and they will also be assessed a late fee.

Knowing that they will be assessed a late fee after October 31, many licensees are renewing sooner and falsely stating that they have completed the education. Sometimes, the licensee has every good intention of getting the education completed. Some licensees have no such intention. All licensees need to understand a basic truth about Montana real estate continuing education: the board is aware of all approved education taken by licensees and the board will discover 100% of persons who affirm falsely.

By way of background, it must be explained that every approved educator who offers board-approved education in Montana is required to report every attendee to a board database. That database tallies the number of credits that each licensee has completed. Therefore, the board will know of every instance where someone has renewed but has not taken the required number of credits. When submitting a paper renewal form, the licensee must check a box which states whether they have completed the required 12 hours of education. The statement must be true at the time that the licensee is making the statement. If the licensee answers 'No', the license will not be renewed. The same is true for the online renewal process: If the licensee answers 'No', the licensee will not be allowed to complete the online renewal process. (con't on page 3)

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BRR MEMBERS, STAFF & UPDATES

BOARD OF REALTY REGULATION MEMBERS

The Governor with Senate confirmation appoints board members. Members serve 4 year terms with a 2-term limit.

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C.E. "ABE" ABRAMSON **BOARD CHAIR**

RE INDUSTRY MEMBER
MISSOULA, MT
Term Expires: 5/9/2015

CINDY WILLIS

RE INDUSTRY MEMBER
POLSON, MT
Term Expires: 5/9/2013

SHIRLEY MCDERMOTT

PUBLIC MEMBER
LAUREL, MT
Term Expires: 5/9/2015

LARRY MILLESS

RE INDUSTRY MEMBER
CORVALLIS, MT
Term Expires: 5/9/2015

CONNIE WARDELL

RE INDUSTRY MEMBER
BILLINGS, MT
Term Expires: 5/9/2015

PAT GOODOVER

RE INDUSTRY MEMBER
GREAT FALLS, MT
Term Expires: 5/9/2012

STEPHEN HESS

PUBLIC MEMBER
Butte, MT
Term Expires: 5/9/2014

HAVE YOU MOVED? MAKE SURE TO GET YOUR CHANGE OF ADDRESS TO US!

www.realestate.mt.gov :
**Forms: General Forms:
Change Form**

The Honorable Brian Schweitzer, Governor **BOARD ADDRESS & CONTACT INFORMATION**

BOARD OF REALTY REGULATION
301 S. PARK, 4TH FLOOR/ PO BOX 200513
HELENA, MT 59620-0513
FAX: 406-841-2323
EMAIL: dlibsdrre@mt.gov
WEBSITE: www.realestate.mt.gov

For real estate licensing questions and information, contact:

Barb McAlmond, Program Manager 406-841-2325
Maria Thrift, Licensing Specialist 406-841-2063

For information regarding education, contact:

Stacey Fossum, Education Director 406-841-2324

For information regarding audits, contact:

Marilyn Willson, Auditor 406-841-2321

For information regarding complaints, contact:

Teri Ray, Compliance Specialist 406-841-2336

MONTANA BOARD OF REALTY REGULATION

Position Statement RE: Continuing Education and Renewal

(con't from Page 1)

Realizing this, many licensees are falsely stating that they have completed the education so that they can renew their licenses. Some choose to falsify their renewal in the mistaken belief that they would otherwise have to immediately terminate their practice because they did not renew their license on time. Others ostensibly do this in the false hope that they can avoid the late renewal fee. Neither perception is true.

The board initially takes licensees at their word. If they say that they have completed the education on either the paper form or the online form, the license will be renewed. However, the board is aware of every instance where a licensee has less than the required education credits. After the renewal date, the board checks all continuing education. When the board sees from the database that a renewed licensee has too few credits, the board will ask the licensee to explain the discrepancy. Occasionally, there are innocent reasons for a credit shortfall. For example, sometimes, the credits were taken so recently that the credits have not yet been reported. Sometimes, the credits are from educators outside of Montana who are approved by the board but who are not linked to the database. However, if the licensee has no good reason for the lack of credits and has simply affirmed falsely, the board will file a complaint and send the matter to the board's screening panel in order to decide whether to proceed with discipline.

Most of these licensees truly have no good excuse and a disciplinary matter is commenced. Since the cases are usually cut and dried, there really is no defense and the licensees have to admit their actions. At that point, they will be assessed a fine AND the late fee that they would have paid if they had answered truthfully. They may also have to take education in addition to the usual 12

credits. Further, they will have a disciplinary 'smudge' on their record that will stay there forever. Discipline does not ever come off of the licensee's record. Also, the board reports the matter in its newsletter and is required by law to post discipline online.

The nature of these cases is basically that the licensee has made misrepresentations i.e. lied, to the board. Anyone in the world, including a licensee's clients, can see the discipline. A licensee should think about this before make false statements to the board.

Additionally, these cases are creating an additional unreasonable workload for the screening panel and the board. The board does not see only a dozen of these cases every year. It sees hundreds. The extra time and effort expended by the board and its staff in handling these complaints is an added expense for all licensees. Here's why: The board is not legally able to recoup costs of investigation or prosecution from the offending licensee. Therefore, the expense can only be recovered by increasing all licensees' fees. The board has been diligent about keeping fees stable and licensees will note that it has been some number of years since fees were raised. But increased staff and board time spent on discipline cases and other matters will eventually lead to fee hikes. The board wishes to keep any fee increases as small as possible.

In the past, the board has imposed relatively small fines for these cases – from one hundred to three or four hundred dollars (depending on the specific facts). However, given the huge volume of these cases every year, it appears that the smaller fines are not a deterrent. The board believes it needs to do something to reduce the number of the cases and save the expense for innocent licensees. One way to do that is to reduce the number of discipline cases. The board believes that a harsher stance against falsification cases will reduce their numbers. In turn, that will reduce (continued on Page 4)

MONTANA BOARD OF REALTY REGULATION

Position Statement RE: Continuing Education and Renewal

(continued from page 3)

their numbers. In turn, that will reduce expense to the board thereby keeping any fee increases to a minimal level. Invariably, other licensees who hear about these falsification cases will ask the board to do something about it.

Therefore, the board has recently discussed the matter and decided that it will start imposing harsher fines for licensees who lie to the board. Offenders can expect to see fines from \$500 to \$1,000 for each offense and may see suspensions and/or revocations for subsequent offenses. It is worth noting that the board is not doing this as a revenue generating function. The board does not keep the fine money. All of it goes to the state general fund. None of the general fund ever comes back to the board. Therefore, the increased penalties really are an attempt to deter improper conduct – not to make money.

Rather than affirm falsely, licensees should simply understand that they need to have the education completed in order to renew even if it means that they will need to pay a late fee. A

licensee can still lawfully practice for the first 45 days after the renewal date. In that 45 day grace period', they should complete the education and then renew and pay the fees, including the late fee. Since late fees are not discipline and do not go on any 'record', the licensee maintains a clean record.¹

Licensees who may be tempted to answer the renewal form's continuing education question falsely should take the above information into account. They should not answer, 'Yes' if the statement is untrue at the time the statement is made. Even if the licensee completes the education on the day after renewal, the statement on the day before would be false. One might ask themselves, 'Is it worth the risk?'. In fact, there is no 'risk' at all. It is one hundred percent certain that the falsehood will be discovered. A better question might be, 'Is it worth the consequences?'

1. Unrenewed licensees must stop practicing after the 45th day following renewal. Thereafter, they can still renew but, again, they must complete the education and pay the fees.

DON'T FORGET!
THE DEADLINE FOR
RENEWALS IS MONDAY
OCTOBER 31, 2011

RENEWAL REMINDERS

(If Renewing On or Before October 31, 2011)

- **Supervising Brokers: (If renewing before October 31, 2011)**
 - Check CE online at www.continuinged.mt.gov to make sure you have at least 12 total hours of CE reported (4 of these CE hours should be from a designated Supervising Broker course).
 - Go online to renew no later than October 31, 2011 (www.realestate.mt.gov : Forms: Renewal Forms: Online Renewal).

- **Brokers/Salespeople/Property Managers: (If renewing before October 31, 2011)**
 - Check CE online at www.continuinged.mt.gov to make sure you have at least 12 total hours of CE reported (at least 4 of these CE hours should be from a mandatory topic).
 - Go online to renew no later than October 31, 2011 (www.realestate.mt.gov : Forms: Renewal Forms: Online Renewal).

- **Rookie Salespeople: (If renewing before October 31, 2011) CANNOT RENEW WITHOUT:**
 - Make sure you have taken the Board of Realty Rookie Course before October 31, 2011. (The final Rookie Course is October 13-14, 2011 in Helena). Rookie registrations can be found online at www.realestate.mt.gov
 - Go online to renew no later than October 31, 2011 (www.realestate.mt.gov : Forms: Renewal Forms: Online Renewal).

- **Rookie Property Managers: (With a first renewal date of October 31, 2011) CANNOT RENEW WITHOUT:**
 - Make sure you have taken the required mandatory 12 hours of continuing education and sent it into the Board for review before October 31, 2011.
 - Go online to renew no later than October 31, 2011 (www.realestate.mt.gov : Forms: Renewal Forms: Online Renewal).

- **Inactive Licensees: (If renewing before October 31, 2011)**
 - Go online to renew your license no later than October 31, 2011 (www.realestate.mt.gov : Forms: Renewal Forms: Online Renewal).

Frequently-Asked Renewal Questions

When renewing online, how do I know what my PIN number is? Your PIN number was mailed to you on the renewal reminder trifold, which is sent out each year at the beginning of September. Your PIN number and license number remain the same each year. If you have misplaced your renewal trifold, you may call or email any of the staff listed on Page 2 of this newsletter to get it.

How do I know if my CE is done and reported to BRR before I renew? You may check your reported CE online at www.continuinged.mt.gov : View Your Current CE Information. If you have taken a class that has not been reported, please contact the course provider and ask them to report the course. Please be aware that course providers have 20 days to report course rosters. Therefore, if you are renewing close to the October 31 deadline and all of your completed credits are not reported, be sure that you have a signed course completion certificate for each course you took before you renew.

If I don't want to renew online, where can I get a renewal form? Renewal forms can be found online at www.realestate.mt.gov : Forms : Renewal Forms. Please be aware that the renewal form must be filled out completely before it will be processed (disciplinary and education questions answered, form signed etc.). All paper renewals must be postmarked no later than October 31, 2011, or a late fee will be assessed.

What is the "grace period?" "Grace period" refers to the 45 days after the renewal deadline of October 31; during this time, anyone who has not renewed their license may practice real estate in Montana without penalty. However, anyone renewing after October 31 will be assessed a late fee equivalent to their license renewal fee. Anyone who has not renewed their license after the end of the 45-day grace period (December 15, 2011) should not be practicing real estate and may face disciplinary action if they are practicing real estate.

How can I tell if my license has been renewed? The Board of Realty Regulation has an online licensee lookup system which will show license status and expiration date (www.realestate.mt.gov : License Info: Lookup Licensed Individual). If your renewal has gone through, the Licensee Lookup will show your expiration date as 10/31/2012.

DISCIPLINARY ACTION (July-September 2011)

****All disciplinary action is now reported in the newsletter****

James Waddell #2011-095-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Waddell violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from alleged misrepresentations made during renewal of Mr. Waddell's license. He had stated on his renewal form that he had completed all of his continuing education at a time when he had not yet done so. Mr. Waddell completed the balance of the hours on November 22, 2010.

Mr. Waddell negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Waddell will receive a public letter of reprimand. However, the adjudication panel reviewed the facts underlying Mr. Waddell's failure to complete the education and properly report it. The panel found that Mr. Waddell's failure to complete the education and properly report it was excusable in light of the extended illness and subsequent passing of his wife, a former real estate licensee, only one day after renewal.

Ms. Wardell moved to dismiss the complaint with prejudice for reasons of compassion. The motion carried. The panel extends the board's condolences to Mr. Waddell and his family for their great loss.

John Knipe #2011-104-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Knipe violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from misrepresentations made during renewal of Mr. Knipe's license. He had stated on his renewal form that he had completed all of his continuing education at a time when he had not yet done so. Mr. Knipe completed the balance of the hours on November 6, 2010.

Mr. Knipe failed to request a hearing. The department entered his default. The panel accepted the Default and imposed an administrative fine of \$300.00 to be paid no later than 30 days after the date of the Final Order.

Melissa O'Dell #2011-111-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. O'Dell violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from misrepresentations made during renewal of Ms. O'Dell's license. She had stated on her renewal form that she had completed all of her continuing education at a time when she had not yet done so. She completed the balance of hours on December 5, 2010.

Ms. O'Dell negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Ms. O'Dell pay an administrative fine in the amount of \$100.00 no later than thirty days after the date of the Final Order.

Melinda Lebo #2011-114-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. Lebo violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

(con't on page 9)

DISCIPLINARY ACTION (July-September 2011) con't

****All disciplinary action is now reported in the newsletter****

(con't from page 8)

The charges stem from misrepresentations made during renewal of Ms. Lebo's license. She had stated on her renewal form that she had completed all of her continuing education at a time when she had not yet done so.

Ms. Lebo intends to not practice real estate in the near future. Therefore, in lieu of a fine, she negotiated a Stipulation with Department Counsel in which the Department Counsel simply proposed that Ms. Lebo voluntarily surrender her license no later than ten days after the date of the Final Order and not reapply for licensure for a period of five years.

Regan Scott #2011-115-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Scott violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from misrepresentations made during renewal of Mr. Scott's license. He had stated on his renewal form that he had completed all of his continuing education at a time when he had not yet done so. Mr. Scott also holds a real estate license in Oregon. He did complete sufficient education for Oregon. He stated he thought that Montana still had reciprocity with Oregon and he was unaware that his Oregon continuing education would not count towards Montana's continuing education. Montana ended reciprocity with all states some number of years ago and the Oregon education is not approved for Montana. It is the responsibility of the licensee to assure that education is approved for Montana rather than make assumptions.

Mr. Scott failed to request a hearing. The department entered his default and proposed that Mr. Scott pay an administrative fine of \$400 no later than 30 days after the date of the Final Order.

Mr. Scott shall complete and provide proof of completion of twelve hours of Montana approved continuing education for the 2010 report year no later than thirty days after the date of the Final Order.

The panel accepted the Default and proposed Order but added that Mr. Regan may surrender his license within thirty days of the date of the Final Order in lieu of an administrative fine. If so, he may not reapply for licensure for a period of five years from the date of the Final Order.

Benjamin Nobel #2011-120-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Nobel violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from misrepresentations made during renewal of Mr. Nobel's license. He had stated on his renewal form that he had completed all of his continuing education at a time when he had not yet done so.

Mr. Nobel negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Nobel pay an administrative fine in the amount of \$100.00 no later than thirty days after execution of the Final Order. He shall complete and provide proof of completion of twelve hours of continuing education for the 2010 report year within thirty days of the date of the Final Order.

(con't on page 10)

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DISCIPLINARY ACTION (July-September 2011) con't

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(con't from page 9)

Brian Cartwright #2011-136-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Cartwright violated MCA 37-1-316(18) (Generally accepted standards of practice).

The charges stem from Mr. Cartwright failing to renew his license by December 16 but still having an active salesperson under his supervision. He failed to respond to a second request to renew his license or to release supervision of his salesperson. Eventually, on January 14, 2011, the Board received a change of status/transfer form for the salesperson working for Mr. Cartwright.

Mr. Cartwright negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Cartwright pay an administrative fine in the amount of \$500.00 no later than thirty days after execution of the Final Order.

Bethia Barteaux #2011-138-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. Barteaux violated MCA 37-1-316(18) (Generally accepted standards of practice).

The charges stem from Ms. Barteaux failing to renew her license by December 16 but still having an active salesperson under her supervision. She failed to respond to a second request to renew her license or release supervision of her salesperson. Ms. Barteaux eventually renewed her license on January 20, 2011.

Ms. Barteaux failed to request a hearing. The department entered her default and proposed that Ms. Barteaux pay an administrative fine of \$750.00 no later than 30 days after the date of the Final Order.

Debra Wilber #2010-076-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. Wilber violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.604(3) and ARM 24.210.604(4)(supervising broker).

The charges stem from Ms. Wilber's failure to complete a four-hour supervising broker continuing education requirement. The failure to complete the continuing education caused her supervising broker endorsement to lapse and expire.

Ms. Wilber failed to request a hearing. The department entered her default and proposed that Ms. Wilber's Montana supervising broker endorsement shall be suspended until such time as she complies with the 2009 Supervising Broker continuing education requirement. Ms. Wilber will also pay an administrative fine in the amount of \$350.00 no later than 30 days after the date of the Final Order. During the suspension of her endorsement, Ms. Wilber will not be able to practice as a Supervising Broker in any capacity. In lieu of suspension, Ms. Wilber may, within ten days of the Final Order, submit forms and fees to transfer salespeople currently under her supervision if she has not already done so.

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Colleen Hill #2010-029-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. Hill violated MCA 37-1-316(18) (Generally accepted standards of practice.)

The charges stem from Ms. Hill failing to comply with a previous Final Order of the board in cause #CC-09-0250-RRE. She had signed a stipulated agreement on May 25, 2009 in which she agreed (con't on page 11)

DISCIPLINARY ACTION (July-September 2011) con't

**** All disciplinary action is now reported in the newsletter****

(con't from page 10)

to pay Michael Rau \$1,050.00 on or before August 1, 2009, and provide proof that the payment was made and received by Mr. Rau. The Final Order had been entered on June 5, 2009. However, Ms. Hill failed to timely pay pursuant to the Final Order.

Ms. Hill failed to request a hearing. The department entered her default and proposed that Ms. Hill's license to practice as a Real Estate Property Manager in the State of Montana be immediately revoked for at least two years from the date of the Final Order. Ms. Hill must also provide proof that payment of \$1,050.00 was made and received by Mr. Michael Rau.

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Shawn Gaugler #2011-119-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Ms. Gaugler violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(5)(g)(falsifying documents) and ARM 24.210.641(5)(i)(Misrepresentation).

The charges stem from misrepresentations made during renewal of Ms. Gaugler's license. She had stated on her renewal form that she had completed all of her continuing education at a time when she had not yet done so. Ms. Gaugler had completed a number of approved continuing education courses. However, she also took an unapproved course believing it would be approved for Montana. It was not. It is the responsibility of the licensee to assure that education is approved for Montana rather than make assumptions. Ms. Gaugler completed the balance of the hours on December 6, 2010.

Ms. Gaugler negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Ms. Gaugler pay an administrative fine in the amount of \$100.00 no later than thirty days after execution of the Final Order.

Rodney Stell #2009-154-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Stell violated MCA 37-1-316(18)(Generally accepted standards of practice), MCA 37-1-316(4)(signing a false or misleading document), MCA 37-1-316(5) (misleading or fraudulent representation), MCA 37-51-313(2)(c)(disclosure), and MCA 37-51-313(2)(e)(exercise reasonable care).

The charges stem from misrepresentations made during a sale of a home he had listed for Ms. Constance Bull. On July 20, 2007, a buyer executed a buy/sell agreement which indicated \$100,000.00 earnest money had been collected. Mr. Stell prepared the buy/sell. Mr. Stell represented to Ms. Bull that he had received the earnest money. Based on these representations, Ms. Bull moved out of the home and entered into a new contract to purchase another home. The purchaser later failed to follow through with the purchase of Ms. Bull's property. Because the transaction did not close, Ms. Bull expected to receive the earnest money. Mr. Stell was never in possession of the funds from the buyer.

Mr. Stell negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Stell complete at his own expense, a four hour escrow closing and settlement procedures education program. This course shall be taken in addition to those hours normally required for continuing education. Proof of completion must be furnished within one year of the date of the Final Order.

(con't on page 12)

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DISCIPLINARY ACTION (July-September 2011) con't

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(con't from page 11)

William Ingram #2009-061-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Ingram violated ARM 24.210.805 (4), (10), (d), (10)(iii), (10)(iv), (11), (12), (14), [trust account violations], ARM 24.210.828(3)(x) [no written property management agreement], ARM 24.210.828(5) [allowing unlicensed personnel to perform licensed property management activities] and MCA 37-51-601) [allowing unlicensed personnel to perform licensed property management activities].

The charges stem from an audit performed on Mr. Ingram's trust account. The audit disclosed numerous violations including failure to properly maintain ledgers and failure to keep records for a minimum of 5 years. The audit also revealed that unlicensed employees had signed leases and conducted property inspections with tenants.

Mr. Ingram negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Ingram complete, at his own expense, a board-approved property management pre-licensing course. This course shall be taken in addition to those normally required of a licensee for continuing education. License must complete this course within one year of the date of the Final Order

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Daniel Beaman #2011-176-RRE

The screening panel of the Board of Realty Regulation had previously found reasonable cause to believe Mr. Beaman violated MCA 37-1-316(18) (Generally accepted standards of practice), ARM 24.210.641(1)(generally accepted standards of practice), (5)(ak)(advertising), and (5)(aj), (failing to respond to board request).

The charges stem from Mr. Beaman's failure to respond to board requests. On December 8, 2010, Mr. Beaman's supervising broker had released Mr. Beaman from supervision and returned his wall

certificate to the board. On the same date, the board sent a letter to Mr. Beaman requesting that Mr. Beaman file a change of business address, or to send a letter requesting inactive status. The board made the same requests again on January 11, 2011. Mr. Beaman did not respond to either request. A board generated complaint was filed on March 1, 2011 for failure to respond to the board's requests that he go inactive or provide paperwork necessary to transfer his license to a new supervising broker. Mr. Beaman also did not timely respond to the complaint filed against him. Mr. Beaman was not keeping his addresses updated as he is required to do.

After the disciplinary action was commenced and served on him, Mr. Beaman negotiated a Stipulation with Department Counsel in which the Department Counsel proposed that Mr. Beaman be publicly censured. Within ten days of the Final Order, Mr. Beaman must change his business address (obtain a new supervising broker). Alternatively, he may request to go inactive by paying the appropriate fee and providing his home address and telephone number.

NOTE: Because a licensee would not have been able to timely renew if they had answered the continuing education question correctly, an administrative late fee is also assessed in every case where a licensee misrepresented on their renewal form that they had completed their continuing education (except for dismissed cases). The late fee is 100% of the renewal fee.

BRR CALENDAR

OCTOBER

4th: "Trust Accounting for Property Managers"
Helena

6th:
9:00am Rules
Committee (Open)
11:00am Screening
Panel (Closed)
3:00pm Education
Committee (Open)

6th: Last day to renew
with old database.

7th : 9:00 am Full Board
Meeting (Open)

7th-10th: Online Renewal
System Offline

10th: State Holiday

13-14th: Final Rookie
Class in Helena

31st:
**RENEWAL
DEADLINE**

NOVEMBER

2nd : State Holiday

11th : State Holiday

25th: Thanksgiving (State
Holiday)

DECEMBER

9th :
9:00am Rules
Committee (Open)
1:00pm Screening Panel
(Closed)
2:00pm Education
Committee (Open)

10th :
9:00 Full Board Meeting
(Open)
15th: Renewal Grace
Period Ends

26th: State Holiday

