



# REAL ESTATE

FALL

2016

## NEWS & VIEWS

### RENEW YOUR ND REAL ESTATE LICENSE BY November 15, 2016

Don't put this newsletter away until you mark your calendar with the November 15th deadline to complete your continuing education (ND residents) and submit your 2017 license renewal (all licensees: resident, reciprocal and non-resident.) Your continuing education **MUST BE** completed prior to renewing your license.

**ALL** real estate license renewals must be renewed online or postmarked by no later than November 15, 2016 – if not late fees begin accruing.

Here's a checklist for you:

- Δ Your continuing education must be completed by the time you submit your license renewal.
- Δ Your E&O certificate of coverage must be submitted for the year 2017.
- Δ Be sure you have answered all of the questions & included the documents required – if your renewal is not complete in every way by November 15, 2016 you will be assessed a late fee for every month it remains incomplete.
- Δ Reciprocal & non-resident licensees: you must include a current (less than 30 days

old) certificate of licensure with your ND real estate license renewal.

**REMEMBER:** Your continuing education must be completed **BEFORE** you renew your license. Your license renewal **MUST** be submitted to the Commission office by November 15, 2016.

Check inside for more 2017 license renewal information!

#### REMINDER TO INACTIVE LICENSEES:

Your inactive license must be renewed annually or it will be automatically cancelled March 1, 2017. This means you must either renew online or complete a 2017 renewal form and pay the appropriate fee by November 15, 2016. Late fees will be assessed after November 15, 2016.

There are no continuing education or Errors and Omissions insurance requirements to renew an inactive license.

# North Dakota Real Estate Commission

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[www.realestatend.org](http://www.realestatend.org)

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## Commissioners

Jerry Schlosser, Chair  
Bismarck

Diane Louser, Vice Chair  
Minot

Roger Cymbaluk  
Williston

Scott A. Breidenbach  
West Fargo

Jerome Youngberg  
Grand Forks

## Commission Staff

Pat Jergenson  
Executive Director

Amanda Renner  
Administrative Assistant

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## Policy

Neither all nor any portion of the articles published herein shall be reproduced in any other publication unless specific reference is made to their original publication in the ND Real Estate News & Views.

Articles by outside experts express the author's particular viewpoints. These opinions are not necessarily shared by the Commission, nor should they be mistaken for official policy. The articles are included because we feel they will be of interest to our readers.

## COMMISSION MEETINGS OPEN TO THE PUBLIC

All Commission meetings are open to the public. Commissioners welcome and encourage attendance and observation by any licensee. Location, dates, and times can be found on the Commission's web site [www.realestatend.org](http://www.realestatend.org) or on the ND Secretary of State website [www.nd.gov/sos/](http://www.nd.gov/sos/).

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## Commission News

### Commission Honors Kris Sheridan

At the June 16, 2016 Commission meeting members of the North Dakota Real Estate Commission recognized Kris Sheridan for 20 years of dedicated public service as a Real Estate Commissioner.

Kris was originally appointed by Governor Ed Schafer in 1996 for a five-year term. During her time serving on the Commission Kris has effectively served the people of North Dakota with her leadership skills, professionalism, and dedication. She has contributed significantly to the integrity and effectiveness of real estate licensing in this state. Her insight and demonstration of leadership over the years has added to the Commission's success.

The Commission wants to take this opportunity to publicly thank Kris for the many contributions she has made over the years to the Commission and the real estate industry in North Dakota.



Thank you Kris!



**SCOTT A.  
BREIDENBACH  
APPOINTED TO  
COMMISSION**

Governor Dalrymple has appointed Scott A. Breidenbach to a 5-year term on the Real Estate Commission. The appointment is effective July 1, 2016 and runs through June 30, 2021.

Scott was raised in Reynolds, ND and graduated from Central Valley Public School. He attended the University of North Dakota for three years, majoring in Social Work. He then transferred to North Dakota State University and graduated with a degree in Facility Management with minors in Gerontology and Sociology. Scott also enlisted in the Army National Guard and the Air National Guard, serving 20 years and retiring in 2007.

Prior to his career in real estate, he worked for the Grand Forks Housing Authority as a Housing Technician. He then worked for FEMA for a year following the 1997 Grand Forks Flood. He then moved to Minneapolis and worked with Senior Housing Partners for three years. Scott moved his family back to Fargo to be closer to family and worked for Thies & Talle Property Management. He obtained his real estate license and was bitten by the sales bug.

Scott started his real estate sales career in 2001. He has earned the GRI and CRS designations and his Broker's license. He is also in the process of attaining the CRB designation. In addition, he has been a top producer at his company for a majority of his career.

Scott and his wife, Paula have been married for 21 years and have three children - Abbie, Emma and Parker.

The other commissioners and staff welcome Scott and look forward to his contributions.

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**NDREC Elects Officers for 2016-2017**



Jerry Schlosser  
Chair



Diane Louser  
Vice Chair

Jerry Schlosser, Bismarck has officially taken the position as Chair of the Real Estate Commission and Diane Louser, Minot, will serve as Vice Chair. The two will serve in these leadership positions from July 1, 2016 through June 30, 2017.

# The “Professional” Movement: It’s Importance and a Discussion about What Makes a Real Estate Practitioner a Professional

By Wayne S. Bell, Real Estate Commissioner

*The following article was reprinted with permission of the California Bureau of Real Estate and published in the fall of 2014. Its message regarding professionalism transcends time and jurisdictional boundaries.*

In my last message, I talked about the evolution of the California real estate license law, and the noble and forward-thinking efforts of organized real estate to promote the elevation of the character and professionalism of the licensed practice and business of real estate, in all its forms, in this State.

In The Realty Blue Book of California (The Keystone Publishing Co., 1924), there is an entire section devoted to “The Professional Movement.” In that segment, the authors wrote about their perspectives on what constituted the pieces that made for “professionalism” in the real estate business.

The prominent points discussed were the passage of the real estate law, real estate education and coursework, the creation of ethical standards and the national code of ethics (“founded on the Golden Rule and the Square Deal”<sup>1</sup>), the dissemination of authoritative articles on real estate matters through the industry’s California Real Estate magazine, a “new development of professional consciousness,” and a call for real estate industry boards “to develop new and higher standards of professional service.”<sup>2</sup>

In the 90 years since those ideas, concepts, and perspectives were written and shared, the ethics rules and license laws have been expanded and enhanced, educational offerings and articles on real estate and related matters have flourished, discussions about “professionalism” have occurred Statewide (including at the California Department and now Bureau of Real Estate), and real estate boards and associations have been actively involved in elevating the practices of their members.

Nevertheless, when I do outreach throughout California, I am told by real estate practitioners and consumers that some real estate licensees are unqualified and/or unprofessional. In that context, I am frequently asked what I can do, as the Real Estate Commissioner, to make licensed real estate practitioners more professional.

Interestingly, in a profile entitled “Increasing Professionalism One Broker at a Time,” in the June/July 2014 edition of the California Real Estate magazine, Steve Brown, the current President of the National Association of Realtors, states that he is “most often asked about raising professionalism throughout the industry.”<sup>3</sup> Mr. Brown says that he is focusing on broker-based efforts to boost their agents’ professionalism, and on increased involvement in “professional” training programs<sup>4</sup>.

I am fully supportive of and enthusiastically endorse Mr. Brown’s aims and suggested approaches regarding professionalism.

In talking with myriad individuals involved in all aspects of the real estate business in California, I have concluded that professionalism is crucial to the real estate industry.

Indeed, professionalism is what is expected by real estate consumers, and it is foremost in protecting the public in real estate matters.

## **But What Makes a Real Estate Licensee a Professional, and What Adds Up to Professionalism?**

In considering answers to the foregoing questions, I have posed those queries to real estate licensees involved in various licensed activities, consumers, family members, and colleagues. The responses I have gotten are numerous and include the notion that professionalism is:

1. A combination of appearance and attitude (or presenting oneself “professionally”), and excellent client service.
2. Understanding and following the important fiduciary duties imposed on real estate licensees (including placing the clients’ interests ahead of those of the licensees). Fiduciary duties impose the highest standard of care, and real estate agents must be committed to scrupulously fulfilling those obligations.
3. Being organized, disciplined, prepared, trustworthy and responsive.
4. Being civil, kind, ethical and responsive (including communicating with clients and parties on the other side) in business dealings.
5. Delivering consistently first-rate work and results.
6. Following the lawful instructions of clients.
7. Having the education, knowledge and experience necessary to achieve the results a client wants.

What I discovered in the answers offered by others, in reading commentaries about professionalism, and in gathering my thoughts for this message, is that professionalism is exceedingly difficult to define, but it certainly encompasses all of those factors above (including those discussed and identified in The Realty Blue Book of California in 1924), as well as the qualities attached to trained, experienced, and skilled people, working at the level of excellence or competence that is expected of a professional in a given arena.

While it also necessarily includes a thorough and complete understanding of – and compliance with -- the standards of ethics, I want to use Steve Brown’s salient ideas on professionalism (the need for and value of broker-based responsibility and efforts, and participation in training programs) as a jumping off point for the remainder of my message on what makes a real estate practitioner a professional.

### **Professionalism in Any Aspect of Licensed Real Estate Practice Requires that Practitioners Have the Knowledge, Skills, Abilities, and Preparation Reasonably Necessary to Represent a Client Ethically and Well**

While some can argue otherwise, my conclusion is that professionalism in performing real estate licensed services requires licensees to have up-to-date knowledge, skills, and abilities (gained through education and/ or practice and experience), and thoroughness and preparation (including organization and diligence) to represent their clients well and ethically.<sup>5</sup>

### **Then the preceding factors are wedded with education, training, experience, mentoring, and practice in compliance with the laws and applicable ethical standards professionalism ensues.**

A real estate licensee’s education does not end with the passing of the real estate license examination. In fact, license examinations require minimum or “minimum-plus” competencies to practice. Professionalism requires far more in terms of education, training, actual practice, learning from other “professionals,” and germane experience, and the “more” can only be provided by those who have practiced, done the work, understand the work, and/ or can educate others about the work. The “more” also includes staying current on the laws, regulations, and rules of conduct applicable to licensed real estate practice codified in the State’s Real Estate Law, and making use of any pertinent resources provided by the California Bureau of Real Estate.

I would suggest that not many patients would go to a surgeon who only passed the medical boards (the minimum standards required for licensure), and who had no practical experience or mentoring. Rather, I would posit that patients go to a surgeon because of that doctor’s experience, skills, abilities, results, and reputation.

The same analysis is surely applicable to what makes a real estate licensee a professional. It is a combination of education, training, practice, experience, mentoring, and ethical and lawful practice that helps to create a real estate professional in terms of customer care, positive outcomes, and qualitatively high client service.

These vital components of professionalism can be developed by and are found in:

1. Experiential learning (learning from one’s own experiences and the mistakes of others) and practice in the real world.

2. Careful and competent supervision of salespersons by experienced and “professional” real estate brokers.
3. Quality real estate education and study (including the study of applicable fiduciary duties and ethical standards and canons), and “professional development” programs.
4. Mentoring, where a more experienced or seasoned real estate professional shares his or her time, skills, knowledge, and wisdom with a newer or less-experienced licensee in need of upbuilding and such mentoring.
5. Practical training programs on the “nuts-and-bolts” and the “how- tos” of the real estate practice, and on managing a real estate business.

It is also important to note that real estate licensees— no matter their practice area—should always endeavor to recognize their own limitations as far as practice competencies, and refer clients where necessary, associate with practitioners with the requisite experience and abilities, or acquire the education and skills that are needed before performing real estate work.

The impartation and development of relevant and practical real estate knowledge and skills, together with ethical and high-quality practice in full compliance with the fiduciary duties imposed by law, are the core foundations of professionalism.

Making the California real estate industry more professional, putting the focus on a “professional consciousness,” and uplifting the standards of practice in this State, are objectives I share with you.

*1. The Realty Blue Book of California, page 315. 2. Ibid., page 332. 3. California Real Estate Magazine (June/July 2014), page 20. 4. Ibid., page 20. 5. Real estate professionals must always practice along the lines of the highest*



## *In Memory*

The ND Real Estate Commission extends its sincerest sympathy to the families and friends of the following licensees who have passed away since our last newsletter:

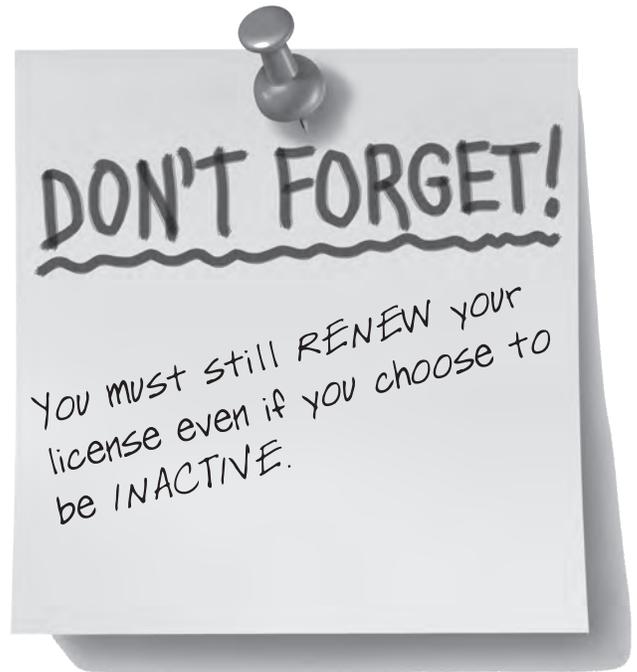
- |                     |                |
|---------------------|----------------|
| James H. Brademeyer | Fullerton, ND  |
| Wayne L. Brand      | West Fargo, ND |
| Frances V. Hoffman  | Ashley, ND     |
| Harlan A. Klefstad  | Forman, ND     |
| Larry A. Sundbakken | Minot, ND      |
| Mildred M. Bach     | Fargo, ND      |

## PRESS RELEASE

Dorothy J. Pudwill, a licensed real estate salesperson, recently agreed to a stipulation and settlement agreement with the North Dakota Real Estate Commission resulting in the revocation of her real estate salesperson license.

Ms. Pudwill acknowledged that her actions included making repeated demands for additional earnest money on the sale of her property and failing to return the earnest money when the contingency was not met and the sale did not close, as mandated by the purchase agreement.

July 11, 2016



## LICENSEE STATISTICS

The following statistics represent the number of brokers and salespersons licensed with the North Dakota Real Estate Commission as of July 15, 2016.

Number of licensed brokers (active).....	360
Number of licensed associate brokers (active) .....	276
Number of licensed brokers (inactive).....	45
Number of licensed salespersons (active).....	1446
Number of licensed salespersons (inactive).....	234
<b>Total</b> .....	<b>2361</b>



## **REMINDER TO DESIGNATED BROKERS**

Designated brokers **MUST** renew their license and that of their firm **BEFORE** their broker associates and sales associates can be processed as renewed.





## Disciplinary Actions Taken

The following disciplinary actions have become effective since the last report in the newsletter. A Stipulated Agreement is a settlement agreement between licensees and the Real Estate Commission and constitutes neither an admission nor a denial of any violation.

Name	Complaint#	HearingType	Order Date	Violation	Penalty
Bestall, Mirzi S	2014-12	Stipulated	09/19/2015	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(p) & (w) & 43-23-12 and ND Administrative Code subsections 70-02-03-02.1(2), (3), & (4). Respondent may have violated the rules and regulations based on evidence of failure to follow the advertising rules by including Jeffrey Reiter on American Property Brokers website while he was licensed under Bakken Realty and not American Brokers. Respondent Bestall is the broker for REMAX Bakken Realty and as the broker is responsible for the oversight of licensee advertising.	Stipulated to a \$300 fine and payment of \$295 investigative/legal fees both to be paid within 30 days of issuance of order.
Bohrer, Michael T	2016-08	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence the respondent failed to produce certificates of completed continuing education credits for 2015 as required.	Stipulated to a \$300 fine, payment of \$160 investigative/legal fees and submit certificates of completed education within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Bothen, Jeffrey N	2016-15	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence the respondent Elizan, in response to the ce audit request, failed to meet all of the 2015 continuing education requirements. One of the courses Elizan submitted was a pre-licensing course which was not approved for continuing education. Without the credits from that course respondent Elizan had only 6 of the 9 required ce credits for 2015. The broker, Respondent Bothen, certified on the renewal application that the ce requirements were met by Elizan and agreed that ce certificates must be submitted upon request.	Stipulated to a \$300 fine, payment of \$160 investigative/legal fees and submit certificates of completed education within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Elizan, Amelita D	2016-15	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence the respondent failed to meet all of the 2015 continuing education requirements. One of the courses submitted was a pre-licensing course which was not approved for continuing education. Without the credits from that course respondent had only 6 of the 9 required ce credits for 2015.	Stipulated to a \$300 fine, payment of \$160 investigative/legal fees and submit certificates of completed education within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Hoff, Tracey E	2015-10	Stipulated	04/11/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(b) & (w) and NDCC 43-23-12.1. The Complaint alleges that the listing information completed by a licensee under Mr. Hoff's supervision contained incorrect information about the house including the designation that the house had a poured foundation which actually was wood.	Stipulated to a \$750 fine and payment of \$480 investigative/legal fees both to be paid within 30 days of issuance of order.



## Disciplinary Actions Taken

The following disciplinary actions have become effective since the last report in the newsletter. A Stipulated Agreement is a settlement agreement between licensees and the Real Estate Commission and constitutes neither an admission nor a denial of any violation.

Name	Complaint#	Hearing Type	Order Date	Violation	Penalty
Huskey, James D	2014-12	Stipulated	09/19/2015	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(p) & (w) & 43-23-12 and ND Administrative Code subsections 70-02-03-02.1(2), (3), & (4). Respondent may have violated the rules and regulations based on evidence of failure to follow the advertising rules by including Jeffrey Reiter on American Property Brokers website while he was licensed under Bakken Realty and not American Brokers. Respondent Huskey is the broker for American Property Brokers, LLC and as the broker is responsible for the oversight of licensee advertising.	Stipulated to a \$300 fine and payment of \$295 investigative/legal fees both to be paid within 30 days of issuance of order.
Johnson, Marc C	2016-06	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(p), (t) & (w), 43-23-14.1 and ND Administrative Code section 70-02-01-15. Respondent may have been found in violation based on evidence of repeated findings of failure to document earnest money with title company as required and failure to keep records so it could be verified that the earnest money was deposited within the timeframe required.	Stipulated to a \$300 fine and payment of \$280 investigative/legal fees both to be paid within 30 days of issuance of order. If payment is not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Lingenfelter, Lori J	2016-16	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence the respondent failed to produce certificates of completed continuing education credits for 2015 as required.	Stipulated to a \$300 fine and payment of \$160 investigative/legal fees both to be paid within 30 days of issuance of order. If both payments are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Martinson, Brenda M	2016-05	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(p), (t) & (w), 43-23-14.1 and ND Administrative Code section 70-02-01-15. Respondent may have been found in violation based on evidence of repeated findings of failure to deposit earnest money funds in a timely manner.	Stipulated to a \$300 fine and payment of \$280 investigative/legal fees both to be paid within 30 days of issuance of order. If payment is not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Miller, Andra J	2105-06	Stipulated	09/19/2015	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(p) & (w), 43-23-12.1(1) and ND Administrative Code section 70-02-03-05.1, 70-02-03-15.1, & 70-02-03-15.2. Respondent may have violated the rules and regulations based on evidence of repeated possible violations found in the trust account audits of failing to consistently use & retain buyer representation agreements, customer forms or written disclosures of the non-agency agreements.	Stipulated to a \$300 fine and payment of \$280 investigative/legal fees both to be paid within 30 days of issuance of order.



## Disciplinary Actions Taken

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Name	Complaint#	Hearing Type	Order Date	Violation	Penalty
Nester, Pamela J	2016-17	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence that Respondent Nester completed the last 6 hours of her required continuing education credits on January 2, 2016, but she verified that she had completed the required ce on her renewal application with a signature dated December 15, 2015. Also the ce was taken after the November 15, 2015 deadline.	Stipulated to a \$300 fine and payment of \$160 investigative/legal fees both to be paid within 30 days of issuance of order. If both payments are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Pudwill, Dorothy J	2016-01	Stipulated	07/02/2016	Respondent's conduct, if proven at a hearing, may have constituted violations of NDCC 43-23-11.1(1)(b), (c), (e), (p), (t), (v) & (w) and ND Administrative Code section 70-02-03-16. Respondent's actions included making repeated demands for additional earnest money on the sale of her property and failing to return the earnest money when the contingency was not met and the sale did not close, as mandated by the purchase agreement.	License revoked upon the date of the execution of the stipulation and settlement agreement: May 23, 2016.
Reiter, Jeffrey M	2014-12	Stipulated	09/19/2015	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1) (p) & (w), 43-23-12 and ND Administrative Code subsections 70-02-03-02.1(2), (3), & (4). Respondent may have violated the rules and regulations based on evidence of failure to follow the advertising rules by advertising himself on American Property Brokers website while he was licensed under Bakken Realty and not American Brokers.	Stipulated to a \$300 fine and payment of \$295 investigative/legal fees both to be paid within 30 days of issuance of order.
Rylander, Dean A	2016-09	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & 43-23-08.2. Respondent may have been found in violation based on evidence the respondent failed to produce certificates of completed continuing education credits for 2015 as required & within the required timeframe.	Stipulated to a \$300 fine, payment of \$160 investigative/legal fees and submit certificates of completed education within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.
Seaman, Judson R	2016-17	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & (p), 43-23-08.2, 43-23-13.1 and ND Administrative Code section 70-02-04-02. Respondent may have been found in violation based on evidence that Respondent Nester completed the last 6 hours of her required continuing education credits on January 2, 2016, but she verified that she had completed the required ce on her renewal application with a signature dated December 15, 2015. Also the ce was taken after the November 15, 2015 deadline. Respondent Seaman, broker for Nester, certified on December 15, 2015, that his licensees had completed the required continuing education.	Stipulated to a \$300 fine and payment of \$160 investigative/legal fees both to be paid within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.



## Disciplinary Actions Taken

The following disciplinary actions have become effective since the last report in the newsletter. A Stipulated Agreement is a settlement agreement between licensees and the Real Estate Commission and constitutes neither an admission nor a denial of any violation.

Name	Complaint#	Hearing Type	Order Date	Violation	Penalty
Theurer, Jr, Richard D	2015-10	Stipulated	04/11/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1) (b) & (w) and NDCC 43-23-12.1. The Complaint alleges that the listing information completed by Mr.Theurer contained incorrect information about the house including the designation that the house had a poured foundation which actually was wood.	Stipulated to a \$750 fine and payment of \$480 investigative/legal fees both to be paid within 30 days of issuance of order.
Timm, Robert L	2016-09	Stipulated	07/02/2016	Respondent's conduct may have constituted violations of NDCC 43-23-11.1(1)(a) & 43-23-08.2. Respondent may have been found in violation based on evidence the respondent is the broker for a salesperson who failed to produce certificates of completed continuing education credits for 2015 as required & within the required timeframe.	Stipulated to a \$300 fine, payment of \$160 investigative/legal fees and submit certificates of completed education within 30 days of issuance of order. If payment & certificates are not received within 30 days after the date of the Notice of Entry respondent will pay an additional \$300.

## IMPORTANT Errors and Omissions Insurance Information

**ALL RENEWING LICENSEES must submit a Certificate of Coverage for their errors and omissions insurance coverage with their license renewal.**

**For those with E & O Insurance through RISC:**  
The errors and omissions insurance premium for 2017 will be \$187.00 (no increase).

*If your insurance expires on or before January 1, 2017, and you wish to remain on active status you must renew your error and omissions insurance and provide proof of insurance for 2017 by November 15, 2016 when you renew your license.*

The insurance information packet will NOT be sent from the Commission but WILL BE mailed to all licensees' mailing address directly from Rice Insurance Services (RISC), the Commission's offered plan provider.

As always, you are welcome to use the Commission offered plan or obtain your own equivalent coverage. Just remember that you MUST have errors and omissions insurance coverage to maintain an active real estate license.



Attention  
non-resident  
and reciprocal  
licensees!!

Non-resident & reciprocal licensees must submit a current (less than 30 days old) Certificate of Licensure with their renewal. Your ND license will NOT be renewed until we have received the Certificate of Licensure and proof of E&O insurance.

These may be submitted to our office in several ways:

- Upload with your online renewal
- By mail send to: NDREC PO Box 727,  
Bismarck, ND 58502-0727
- Email: [ndrealestatecom@midconetwork.com](mailto:ndrealestatecom@midconetwork.com)
- Fax: 701-328-9750

## 21 Things to Remember

1. No one can ruin your day without YOUR permission.
2. Most people will be about as happy as they decide to be.
3. Others can stop you temporarily but only you can do it permanently.
4. Whatever you are willing to put up with is exactly what you will have.
5. Success stops when you do.
6. When your ship comes in...make sure you are willing to unload it.
7. You will never "have it all together".
8. Life is a journey...not a destination. Enjoy the trip!
9. The biggest lie on the planet: "when I get what I want, I will be happy."
10. The best way to escape your problem is to solve it.
11. I've learned that ultimately, 'takers' lose and 'givers' win.
12. Life's precious moments don't have value, unless they are shared.
13. If you don't start, it's certain you won't arrive.
14. We often fear the thing we want the most.
15. He or she who laughs....lasts.
16. Yesterday was the deadline for all complaints.
17. Look for opportunities...not guarantees.
18. Life is what's coming...not what was.
19. Success is getting up one more time.
20. Now is the most interesting time of all.
21. When things go wrong....don't go with them.

-- Anonymous --

# Top 6 List of Renewal Mistakes

This article is being written to alert you to some of the renewal mistakes that we have seen repeatedly over the years, it is not intended to discourage you from contacting us with your questions and concerns. It is our objective to assist in your efforts to meet your license renewal responsibilities.

We all make mistakes and we all need help correcting these mistakes. Unfortunately, these “little” renewal mistakes are often multiplied by the hundreds. Every year our office makes hundred of phone calls to licensees for information needed to complete the renewal process.

We hope that these reminders will help you to experience a smooth and timely renewal.

\*\*\*\*\*

**1. Incomplete or inaccurate renewals:** Renew early and carefully. Every year we make hundreds of telephone calls to avoid returning incomplete renewal forms. We try to process the renewal of your license in as efficient a manner as we can but these calls are costly in time and money. Please make sure renewal payments are enclosed, signed and correct. Active licensees: don't forget about errors and omissions insurance and continuing education.

**2. No errors and omissions insurance:** E&O policies require a current Certification of Coverage form submitted with the renewal. *If you wait until the last minute to renew your license and then send your insurance enrollment in at this same late date you will have a delay in the processing of your renewal.* WE CANNOT RENEW YOUR LICENSE ON ACTIVE STATUS WITHOUT PROOF OF INSURANCE.

**3. Continuing education requirements not completed:** Your continuing education MUST be completed by November 15th of each year and prior to you submitting your renewal form. If you do not have the required number of hours, you must renew to inactive status until you have completed the required education. Designated brokers must sign each licensee's renewal form certifying compliance with the education requirements.

**4. Postal meter marks will not be honored:** We are allowed to recognize U.S. postmarks as a means to complying with deadlines which involve fees. Postal meters are not sufficient to meet this requirement.

**5. Lost renewal materials:** Your renewal materials will be mailed to your broker's main office. We send them as early as possible so that you can renew early and not worry about it. Unfortunately, sometimes this lead time gives people time to lose their materials. It's easy to renew online!

**6. Combining renewals with transfer or issuance of new licenses:** The renewal of your license is a completely separate process from a transfer or issuing a new license. Requests to have your license transferred or a new license issued should be sent under separate cover.

# Where's My Mail?

We receive inquiries from licensee regarding where mail from our office is being sent. For those who are actively licensed, the mail from the Commission office and the Group E&O insurance company is mailed to the address listed on the license, which is usually the main company address. This means that if you do not check for your office mail important information such as license renewals, E&O insurance information, and Commission publications could be missed. This could ultimately result in fines and/or disciplinary actions.

For those who hold an inactive license, mail such as renewals and publications from the Commission office are sent to your home address. It is important that licensees file a change of home address (it's free!) with the Commission office when they move.

As we continue to move forward with technology we are using emails more often. Please be sure and keep us informed of any changes in your email address as well.

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## Renewal Deadlines for 2017 Licenses

- November 15, 2016 – last day to renew without penalty
- November 16, 2016: add \$50 late fee
- December 1, 2016 – add \$100 late fee
- January 1, 2017 – add \$150 late fee
- February 1, 2017 – add \$200 late fee
- March 1, 2017 – if not renewed license is automatically cancelled without notice

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## If You Intend to Renew By Mail

- You will need to request a renewal form from your broker or go to our website [www.realestatend.org](http://www.realestatend.org) and download a form.
- ***Make sure ALL questions are answered on your renewal form.***
- Submit your renewal form, signed by your broker, with proof of Errors and Omissions insurance, and the appropriate fee.
- Have your renewal postmarked by November 15, 2016 to avoid any late fees.
- Make sure your check is in the correct amount.
- If you need to notify us of a change of address or name change you must do so on a Change of address or name form and submit that separately – NOT on the renewal form.

# To Renew ONLINE

## Instructions for Active & Inactive License Renewal

*Online renewals begin September 1, 2016 and MUST be completed by November 15, 2016.*

**ATTENTION Non-resident and reciprocal licensees: Non-resident & reciprocal licensees must submit a current (less than 30 days old) Certificate of Licensure with the renewal.**

- Upload with your online renewal
- Email: [ndrealestatecom@midconetwork.com](mailto:ndrealestatecom@midconetwork.com)
- Fax: 701-328-9750
- To submit by mail send to: NDREC PO Box 727, Bismarck, ND 58502-0727

**If you have renewed online in the past you will use the same email address and password to access your information.**

**If there has been a change, you will need to call our office to have your email address and password changed before you can continue with the online renewal process.**

**If you have not previously renewed online you can create your account.**

### Follow These Easy Steps to Renew Your License Online:

1. Go to the Commission's web site at [www.realestatend.org](http://www.realestatend.org) and click on "Online License Renewals".
2. This will take you to a screen to create your account OR to login with your user name & password from last year.
3. Once you have created your account you will be able to begin the process of renewing your license.
4. Once you have completed your renewal form, click "Continue" – this will take you to the Billing Information page. Verify your payment information then click "Continue to Payment". Enter your credit card information and click "Pay".

5. The Payment page gives you the renewal fee and payment options. You will then select the method of payment: Discover, MasterCard or Visa. Upon completion of payment, there will be a confirmation page to print and keep for your records.
6. Your renewal will then be placed in a pending state until the completion of continuing education hours has been verified by your broker & we have received proof of errors and omissions insurance.
7. Once your broker has certified completion of your continuing education and we have received certification of E&O insurance coverage from you, you will be notified by email that your license has been renewed for 2017.
8. Non-resident and reciprocal licensees will be notified that your license has been renewed for 2017 once all of the above has been completed AND a current certificate of licensure has been received in our office.

### Deadline:

Remember: if you renew online, you must do so by **midnight November 15, 2016**, to avoid a late fee.

Hint: Do not rely on your computer clock if you are renewing close to midnight.

### Renewing Company License Online:

Designated brokers may renew the company license and their license in one transaction once they have created an account under their own name.

### Payment Online:

Credit cards accepted: Discover, MasterCard & Visa

## Renewal Fees

### When submitted by November 15, 2016:

(Submitted means paid online by midnight November 15, 2016 or if submitted by mail, the postmark, not your postage meter mark, on your envelope is on or before November 15, 2016)

- Corporate/firm license fee \$150.00
- Broker license fee \$120.00
- Broker Associate license fee \$120.00
- Salesperson license fee \$100.00
- Duplicate license fee \$ 25.00
- Branch office fee \$ 25.00

### Payment Online:

Credit cards accepted: Discover, MasterCard & Visa

### If submitted on or after November 16, 2016:

(Submitted means paid online after midnight on November 16, 2016 or if submitted by mail, the postmark, not your postage meter mark, is on or after November 16, 2016) a \$50 late fee will be assessed to the license renewal fee.

- Corporate/firm license fee \$200.00 (\$150 + \$50 late fee)
- Broker license fee \$170.00 (\$120 + \$50 late fee)
- Broker Associate license fee \$170.00 (\$120 + \$50 late fee)
- Salesperson license fee \$150.00 (\$100 + \$50 late fee)

**If submitted on or after December 1, 2016: late fee is \$100 per license**

**If submitted on or after January 1, 2017: late fee is \$150 per license**

**If submitted on or after February 1, 2017: late fee is \$200 per license**

**If submitted on or after March 1, 2017: not accepted - license is cancelled**

## REMINDER TO INACTIVE LICENSEES:

Your inactive license must be renewed annually or it will be automatically cancelled March 1, 2017. This means you must either renew online or complete a 2017 renewal form and pay the appropriate fee by November 15, 2016. Late fees will be assessed after November 15, 2016.

There are no continuing education or Errors and Omissions insurance requirements to renew an inactive license.

## LEGAL ADVICE

The North Dakota Real Estate Commission receives numerous telephone calls from licensees and the public requesting legal advice on real estate matters. The staff at the commission are not attorneys and cannot give legal advice either to licensees or the public. The staff may be able to cite statutory provisions or regulations which may be applicable to licensing questions, but they cannot determine ultimate legal conclusions or give any direction in non-licensing matters.

Licensees who have questions regarding interpretation of contracts, rental agreements, commission disputes and closings are advised to speak initially with their broker in charge, and if legal advice is needed, to then consult an attorney for appropriate action.



## REMEMBER:

Your continuing education must be completed and your license renewal **MUST** be submitted to the Commission office by November 15, 2016.

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