

COMMISSION COMMENT

Spring

2002

Governor Appoints James W. Strand to Commission

Governor Mike Johanns appointed Jim Strand as Public Member to the Real Estate Commission to complete the remainder of the term vacated by Paul Landow and Bob Bell. Jim will serve in this capacity until September 2, 2003.

Jim retired as the Nebraska/Kansas Market Area President for AllTel in January of last year (2001). Jim had been the Executive Vice President for Aliant Communications, formerly the Lincoln Telephone Company, before it merged with AllTel in July 1999. His career at Aliant/LT&T covered

27 years, the last half of which involved responsibilities for the non-regulated portions of the telecommunications business including the start-up of the equipment sales, long distance and cellular business units.

Jim is a native Nebraskan, having been born in Columbus and raised in York. He attended the University of Nebraska and has Masters degrees in Clinical Psychology and Business Administration.

While active in the telecommunications industry, Jim's professional affiliations included the Board of Directors and Executive Committee of the Cellular Telecommunications

Industry Association (CTIA), and Past President of the CTIA Foundation. Jim continues to be active in local community organizations currently serving on the Boards of the Lincoln United Way, the University Place Art Center, and the Lincoln Library Foundation. Jim is also a member of the Board of Governors of Nebraska Wesleyan University, the Board of Advisors for the Lied Center in Lincoln, a Councillor to the Knights of Aksarben, and a member of the Peter Kiewit Institute for Information Technology in Omaha. ■

Commission Meeting Schedule

February 26-27Lincoln
April 3-4Lincoln
May 21-22Lincoln
June 12-13Lincoln
August 21-22Lincoln
September 25-26Lincoln

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Left to Right: Larry Shepard, Harold Johnson, Janice Wiebusch, John Gale, Joan Nigro, Jim Strand, Robert Moline



Chairperson Gale (R) congratulates Commissioner Strand (L)

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The Nebraska Real Estate Commission grants permission to reprint articles which appear in this newsletter on condition that recognition of their original publication in the **Nebraska Commission Comment** also appears with the article.

The Nebraska Real Estate Commission often solicits articles from outside experts or reprints articles with permission. While we feel that these articles may offer a broader perspective and will be of interest to the reader, it should be remembered that the views expressed are those of the author and not necessarily those of the Commission.



Director's Desk

COMMISSION CONSIDERING REQUIRING CRIMINAL BACKGROUND CHECKS

WHAT DO YOU THINK?

The Commission will be discussing implementation of a program requiring criminal background checks on applicants at its April 3-4, 2002, meeting. Following is preliminary language which will be used as the basis for the discussion:

"Commencing the effective date of this regulation, each original application for a broker's or salesperson's license must include a Nebraska State Patrol criminal history background check, and/or the same from any equivalent law enforcement agency in other real estate jurisdiction(s) in which the applicant has resided in the last 5 years. The criminal history shall have been completed within 90 days preceding the date the original application is received in the Commission office."

If the Commission would decide to implement such a requirement, a formal Rule Hearing would need to be held at a date and time after the April Meeting.

The Commission is asking for your input. Input can be given by attending the April Meeting in person or by sending your comments, pro or con, in advance of the Meeting. Comments may be sent by regular mail or e-mail and must be received in the Commission office no later than March 22, 2002.

The e-mail address is: infotech@nrec.state.ne.us
The mailing address is: Nebraska Real Estate Commission
Attn: Background Check
P.O. Box 94667
Lincoln, NE 68509-4667

We look forward to your input.

SELLER PROPERTY CONDITION DISCLOSURE STATEMENT TO BE AMENDED

The Commission has been considering amendments to the Seller Property Condition Disclosure Statement which is set out in Title 302 of the Commission Rules and Regulations. The Commission will be considering the amendments for finalization at its February 26, 2002 Meeting. After the proposed amendments are finalized by the Commission, a Public Hearing will be set, at which the Commission will consider testimony, written or oral, regarding the proposed amendments. When the Hearing is scheduled, the proposed amendments will be available to the public either by requesting a copy from the Commission office or on the Commission website by clicking on "Proposed Title 302 Amendments".

2002 LEGISLATION

LB 863 is the re-introduced legislation which was vetoed last Spring. It has a Committee Amendment pending which will make two additional technical changes to LB 863. You may view or print LB 863 by accessing the Commission's website and clicking on "Proposed 2002 Legislation" in the left-hand Menu. LB 863, as of this writing, is on General File.

MEET THE REAL ESTATE COMMISSION STAFF

The Real Estate Commission Staff is here to serve the public and the licensee population. It is our goal to be helpful and forthright in a courteous and professional manner. We hope that when you contact our office, you always receive useful, accurate information and/or are referred to the proper authority.

Following is a communication resource to assist you when contacting our office. If the indicated person is unavailable to take your call, please share the purpose for the call and your call will be routed to someone else who can help you.

We take pride in having a skilled staff, if you have comments or suggestions as to how we may better serve you, please contact our office.

COMMUNICATIONS GUIDE

Ask for person indicated if you have questions in the following areas.

Commission Meeting Information . . . *Heidi Burkland*
InfoTech@nrec.state.ne.us

Complaint Procedures *Terry Mayrose*
DDEnf@nrec.state.ne.us

Continuing Education History or
Inquiries *Julie Schuur*
EdEnf@nrec.state.ne.us

Curriculum Design (Education &
Instructor Approval) *Teresa Hoffman*
DeputyD@nrec.state.ne.us

Errors and Omissions Insurance
Inquiries *Teresa Hoffman*
DeputyD@nrec.state.ne.us

License Applications Packet
Requests *General Staff*

License Applications Process *TBA*

Licensing and Education
Requirements *Teresa Hoffman*
DeputyD@nrec.state.ne.us

New Licenses in Process *TBA*

Specialized Registrations *Monica Wade*
Finance@nrec.state.ne.us

Transfer of License *Christy Arfman*
LicTsf@nrec.state.ne.us

Trust Account Matters *Terry Mayrose*
DDEnf@nrec.state.ne.us

John Clark
Patricia Stehly
Ron Pierson

WEBSITE: www.nol.org/home/NREC

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(402) 471-2004

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New Brokerage Relationship Brochures will be Required

The Commission has been reviewing the current Brokerage Relationships brochure used to disclose the relationship the licensee has with the buyer, tenant, seller, or landlord. At its January Meeting, the Commission decided to have two brochures.

While the statute, timing of disclosures, and type of disclosure will remain virtually the same, there will now be one brochure for disclosures to tenants and landlords and one brochure for disclosures to buyers and sellers. Camera-ready originals will be available for use this summer. There will also be Spanish and Vietnamese versions of both available for use as with the current brochure.

There will be a transition period through December 31, 2002, during which time the current brochure and the 8½ × 14 version may be used. This will allow brokers to allow current supplies to run out and to print the two, new brochures for use. There will be an article in the June "Commission Comment" which will set out the use of the brochure more specifically.

As for now, keep track of your supplies and begin preparing for the change-over to the new brochures during the second half of this year. Total conversion to the new brochures will be mandatory after January 1, 2003.

EPA, HUD Clarify Lead Disclosure Rules

(Editor's note: the following article was reprinted with permission from the Agency Law Quarterly/Real Estate Intelligence Report.)

Washington: In response to questions posed by the NAR, HUD and the EPA have issued some clarifications on when lead-based paint disclosure must be made.

Regulators approved for national use California contract language that allows disclosures to be made after a seller has accepted a buyer's offer, so long as the buyer has the right to cancel the purchase upon receipt of the disclosure and is allowed 10 days for an inspection.

Also, a seller/lessor may distribute photocopies of a completed disclosure form to prospective purchasers/lessees to execute and return to the seller/lessor with the offer. The regulators confirmed that completion of the disclosure and acknowledgment form in two separate documents satisfies the disclosure obligations.

Only the owner is required to complete the disclosure form when the property is held jointly, as long as the non-executing owner does not have any additional undisclosed information or records of lead-based paint hazards.

Sellers, lessors and their representatives may continue to distribute the 1995 version of the EPA's "Protect Your Family From Lead in Your Home" pamphlet, even though it was revised in 1999. (The 1999 revision deleted certain phone numbers.)



We've Got Mail!!

E-mail, that is. The Commission is focusing on technology. Our goal is to enhance our accessibility and service to the Public and to our Licensee Population. With that in mind, let us call your attention to the addition of e-mail addresses in the "Communications Guide" located on page 3. If you have any questions, please feel free to contact us by phone, mail, or e-mail, so that we may be of assistance.



Disciplinary Actions Taken by The Real Estate Commission

(Does Not Include Cases on Appeal)

2001-003 - Howard D. Vann vs. Raymond Carrol Trimble, broker. Stipulation and Consent Order. License censured plus an additional three (3) hours of continuing education in the area of contracts due by February 12, 2002. [Violated Neb. Rev. Stat. § 81-885.24(20) by failing to deliver within a reasonable time a completed and dated copy of the September 10, 1997 Purchase Agreement to the Sellers.]

November 12, 2001

2001-001, 2001-002, 2001-029 - Ronald E. & Julie A. Belding vs. Gary A. Barnard; Ronald P. & Vicki A. Hasley vs. Gary A. Barnard & Kerri Ann Barnard Swoboda, broker; Kevin Patrick McNenny & Frances Morrisette McNenny vs. Gary A. Barnard, broker. G. Barnard: Stipulation and Consent Order. License suspended for one year from December 19, 2001, through December 18, 2002, with the first thirty (30) days served on the remained served on probation; plus an additional twelve (12) hours of continuing education including three (3) hours in the area of disclosure, six (6) hours in the area of agency, and three (3) hours in the area of property exchanges to be completed by June 17, 2002. [Violated Neb. Rev. Stat. § 76-2421 by failing, at the earliest practical opportunity during or following the first substantial contact with sellers who have not entered into a written agreement for brokerage services with the designated broker, to disclose in writing to those persons the types of brokerage relationships that the designated broker and affiliated licensees are offering to the persons or disclose in writing to the persons which party the licensee is representing; § 81-885.24(26) by violating a

rule or regulation adopted and promulgated by the Commission in the interest of the public and consistent with the Nebraska Real Estate License Act; specifically, Title 299, NAC, Ch. 5-003.10 by failing to identify in writing at the time the offers were presented and accepted, those categories of cost the seller will be expected to pay at closing and by failing to prepare a written estimate of cost the seller will be expected to pay, to the extent the necessary cost information is reasonably available; Ch. 5-003.20 by failing to inform a buyer of zoning restrictions that might apply to certain real estate and could have an adverse impact upon Belding's intended use of the property; § 87-885.24(29) by demonstrating incompetency to act as a broker by failing to exercise reasonable skill and care for his client Belding, failing to inform Belding of the zoning restrictions that might apply to property he purchased and which could have an adverse impact upon Belding's intended use of the property, and by failing to disclose a buyer knowledge of a lawsuit regarding the title to property owned by the Hasleys.] Barnard Swoboda: Stipulation and Consent Order. License censured; plus an additional six (6) hours of continuing education in the area of agency to be completed by June 17, 2002. [Violated Neb. Rev. Stat. § 81-885.24(22) when Respondent made the representation that she was a Limited Buyer's Agent rather than a Limited Seller's Agent; § 81-885.24(26) by violating a rule or regulation promulgated by the Commission in the interest of public; specifically, Title 299, NAC, Ch. 5-003.23, by failing as an agent of the seller to deliver a copy of the Seller Property

Condition Disclosure Statement to the purchaser before the effective date of any contract entered into which binds the purchaser to purchase the real estate; § 81-885.24(29) by demonstrating negligence.]

December 18, 2001

2001-039 - Tracy A. Lee vs. John Robert Miller, salesperson. Stipulation and Consent Order. License suspended for thirty (30) days from February 1, 2002, through March 2, 2002; plus an additional six (6) hours of continuing education including three (3) hours in the area of contracts and three (3) hours in the area of license law to be completed by July 31, 2002. [Violated Neb. Rev. Stat. § 81-885.24(24) by failing as an associate broker or salesperson to place, as soon after receipt as practicable, in the custody of his employing broker, any deposit money or other money or funds entrusted to him by any person dealing with him as the representative of licensed broker; § 81-885.24(29) by demonstrating negligence, incompetency, or unworthiness to act as a broker, associate broker, or salesperson.]

January 24, 2002

2001-046 - Commission vs. Kenneth Lloyd Kirkeby, broker & Melvin R. Dreyer, broker. Stipulation and Consent Order. License suspended for thirty (30) days from February 4, 2002, through March 5, 2002; plus an additional nine hours of continuing education including three (3) hours in the area of agency, three (3) hours in the area of license law, and three (3) hours in the area of disclosures to be completed by August 4, 2002. [Violated Title 299, NAC, Ch. 5-003.14 by the failure of his associate broker to deposit funds

(Continued on page 5)

Disciplinary Actions . . .

(Continued from page 4)

received as earnest money deposits within forty-eight hours or before the end of the next banking day after an offer is accepted, in writing; Ch. 5-003.22 by failing to supervise his associate brokers and salespersons, specifically Respondent Dreyer, in the transactions set forth herein above; Neb. Rev. Stat. § 76-2420(1) by failing to adopt a written policy which the designated broker and affiliated licensees may engage with any seller, landlord, buyer, or tenant as part of any real estate brokerage activities.] Dreyer: Stipulation and Consent Order. License suspended for sixty (60) days from February 4, 2002, through April 4, 2002; plus an additional nine (9) hours of continuing education including three (3) hours in the area of agency, three (3) hours in the area of license law, and three (3) hours in the area of disclosures to be completed by August 4, 2002. [Violated Title 299, NAC, Ch. 2-003 as his advertising for the parcels in question failed to include all forms of identification, representation, promotion and solicitation disseminated in any manner and by any means of communication to the public for any purpose related to licensed real estate activity; Respondent Dreyer's advertising was not under the direct supervision of his broker and was not in the name his broker was conducting business as recorded with the Commission. Said advertising constitutes misleading or inaccurate advertising pursuant to § 81-885.24(2) of the Nebraska Real Estate License Act; Ch. 5-003.09 by acting for more than one party in a transaction without the Nebraska-approved informed written consent of all parties involved in the transaction as required by the Rules and Regulations of the Commission. Respondent Dreyer failed to obtain the written agreement of said parties

as well as Respondent Dreyer's employing broker prior to acting in such a manner in a form required by the Rules and Regulations of the Commission; § 81-885.24(24) by failing to deposit within forty-eight (48) hours, in the trust account of his employing broker, deposit money entrusted to him by any person dealing with him as the representative of his licensed broker; Ch. 5-003.23 by failing, as the agent of the Seller, to assure that a copy of the Seller Property Condition Disclosure Statement approved by the Commission was delivered to the purchaser or to the agent of the purchaser on or before the effective date of any contract entered into on or after January 1, 1995, which binds the purchaser to purchase the residential real estate property; §76-2421(1)(a)&(b) by failing at the earliest practicable opportunity during or following the first substantial contact with a seller, landlord, buyer, or tenant who has not entered into a written agreement for brokerage services with a designated broker, to provide that person with a written copy of the current brokerage disclosure pamphlet prepared and approved by the Commission; § 76-2422(2) by failing, before engaging in any of the activities enumerated in Subdivision (2) of Neb.Rev.Stat. § 81-885.01, to enter into a Nebraska written Agency Agreement with the Seller, which agreement shall include a licensee's duties and responsibilities as specified in § 76-2417, the terms of compensation, and whether an offer of subagency may be made to any other designated broker; §76-2422(3) by entering into a written Agency Agreement with the Buyer which did not meet the requirements of the Nebraska Agency Relationships Statutes. Said Agreement shall include a licensee's duties and responsibilities as specified in § 76-2418, the terms of compensation,

and whether an offer of subagency may be made to any other designated broker; § 76-2422(4) by failing to obtain the written agreement of the seller and buyer permitting the designated broker to serve as a dual agent in the proposed transaction in a form required by the Agency Relationships Statutes before engaging in any of the activities enumerated in Subdivision (2) of § 81-885.01. Respondent Dreyer's South Dakota Real Estate Relationships Disclosure form further failed to include a licensee's duties and responsibilities as specified in § 76-2419 or the terms of compensation; §81-885.24(2) by using advertising which is deemed misleading or inaccurate in any material particular or in any way misrepresents any property, terms, values, policies, or services of the business conducted, in that the auction sale bill, failed to identify the name under which Respondent Dreyer's designated broker is conducting business as recorded with the Commission; § 81-885.24(29) by demonstrating negligence to act as a broker, associate broker, or salesperson by utilizing individuals not licensed to sell real estate in Nebraska when selling the four parcels in question.]

January 24, 2002



Submit Continuing Education Now!!!

Our recent conversion to a new database has opened up some new options with regard to submitting continuing education certificates to our office. *While each individual licensee remains responsible for submitting these documents and not duplicating subject matter, he/she may now submit the certificates as they are earned rather than waiting until he/she has completed the full 12-hour requirement and submitting all certificates together.*

YOU CAN HAVE ACCESS TO YOUR CONTINUING EDUCATION HISTORY

We strongly encourage you to submit your continuing education certificates as you earn them. You can then reference Licensee Information on the Real Estate Commission's website (www.nol.org/home/NREC) or call the Commission and access your continuing education records as they are recorded with the Real Estate Commission.

Continuing Education History information appearing on the website is password protected. Password protected information is only available by entering unique and individual information and cannot be accessed by anyone without this specific information. The orange password sheets that were stapled to 2001 pocket cards or enclosed in the inactive renewal confirmation letters contain this individual information. Individuals licensed since this time will find the orange password sheet attached to their first pocket card or inactive letter.

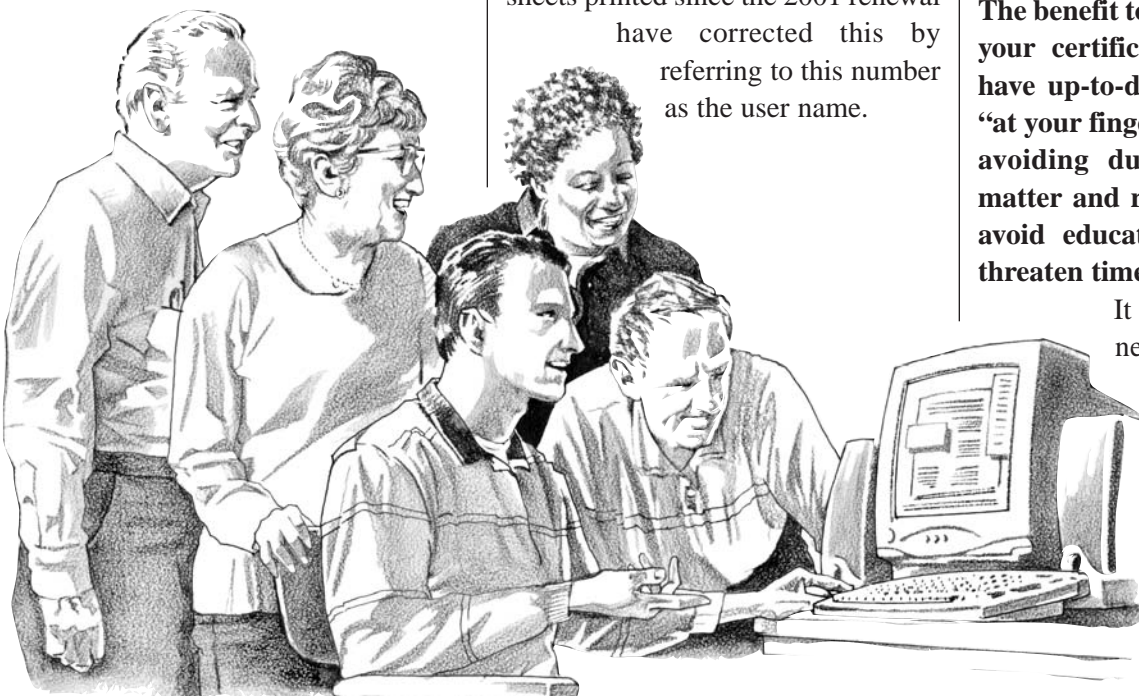
If you did not receive the orange password sheet or have misplaced it please contact Monica in our office. Please do not have anyone else seek this information for you, we will only release it to the licensee in question. Please Note: when entering your password information, if your orange sheet refers to an id# in the bottom left-hand corner substitute this number where it asks for "user name" on the screen. Password sheets printed since the 2001 renewal have corrected this by referring to this number as the user name.

ADDITIONAL CONTINUING EDUCATION REMINDERS

Our new mailing labels, as appear on this newsletter, can also help you keep track of how many continuing education hours you have submitted in your current continuing education period. The label indicates a numerical code on the right-hand side. The first number indicates the number of hours of continuing education you have submitted, the number behind the slash mark indicates the total number of hours required, if this is followed with an asterisk (*) then you have already submitted the required 3-hours of designated subject matter (the R course). Therefore, the following notation would indicate that you have completed your current continuing education requirement: 12/12*.

Remember, you will need to submit your continuing education certificates to our offices yourself (Providers do NOT do this for you) and you will also need to be aware of your continuing education period. **The benefit to regularly submitting your certificates is that you will have up-to-date education history "at your fingertips" to assist you in avoiding duplication of subject matter and reminders to help you avoid education deficiencies that threaten timely renewals.**

It is our hope that this new flexibility in our record keeping will prove beneficial to you. If you have any questions, please feel free to contact Julie in our office.



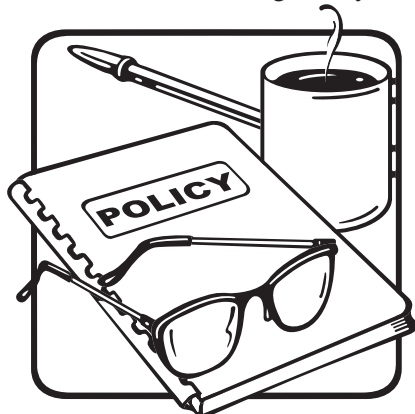
Revised Policy on the Use of Unlicensed Persons by Licensees

Licensees, both brokers and salespersons, often use unlicensed persons, either employed or contracted, to perform various tasks related to a real estate transaction which do not require a license. Such persons, for example, are used as personal assistants, clerical support staff, closing secretaries, etc.

The Nebraska Real Estate License Act prohibits unlicensed persons from negotiating, listing, or selling real property. It is, therefore, important for employing brokers and other licensees using such persons to carefully restrict the activities of such persons so that allegations of wrongdoing under the License Act or Rules can be avoided.

Licensees should not share commissions with unlicensed persons acting as assistants, clerical staff, closing secretaries, etc. The temptation for such unlicensed persons, in such situations, to go beyond what they can do and negotiate or take part in other prohibited activities is greatly increased when their compensation is based on the successful completion of the sale.

In order to provide guidance to licensees with regard to which activities related to a real estate transaction unlicensed persons can and cannot perform, the Commission establishes the following Policy:



Activities which **can** be performed by unlicensed persons who, for example, act as personal assistants, clerical support staff, closing secretaries, etc., include, but are not necessarily limited to:

1. Answer the phone and forward calls to licensees.
2. Transmit listings and changes to a multiple listing service.
3. Follow up on loan commitments after a contract has been negotiated.
4. Assemble documents for closings.
5. Secure documents, i.e. public information, from courthouse, sewer district, water district, etc.
6. Have keys made for company listings.
7. Write and prepare ads, flyers and promotional information and place such advertising.
8. Record and deposit earnest money and other trust funds.
9. Type contract forms under direction of licensee.
10. Monitor licenses and personnel files.
11. Compute commission checks.
12. Place and remove signs on property.
13. Order items of routine repair as directed by licensee and/or supervising broker.
14. Act as courier service to deliver documents, pick up keys, etc.
15. Schedule appointments.
16. Measure property, if measurements are verified by the licensee.
17. Hand out objective written information on a listing, other than at functions such as open houses, kiosks, and home show booths or fairs.

Activities which **cannot** be performed by unlicensed persons who,

for example, act as personal assistants, clerical support staff, closing secretaries, etc., include, but are not necessarily limited to:

1. Host open houses, kiosks, home show booths or fairs, or hand out materials at such functions.
2. Show property.
3. Answer any questions on listings, title, financing, closing, etc.
4. Discuss or explain a contract, agreement, listing, or other real estate document with anyone outside the firm.
5. Be paid on the basis of real estate activity, such as a percentage of commission, or any amount based on listings, sales, etc.
6. Negotiate or agree to any commission, commission split or referral fee on behalf of a licensee.

Employing brokers, whether they are employing unlicensed persons or whether licensees under their supervision are using unlicensed persons as personal assistants or the like, are responsible for assuring that such unlicensed persons are not involved in activities which require a license and/or activities which violate this policy. Brokers should establish guidelines for the use of unlicensed persons and procedures for monitoring their activities. It is the responsibility of the employing broker to assure that unlicensed persons, either directly employed or contracted, or employed or contracted by licensees under his or her supervision, are not acting improperly.

This policy does not include unlicensed persons who are acting under the exemption related to management of property as set forth in 81-885.04(4).

Adopted February 12, 1992
Amended November 15, 2001

Guideline for Original Applicants

WITH CRIMINAL CONVICTIONS

If an applicant has ever had a felony criminal conviction(s), said applicant shall appear before the Commission prior to the application being approved and the applicant being allowed to take the examination. If an applicant has any other criminal conviction(s), other than minor traffic violation(s), Commission staff may request an applicant to appear before the Commission prior to the application being processed and the applicant being allowed to take the examination, based on the criteria in this policy. The applicant is allowed to choose whether the appearance is formal or informal. Informal appearances may be made by or through a written submission of materials or other methods as determined by Commission staff. If an application for examination or issuance of a license is denied by staff or following an informal special appearance, the applicant is entitled to request a formal hearing as allowed by



statute and regulation. Each application shall be reviewed on a case-by-case basis, however, the Commission adopts the following as guidelines for denying the license:

1. Unless extraordinary circumstances are present in a specific situation, the application to sit for the examination or issuance of a license will be denied if the applicant has been convicted of a felony violent crime(s) or financial crime(s).

2. Unless extraordinary circumstances are present in a specific situation, the application to sit for examination or issuance of a license will be denied if the applicant has not completed his or her sentence, his or her probation, or made restitution, if any was ordered. The Commission recommends the applicant authorize his or her probation or parole officer(s) to discuss applicant's performance during the period of supervision with Commission staff.

3. Other information the Commission considers relevant and will consider in granting approval to sit for the examination or issuance of a license includes, but may not be limited to, the following:

- a. The applicant's truthfulness, demeanor, acceptance of responsibility, evidence of rehabilitation, and age at the time of the crime.
- b. The nature of the crime(s), the relationship between the crime(s) and licensed activity, and the effect on the applicant's worthiness to hold a real estate license.
- c. Any aggravating or extenuating circumstances of the crime(s).
- d. The time since the conviction and/or end of the sentence.

e. Whether the applicant successfully completed the terms of the sentence, including the timeliness of making restitution.

f. Whether the applicant's civil rights have been restored.

4. If the approval to sit for the examination and/or issuance of a license is granted, the Commission may require the applicant to notify any anticipated employing broker of the criminal conviction(s) and the circumstances of the conviction(s) and said broker shall confirm said notification in writing to the Commission prior to the license being placed with said broker.

5. If the approval to sit for the examination and/or issuance of a license is granted, the Commission may require the applicant to immediately notify Commission staff of any criminal charge, except those charges where there is no possible sentence of jail time, for a period of time. The time period, if any, is to be determined on a case-by case basis.

WITH HISTORY OF DISCIPLINARY ACTION IN ANOTHER REGULATORY JURISDICTION

If an applicant for an examination or issuance of a Nebraska Real Estate license has had disciplinary action, other than a censure, taken against his or her license, within the last five years, in another regulatory jurisdiction, said applicant shall appear before the Commission prior to the application being granted. If, however, the applicant has had disciplinary action, but is now in good standing with the regulatory jurisdiction, said applicant need not appear before the Commission. If the applicant is to appear before the Commission, the applicant is

(Continued on page 9)

Digest of Real Estate Laws and Issues

A complete set of real estate license laws from ARELLO members would require an encyclopedia set full of volumes. The Digest of Real Estate Laws and Issues comprises shorthand grids of regulations from countries, provinces, states and territories. It has proven useful in doing business across boundaries. Also included are summaries of significant real estate rulings and reports on industry issues.

Directory of Real Estate Regulators

Whether it's a commission, council or board, the official directory of real estate regulators provides a complete list of real estate law officials and regulatory bodies. Names, addresses and phone numbers are included for organizations all over the world, as well as for all the individuals who play an important role—both regulatory members and staff members. Order this useful guide for your desk today.

ORDER FORM

Organization _____	After receiving payment, please send:
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Guidelines . . .

(Continued from page 8)

allowed to choose whether the appearance is formal or informal. Informal appearances may be made by or through a written submission of materials or other methods as determined by Commission staff. If approval to sit for the examination or for issuance of a license is denied by staff or following an informal

special appearance, applicants are entitled, by law, to file a Petition for Review. Each application shall be reviewed on a case-by-case basis, however, the Commission adopts the following as guidelines for denying the license:

1. Disciplinary action by another regulatory jurisdiction may cause denial to sit for the examination or issuance of a

Nebraska license.

2. Unless extraordinary circumstances are present in a specific situation, approval to sit for the examination or issuance of a Nebraska license will be denied if a disciplinary action is pending or the penalty is not yet completed in another in another regulatory jurisdiction.

“BOUNDARIES” Newsletter

ARELLO Real Estate Review

Real estate law changes almost everyday somewhere. Whether the newest changes take effect in the next state/province or on another continent, it is never long before the same issues hit home.

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Service Satisfaction Survey

The Commission is interested in receiving feedback from the real estate licensee population and others who have contact with the Commission Office.

You may have had a question, had a license issued or transferred, had continuing education courses approved, or had some other reason for contacting the Commission Office by telephone, regular mail, e-mail, or in person. Or you may have utilized our website. We are interested in your opinion with regard to that interaction. Through this process, strengths can be recognized and areas needing improvement can be identified and improved upon.

This survey process is in no way intended to replace or diminish personal contact with the Office or the Commissioners. Rather, it is to solicit more feedback on a periodic basis. As always, if you have any questions about this process or matters in general concerning the Commission, please feel free to contact us.

When you have completed the survey, please tear it out, fold it along the lines as indicated on the back of this page making certain the pre-printed address of the Real Estate Commission is visible. Please seal with tape, add postage and mail. Thank you for your participation.

Nebraska Real Estate Commission
Service Satisfaction Survey
PO Box 94667
Lincoln, NE 68509-4667

Person Completing Survey: (optional) _____

Staff Member Who Assisted You (if applicable): _____

1. What was the reason for your interaction? Please check all that apply.

- | | |
|--|--|
| <input type="checkbox"/> Application/New License | <input type="checkbox"/> Complaint |
| <input type="checkbox"/> Transfer | <input type="checkbox"/> Laws, Rules, and Regulations |
| <input type="checkbox"/> Continuing Education | <input type="checkbox"/> Request Packet (application, complaint, etc.) |
| <input type="checkbox"/> Renewal | <input type="checkbox"/> General Information |
| <input type="checkbox"/> Trust Account | <input type="checkbox"/> Other (please specify) _____ |

2. How was your contact made?

- | | | |
|------------------------------------|---------------------------------------|----------------------------------|
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Regular Mail | <input type="checkbox"/> Website |
| <input type="checkbox"/> In Person | <input type="checkbox"/> E-Mail | |

(Website users may skip to question #6)?

3. Was your contact handled in a professional and efficient manner

Yes _____ No _____ Comment:

4. Were you treated politely, with courtesy and respect?

Yes _____ No _____ Comment:

5. Did staff seem knowledgeable, and assist you in a timely manner?

Yes _____ No _____ Comment:

6. In using the Website, did you receive accurate, sufficient, and timely information?

Yes _____ No _____ Comment:

7. Overall, how would you rate your experience(s) and interaction with the Commission office?

Excellent _____ Good _____ Fair _____ Poor _____

8. Do you have any additional comments or suggestions? If so, please use the remaining space or additional pages as needed.

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