



### ADRE FOCUS ON EDUCATION...



Judy Lowe  
Commissioner

#### COMMISSIONER'S CORNER

The Arizona Department of Real Estate (ADRE) approves and oversees real estate schools and educators, including monitoring pre-licensing and continuing education courses, while always striving to ensure the highest quality for the content of courses and the competence of the instructors, as well as, the quality and timeliness of materials being taught.

The current ADRE Strategic Plan includes the strategic goal, “to continue to improve the Arizona real estate education”. Two action items to be accomplished in 2018 include: 1) addressing the quality of the content of Arizona’s online continuing education (CE) courses, and 2) reviewing/revising the Pre-Licensing education requirements.

#### Action Item #1 – Improve the Quality of the Online (Distance Learning) Continuing Education (CE) Course Content.

Recent research determined that 58% of CE course credits uploaded by Arizona licensees renewing their real estate license every two years were online classes. Licensees could choose from 273 online approved courses from the 2,578 total courses currently approved by ADRE. As I travel Arizona presenting to real estate professionals and community groups, “Improving the quality of online courses” is often brought forward.

The ADRE Education Advisory Committee requested that the Commissioner appoint a workgroup, charged with the task of reviewing the ADRE Distance Learning CE course content approval requirements and processes, to recommend for ADRE consideration any improvement solutions. A group of Arizona real estate educators and licensees came together in the last few months and have prepared a recommendation to be considered by the Commissioner.

#### Action Item #2 – Review and modify, where necessary, the Arizona’s Real Estate Pre Licensing education curriculum to make it more relevant to the present day practice of real estate, while still adhering to Arizona’s statutory requirements.

Each month, approximately 1,300 students are taking the real estate licensing exam, with around 600 new licensees activating their license. Arizona is recognized around the country as having one of the best pre licensing programs. It is time to more closely align what is being taught in the 90 hours of classroom instruction with what is required of the professional licensee when facilitating a successful real estate investment transaction for Arizona’s constituents. This must be accomplished while adhering to the necessary preparation for passing the national and state specific examinations.

ADRE will appoint a very diverse workgroup, from all real estate specialty areas, consisting of pre licensing real estate educators, Arizona Designated Brokers, and others, to prepare curriculum modification recommendations for ADRE consideration. The Recommendations are to be delivered by mid-year. 2018 will be an exciting year for Arizona’s Real Estate Education.

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## Q: Why is Arizona considered the "Valentine State"?



Answer: It joined the Union on February 14, 1912  
source: facts.com



# Arizona's Judy Lowe Elected as 2018 ARELLO® Senior District Vice President



**A**RELLO, THE ASSOCIATION OF REAL ESTATE LICENSE LAW OFFICIALS. President Miriam Baer has announced that Arizona Real Estate Commissioner Judy Lowe has been elected as the association's 2018 Senior District Vice President. The Senior District Vice President serves on the ARELLO Executive Committee which, among other functions, administers the affairs of the association between meetings of the Board of Directors.

Ms. Lowe was appointed as Real Estate Commissioner in 2009, and reappointed in 2015. She became a real estate licensee in 1980, a broker in 1986, and worked in numerous market sectors. While a licensee, Ms. Lowe was active in the national, state and Tucson REALTOR® associations. Ms. Lowe has been an active ARELLO workgroup and event participant, has served several terms on the ARELLO Board of Directors, and was recently elected as District 4 Vice President.

## HOW TO LOCATE THE ARIZONA REAL ESTATE LAW BOOK



- Log on to: [www.azre.gov](http://www.azre.gov)
- Select the [Laws, Rules, Policy, Statements and Advisories link](#) located on the left-hand side menu of the page.

Laws, Rules, Policy  
Statements and Advisories

- On the right-hand side of the page, click on Online Law Book - PDF version.

• Law Book Order Form  
• Online Law Book – PDF  
version

- The Law Book will appear in PDF format on your screen.



## COMMISSIONER'S CORNER



“Jim Belfore speaking to Builder and Development professionals during a Learn and Lunch Session”



Commissioner Lowe and Jan MacDonald at the Green Valley/Sahuarita Association of REALTORS®

### PLANNING A COMPANY EVENT?

To stay up-to-date with what is happening in real estate, and to hear “What’s Making the Phone Ring at ADRE?”, invite Commissioner Lowe to speak to your group.

For scheduling , contact Abby Hansen at [ahansen@azre.gov](mailto:ahansen@azre.gov).



Commissioner Lowe presenting to the Tucson Association of REALTORS®



## COMMISSIONER'S CORNER

“State Capitol  
“Lighting Arizona Purple”



*October is Domestic  
Violence Awareness Month.  
ADRE showed their support  
by “wearing purple”*



*The Department of Real Estate Showing their support for the fight against  
Domestic Violence*

# ADRE CALENDAR OF EVENTS

## HOLIDAYS OBSERVED

**ADRE will be closed on:**

**President's Day** - Monday, February 19, 2018

**Memorial Day** - Monday, May 28, 2018

## ADVISORY BOARD MEETING

**The next Real Estate Advisory Board Meeting will be held on April 25, 2018 in the Commissioners Conference Room**

Arizona Department of Real Estate  
2910 N. 44th Street  
Phoenix, AZ 85018

All members of the public are welcome to attend

## EDUCATION ADVISORY COMMITTEE

**The next Education Advisory Committee will be held on March 15, 2018 in the Commissioners Conference Room\*\* from 10 a.m. - 12 noon**

Arizona Department of Real Estate  
2910 N. 44th Street  
Phoenix, AZ 85018

All members of the public are welcome to attend

## LUNCH AND LEARN

**The next Lunch and Learn meeting will be held soon... in the 3rd Floor Training Room**

Arizona Department of Real Estate  
2910 N. 44th Street  
Phoenix, AZ 85018

[Pre-register through the ADRE Message Center on the home page at www.azre.gov](http://www.azre.gov)

# Practicing Out Of State Without A License

*Excerpted from ARELLO's Boundaries magazine*

Last week, this question was posed to California Real Estate Commissioner, Wayne Bell: "Is it a California licensing violation for a California real estate licensee to transact out of state sales in violation of the out of state licensing law?" The occasion for Mr. Bell to be taking this and other questions was a webinar, Legal Live Webinar: Conversation with California Bureau of Real Estate Commissioner Wayne Bell, conducted on Tuesday, Sept. 5, by the California Association of REALTORS®. Attendance was open to any members, but the maximum capacity was 1,000. Questions were submitted in advance, but some, also, were taken from the participating audience. Commissioner Bell was joined by Sandri, Chief Deputy Commissioner and Lerner, Chief Counsel.

The answer to the question at hand was interesting and, perhaps to some, surprising. Before addressing the question directly, though, the commissioner made two points: (1) he suspected that most California licensees would not like it if persons from other states, without a California license, came into this state (either physically or via the internet) and transacted real estate business here; (2) California Commissioner Bell is in on-going contact with the real estate commissioners of neighboring states (Arizona, Nevada, Oregon, Washington) about matters such as this. Indeed, in his preliminary response to the question, Commissioner Bell noted that such a case was currently being investigated by the California Bureau of Real Estate.

Turning specifically to the question, Commissioner Bell noted two provisions of the California Business and Professions Code (B & P) that are

specifically addressed to real estate practices. They are practically identical. First, there is B&P 10176. This section deals with fraud and misrepresentation. B&P 10176 spells out a variety of situations where it applies (e.g. using false promises to influence, persuade, or induce; comingling of funds; making substantial misrepresentations). It also includes Section (i) "Any other conduct, whether of the same or a different character than specified in this section, which constitutes fraud or dishonest dealing."

Similarly, B&P Section 10177 provides that a license may be suspended, revoked, or denied to a person who has knowingly allowed "... distribution, or circulation of a material false statement or representation concerning his or her designation or certification of special education, credential, trade organization membership, or business..." , And section (j) of B & P 10177 says this applies to anyone who has "Engaged in any other conduct, whether of the same or a different character than specified in this section, that constitutes fraud or dishonest dealing."

As Commissioner Bell articulated it, the position of the California Bureau of Real Estate seems to be this: It is fraudulent to enter into another state without a license from that state and to operate unlawfully in that state. If a California licensee were to do so, he or she could be subject to punishment under B&P 10176(i) and/or B&P 10177(j).

## **OUT OF STATE BROKER CONDUCTING REAL ESTATE ACTIVITY IN ARIZONA??**

**SEE PAGE 25 OF THIS BULLETIN**



## Scam Updates: More Schemes Target REALTORS®/Licensees, New Mexico Homeowners, Wired Closing Funds

Real estate scams, whether old, new or repackaged, continue to plague the real estate industry. Some have triggered widespread warnings to consumers, real estate licensees and other transaction participants, but are nonetheless still



finding victims and reportedly raking in big money for perpetrators. Here are a few of recent note:

**Phony REALTOR®/Licensee Fines:** The National Association of REALTORS® Daily Real Estate News recently reported that at least one broker has received a text message purported to have been issued by NAR that accuses the broker of sending racist texts and emails. The phony text says the NAR is “appalled” by and “will confront” such behavior, and “will not compromise our principles by letting divisive and hateful language go unchecked.” Of course, the text invites the broker to pay a fine, in this case \$1345.00, through a purported link to the online Square Cash payment service. NAR reported the scam to the Federal Bureau of Investigation (FBI); which recommends that anyone receiving such a text should take a screen shot of it, delete it, and then report it to the [FBI’s online IC3](#) (Internet Crime Compliant Center) website, conduct scans for malware if the phone number or contact information may have been obtained through a computer system breach, scan systems if a link in the text was clicked, and follow up with a local FBI field office after the IC3 report is filed. NAR also warned its members about phony texts telling recipients they have won a prize from NAR, such as an expensive car, and asking the recipients to pay tax on the prize in order to claim it.

Meanwhile, the Minnesota Commerce Department is warning real estate licensees of a similar scam involving phony text messages claiming to be from the Department and demanding payment for a civil penalty via PayPal. The examples displayed by the Department’s [press release](#) contain little text other than the demand for payment and a PayPal link. The Department says that it does not communicate with its licensees via text messages, never asks for payment of a civil penalty via a text, and does not

use PayPal. Also, the Department said that civil penalties are typically described in a consent order sent by mail or email, and a check or money order is required for payment. Licensees also are advised that the Department “will get in contact by phone before a civil penalty is issued and the respondent agrees to a consent order.” In addition to the FBI suggestions regarding handling phony texts, the Department says that licensees can “forward suspicious emails to [spoof@paypal.com](mailto:spoof@paypal.com) and report Spam SMS messages by forwarding them to ‘7726’.”

**Mortgage Mod Scams in New Mexico:** A recent “Scam Alert” issued by New Mexico Attorney General Hector Banderas warns the state’s homeowners to beware of a new mortgage modification scheme. Callers claim to be with Nationstar Mortgage (which recently rebranded itself as “Mr. Cooper”) “and ask for money to be sent to an attorney in Florida promising a loan modification on the victim’s mortgage. The calls come from Ymax or Magic Jack phone numbers and can appear to come from any area code. The scammers are asking New Mexicans to wire money upwards of \$1200, money that they may never get back.” Attorney General Balderas also said, “Foreclosure can feel like a hopeless, scary situation, but the worst thing you can do is nothing at all. Ignoring the problem will only make it worse...” Struggling New Mexico homeowners are urged to contact the Attorney General’s office for information and assistance in connection with the “Keep Your Home New Mexico” program.

### **Escrow/Closing Funds Wire Fraud Scam Continues:**

Despite numerous warnings issued over the last several years by real estate industry and consumer groups, state and federal law enforcement and regulatory agencies, and the news media, the ubiquitous real estate wire fraud scam continues to find victims. The most recent reports include Washington, D.C. residential property buyers who in August lost \$1.5 million to the scheme\*, a Colorado couple who reportedly lost \$270,000\*\*, and a July press release\*\*\* from North Carolina Attorney General Josh Stein indicating that consumers in the state are currently being targeted and have lost tens of thousands of dollars. Generally, the scam involves a hacker who gains access to the email account of a transaction participant such as a real estate licensee, attorney, title company, or mortgage broker. The perpetrator monitors the hacked email account to capture and track financial information regarding the transaction, especially pending closing fund transfers. The perpetrator then sends a last-minute, authentic-looking and often personalized email to the buyer or other fund holder, with instructions to wire the funds to a disguised financial account.

Once the phony instructions are followed, the money is usually immediately transferred elsewhere, often overseas, and cannot be recovered. Entities such as NAR and the FBI have repeatedly advised transaction participants to follow various steps to deter the scam; such as avoiding the use of free web-based email accounts (e.g., AOL, Gmail, etc.), using only encrypted transaction communications, educating transaction parties about the scams and how to spot phony emails, and creating standard transaction communications protocols such as direct telephone confirmation of any financial communications.



# FinCEN Expands All-Cash Transaction Scrutiny, Issues Money Laundering Advisory

The U.S. Financial Crimes Enforcement Network (FinCEN) recently issued new Geographic Targeting Orders (GTOs) that expand its scrutiny of all-cash real estate transactions, and also published a new advisory that asks real estate professionals to voluntarily report suspicious transactions that may involve money laundering and related illicit activities.

## GTOs Expanded to Honolulu, Hawaii

FinCEN is a bureau within the U.S. Treasury Department that safeguards the U.S. financial system from money laundering, terrorist financing and other illicit activities. It administers the federal “Bank Secrecy Act” (BSA) and, among other things, analyzes and disseminates information arising from Suspicious Activity Reports (SARs) that must be filed by banks and other financial institutions. FinCEN also oversees Anti-Money Laundering (AML) program requirements to which such institutions must adhere. Over time, the SAR and AML requirements have been expanded by FinCEN regulations to include defined non-bank residential mortgage lenders and originators (RMLOs), government-sponsored entities Fannie Mae and Freddie Mac and the Federal Home Loan Banks. Also, federal regulations authorize FinCEN to issue “geographic targeting orders” (GTOs) that impose recordkeeping and reporting requirements on other “nonfinancial trades or businesses”. Since 2016, FinCEN has issued GTOs that involve New York City; Miami, Florida; Los Angeles, San Francisco and San Diego, California; and San Antonio, Texas. The GTOs require certain title insurance companies to report beneficial ownership information on legal entities, including shell companies, that are used to purchase luxury residential real estate without a bank loan and, at least in part, use a cashier’s check or similar instrument. Reportable luxury transactions are defined by sale price thresholds in each GTO area. FinCEN says that the GTO results have shown that beneficial owners or purchaser representatives in a significant number of reported transactions had been previously connected to a wide array of suspicious activities. In its latest action FinCEN revised the existing GTOs to capture a broader range of transactions,

including those involving wire transfers, and expanded the GTOs to include transactions conducted in the City and County of Honolulu, Hawaii. FinCEN has repeatedly said that the title companies affected by the GTOs are not themselves targets of the investigations. [Asking Real Estate Professionals to Help](#)

Unlike similar laws in several other countries, U.S. SAR and AML program requirements do not apply to real estate licensees or brokerage companies. Nonetheless, FinCEN’s recent [Advisory to Financial Institutions and Real Estate Firms and Professionals](#) encourages real estate brokers and other transaction participants to voluntarily report suspicious real estate purchases and sales. The new advisory notes, “Real estate transactions and the real estate market have certain characteristics that make them vulnerable to abuse by illicit actors seeking to launder criminal proceeds. For example, many real estate transactions involve high-value assets, opaque entities, and processes that can limit transparency because of their complexity and diversity. In addition, the real estate market can be an attractive vehicle for laundering illicit gains because of the manner in which it appreciates in value, ‘cleans’ large sums of money in a single transaction, and shields ill gotten gains from market instability and exchange-rate fluctuations.” The advisory provides various examples, such as the use of shell companies and all-cash transactions to decrease transaction transparency. The advisory also explains how FinCEN uses GTOs, reviews U.S. anti-money laundering regulations in the real estate sector, and details the SAR reporting process.

As to voluntary reporting, FinCEN says that real estate professionals are well-positioned to identify potentially illicit activity because they have a “more complete view” of real estate transactions and the parties involved; for example, the potential purpose for which a property is being purchased or the possible origin of a purchaser’s funds. The advisory points out that a safe harbor from liability exists with respect to the filing of suspicious activity reports, including voluntary ones, by “persons involved in real estate closings and settlements” and that the confidentiality of such filings is protected.

According to FinCEN, real estate professionals may determine that a transaction is suspicious if it:

- Lacks economic sense or has no apparent lawful business purpose. Suspicious real estate transactions may include purchases/sales that generate little to no revenue or are conducted with no regard to high fees or monetary penalties;
- Is used to purchase real estate with no regard for the property’s condition, location, assessed value, or sale price;
- Involves funding that far exceeds the purchaser’s wealth, comes from an unknown origin, or is from or goes to unrelated individuals or companies; or,
- Is deliberately conducted in an irregular manner. Illicit actors may attempt to purchase property under an unrelated individual’s or company’s name or ask for records (e.g., assessed value) to be altered.

The advisory also explains how to access information on filing reports through FinCEN’s BSA E-Filing System, and also notes that the National Association of Realtors® has published helpful resources that include [Tips for Spotting Global Money Laundering Schemes \(2017\)](#) and [Anti-Money Laundering Guidelines for Real Estate Professionals \(2012\)](#).

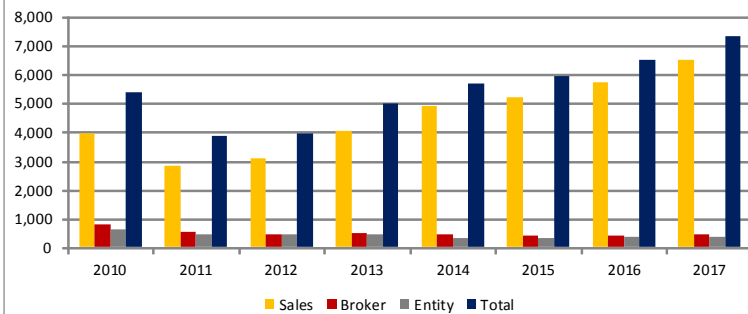
## LET'S DO THE NUMBERS.....

The real estate industry and the professionals that serve it continue to be a pillar of the Arizona economy. Each real estate licensee plays an intricate and important role in the success of Arizona. As calendar year 2017 came to an end, ADRE is pleased to share metrics that represent a gradual increase of practitioners entering our profession. With this stability, professionals are drawn to the high regard and esteem that is promoted and encouraged for Arizona real estate. The Department of Real Estate (ADRE) has adopted and embraced the management philosophy of “seeking continuous improvement” in all areas of the Department. The ADRE is working to streamline all processes to ensure the services it provides are as efficient and effective as possible. The real estate professional must be able to rely on the support of ADRE, as they each do what they do best for the people of Arizona. ADRE continues to measure key metrics monthly to identify areas where we can improve. The ADRE processes most original and renewal salesperson and broker applications in an average of one day.

The ADRE celebrates a “Happy New Year” two times each year. One for the calendar year on January 1 and another for the Arizona state government fiscal year on July 1. At the conclusion of Fiscal Year 2017 (July 1, 2016 to June 30, 2017) the number of Original Real Estate licensees totaled a net increase of roughly 8.9 percent, with a total of 7,326 new salesperson and broker applications being approved. 2018 is anticipated to be another of upward trajectory in the number of real estate professionals in Arizona.

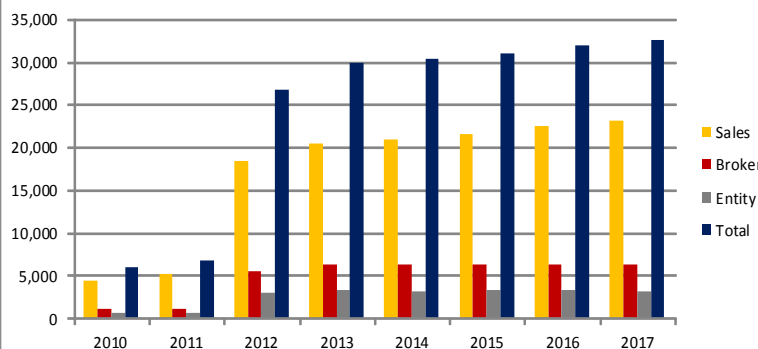
***“Original real estate licenses totaled a net increase of roughly 8.9 percent with a total of 7,326 new Salesperson and Broker***

**Original Licenses Approved  
FY2011 - FY2017**



|               | 2011         | 2012         | 2013         | 2014         | 2015         | 2016         | 2017         |
|---------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>Sales</b>  | 2,850        | 3,069        | 4,055        | 4,896        | 5,189        | 5,694        | 6,503        |
| <b>Broker</b> | 546          | 463          | 486          | 473          | 408          | 424          | 460          |
| <b>Entity</b> | 469          | 437          | 449          | 326          | 333          | 369          | 363          |
| <b>Total</b>  | <b>3,865</b> | <b>3,969</b> | <b>4,990</b> | <b>5,695</b> | <b>5,930</b> | <b>6,487</b> | <b>7,326</b> |

**Renewal Licenses Approved  
FY 2011 - FY 2017**



|               | 2011         | 2012          | 2013          | 2014          | 2015          | 2016          | 2017          |
|---------------|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| <b>Sales</b>  | 3,574        | 18,406        | 20,460        | 20,938        | 21,528        | 22,420        | 23,113        |
| <b>Broker</b> | 1,058        | 5,406         | 6,212         | 6,235         | 6,259         | 6,244         | 6,245         |
| <b>Entity</b> | 502          | 2,859         | 3,187         | 3,151         | 3,234         | 3,259         | 3,150         |
| <b>Total</b>  | <b>5,134</b> | <b>26,671</b> | <b>29,859</b> | <b>30,324</b> | <b>31,021</b> | <b>31,923</b> | <b>32,508</b> |

# LICENSING STATISTICS

## Arizona Department of Real Estate Licensed Individuals & Entities January 2, 2018

|                                     | Active        | Inactive      | Total<br>Current | In Grace<br>Period | Current +<br>Grace<br>Period |
|-------------------------------------|---------------|---------------|------------------|--------------------|------------------------------|
| <b>Individuals</b>                  |               |               |                  |                    |                              |
| Broker                              | 12,128        | 965           | 13,093           | 624                | 13,717                       |
| Salesperson                         | 45,326        | 12,199        | 57,525           | 4,307              | 61,832                       |
| <b>Total Individuals</b>            | <b>57,454</b> | <b>13,164</b> | <b>70,618</b>    | <b>4,931</b>       | <b>75,549</b>                |
| <b>Last month</b>                   | <b>57,774</b> | <b>12,681</b> | <b>70,455</b>    | <b>4,917</b>       | <b>75,372</b>                |
| <b>% change from last month</b>     | <b>-0.55%</b> | <b>3.81%</b>  | <b>0.23%</b>     | <b>0.28%</b>       | <b>0.23%</b>                 |
| <b>Same month last year</b>         | <b>55,009</b> | <b>12,963</b> | <b>67,972</b>    | <b>4,580</b>       | <b>72,552</b>                |
| <b>% change from last year</b>      | <b>4.44%</b>  | <b>1.55%</b>  | <b>3.89%</b>     | <b>7.66%</b>       | <b>4.13%</b>                 |
| <b>Entities</b>                     |               |               |                  |                    |                              |
| Branch, corp                        | 185           | 44            | 229              | 20                 | 249                          |
| Branch, liability                   | 377           | 75            | 452              | 63                 | 515                          |
| Branch, Partnership                 | 1             | 0             | 1                | 2                  | 3                            |
| Branch, Self-Employed               | 20            | 5             | 25               | 1                  | 26                           |
| Corporation                         | 1,416         | 68            | 1,484            | 102                | 1,586                        |
| Limited Liability                   | 3,400         | 179           | 3,579            | 225                | 3,804                        |
| Partnership                         | 33            | 1             | 34               | 1                  | 35                           |
| Self-Employed Broker                | 2,063         | 124           | 2,187            | 248                | 2,435                        |
| <b>Total Entities</b>               | <b>7,495</b>  | <b>496</b>    | <b>7,991</b>     | <b>662</b>         | <b>8,653</b>                 |
| <b>Last month</b>                   | <b>7,498</b>  | <b>491</b>    | <b>7,989</b>     | <b>663</b>         | <b>8,652</b>                 |
| <b>% change from last month</b>     | <b>-0.04%</b> | <b>1.02%</b>  | <b>0.03%</b>     | <b>-0.15%</b>      | <b>0.01%</b>                 |
| <b>Same month last year</b>         | <b>7,495</b>  | <b>547</b>    | <b>8,042</b>     | <b>708</b>         | <b>8,750</b>                 |
| <b>% change from last year</b>      | <b>0.00%</b>  | <b>-9.32%</b> | <b>-0.63%</b>    | <b>-6.50%</b>      | <b>-1.11%</b>                |
| <b>Individuals &amp; Entities</b>   |               |               |                  |                    |                              |
| <b>Total - this month</b>           | <b>64,949</b> | <b>13,660</b> | <b>78,609</b>    | <b>5,593</b>       | <b>84,202</b>                |
| <b>Total - previous month</b>       | <b>65,272</b> | <b>13,172</b> | <b>78,444</b>    | <b>5,580</b>       | <b>84,024</b>                |
| <b>% change from last month</b>     | <b>-0.5%</b>  | <b>3.7%</b>   | <b>0.2%</b>      | <b>0.2%</b>        | <b>0.2%</b>                  |
| <b>Total - this month</b>           | <b>64,949</b> | <b>13,660</b> | <b>78,609</b>    | <b>5,593</b>       | <b>84,202</b>                |
| <b>Total - same month last year</b> | <b>62,504</b> | <b>13,510</b> | <b>76,014</b>    | <b>5,288</b>       | <b>81,302</b>                |
| <b>% change from last year</b>      | <b>3.9%</b>   | <b>1.1%</b>   | <b>3.4%</b>      | <b>5.8%</b>        | <b>3.6%</b>                  |



# EDUCATION ADVISORY COMMITTEE (EAC) MEETING



**ADRE's** Education Advisory Committee (EAC) has been in existence for approximately 15 years! The EAC has been an

integral part of ADRE's relationship with the real estate educator industry as a continual conduit and deliberative body to foster the communication and facilitate the relationship between the ADRE and the real estate educators in Arizona. The EAC's task is to assist the ADRE in fulfilling its mission of: "Protecting the public interest by raising the level of professionalism in the real estate sector without increasing barriers to entry into the sector."

Membership of the EAC is comprised of 14 members from an array of diverse backgrounds in real estate. The EAC holds regular meetings on a quarterly basis or more often as needed that are open to the public.

ADRE welcomes Marc Blonstein, Sherry Olsen, and Debbie Shields as its newest member appointments!

Commissioner Lowe recently reappointed Marti Barnewolt, Barb Freestone, Evan Fuchs, and Mary Sand.

Commissioner Lowe thanks the service of J. Robert Eckley, Becky Ryan, and Amy Swaney for their latest term of service that recently ended. Members serve two-year terms, with half of the member terms coming due in July of each year.

Visit the ADRE website [www.azre.gov](http://www.azre.gov) to view the EAC Calendar of meeting dates, minutes and agendas to follow the EAC. The EAC's next meeting is scheduled for March 15, 2018 at the ADRE, 2910 N. 44th Street, Phoenix, AZ from 10 a.m. to Noon.

## EDUCATION STATS

| Average Passing Percentages for "First Time Exam Takers"                          |          |          |          |          |          |          |          |
|---|----------|----------|----------|----------|----------|----------|----------|
| EXAM TYPE   | Jun-2017 | Jul-2017 | Aug-2017 | Sep-2017 | Oct-2017 | Nov-2017 | Dec-2017 |
| REAL ESTATE BROKER  | 75%      | 80%      | 77%      | 60%      | 81%      | 70%      | 85%      |
| REAL ESTATE SALESPERSON   | 65%      | 65%      | 65%      | 67%      | 66%      | 66%      | 69%      |
| CEMETERY BROKER   | N/A      | N/A      | N/A      | N/A      | N/A      | N/A      | N/A      |
| CEMETERY SALESPERSON  | 100%     | 75%      | 67%      | 100%     | 100%     | 67%      | 100%     |
| MEMBERSHIP CAMPING BROKER   | N/A      | N/A      | N/A      | N/A      | N/A      | N/A      | N/A      |
| MEMBERSHIP CAMPING SALESPERSON  | N/A      | N/A      | N/A      | N/A      | 67%      | 100%     | 100%     |
| Total Number of Licensees (Individual and Entity) as of January 26, 2018          |          |          |          |          |          |          |          |
| 84,671  |          |          |          |          |          |          |          |
| Active Continuing Education (CE) Courses as of January 26, 2018                   |          |          |          |          |          |          |          |
| Live CE (Approximately)   | 2,255    |          |          |          |          |          |          |
| Distance Learning CE (Approximately)  | 293      |          |          |          |          |          |          |
| ADRE Licensee Online CE Course Submissions June 13, 2017 through January 25, 2018 |          |          |          |          |          |          |          |
| Total courses entered   | 130,212  |          |          |          |          |          |          |
| Distance Learning   | 73,379   |          |          |          |          |          |          |
| Percentages Distance Learning   | 56%      |          |          |          |          |          |          |

# NATIONAL DO NOT CALL REGISTRY

Before making calls to consumers do you or your company verify the number you're calling is not registered on the National Do Not Call Registry? FAQ's from the Federal Trade Commission (The government agency that protects consumers).  
More information is available at: <https://www.ftc.gov>

## WHAT IS THE NATIONAL DO NOT CALL REGISTRY?

The National Do Not Call Registry is a list of phone numbers from consumers who have indicated their preference to limit the telemarketing calls they receive. The registry is managed by the Federal Trade Commission (FTC), the nation's consumer protection agency. It is enforced by the FTC, the Federal Communications Commission (FCC), and state officials.

## WHAT CALLS ARE COVERED?

The do not call provisions of the TSR cover any plan, program or campaign to sell goods or services through interstate phone calls. This includes calls by telemarketers who solicit consumers, often on behalf of third party sellers. It also includes sellers who are paid to provide, offer to provide, or arrange to provide goods or services to consumers.

## WHAT TYPES OF CALLS ARE NOT COVERED BY THE NATIONAL DO NOT CALL REGISTRY?

The do not call provisions do not cover calls from political organizations, charities, telephone surveyors, or companies with which a consumer has an existing business relationship.

## HOW DOES THE ESTABLISHED BUSINESS RELATIONSHIP PROVISION WORK FOR A CONSUMER WHOSE NUMBER IS ON THE REGISTRY?

A company with which a consumer has an established business relationship may call for up to 18 months after the consumer's last purchase or last delivery, or last payment, unless the

consumer asks the company not to call again. In that case, the company must honor the request not to call. If the company calls again, it may be subject to a fine of up to \$16,000.

If a consumer makes an inquiry or submits an application to a company, the company can call for three months. Once again, if the consumer makes a specific request to that company not to call, the company may not call, even if it has an established business relationship with the consumer.

A consumer whose number is not on the national registry can still prohibit individual telemarketers from calling by asking to be put on the company's own do not call list.

## HOW CAN I ACCESS THE REGISTRY?

The registry can be accessed only through the fully automated and secure website at [www.telemarketing.donotcall.gov](http://www.telemarketing.donotcall.gov). The first time you access the registry, you must set up a profile and provide identifying information about you and your organization. If you are a telemarketer or service provider accessing the registry on behalf of your seller-clients, you will be required to identify you seller-clients and provide their unique Subscription Account Numbers (SANs). The only consumer information available from the registry is telephone numbers. After you (or the company telemarketing on your behalf) have accessed the registry and downloaded telephone numbers the first time, you'll have the option of downloading only changes in the data that have occurred since the last time you accessed the registry.

# NICKNAME USE AND GUIDELINES

| NICKNAME USE EXAMPLES |                    |                    |
|-----------------------|--------------------|--------------------|
| John "Johnny" Lowe    | "Johnny" John Lowe | John Lowe "Johnny" |
| John Lowe "Johnny"    | "Johnny" John Lowe | John "Johnny" Lowe |
| John "Johnny" Lowe    | "Johnny" John Lowe | John Lowe "Johnny" |



Pursuant to A.A.C. § R4-28-302(I) a person shall not conduct or promote business under any name other than the name under which the person is licensed. The above examples are acceptable ways to list a licensed name with an "ADRE pre-approved" additional nickname in advertisements and promotions.. All licensees should check with their broker for policies on use of nicknames, then complete ADRE Form (LI235) and submit to ADRE through the ADRE Message Center.

**BROKER AUDIT HONOR ROLL**  
**Brokers in Substantive Compliance- April thru August 2017**

| LICENSE NO. | BROKERS NAME                 | BROKERAGE                                   | TYPE OF AUDIT |
|-------------|------------------------------|---|---------------|
| BR572735000 | Alcaraz, Cesar C.            | Cesar Alcaraz Real Estate                   | Onsite        |
| BR007111000 | Anderson, Craig A.           | Respect Realty                              | Onsite        |
| BR023419000 | Anderson, Pamela D.          | Greystar RS SW, LLC                         | Onsite        |
| BR021114000 | Arlia, Bonnie L.             | Velocity Retail Group, LLC                  | Onsite        |
| BR507907000 | Bartels, Rodica              | Century 21-Northwest Realty                 | Onsite        |
| BR109512000 | Becker, Robert B.            | Top Rock Realty                             | Onsite        |
| BR036551000 | Black, Kelly N.              | Sonoran Skies Properties                    | Onsite        |
| BR535465000 | Bor, Natallia                | Bor Realty, LLC                             | Onsite        |
| BR024115000 | Bullington, John D.          | BLC Realty Advisors                         | Onsite        |
| BR575645000 | Camandona, Kristine "Kristi" | Esplanade                                   | Onsite        |
| BR552571000 | Carlson, Andrea J.           | Sage Property Management & Sales            | Onsite        |
| BR005356000 | Carpenter, Carol J.          | Clements Realty                             | Onsite        |
| BR544207000 | Cole, Trisha                 | American Dream Realty                       | Onsite        |
| BR531087000 | Condon, John                 | Richmond American Homes Of Arizona, Inc.    | Onsite        |
| BR520720000 | Connolly, Lance P.           | LPC Realty                                  | Onsite        |
| BR027496000 | Cook, Steven C.              | ESCEE Commercial Properties                 | Onsite        |
| BR004879000 | Cosman, Richard J.           | Proamerica Real Estate                      | Onsite        |
| BR005450000 | Courtin, Roderick            | Empire Commercial Real Estate               | Onsite        |
| BR637189000 | Devries, Jamie C D           | Desert Vista Luxury Homes, LLC              | Onsite        |
| BR627221000 | Duermit, Kevin D.            | Toll Brothers Real Estate, Inc.             | Onsite        |
| BR530802000 | Estrada, Waldemar Jr.        | Waldenwest Realty, LLC                      | Onsite        |
| BR556031000 | Finkel, Adam S.              | Civic Center Real Estate                    | Onsite        |
| BR556257000 | Flores, Hector G.            | Housing Exchange Realty                     | Onsite        |
| BR008978000 | Gaertner-Tibbets, Sherry     | SGT Fine Properties                         | Onsite        |
| BR009030000 | Garcia, Richard E.           | Garcia Realty Advisors, Inc.                | Onsite        |
| BR531186000 | Goodrich, Scott A.           | Meridian Elite Properties                   | Onsite        |
| BR550881000 | Hale, Timothy R. "Rob"       | Elite Results Realty                        | Onsite        |
| BR004725000 | Hancock, Trevor J.           | Trevor Hancock Realty                       | Onsite        |
| BR510751000 | Haney, Neal T.               | Nth Property Management, LLC                | Onsite        |
| BR645941000 | Heaman, William G.           | Festival Realty                             | Onsite        |
| BR563778000 | Helmstadter, Stephen A. Sr.  | Helmstad Realty                             | Onsite        |
| BR636922000 | Hunter, Cheryl A.            | Sunshine Exclusive Properties LLC           | Onsite        |
| BR021799000 | Jacobs, Mary M.              | Kennedy-Wilson Properties Of Arizona, Ltd.  | Onsite        |
| BR639244000 | Jameson, J Clinton III       | CPRE Advisors, LLC                          | Onsite        |
| BR022200000 | Jarnagin, David R.           | Skeens & Jarnagin, LLC                      | Onsite        |
| BR007828000 | Jarson, Deborah S.           | AZ Architecture/Jarson & Jarson Real Estate | Onsite        |
| BR007379000 | Johnson, Suzanne             | Launch Real Estate                          | Onsite        |



**BROKER AUDIT HONOR ROLL**  
**Brokers in Substantive Compliance - April thru August 2017**

| LICENSE NO. | BROKER'S NAME              | BROKERAGE                                     | TYPE OF AUDIT |
|-------------|----------------------------|---|---------------|
| BR511974000 | Jones, Jason D "JD"        | Revana Realty                                 | Onsite        |
| BR624034000 | Jones, Jeffrey "Jeff" S.   | AZ Home Seekers                               | Onsite        |
| BR522700000 | Kalina, Kim M.             | Solid Choice Realty                           | Onsite        |
| BR533142000 | Kamp, Chad                 | CRI   | Onsite        |
| BR549414000 | Kittelman, Alan B.         | Show Appeal Realty                            | Onsite        |
| BR623718000 | Kotila, Corinne            | MKJ Advisors                                  | Onsite        |
| BR549432000 | Lang, Robert T.            | CVG Properties                                | Onsite        |
| BR544166000 | Laos, Kala J.              | JK Realty                                     | Onsite        |
| BR532547000 | Larsen, Kelly K.           | Promanage Realty                              | Onsite        |
| BR116816000 | Leiva, Mauricio R.         | North American Realty                         | Onsite        |
| BR005871000 | Logue, Patrick J.          | Urban Group Realty, LLC                       | Onsite        |
| BR025343000 | Marsh, James E.            | The Marsh Partners                            | Onsite        |
| BR568467000 | Martin, Brooke C.          | Cactus Shadow Realty                          | Onsite        |
| BR541778000 | Martin, Deanne L.          | Global Real Estate Investments                | Onsite        |
| BR509405000 | Melendez, Francisco J.     | Golden Circle Real Estate, LLC                | Onsite        |
| BR012921000 | Mencuccini, Michele C.     | Voyager Investment Properties, LLC            | Onsite        |
| BR540669000 | Mihlik, James J.           | Ayers Thomas                                  | Onsite        |
| BR566156000 | Moore, James T. "Tommy"    | Moore Capital Real Estate                     | Onsite        |
| BR629382000 | Moss, Jason                | RCP Real Estate LLC                           | Onsite        |
| BR555351000 | Mulvena, Melody J.         | Principal Rental Homes                        | Onsite        |
| BR012996000 | Neckels, Carolyn Prigan    | Associate Realty, Inc.                        | Onsite        |
| BR559817000 | Newell, Jennifur L.        | Platinum Integrity Real Estate                | Onsite        |
| BR532288000 | Nocifera, Anthony          | Broadstreet Commercial                        | Onsite        |
| BR559881000 | Noma, Daniel P. Jr.        | Venture REI, LLC                              | Onsite        |
| BR515354000 | Petersen, Warren H.        | Network Realty                                | Onsite        |
| BR533494000 | Poncher, Michael B.        | Poncher Realty Of Arizona                     | Onsite        |
| BR116713000 | Quackenbush, Michelle A.   | RE/Max Premier Properties                     | Onsite        |
| BR526666000 | Ramirez, Jose F.           | OX Urban Properties, LLC                      | Onsite        |
| BR029595000 | Rauch, Margaret M. "Peggy" | The Peggy Rauch Group                         | Onsite        |
| BR112283000 | Reed, Jeffery H.           | Main Street Group                             | Onsite        |
| BR521235000 | Reed, John H.              | Copper Sun Real Estate                        | Onsite        |
| BR008581000 | Rein, Mark H.              | Rein & Grosseohme Commercial Real Estate, LLC | Onsite        |
| BR552252000 | Richards, Melissa J.       | Pitchfork Property Brokers                    | Onsite        |
| BR110219000 | Riggs, James R.            | Platinum Advisors                             | Onsite        |

**BROKER AUDIT HONOR ROLL**  
**Brokers in Substantive Compliance- April thru August 2017**

| LICENSE NO. | BROKER'S NAME              | BROKERAGE                        | TYPE OF AUDIT |
|-------------|----------------------------|----------------------------------|---------------|
| BR042588000 | Samuelson, Jason D.        | Sonoran Realty                   | Onsite        |
| BR022809000 | Schaller, James C.         | Schaller Real Estate, LLC        | Onsite        |
| BR555487000 | Scheidt, Michael E.        | Meka Realty                      | Onsite        |
| BR009229000 | Schuckert, William R.      | Edge Real Estate Services, LLC   | Onsite        |
| BR012589000 | Smith, Diane H.            | Castle Rock Properties, Inc.     | Onsite        |
| BR623714000 | Smith, Douglas R. "Doug"   | Precision Real Estate            | Onsite        |
| BR543184000 | Smith, Mark A.             | Arizona Home Brokerage           | Onsite        |
| BR008774000 | Smith-Maughan, Linda M.    | Los Arcos Realty And Development | Onsite        |
| BR529689000 | Soltesz, Lisa A.           | Opendoor Homes                   | Onsite        |
| BR534734000 | Spilsbury, Brooks F.       | Fielding Success Realty          | Onsite        |
| BR541111000 | Stetka, Paul M.            | Arizona Preferred Realty, LLC    | Onsite        |
| BR557845000 | Stevens, Theodore "Ted"    | Paladin Realty, LLC              | Onsite        |
| BR007932000 | Suarez, Lisa Ann           | EMS Realty, Inc.                 | Onsite        |
| BR104566000 | Tice, Patrick G.           | Desert Ridge Realty              | Onsite        |
| BR043317000 | Tichy, Richard             | Empire Realty Group              | Onsite        |
| BR537713000 | Torch, Lorie R.            | Torch Real Estate, LLC           | Onsite        |
| BR637323000 | Transtrum, John J.         | Westwind Real Estate             | Onsite        |
| BR007030000 | Traw, Lenny                | Traw Realty                      | Onsite        |
| BR515918000 | Truitt, Scott              | Western Land Company, LLC        | Onsite        |
| BR514191000 | Tulliani, Renee L.         | Bridgelight Real Estate, LLC     | Onsite        |
| BR009182000 | Urman, Ronit               | Urman Enterprises                | Onsite        |
| BR112287000 | Valdez, Daniel Covarrubias | Westgate Homes Realty            | Onsite        |
| BR009021000 | Vargo, Steven B.           | MCO Realty                       | Onsite        |
| BR022776000 | Walters, Sabrina           | SLW Realty Group, LLC            | Onsite        |
| BR519311000 | Werner, Dan G.             | Metropolitan Realty Advisors LLC | Onsite        |
| BR568712000 | Weurding, Troy M.          | Caliber Commercial Group         | Onsite        |
| BR004119000 | White, John C.             | Western Horizons, Inc.           | Onsite        |
| BR015674000 | Wilken, Sandra L.          | Engel & Volkers                  | Onsite        |
| BR557417000 | Wolfe, Douglas J.          | Rockgate Realty                  | Onsite        |
| BR005853000 | Wolfert, Ronnie C. "Ron"   | Paradise Investments LLC         | Onsite        |
| BR014587000 | Wolfswinkel, Judith "Judy" | Studio 73, LLC                   | Onsite        |
| BR522914000 | Worley, Cynthia            | Stella Realty, Inc.              | Onsite        |
| BR573588000 | Woudenberg, Jeffrey D.     | Woudenberg Properties            | Onsite        |
| BR008796000 | Yount, Larry K.            | LKY Advisors, LLC                | Onsite        |
| BR021242000 | Yunginger, Barbara A.      | William Lyon Homes               | Onsite        |
| BR039543000 | Ziomek, Stephen P.         | Global Mobility Solutions        | Onsite        |

# DISCIPLINARY ACTIONS

## ABBREVIATIONS USED IN DISCIPLINARY ACTIONS

|   |  |                                   |                                       |
|---|--|-----------------------------------|---------------------------------------|
| <b>ASA = Accelerated Settlement Agreement</b> | <b>BA = Broker Acknowledgement</b>     | <b>C&amp;D = Cease and Desist</b> | <b>CFO = Commissioner Final Order</b> |
| <b>CO = Consent Order</b>                     | <b>CONV = Conviction</b>               | <b>CP = Civil Penalty</b>         | <b>ED = Additional Education</b>      |
| <b>FEL = Felony</b>                           | <b>J &amp; S = Joint &amp; Several</b> | <b>LG = License Granted</b>       | <b>MISD = Misdemeanor</b>             |
| <b>PL = Provisional License</b>               | <b>PM = Practice Monitor</b>           | <b>UA = Unlicensed Activity</b>   |                                       |

| Name                    | License Number  | Brokerage at time of violation  | Location          | Summary  | Order  |
|-------------------------|---|---------------------------------|-------------------|--|--|
| Barnett, Ralph          | BR504393000   | BH Management Services          | Scottsdale, AZ    | Unlawful receipt of compensation   | ASA - \$1000 CP                                  |
| Baumgarth, Curtis G.    | SA627358000<br>(Candidate-<br>previously<br>licensed) | N/A (Candidate)                 | Chandler, AZ      | Felony Conv.   | CFO - License Denied                             |
| Bergstrom, David Robert | SA663728000<br>(Candidate)                            | N/A (candidate)                 | Gilbert, AZ       | Conv. in September 1995 for Driving in Willful Disregard for Safety while Evading a Police Officer, a FEL. (reduced to MISD July 1997); DUI, a MISD September 1995 | CO - 2 Yrs. PL/PM;<br>Sworn Quarterly affidavits |
| BH Management Services  | LC665051000   | Tiffany & Bosco P.A.            | Phoenix, AZ       | UA and paying compensation in violation of A.R.S.  | ASA - \$3000 CP                                  |
| Bologna, Joseph         | SA665300000<br>(Candidate)                            | N/A (candidate)                 | Phoenix, AZ       | 2007 Conv of a class three FEL Aggravated Assault  | CO - 2yrs PL/ PM; sworn quarterly affidavits     |
| Buttery, Josephine      | BR008074000   | Your Broker Connection          | San Manuel, AZ    | PM Incomplete Records  | ASA - \$750.00 CP; 6 hrs. CE                     |
| Caldwell, Thomas        | BR513659000   | Caldwell Property Services Inc. | Mesa, AZ          | Failure to timely review transactions and failure to maintain complete records   | CO - 1yr PL; sworn quarterly affidavits          |
| Ceccarelli, Gary        | Unlicensed  |                                 | Yuma, AZ          | UA   | Cease and Desist                                 |
| Chapman, Matthew Allen  | SA631961000   | N/A                             | Tucson, AZ        | Late Disclosure of 2010 Conv. for MISD Reckless Driving; False or misleading application   | ASA - CP \$1,5000; 6 hrs. CE                     |
| Cillessen, Kimberlee    | SA572854000   | HomeSmart, LLC                  | Goodyear, AZ      | UA   | ASA - \$2000 CP                                  |
| Cole, Adam Richard      | SA635525000   | N/A                             | Tucson, AZ        | Late disclosure of July 2015 MISD Conv for DUI   | ASA - CP \$750.00                                |
| Collins, Karen          | BR515863000   | COPPER AREA REALTY              | KEARNY, AZ        | UA   | ASA - \$500 CP; 6 hrs. CE                        |
| Cooley, Vikki D.        | SA663863000<br>(Candidate)                            | N/A (Candidate)                 | Bullhead City, AZ | 1994 Conv. for Bank Fraud, a FEL   | CO - 2yr PL/PM; sworn quarterly affidavits       |
| Cooper, Cassandra June  | SA663869000<br>(Candidate)                            | N/A (Candidate)                 | Peoria, AZ        | Conv. for Theft, shoplifting, a MISD in March 2015; Dismissed May 2016 upon completion of diversion program  | CO - 2yr PL/PM; sworn quarterly affidavits       |
| Crites, Diana           | BR513377000   | Crites & Associates             | Yuma, AZ          | Trust Account - Violation of Rules and Regulations   | ASA - \$750.00 CP; 6 hrs CE                      |



## DISCIPLINARY ACTIONS CONTINUED

| Name                  | License Number          | Brokerage at time of violation                       | Location       | Summary   | Order  |
|-----------------------|-------------------------|--|----------------|---|--|
| Dawson, Nancy         | SA520914000             | Realty Executives                                    | Scottsdale, AZ | UA  | CO - \$1000 CP; 6 hrs. CE  |
| Day, Devin            | BR580167000             | Good Day Real Estate LLC., dba Riverview Investments | Gilbert, AZ    | Violations of Rules and Regulations; Trust Account irregularities   | Cease and Desist   |
| Day, Linda Lou        | BR565170000             | Ten West Realty                                      | Ajo, AZ        | Trust Account Irregularities  | Surrender License in lieu of hearing   |
| Dmytrow, Lance        | BR544010000             | Phoenix Housing Group LLC                            | Tempe, AZ      | PM violations; trust account irregularities   | CO - CP \$4000; 2yr PL,; 12hrs CE; Surety Bond, monthly PM trust account reconciliation. |
| Engstrom, Carl        | BR535554000             | Carl Engstrom  | Carefree, AZ   | Late Disclosure   | ASA - \$400 CP   |
| Feldman, Adam         | BR582294000             | Helix Properties                                     | Phoenix, AZ    | Failure to supervise; trust account irregularities  | CO - \$6000 CP; 2yrs PL; 18HRS CE; SURETY BOND; monthly T/A reconciliations              |
| Felix, Alejandro      | SA578751000             | N/A  | Phoenix, AZ    | Failed to notify the Department of a conv for misd. DUI   | ASA - \$750.00 CP  |
| Felix, Anthony Ray    | SA665731000 (Candidate) | N/A (candidate)                                      | Mesa, AZ       | Conv. of DUI, class 1 MISD. in May 2007, Driving on a Suspended License, class one MISD. in Nov 2008.                   | CO - 2yr PL/PM, sworn quarterly affidavits.  |
| Fleming, Marcus       | BR575152000             | Redfin Corporation                                   | Chandler, AZ   | Violations of Rules and Regulations   | CO - \$4000 CP; 2yr PL; 12 hrs. CE   |
| Folb, Michael         | LC573947000             | Omni American  | Scottsdale, AZ | Property Management irregularities  | CO - \$3000 CP; 9 hrs. CE  |
| Freund, Karl          | BR586913000             | Kenneth James Realty                                 | Phoenix, AZ    | Failed to supervise   | ASA - \$500 CP   |
| Funk, Tawnia Sue      | BR007683000             | Foothills Property Management                        | Sedona, AZ     | Failure to report Electronic Storage; fail to produce requested sales file; fail to set up accounts as "trust" accounts | ASA - \$1,000 CP   |
| Gabbard, James Lanson | SA658771000 (Candidate) | N/A (Candidate)                                      | Phoenix, AZ    | 2012 Conv. for Extreme DUI, a MISD.; 2014 conv. for DUI, a MISD. and Endangerment, a FEL                                | CFO - License Denied   |
| Garcia, Danilo        | SA572370000             | N/A  | Phoenix, AZ    | 2015 plead guilty to Attempted Molestation of a child and Sexual Abuse, class 3 FEL                                     | CFO- License Revoked   |
| Gomez, Armando        | SA663936000 (Candidate) | N/A (Candidate)                                      | Surprise, AZ   | Conv.   | CO - 2yrs PL/PM; sworn quarterly affidavits  |
| Gothard, Tracy        | BR521622000             | EAC Realty   | Yuma, AZ       | Late disclosure for adverse civil judgment  | ASA - \$750.00 CP  |
| Grabe, Christopher A. | SA546989000             | HomeSmart, LLC                                       | Phoenix, AZ    | Conv of MISD Extreme DUI May 2016; MISD DUI conv in April 2014  | CO - 2 yr. PL/PM; sworn quarterly affidavits; participation in Support Group/ Counseling |

## DISCIPLINARY ACTIONS CONTINUED

| Name                    | License Number          | Brokerage at time of violation                   | Location       | Summary  | Order   |
|-------------------------|-------------------------|--|----------------|--|---|
| Graziano, Edward        | SA569799000             | VDH Investments / Max Excalibur                  | Scottsdale, AZ | Receiving compensation from other than the employing broker  | ASA - \$1000 CP   |
| Gubernick, Brian        | SA576658000             | Keller Williams Realty                           | Tempe, AZ      | Advertising violations   | ASA - \$1000 CP   |
| Guerra, Lamar           | SA660715000 (candidate) | N/A (candidate)                                  | Anthem, AZ     | 2000 conv. for Possession of Marijuana, a MISD.; 2016 Attempted Voyeurism, a class six undesignated FEL  | CFO - License Denied  |
| Guerriero, Anthony Paul | SA663981000 (Candidate) | N/A (Candidate)                                  | Mesa, AZ       | 1996 FEL Conv. Attempted possession of Marijuana and 2013 MISD. 3rd degree trespass  | CO - 2yr PL/PM, sworn quarterly affidavits.                 |
| Gunning, Tate S.        | SA663523000 (Candidate) | N/A (candidate)                                  | Tucson, AZ     | 2006 Conv. for Possession of Drug Paraphernalia, a class 6 undesignated FEL; 2007 Conv. for Possession of Paraphernalia (Methamphetamine), a class 6 FEL.; 2008 conv. for Possession of Marijuana, a class 6 FEL.; 2011 conv. for DUI, a MISD; 2015 conv. for dumping trash on a highway, a class three MISD | CFO - License Denied  |
| Hanawalt, Lisa          | BR100528000             | Abetter Realty.net, LLC, dba A Better Realty.net | Mesa, AZ       | Trust account irregularities; failure to cooperate   | CFO - revocation; \$2000 CP                                 |
| Heath, Brenda           | BR579734000             | Bear Creek Property Management & Assoc.          | Prescott, AZ   | Advertising violations   | ASA-\$1000 CP, 6hrs CE                                      |
| Herman, Paul A          | SA578933000             |  | Chandler, AZ   | Violations of Rules and Regulations  | ASA - \$2000 CP; 6 hrs. CE                                  |
| Ho, Ken                 | SA664596000 (Candidate) | N/A (Candidate)                                  | Gilbert, AZ    | 1994 Conv. for Forgery and possession of Stolen Property, FEL  | CO- 2 yrs. PL/PM; Sworn quarterly affidavits                |
| HONKON Realty LLC       | LC644826000             |  | Chandler, AZ   | Violations of rules and regulations and Trust Account irregularities; Property Management violations   | CO - \$4,000 CP jointly/severally; Close Honkon Realty.     |
| Jaramillo, Victor C.    | SA635769000             | N/A  | Phoenix, AZ    | UA   | CO - CP \$3000; 2yr PL/PM; quarterly affidavits; 12 hrs. CE |
| Jennings, William       | SA662530000 (Candidate) | N/A (Candidate)                                  | Scottsdale, AZ | July 2, 2010 conv of Extreme DUI, April 25,2012 conv of Extreme DUI, October 16,2014 conv of Extreme DUI   | CFO - license denied  |
| Johnson, Randall        | SA516901000 (expired)   | Valley Vistas Management Company                 | Scottsdale, AZ | UA   | Cease and Desist  |
| Joyce, Heather          | SA66228000 (Candidate)  | N/A (Candidate)                                  | Scottsdale, AZ | Conv.  | CFO - License Denied  |
| Kelso, Jeffrey          | Unlicensed              | Timeshare Clearing-house                         | Louisville, KY | UA   | Cease and Desist  |
| King, Jana              | BR529902000             | Kings and Associates Realty                      | Glendale, AZ   | Property Management violations; Trust Account irregularities   | ASA - CP \$1,500; 6 hrs. CE                                 |

## DISCIPLINARY ACTIONS CONTINUED

| Name                      | License Number          | Brokerage at time of violation                           | Location       | Summary   | Order   |
|---------------------------|-------------------------|--|----------------|---|---|
| Klinger, Garry,           | Unlicensed              | Property Management East Flower                          | Tucson, AZ     | UA  | Cease and Desist  |
| Kraemer, Jeffrey M        | SA645531000             | KLB Equity Brokers, LLC                                  | Phoenix, AZ    | Conv. for MISD. Extreme DUI April 2016; previously conv. 2010 DUI.  | CO - 2 yr. PL/PM; Sworn Quarterly Affidavits  |
| Lawton, Robert            | BR534325000             | All Points Real Estate                                   | Glendale, AZ   | Trust Account deficiencies  | CO- CP \$5000 J&S; 2Yr PL; quarterly affidavits; \$60K Surety Bond; 12 hrs. CE,             |
| Leary, Tracy              | SA653672000 (Candidate) | N/A (candidate)  | Tucson, AZ     | Failure to comply with an existing Consent Order  | CO -\$500 CP; extend PL/PM for additional 2 years.; sworn quarterly affidavits              |
| Lesser, Daniel            | BR034392000             | DCL Realty & Management                                  | Scottsdale, AZ | Trust accounts under funded; property management irregularities   | CFO - License Revoked   |
| Lesser, Lawrence          | BR545245000             | Lesser Associates, LLC                                   | Scottsdale, AZ | Trust Account Irregularities  | CFO - License Revoked   |
| Levario, Alan             | SA663607000 (Candidate) | N/A (Candidate)  | Tucson, AZ     | 2012 conv. for DUI MISD, 2015 conv. for disorderly conduct and 2nd degree criminal trespass                                       | CO - 2yrs PL/PM; Sworn quarterly affidavits   |
| Leyva, Francisco          | SA648273000             | WEST USA REALTY, INC                                     | Phoenix, AZ    | Conv.   | Surrender License in lieu of hearing  |
| Liebig, Ty Joseph         | SA661517000 (Candidate) | N/A (Candidate)  | Phoenix, AZ    | 1997 Conv. for Giving Dangerous Weapon to Child, a FEL; 1998 conv. for Knowingly Possess with Intent to Deliver Marijuana, a FEL. | CO - 2yr PL/PM; quarterly affidavits  |
| Lomax, Timothy            | Unlicensed              | Property Management East Flower                          | Tucson, AZ     | UA  | Cease and Desist  |
| Macilroy, David           | SA651034000             | CHECK US OUT PRESCOTT, LLC, KELLER WILLIAMS CHECK REALTY | Prescott, AZ   | UA  | ASA - \$350 CP; 6 hrs. CE   |
| Maestas, Amanda           | SA660892000 (Candidate) | N/A (Candidate)  | Flagstaff, AZ  | Conv.   | CFO-2 yrs. PL/PM; sworn quarterly affidavits  |
| Mahoney, Casey Brian      | SA663499000 (Candidate) | N/A (Candidate)  | Phoenix, AZ    | Conv. in 2007 for MISD Possession of Drug Paraphernalia; 2008 MISD Disorderly Conduct; 2009, MISD DUI; 2015 MISD DUI              | CO - 2 Yrs. PL/PM; Sworn Quarterly Declarations; participation in Support Group/ Counseling |
| Mancenido Enterprise, LLC | LC653785000             |  | Tempe, AZ      | Trust Irregularities  | Surrender License in lieu of hearing  |
| Masek, Jared Greig        | SA663225000 (Candidate) | N/A (Candidate)  | Tucson, AZ     | 2015 Conv. for DUI, a class 1 MISD; 2015 conv. for Driving without a valid license  | CO - 2yr PL/PM; quarterly affidavits  |

## DISCIPLINARY ACTIONS CONTINUED

| Name                       | License Number             | Brokerage at time of violation                | Location            | Summary  | Order   |
|----------------------------|----------------------------|---|---------------------|--|---|
| Meswain, Kristy            | SA661410000<br>(Candidate) | N/A (Candidate)                               | Anthem, AZ          | Conv.  | CO - 2yrs PL/PM; sworn quarterly affidavits   |
| Mcvinua, Douglas           | BR512549000                | Blue Sky Living                               | Gilbert, AZ         | PM Violation of Rules and Regulations, Trust Irregularities  | CO - \$4000 CP; 2yr PL; 12hrs CE; monthly PM trust account reconciliations          |
| Mulvena, Melody            | BR555351000                | SADDLEBROOKE PROPERTY MANAGEMENT LLC          | Tucson, AZ          | Late disclosure adverse judgment   | ASA- \$400 CP   |
| Murray, Jack               | SA553282000                | Roy H. Long Realty Company                    | Tucson, AZ          | Late disclosure of MISD DUI conv. with prior DUI conv.   | CO- \$1,000 CP; 2yr PL/PM; sworn quarterly affidavits;                              |
| Okla, Jadallah             | SA664887000<br>(Candidate) | N/A (Candidate)                               | Chandler, AZ        | 2008 Conv. for Aggravated Assault, a class three FEL.  | CO - 2yr PL/PM; quarterly affidavits  |
| Olson, Mark                | SA542076000                | Realty One Group, Inc.                        | Scottsdale, AZ      | Failed to notify within ten days of conv for MISD DUI  | ASA - \$400.00 CP   |
| Pavlik, James              | SA657175000<br>(Candidate) | N/A (Candidate)                               | Phoenix, AZ         | 2008 Conv of Battery, , 2009 conv. disorderly conduct, 2010 conv. extreme DUI, 2010 conv. DUI, 2011 conv. of Damage Property,      | CFO - License Denied  |
| Phistry, Samuel            | SA665088000<br>(Candidate) | N/A (Candidate)                               | Litchfield Park, AZ | 2006 conv. of DUI, a MISD 2007 conv. of under 21 with Liquor in body, a ,MISD 2008 conv. of driving on a suspended license, a MISD | CO - 2yr PL/PM; sworn quarterly affidavits  |
| Piazzola, Martino "Tino" A | SA581080000                | Diamond Resorts International Marketing, Inc. | Scottsdale, AZ      | Late Disclosure for March 2015 conv. for Reckless Driving, a class 2 MISD  | ASA - \$750.00 CP   |
| Porter, Reed               | BR013864000                | New Village Realty                            | Phoenix, AZ         | Failure to amend subdivision Public Report; no required signage  | CO CP \$2,000; 9 hrs. CE  |
| Poyner, Jason              | BR543102000                | Phx Prop. Group of AZ; PPG Prop. Mgmt. LLC    | Surprise, AZ        | Property management violations, unlicensed activity  | CO - \$10,000, joint and several; 2yr PL; 12hrs CE; Surety Bond; Monthly TA reports |
| Poyner, John               | BR633866000                | Phx Prop. Group of AZ; PPG Prop. Mgmt. LLC    | Surprise, AZ        | Property management violations, unlicensed activity  | CO - \$10,000, joint and several; 2yr PL; 12hrs CE; Surety Bond; Monthly TA reports |
| Prior, Kristina            | BR515401000                | Smith & Warren Development                    | Oro Valley, AZ      | Trust Account Irregularities   | CO - CP \$3000; 2yr PL; sworn quarterly affidavits; 12 hrs. CE                      |
| Pulis, Donald 'Casey'      | BR007050000                | AMERICA'S DIRECT REAL ESTATE AND MANAGEMENT   | Scottsdale, AZ      | PM violations,   | CO- \$2000 CP; 2yr PL; 9hrs CE; monthly TA reconciliations                          |



## DISCIPLINARY ACTIONS CONTINUED

| Name                           | License Number           | Brokerage at time of violation               | Location       | Summary  | Order  |
|--------------------------------|--------------------------|--|----------------|--|--|
| Quijano, David B               | SA652780000              | Caliber Realty Group LLC                     | Scottsdale, AZ | Late Disclosure for January 2016 conv. for exceed 85 mph, a MISD   | ASA - \$400.00 CP  |
| Realty Consultants of Prescott | C0002731000              | N/A  | Prescott, AZ   | Trust Account Irregularities; property management irregularities   | CO - CP \$5000 Joint and severally   |
| Rhodes, Jamil                  | SA664864000 (Candidate)  | N/A (Candidate)                              | Glendale, AZ   | 2009 convicted of Disorderly Conduct MISD 2013 No ID in Possession, Driving on a Suspended License and False Reporting, MISD   | CO - 2yr PL/PM; quarterly affidavits   |
| Robinson, Ryan                 | SA624105000              | WEST USA REALTY, INC                         | Phoenix, AZ    | May 12, 2016 convicted for Failure to Obey Police Officer and Resisting Arrest, both MISD 2009 convicted of Shoplifting, 2006 convicted Minor in Consumption of Alcohol. | CO- 2yrs PL/ PM; sworn quarterly affidavits; 6 hrs. CE                               |
| Ryland Homes of Arizona        |                          | N/A  | Phoenix, AZ    | Failure to amend subdivision Public Report   | CO - CP \$5,000; Submit corrected public report and notice all buyers                |
| Saunders, Scott                | SA596597000 (Candidate)  | N/A (Candidate)                              | Phoenix, AZ    | 2007 convictions for endangerment, Class 6 felony, DUI, class 1 misd., history of three DUIs   | CFO - 2yrs PI/PM License granted following hearing                                   |
| Saunders, Scott                | SA532081000 (Candidate)  | N/A (Candidate)                              | Phoenix, AZ    | Convicted of Endangerment, a class 6 FEL and DUI, a class 1 MISD, on April 6, 2007 from an incident that happened in 2002.   | Co- 2yr PL/PM; sworn quarterly affidavits  |
| Scott, Ryan                    | BR525466000; LC557397000 | The Transition Group, LLC                    | Gilbert, AZ    | Trust Account Irregularities   | CO- CP \$3000; 2yr PL, Surety Bond; 9 hrs. CE; monthly PM trust acct reconciliation. |
| Shandera, Margaret             | BR517293000              | Shadow Mountain Real Estate & Property Mgmt. | Phoenix, AZ    | Conversion of client funds; failure to maintain records  | CFO - Revoked, CP \$15,000   |
| Shockley, Lori                 | BR548187000              | SWO Real Estate                              | Tempe, AZ      | Misrepresentation; violation of Rules and Regulations  | CO - CP \$5,000; 2yr PL; 12hrs CE  |
| Shoemaker, Kyle                | SA660023000 (Candidate)  | N/A (Candidate)                              | Oro Valley, AZ | 2009 Conviction for Theft less than \$100, a MISD; 2012 conviction for Possession (not Marijuana), a FEL   | CO - 2yr PL/PM; quarterly affidavits; participation in Support Group/ Counseling     |
| Sprinke, Michael F.            | BR008585000              | AMHB Of Arizona                              | Phoenix, AZ    | Failure to notify Department of Adverse Judgment   | ASA - CP \$1,500; 9 hrs. CE  |
| Sypkens, Dennis                | SA644363000              | N/A  | Scottsdale, AZ | August 14, 2015, found guilty of: Aggravated Assault, a Class 3 FEL and Domestic Violence Offense.   | Order of Summary Suspension- License suspended                                       |
| Takacs, Joseph                 | BR527378000              | Vacation Resorts International, Incorporated | Oviedo, FL     | Late Disclosure- other jurisdiction sanction   | ASA - \$750.00 CP  |

## DISCIPLINARY ACTIONS CONTINUED

| Name                         | License Number          | Brokerage at time of violation | Location       | Summary  | Order   |
|------------------------------|-------------------------|--------------------------------|----------------|--|---|
| Tang, Winnie Hui             | BR578949000             | Mancenido Enterprises          | Tempe, AZ      | Trust Irregularities   | Surrender License in lieu of hearing  |
| Towne, Paula                 | SA555500000             | DPR Realty                     | Scottsdale, AZ | Conviction; aggravated DUI   | CO- 2yrs PL/PM; 2 yrs. support group/ counseling; sworn quarterly affidavits  |
| Trejo, Stephen               | SA644659000 (Candidate) | N/A (Candidate)                | Phoenix, AZ    | 2016 convicted of MISD DUI, 2005 convicted of MISD. DUI  | CO - \$750 CP, 2yr PL/PM; sworn quarterly affidavits  |
| Trevillian, Joshua           | SA633875000             | N/A                            | Phoenix, AZ    | Late disclosure- Conviction  | ASA - \$400 CP  |
| Trinity Property Consultants | Unlicensed              |                                | Phoenix, AZ    | Unlicensed activity  | CO- \$3000 CP; obtain license within 60 days  |
| Trune, Deshawn               | SA664396000 (Candidate) | N/A (Candidate)                | Phoenix, AZ    | 2012 Convicted of DUI, a MISD<br>2011 Minor-Purchase/Consume/ Possess Alcohol, MISD                  | CO - 2yr PL/PM; quarterly affidavits; participation in Support Group/Counseling   |
| Tsang, Wai K.                | BR549029000             | HonKon Realty, LLC             | Chandler, AZ   | Violations of rules and regulations and Trust Account irregularities; Property Management violations | CO - \$4000 CP jointly/severally; 2yr PL/PM; sworn quarterly affidavits; prohibited from Property Management; Close Honkon Realty; 9 hrs. CE. |
| Uhlig, Jennifer              | SA659038000             | ZAT REALTY, LLC                | Phoenix, AZ    | Advertising violations   | ASA - \$500 CP; 3 hrs. CE   |
| Viken, John E.               | SA635365000             | N/A                            | Yuma, AZ       | False or misleading application; failure to disclose DUI conviction from 2007.                       | CO - 2yr PL/PM; sworn quarterly affidavits; CE 12 hrs.  |
| Vredevoogd, Suzette          | BR100787000             | Arizona Advantage Properties   | Chandler, AZ   | Violations of Rules and Regulations  | ASA- \$2000 CP; 6hrs CE   |
| Walters, Dustin              | SA637237000             | SRL Group                      | Laveen, AZ     | Trust Account Irregularities   | CFO - License Revoked   |
| Warbritton, Jim A.           | SA507945000             | Richmond American Homes of AZ  | Phoenix, AZ    | Misrepresentation; violation of Rules and Regulations  | CO - CP \$1500; 2yr PL/PM; quarterly affidavits; 12 hrs. CE   |
| White, Lucinda               | SA528143000             | N/A                            | Youngtown, AZ  | Late Disclosure of July 2014 conviction for Disorderly Conduct - Noise, a MISD                       | ASA - CP \$750.00   |
| Wildlife Corridors           | Unlicensed subdivision  |                                | Sonoita, AZ    | Illegal Subdivision  | CO - \$1000 CP  |
| Willard, Marsha              | BR013827000             | Marsh Management & Real Estate | Chandler, AZ   | Trust Account Irregularities   | CO - \$5000 CP; 2 yr. PL/PM; 12 hrs. CE; monthly TA reconciliations   |

## DISCIPLINARY ACTIONS CONTINUED

| Name               | License Number | Brokerage at time of violation | Location       | Summary  | Order  |
|--------------------|----------------|--------------------------------|----------------|--|--|
| Yuzuik, Shane L.   | SA656157000    | Valley King Properties         | Centralia WA   | Violation of Rules Regulations and criminal conviction for Theft, First Degree, a FEL. and Unlawful Factoring of a Credit Card or Payment Card Transaction in Washington State, in June 2015 | CFO - CP \$2K following revocation of license          |
| Zelaya, Heather A. | SA586299000    | Tempe Realty 1, LLC            | Tempe, AZ      | Conviction in March 2016 for DUI, a class 1 MISD Previous disclosure in February 2011 of conviction for MISD, DUI.   | CO - 2yr PL/PM; sworn quarterly affidavits; CE 6 hrs.  |
| Espinoza, Mario T  | BR509316000    | SLP Realty LLC                 | Scottsdale, AZ | Trust Account & Property Management irregularities; Rule Violations; failure to comply with a Commissioner's Order   | Surrender License in lieu of an Administrative Hearing |
| SLP Realty LLC     | LC627348000    | SLP Realty LLC                 | Scottsdale, AZ | Trust Account & Property Management irregularities; Rule Violations; failure to comply with a Commissioner's Order   | Surrender License in lieu of an Administrative Hearing |

## OUT-OF-STATE BROKERS CONDUCTING REAL ESTATE BUSINESS IN ARIZONA WITHOUT A LICENSE.....

ADRE has recently received several complaints regarding out-of-state Brokers listing/marketing Arizona properties, and/or representing Buyers in buying Arizona properties, without an Arizona Real Estate License. And, of course, in most cases, this is considered “unlicensed real estate activity”, and when the complaint is written, the ADRE must investigate the activity. A “Cease and Desist” (C&D) order is usually issued against the out-of-state Broker, which is also sent to the licensing agency in their state.

The complaint, investigation, and the C&D order can be avoided when an Arizona licensed Broker, and the out-of-state Broker enter into a written cooperation agreement before the out-of-state Broker conducts any activity requiring an Arizona Broker’s license. The cooperation agreement must include all of the stated requirement of A.R.S. 32-2163, “Unlawful acts; out-of-state broker; cooperation agreement”.

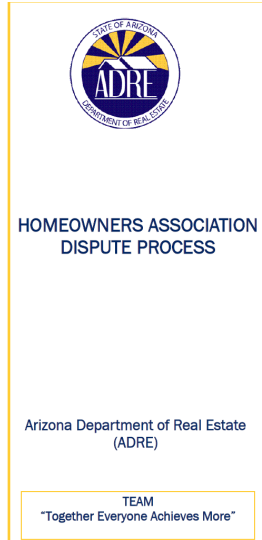
The Arizona Broker must accept all responsibility for the acts of the out-of-state Broker, and, all compensation must be paid through the Arizona Broker, with the Arizona Broker then paying the out-of-state Designated Brokerage, (not a licensee who is not the Designated Broker for the Designated Brokerage).

These guidelines do not preclude an Arizona Broker from compensating an out-of-state Broker with a referral fee paid to the out-of-state Designated Broker.

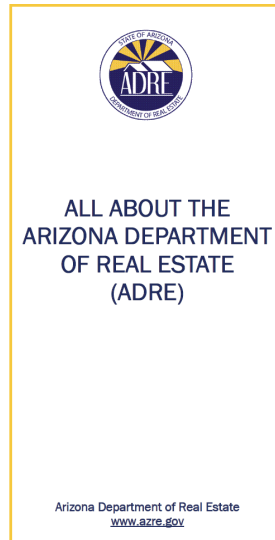
Statutory guidelines, similar to Arizona, are already included, or are being adopted into the real estate laws of many other states, If you are an Arizona licensee wishing to do real estate activity in another state... check the other state’s real estate laws.



The ADRE has updated trifold brochures! Click the linked titles below to view the electronic version on [www.azre.gov](http://www.azre.gov).



[Homeowners Association](#)



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**The ADRE Mission**

The purpose of the department is to protect the public interest through licensure and regulation of the real estate profession

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*An official publication of the State of Arizona*

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