



Georgia

Real Estate

Commission

Fiscal Year 2023

Annual Report



**GEORGIA
REAL ESTATE
COMMISSION**

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JERRY WARSHAW
Vice Chair

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BRENDA THOMPSON

STAFF

LYNN DEMPSEY
Real Estate Commissioner

CRAIG COFFEE
Deputy Real Estate Commissioner

January 2, 2024

The Honorable Brian Kemp
Governor, State of Georgia
Georgia State Capitol
Atlanta, Georgia 30334

Dear Governor Kemp,

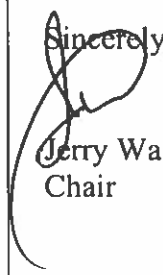
Pursuant to the Official Code of Georgia Annotated §43-40-2 (g), I submit the Annual Report of the Georgia Real Estate Commission, ("the Commission," or the "Agency") for the fiscal year July 1, 2022, through June 30, 2023 ("FY 2023"). This report includes: (1) a summary of actions taken by the Commission; (2) a financial report of Income and Disbursements; (3) staff personnel; (4) the number of persons licensed by the Commission; and (5) steps taken in education and research to disseminate information so all licensees can be better informed to protect the public.

Since the Commission also provides administrative support for the Georgia Real Estate Appraisers Board (GREAB), I have included separate information concerning it though the budgets are combined.

FY 2023 ended with a real estate licensee population of 114,673. This is an increase of 2,391 licensees from FY 2022. FY 2023 ended with an appraiser population of 4,331. This is an increase of 73 appraisers from FY 2022. The licensee population increased in FY 2023 as the number of individuals becoming licensed increased and this offset the number of individuals choosing not to renew a license.

By law, no general State tax revenues may be used to support our Agency's operations. All funding comes from license fees together with retained revenue (reimbursed for disciplinary actions). Because of an increase in the licensee population in FY 2022, the Agency returned a surplus to the state.

Sincerely,


Jerry Warshaw
Chair

GEORGIA REAL ESTATE COMMISSION

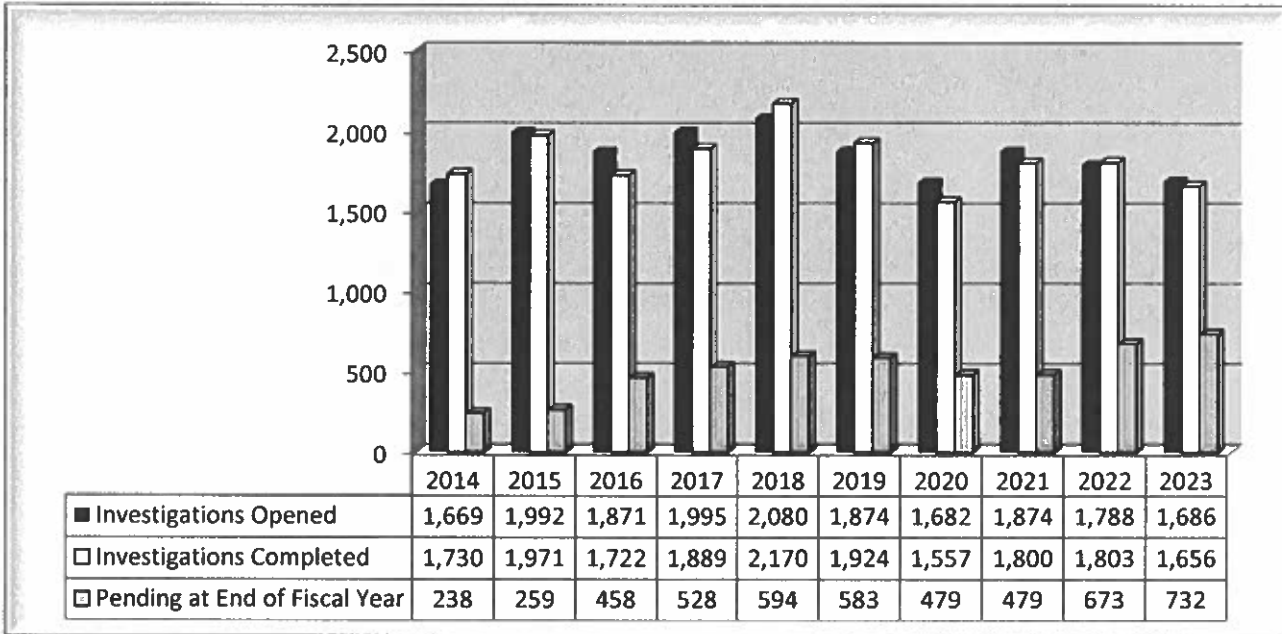
GEORGIA REAL ESTATE APPRAISERS BOARD

FISCAL YEAR 2023 ANNUAL REPORT

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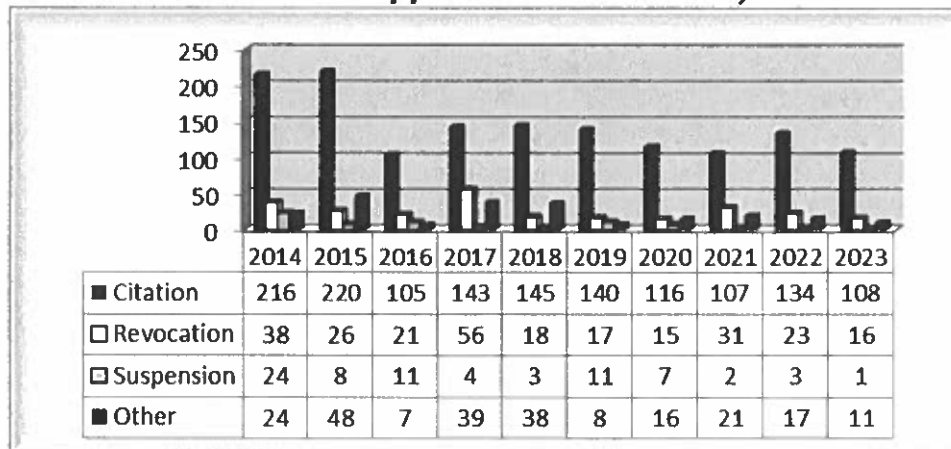
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Agency Investigative Statistics by Fiscal Year
(Includes Real Estate Commission and Appraisers Board Cases)



In addition to written Requests for Investigations, the Commission’s staff answers a number of questions daily, including complaints and inquiries received from telephone or walk-in individuals. The staff resolves most of these informal matters rapidly to the satisfaction of the public. Many complaints involve contract disputes and require legal assistance. In those instances, the staff recommends that the complaining party seek legal counsel or consider pursuing the matter in court for appropriate action.

Agency Disciplinary Actions Imposed by Fiscal Year
(Includes Real Estate Commission and Appraisers Board Cases)



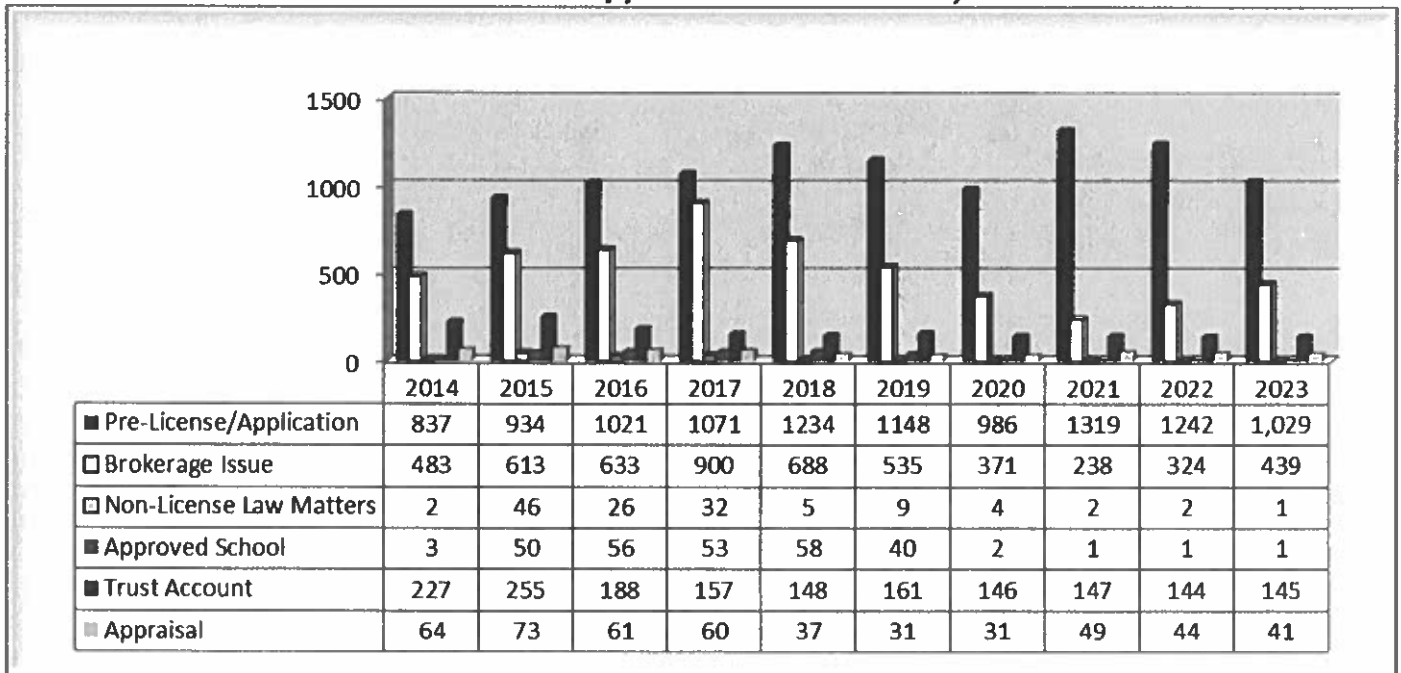
Disciplinary Actions include Citations (generally for less serious violations – 108 in FY23) or Sanctions (for more serious violations – 17 in FY23). The Commission also has an option to send “Letters of Findings” to licensees when an investigation reveals only technical license law violations that involve no harm to the public.

The Commission and Board uses Consent Orders to resolve contested cases. Where there is little dispute regarding the facts in a case and the parties agree on the sanction to be imposed, the Commission and Board use the Consent Order to save parties the time and the expense of a full, formal hearing before an Administrative Law Judge. Most cases are resolved without a formal hearing. Eight hearings were scheduled to be heard before an Administrative Law Judge in FY23 and five hearings were held.

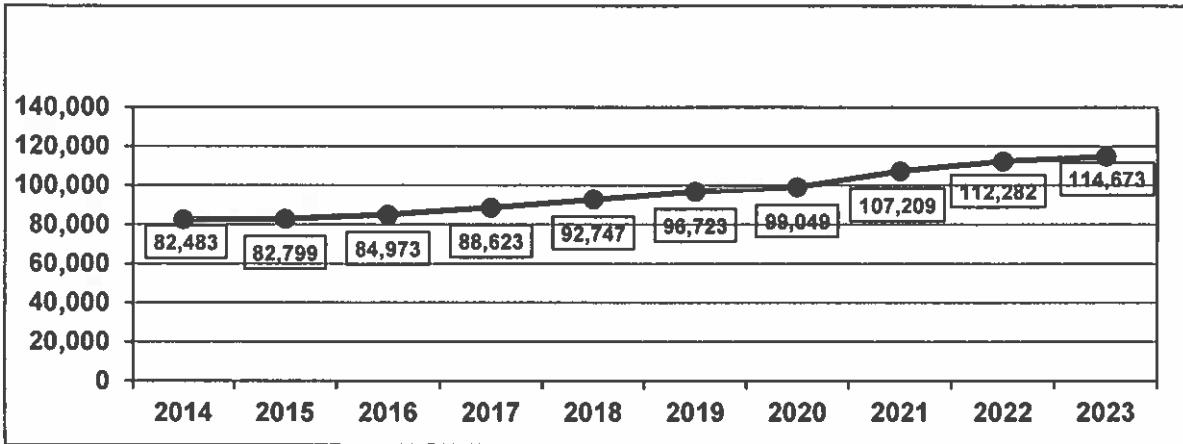
Fines and Disciplinary Costs Reimbursements Collected

GEORGIA REAL ESTATE COMMISSION & APPRAISERS BOARD			
	GREC	GREAB	AGENCY
FINES	\$23,350	\$4,900	\$28,250
DISCIPLINARY COSTS REIMBURSEMENTS	\$83,150	\$16,500	\$99,650

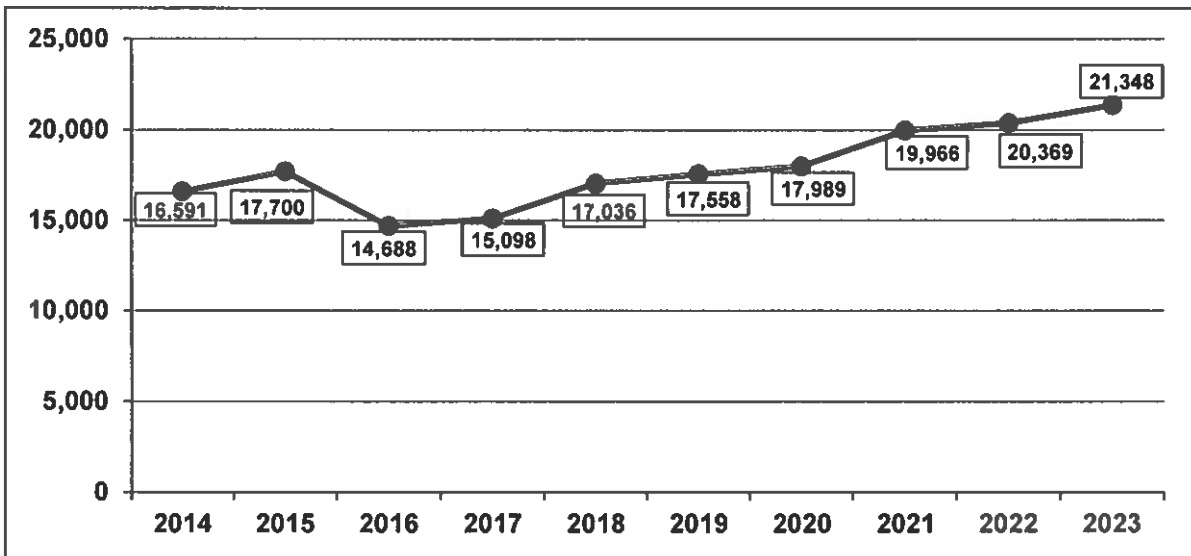
Agency Investigations Completed by Fiscal Year and Type (Includes Real Estate Commission and Appraisers Board Cases)



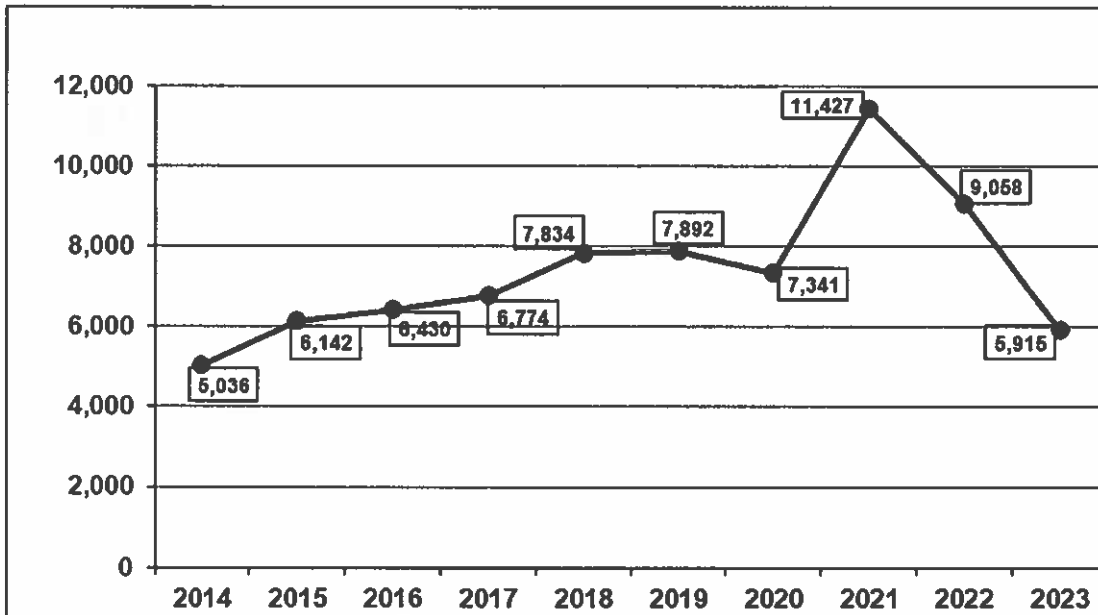
Real Estate Licensees by Fiscal Year



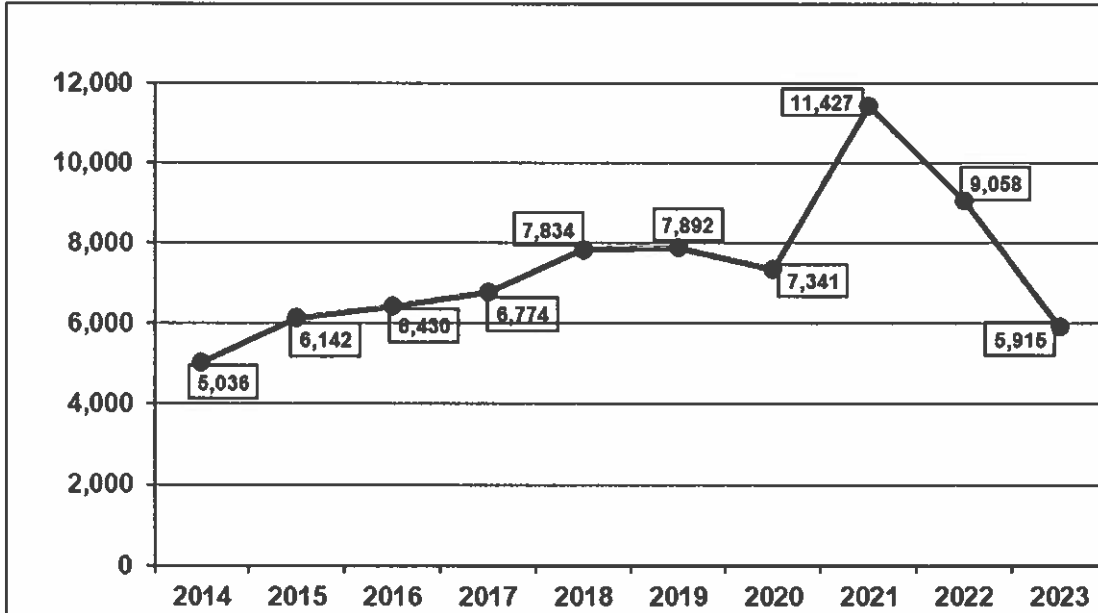
Real Estate License Renewals by Fiscal Year



New Resident Real Estate Licenses Issued by Fiscal Year



New Non-Resident Real Estate Licenses Issued by Fiscal Year



Agency's Separate Budget Unit Status

A 1977 court ruling and subsequently adopted state statutes require that the Commission's budget for direct and indirect costs approximately equal its revenue collections. Revenue collections are fees paid by licensees for both new licenses and the renewal of existing licenses. Direct costs include expenses for which the Commission directly pays; for example, salaries, rent, computer charges, administrative law courts and Special Assistant Attorney Generals (SAAGS) for legal work on disciplinary cases. Indirect costs include the Office of the Georgia Attorney General for additional legal work and the Georgia Secretary of State for Human Resources services. In past years, The Governor's Office of Planning and Budget (OPB) and the Legislative Budget Office (LBO) have instructed the Commission to base its proposed budget so that the State's appropriation to it equals approximately 85% of its income. The 15% difference retained by the State pays the indirect costs.

If the Commission's fee income significantly exceeds the State's appropriations to it, it must reduce fees charged to licensees. Conversely, if fee income falls significantly below the State's appropriations to it, the Commission must increase fees to licensees.

In 1990, the State of Georgia created the Georgia Real Estate Appraisers Board (GREAB). The Commission performs similar services for appraisers as it does for the real estate licensees. It regulates, educates and disciplines appraisers in the same manner as real estate licensees. The budget for the Commission includes the fee income and cost of the GREAB.

From the years 2000 through 2008, the fee income from real estate and appraiser licensees significantly exceeded the Agency's expenditures. This was due to a significant increase in new licensees. However, the licensee population started declining in FY08 and the decline continued until FY15, which showed a slight increase of 171 licensees. From FY16 to FY20 the licensee population increased by approximately 16,000 licensees.

In FY21, there was an increase of 8,160 licensees.

In FY22, there was an increase of 5,073 licensees.

In FY23, there was an increase of 2,393 licensees.

In addition to the amounts appropriated by the State each year to the Commission, the Commission is allowed by law to retain revenue collected from disciplined licensees to reimburse the Commission for its administrative, investigative, legal costs and expenses ("Retained Revenue").

**Report of Revenues Collected and Amounts Expended by the
GREC & GREAB for Amended FY 2023**

Revenue

\$4,063,171	Revenue from Real Estate Licensees (New, Renewals, Reinstatements, Penalty Fees & <u>Recovery Fund</u>)
(-\$ 203,843)	Required Deposit into <u>Recovery Fund</u> derived from New Real Estate Licensees
\$ 474,335	Revenue from Appraiser Classifications and Appraisal Management Company's (New, Renewals, Reinstatements & Penalty Fees)
\$ 99,650	Retained Revenues (Cost Reimbursement from Real Estate and Appraiser Licensees for Disciplinary Actions) (<u>Included carryover of \$0 from previous years</u>)
<u>\$4,433,313</u>	Total Revenue of the GREC & GREAB

Expenditure (Note: Expenditures by the Commission are limited by law to funds appropriated from the State Legislature and Retained Revenues)

\$2,981,528	AFY 2023 State Appropriation
<u>\$ 99,950</u>	Retained Revenues (Included carryover of \$0 from previous years)
\$ 3,081,178	Total Amount Limited by Law for Spending by the GREC & GREAB
(<u>-\$3,079,268</u>)	Total Amount spent by the GREC & GREAB
\$ 1,910	Unspent Funds from Appropriated Funds and Retained Revenue
<u>\$4,389,646</u>	Total Revenue Collected by the GREC & GREAB
(<u>-\$3,081,178</u>)	Total Limited by Law for Spending by the GREC & GREAB
\$ 1,308,468	Excess Revenue collected from Real Estate and Appraiser Licensees over Appropriated Funds and Retained Revenue
\$ 1,910	Unspent Funds from Appropriated Funds and Retained Revenue
(<u>-\$ 450,000</u>)	<u>Estimated</u> Cost of Human Resource services provided by the Secretary of State and of legal services provided by the Attorney General (Attorney General - \$225,000) (Secretary of State - \$225,000)
\$ 860,378	<u>Estimated</u> Excess Revenue from Real Estate and Appraiser Licensees deposited into the State Treasury

Education, Research and Recovery Fund ("Recovery Fund")

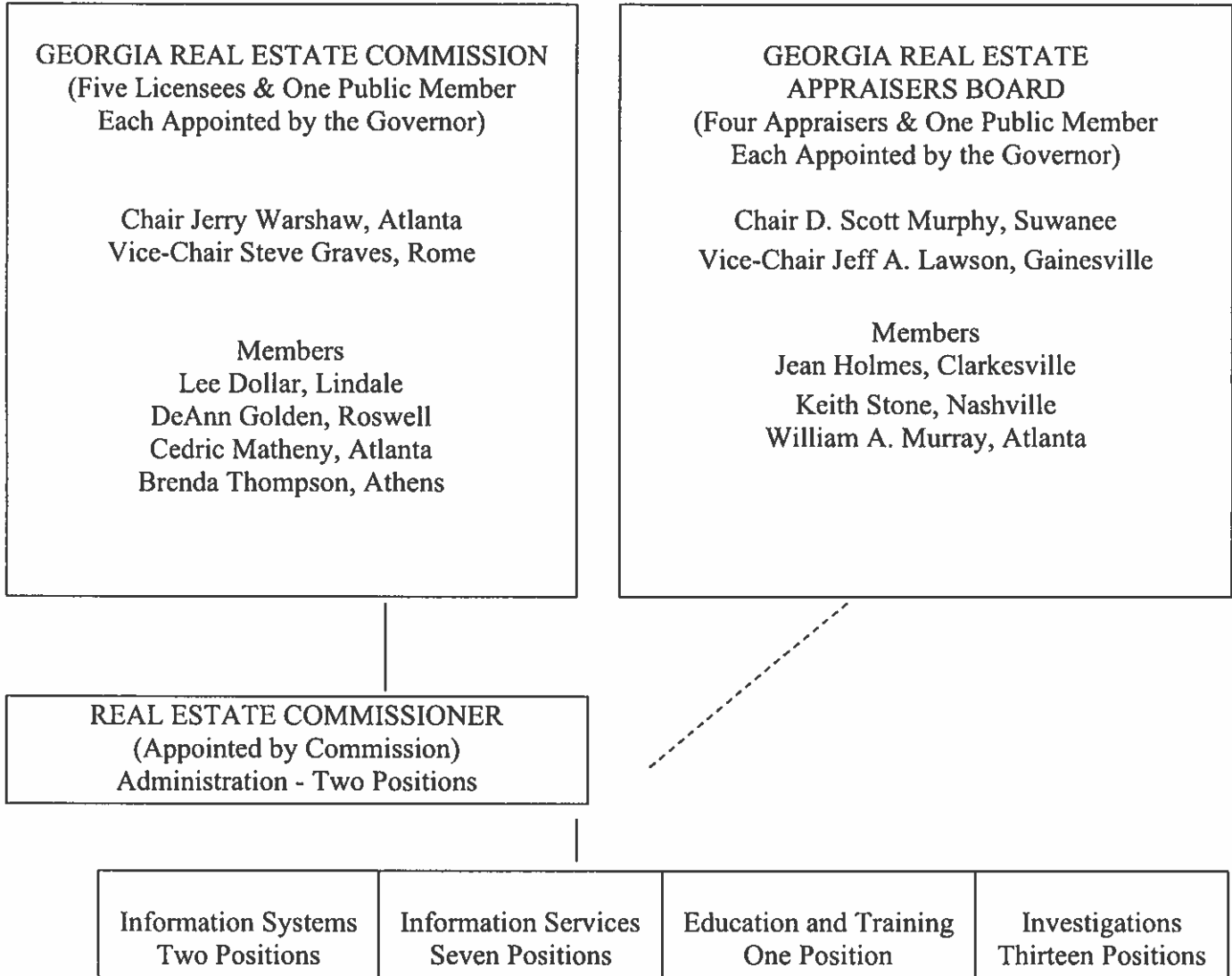
The Recovery Fund is funded from a one-time \$20.00 fee for each original real estate license issued and any interest earned in the fund. The Recovery Fund is used to reimburse non-licensees who have been harmed by a licensee but cannot recover from the licensee after obtaining a judgment against the licensee through the courts. The fund is also used to underwrite the cost of developing real estate courses, conducting real estate seminars, conducting real estate research projects, publishing and distributing real estate educational material, and for education research programs for the benefit of real estate licensees and the public. The Commission is required by law to keep a minimum balance of \$1,000,000.00 in the Recovery Fund. At the end of FY 2023, the Recovery Fund balance was \$2,228,990.

Fiscal Year	Income		Disbursements				Balance
			Judgments Paid & Collection Costs		Education & Research Contracts		
	Licensee Payments	Interest Earned	Number of Judgments	Amount	Number of Contracts Awarded	Amount	
2012	\$73,520	\$3,205	0	\$0	11	\$357,411	\$1,748,975
2013	\$83,560	\$3,374	0	\$0	10	\$310,813	\$1,525,096
2014	\$112,660	\$4,182	0	\$0	8	\$150,866	\$1,491,072
2015	\$133,380	\$3,046	1	\$7,932	7	\$93,423	\$1,526,143
2016	\$150,820	\$5,592	0	\$0	7	\$118,957	\$1,563,598
2017	\$167,000	\$5,827	0	\$0	7	\$118,858	\$1,617,567
2018	\$169,613	\$5,977	0	\$0	6	\$117,057	\$1,676,100
2019	\$202,700	\$7,350	1	\$25,000	6	\$125,798	\$1,735,352
2020	\$183,548	\$6,410	0	0	5	\$97,090	\$1,828,220
2021	\$268,125	\$7,018	0	0	6	\$89,332	\$2,007,229
2022	\$245,036	\$6,802	1	\$25,000	6	\$62,972	\$2,171,095
2023	\$203,843	\$6,506	0	0	6	\$152,454	\$2,228,990

Recovery Fund Contracts FY 2023

Online CE		Classroom CE		Publications		Training	
Brokerage	\$9,200	Common Violations	\$15,400	Electronic Newsletter	\$9,600	GREC School Meeting	\$25,108
Trust Accounts	\$9,200	Brokerage & Trust Accounts	\$21,394			GAR Scholarship Foundation	\$30,000
Common Violations	\$9,200					GIT Workshop	\$3,950

Organizational Chart



Permanent Employees and Their Years of Service as of June 30, 2023

Lynn Dempsey, Real Estate Commissioner (7)
 Craig Coffee, Deputy Real Estate Commissioner (22)

Frank Ambio (17), Projects Manager
 Deborah Dupree (37), Administrative Clerk
 Tia Griffin-Barnes (16), Investigative Assistant
 Teresa Holder (25), Director of Information Systems
 Felicia Hubbard (28), Information Services Manager
 Letitia Jackson (11), Investigations Area Supervisor
 Jennifer Jones (17), Administrative Clerk
 Josephine Lee (16), Auditor Compliance

Mark Palm (2), Investigator
 Shin Shin Liu (22), Network Specialist
 Shonda Mason (24), Investigations Area Supervisor
 Jazmine McRae (5), Investigator
 Jon Snelling (11), Investigator
 Kimberley Wimby (23), Compliance Investigator
 Kim Yarrington (1), Education Advisor
 Vacant Positions (8)

Strategic Plan

The Agency's Mission

The mission of the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board is to ensure professional competency among real estate licensees and appraisers and to promote a fair and honest market environment for them, their customers and clients, and the citizens of Georgia.

The Agency's Vision

For the public to encounter educated, knowledgeable, and ethical professionals and for those professionals to be able to obtain license renewals in an expeditious manner.

Core Values

To protect the public in maintaining a fair and honest market for real estate transactions in Georgia.

FY23 Strategic Plan

Objective	Action Items	Measurable Objective (s)	Strategy
<p>Applicants for licensure will submit original license applications through an online portal accessed through our Agency website.</p> <p>The processing and storage of the applications will be paperless.</p>	<p>Year 1 - In FY22 we implemented scanning procedures and paperless storage for all agency applications.</p> <p>Year 2- In FY23, we designed the ability of the Agency to accept credit cards electronically for the applications.</p> <p>Year 3- In FY24, we will design the real estate applications and launch the portal</p>	<p>Completed</p> <p>Completed</p> <p>Real Estate Licensees will be able to submit paperless applications by June 30, 2024.</p>	<p>The Agency's Project Manager and the Information Technology (IT) Department will work with a private vendor, available through a state contract, to develop the online portal.</p>
<p>Commission staff will work with our current private exam company, PSI, and licensed Georgia brokers from across the state to develop and administer a new licensing exam for real estate brokers.</p> <p>A complex multiple-choice exam will replace the current scenario-based exam.</p>	<p>Develop New Broker Exam Content Outline.</p> <p>Develop Item Bank of Broker Exam Questions.</p> <p>Administer new Broker exam and monitor exam statistics.</p>	<p>Completed Winter 2022</p> <p>Completed Spring 2023</p> <p>Brokers will be licensed by the complex multiple-choice exam by January 1, 2024.</p>	<p>The Agency's Education Advisor and the Deputy Commissioner will be responsible for this project.</p>
<p>Initiative to Hire Qualified Employees to Fill Agency Vacancies</p>	<p>Use State Temporary Agency "Focus" to Identify Potential Call Center Employees for the Agency</p> <p>Evaluate Existing Job Descriptions and Qualifications for Investigators</p>	<p>In FY24 Fill 3 Vacant Positions in the Agency's Call Center with Qualified Individuals</p> <p>In FY24 Fill 2 Vacant Positions in the Agency's Investigative Department with Qualified Individuals</p>	<p>Licensing Department Manager and the Deputy Commissioner</p> <p>Investigation Department Managers and the Deputy Commissioner</p>

SECTION 1: PROGRAM RESULTS AND MEASURES

- 1.1. **Agency Name:** Georgia Real Estate Commission
Georgia Real Estate Appraisers Board
- 1.2. **Program Name:** Regulation, through licensing, education, and disciplining of real estate licensees and real estate appraisers.
- 1.3. **Program Purpose:** To protect the public and other licensees by regulating real estate licensees and real estate appraisers.

SECTION 2: PROGRAM GOALS DESIRED RESULTS AND RESULTS MEASURES

- 2.1 **Goal 1:** Real estate licensees and real estate appraisers will be qualified and provide competent service.
- 2.2 **Desired Result 1.a:** Conducting investigations of the activities of licensees ensures professional competence and promotes a fair and honest market environment

Actual Results 1.a				
Number of Agency Investigations Completed in a Fiscal Year				
FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
1,924	1,557	1,800	1,803	1,656

Desired Result 1.b:

Georgia's passing rates on the qualifying examinations to be within 5 points of the average passing rates of other states giving the same examinations; thereby ensuring that persons successfully passing the exam are minimally qualified to practice real estate brokerage activities.

FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
3% above	4% above	5% above	4% above	4% above

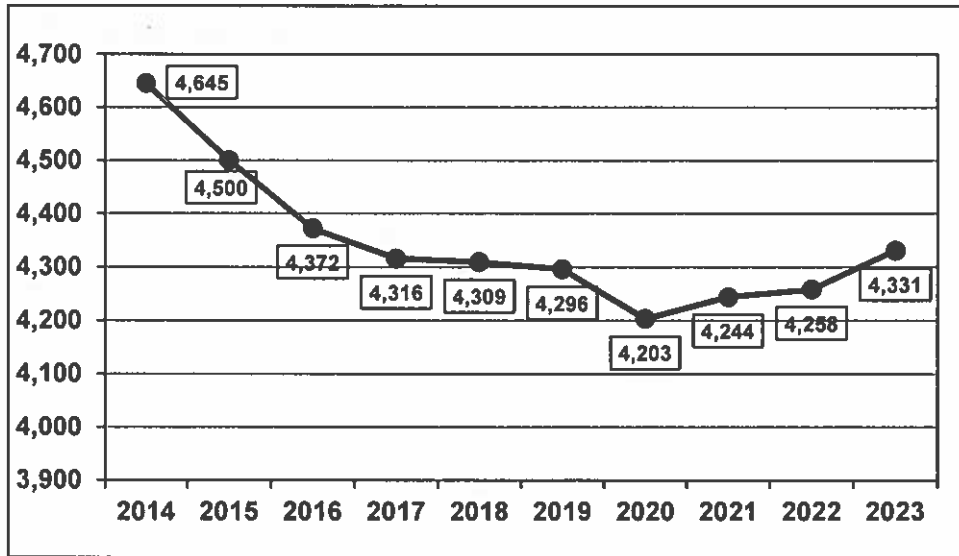
Goal 2:

Staff will process all applications submitted to the agency within five business days or less.

Actual Results 2 Service Provided	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
All completed applications will be processed by the staff within five business days of receipt.	97%	95%	90%	93%	94%

Georgia Real Estate Appraisers Board

Appraisers by Fiscal Year



GREAB Disciplinary Actions Imposed by Fiscal Year

