March 2023 Volume 19 Issue 3 Monthly Newsletter of the Georgia Real Estate Commission

GREC RENews

2023 Calendar

Georgia Instructor Training Workshop (GIT) October 16-17, 2023 Atlanta, GA Click for More Info.

Link to GREC
Disciplinary Actions
View Current
Suspensions and
Revocations

To sign up to receive the GREC RENewsletter Click Here

<u>Link to</u> <u>Proposed Rule</u> Changes

Georgia Real Estate Infobase

<u>Click Here</u>



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Activities of the Georgia Real Estate Commission

The Commission is continuing to experience an increase in the number of licensing applications over the last year and a half. The Commission has been processing 800 new Licenses per month. Currently, there are over 114,00 Licensees, of which 97,228 are Active Real Estate Licensees. The breakdown is as follows:

| Active Licenses Breakdown | | |
|---------------------------|--------|------|
| Brokers | 19,475 | 20% |
| Salespersons | 65,250 | 67% |
| CAM | 518 | 1% |
| Corporations | 3,607 | 4% |
| Partnerships | 6,542 | 7% |
| Sole Proprietorships | 1,783 | 2% |
| LLC's | 54 | 0% |
| | 97,229 | 100% |

Although some real estate Licenses lapse or go inactive, there is still a net increase of 4,423 Active Licensees in the last year and half, since October 2021.

In comparison, Appraiser License classifications have remained consistent at 3,800 active Licensees.

The Commission is adding positions to the existing staff of 26 to accommodate over 7,000 calls per month as well as processing applications, investigations, and other activities. There are currently 3 Job Opportunities available at the Georgia Real Estate Commission.

Education Advisor Click for More Information

Investigator Click for More Information

Information Specialist Click for More Information

| March 2023 Meeting - Commission Actions Taken | |
|--|----|
| Cases Sent to the Attorney General for Review and Disposition by Consent Order or by Hearing | 2 |
| Cease & Desist Orders Issued | 1 |
| Citations Issued | 10 |
| Letter of Findings Issued | 0 |
| Consent Orders Entered Into | 1 |
| Final Orders of Revocation of Licensure | 0 |
| Cases Closed for Insufficient Evidence or No Apparent Violation | 6 |
| Licensing Cases - Applicant has a Criminal Conviction - License Issued | 12 |
| Licensing Cases - Applicant has a Criminal Conviction - License Denied | 2 |
| Total | 34 |

SUBMIT

Comments & Suggestions

Online Courses from GREC

\$10 each
3 Hour CE
Course
Total of 9
Hours CE
Available

(Approved as License Law CE and approved as Instructor CE)

> "Avoiding Trust Account Trouble"

"Practicing Real Estate & Staying Out of Trouble"

"Being a Broker and Staying Out of Trouble" Click Here

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Members of the Georgia Real Estate Commission

"The Georgia Real Estate Commission administers the <u>license law</u> that regulates brokers, salespersons, and community association managers. In addition, the Real Estate Commission supplies staff support to the Georgia Real Estate Appraisers Board but has no authority over the administration of the Georgia Appraisal Act.

As a regulatory body, the role of the Commission is not to protect the industry or the profession that it regulates nor to protect consumers. It is not the role of regulators to be advocates for either a profession or consumers. Instead, the role of the regulators is to protect the public interest."

The Commission is made up of members appointed by the Governor. Five members are in various facets of real estate, such as residential, commercial, and apartment management, one member is a consumer advocate in a field not related to the practice of real estate. The Commissioner and the Deputy Commissioner work with direction from the Commission members.

Chair Mr. Jerry Warshaw Atlanta, GA Mr. Steve Graves Vice Chair Rome, GA Member Ms. DeAnn Golden Roswell, GA Member Mr. Cedric Matheny Atlanta, GA Member Ms. Brenda Thompson Athens, GA Public Member Mr. Lee Dollar Lindale, GA

Georgia Real Estate Commissioner Mr. Lynn Dempsey
Deputy Real Estate Commission Mr. Craig Coffee

AMK

Absolutely Must Know

Brokers must maintain records and documents for **three (3) years** and must make them available to an authorized agent of the Commission upon request. Brokers that must keep such records include:

- a) Any **Broker** identified in a sales contract, brokerage engagement, closing statement, lease or other document related to a real estate transaction;
- Any Broker Firm that participates in the negotiations involving a sales contract, brokerage engagement, lease, or other contractual document related to a real estate transaction; and
- c) Any Broker that maintains a Trust Account.

The records must be kept from the time of the final transaction. For example, if a lease ends in 10 years, the records must be maintained for 13 years.



Focus on Terminology: "Copies of Records"

"Copies" of records can be maintained in any record storage system that uses paper, film, electronic, digital, or other media. However, whatever media is used, the key is that it must be able to be produced and available to an authorized representative of the Commission upon their reasonable request and at a reasonable cost to the Commission.

Trust Account records and Property Management records are often in an Accounting program or system, but the Commission accepts paper ledgers as well. Records of any real estate related transaction, or contractual agreement must be maintained for three (3) years.