



GEORGIA REAL ESTATE COMMISSION

229 Peachtree Street, N. E
International Tower Suite 1000
Atlanta, Georgia 30303-1605

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Request for an Investigation

Instructions

Complete and submit the attached REQUEST FOR INVESTIGATION form (page 2). Submit a separate REQUEST FOR INVESTIGATION form for each person to be investigated.

Include all items listed on the checklist provided below. Incomplete requests will be returned.

- The Property Address** involved in the transaction.
- The Date of the Transaction.** (Note: Statute of Limitation is 3 years from event)
- Request For Investigation Form** (Page 2) signed by Requestor and notarized by a Notary Public.
- A Statement of Facts** – a written statement on the matter to be investigated with supporting documents.
(The Commission cannot investigate the following: matters of a dispute on earnest money entitlement, property repairs, commission fee disputes between licensees or property appraisals.)

Investigative Process

If you request an investigation of what you believe are illegal actions by a real estate broker, associate broker, salesperson, a community association manager, a school director/instructor while offering a real estate course, and/or unlicensed persons performing the acts of a broker, the Commission will:

1. Investigate the matter only for issues related to the real estate license law;
2. NOT settle monetary disputes regarding such matters as to which party is entitled to earnest money, getting repairs done, or Commission fee disputes between licensees;
3. Have its investigator gather appropriate physical evidence and interview any persons who can provide relevant information regarding the event(s) involved in the transaction or actions of the licensee;
4. Take appropriate action if the investigation reveals sufficient evidence that a person violated the real estate license law. Such actions may include holding a formal hearing at which the Commission may subpoena you to testify under oath; and
5. Notify you in writing of its final decision regarding the investigation.

Request for Investigation

Mail to: INVESTIGATIONS
Georgia Real Estate Commission
Georgia Real Estate Appraisers Board
Suite 1000 – International Tower
229 Peachtree Street, N.E.
Atlanta, Georgia 30303 -1605

Date: _____

Person(s) requesting investigation

Requestor's Name (print or type)

Address

City State Zip Code

Home Phone

Cell (or other) Phone

Email address

Address of Subject Property

Comes now the above-named person(s) requesting an investigation and alleging that the above-named while engaged in the business and acting in the capacity of a real estate licensee did: **(Give a brief statement of the facts, with dates. Use reverse side or attach additional sheets as necessary)**

Person to be investigated (check one)

- | | |
|---|---|
| <input type="checkbox"/> Real Estate Licensee | <input type="checkbox"/> Real Estate Instructor |
| <input type="checkbox"/> Real Estate Firm | <input type="checkbox"/> Real Estate School |

Licensee's Name (print or type)

Firm/School Name (print or type)

Address

City State Zip Code

Phone Number

Date of Transaction

STATE OF _____, COUNTY OF _____

Personally

appeared before the undersigned authority, the person requesting an investigation, who on oath says that the facts above stated, so far as they come within his or her own knowledge, are true; and so far as stated on information and belief, he or she believes them to be true.

Sworn and subscribed to me this

Day of _____, 20____

Person Requesting Investigation

(A Notary Public may usually be found in banks, law offices, or government offices.)

Notary Public

My commission expires/Seal:

About Real Estate Investigations

Georgia's real estate license law provides that the Commission may, upon its own motion, and shall, upon the sworn written request of any person, investigate the actions of any applicant for licensure, real estate broker, associate broker, salesperson, community association manager, and real estate schools and instructors approved by the Commission. The law limits the Commission's investigative authority solely to issues related to the real estate license law.

The Commission's investigations do not determine whether a violation of any other area of the law has occurred. For example, **the Commission cannot settle such issues as disputes regarding earnest money, repairs to property, or payments of commission fees to licensees.** The law of contracts controls these issues. If the parties cannot resolve such issues themselves, they should consult an attorney or the small claims court of their county for assistance.

Anyone who files a Request for Investigation with the Commission and has suffered a financial loss should not wait for the results of a Commission investigation before consulting an attorney. The Commission cannot replace a financial loss. The law allows the Commission only to reprimand, suspend, or revoke a license and/or impose fines, education requirements, and/or require reports from an independent accountant.

The Commission may only investigate licensed real estate brokers, salespersons, community association managers, and real estate schools and instructors approved by the Commission, or unlicensed persons performing the acts of a broker. It cannot take action against an unlicensed individual who may be an owner or builder acting as a principal on his or her own property. The public and all licensees should understand the following facts regarding Commission investigations:

- (a) When the Commission initiates an investigation, no one should infer that the Commission believes a violation of the law has occurred or is charging a licensee with a violation. Only after reviewing the results of an investigation might the Commission allege that a violation has occurred and bring charges against a licensee. The Commission, not the person who requested the investigation, is the Complainant in the matter.
- (b) The investigator keeps all information that he or she gathers confidential.
- (c) The investigator includes in their report the facts gathered in the investigation.
- (d) Unless the Commission orders a formal hearing, the name of the person requesting the investigation and all other materials in the Commission's investigative file remain confidential and closed to the public.