



COMMISSION COMMENT

Spring

1996

“Brokerage Relationships in Real Estate Transactions” Pamphlet Revised

In our last issue of the Commission Comment we asked for suggestions in revising the “Brokerage Relationships in Real Estate Transactions” pamphlet. As a result, the Commission is incorporating these suggestions and making changes to the pamphlet. It is anticipated that the new camera-ready pamphlet will be mailed to employing brokers and made generally available on or about June 1, 1996. The Spanish and Vietnamese translations should also be available at this time. As before, the broker may personalize the camera-ready document to reflect the firm’s Agency Policy. After so doing, the camera-ready format will allow brokers to mass produce the pamphlet and provide for the firm’s own supply.

The suggested and implemented changes include the following:

1) **Section One has been added** and outlines the situation in which a licensee is attempting to obtain a listing and to serve as a Seller’s agent. In this situation, the licensee does not represent a buyer interested in the property to be listed.

Section Two

2) **We have reversed the order of the disclosure.** The original brochure first identified the consumer as either a customer or client and then described the agency role that the licensee would fulfill. Industry response indicated to us that this was not a logical progression. It was suggested that it made more sense, to first explain the licensee’s role which, in turn, made the consumer’s resulting client or customer status more easily understandable.

3) **We have added a box to indicate the “offering” of services.** These boxes are for those instances where agency relationships have not yet been established and yet disclosure must be made, i.e. during listing presentations with Landlords, during service presentations to Buyers or Tenants, etc.

4) **We have removed the language “...read and understand...” from the acknowledgement statement.** It was determined that the acknowledgement of receipt of the information contained in the pamphlet met the intention of the law. The Commission does, however, encourage licensees to review the material in the pamphlet with the consumer in order to assist the consumer to understand this information.

5) **We have replaced the pronoun “they” when referring to licensees with “the licensee” throughout the acknowledgement.** This was done to clarify intent.

6) **We have changed the blanks at the bottom.** This was done to allow a place for client/customer signatures to also be printed for easier identification. The company line was removed as an unnecessary duplication of information already requested at the top of the form.

As stated previously, the revised pamphlet will also be available in camera-ready Spanish and Vietnamese translations. In order for us to anticipate the number of these translations to have printed, we are asking **employing brokers**, who would like camera-ready translations, to fill out the order form found on page 11. Please note the order-

ing deadline is **Friday, May 3, 1996.** Those who order, will receive translated pamphlet(s) along with the revised English version.

We are sharing this information with you in advance so that you may plan ahead regarding your inventory of these pamphlets. Upon receiving the new revision, on or about June 1, 1996, it is our hope that you will have very few to destroy and will be able to begin to produce and utilize the revised pamphlet as soon as possible.

(An illustration of the revised form appears on page 11)

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Tentative Commission Meeting Schedule

April 22-23 Omaha
 May 20-21 TBA
 June 18-19 TBA
 August 20-21 TBA

COMMISSION COMMENT

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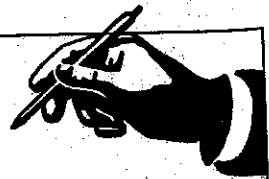
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From the
DIRECTOR'S DESK

Following are some questions we have received over the past couple of months which we felt may be common to other licensees. Therefore, we are sharing them along with our responses to them.

Estimated Closing Costs

Question: Can a "Good Faith Estimate" or a "Lenders Pre-Qualification Net" be substituted for a licensee prepared estimate of closing costs with a buyer?

Answer: Yes, if signed and dated on the date the potential buyer makes the offer, with the understanding that the buyer has the lender's estimate at the time they make the offer and that it covers all categories of costs the buyer will be expected to pay at closing. Any categories not included should be added on an attached separate sheet of paper. Also, the loan amount set out on the lender's estimates must be reasonably close to the amount of the offer. If the two amounts are not reasonably close then a licensee estimate must be prepared to be in compliance with the Rule.

Agency and the Licensee

Question: Do real estate licensees who are also principals in a real estate transaction, sale or lease, have to complete the Agency "Acknowledgment" page of the "Brokerage Relationships" pamphlet on themselves?

Answer: No, licensees do not need to complete, sign and maintain, or have maintained, an "Acknowledgment" page on themselves. They do need to disclose appropriately their licensed status as required in the License Act and Rules and Regulations.

Question: As a licensee, do I need to have my spouse sign an "Acknowledgment", if I list property owned by both of us, or in which only the two of us have an interest or if I act as a buyer or tenant agent for the two of us in the purchase or lease?

Answer: No, but the appropriate agency and other disclosures must be made to the other principal or principals in the transaction.

Addressing the Appointment Option in Policy

Neb. Rev. Stat. Section 76-2427 authorizes a designated broker to appoint in writing one or more affiliated licensees to act as a limited agent of a client to the exclusion of all other affiliated licensees.

For example, the designated broker could decide that since both seller and buyer, or landlord and tenant, limited agency relationships are being offered to consumers by his or her company, that only the affiliated licensee who, on behalf of the designated broker, entered into the listing agreement with the seller, or the leasing agreement with the landlord, will represent the seller, or landlord, as that client's limited agent. All other affiliated licensees with the designated broker will represent buyers, or tenants, as their limited agents in

(Continued on page 3)

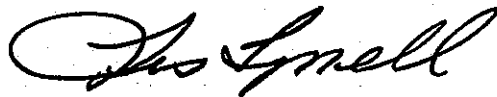
(Continued from page 2)

any transaction dealing with the subject property. Some brokers allow "teams" to represent the seller or landlord while other affiliated licensees represent buyers and tenants.

It appears that it is with this "team" approach that problems are arising. Our Trust Account Examiners report that they are discovering confusion by licensees who are not aware that they are being indicated as members of the "team" that is supposed to be representing the seller or owner. Brokers need to give careful consideration to how they will implement this appointment option and provide careful training to all affiliated licensees. Brokers should have clear policies on who the licensee that is filling out the listing or the management agreement may indicate as also serving the client and how that information should most efficiently be conveyed to all members of the "team". Needless to say, it betrays the whole intent of the Brokerage Relationships Statute if clients are being told one thing and agents are actually acting in another's interest.

If a Broker's Policy is silent on the matter or indicates that the firm will not implement the appointment option described above, all brokerage relationships agreements will bind the firm and all of its affiliated licensees. Therefore, when a licensee takes a listing or a management agreement it should be understood that everyone with that firm represents that seller or owner, when a buyer agency relationship is entered into, either in writing or through implication, everyone in that firm is so bound, also. If a firm offers multiple agency relationship options and does not address or exercise the appointment option in the Policy, the likelihood of dual-agency occurring is considerably increased.

It is advised that brokers give careful consideration to this aspect of their Policy.



Les Tyrrell, Director Nebraska Real Estate Commission

Let's Talk Trust Accounts

This column in the "Commission Comment" provides educational information which pertains to the License Act, Rules and Regulations and the Trust Account Manual. All licensees are encouraged to discuss this information at office meetings and share this information with the appropriate non-licensed personnel within the office so that any questions concerning policy or procedure can be eliminated prior to a visit by the Trust Account Examiner. If there are questions or concerns, please feel free to contact Terry Mayrose at the Commission Office (402) 471-2004.



This article will discuss bookkeeping and the requirements for maintaining the bookkeeping system. The Commission receives many inquiries concerning the format for bookkeeping systems, especially computerized bookkeeping systems, and it should be emphasized, here, that the Real Estate Commission cannot endorse or recommend a specific computer product for brokers to use. The basic requirements for the computerized bookkeeping system are outlined in this article and more fully

explained in the "Trust Account Manual". The designated broker is encouraged to review the requirements prior to investing in a computerized bookkeeping system which may not comply with Commission guidelines. Trust Account Examiners will issue the broker a deficiency on bookkeeping systems that do not comply with the Trust Account Manual and the designated broker may be requested to invest in another computerized bookkeeping system in order to bring the bookkeeping system into compliance.



The trust account bookkeeping system is based on a cash-in/cash-out basis and the requirements for the bookkeeping system, both real estate sales and property management, both manually posted and computerized, are the same.

Each bookkeeping system must consist of a General Ledger and individual Sub-Ledgers.

The General Ledger records the chronological sequence in which trust funds are received and disbursed by the broker on behalf of all parties. This is commonly referred to as a "checkbook register."

On real estate sales transactions, the bookkeeping entries posted to the General Ledger must include the following information: 1) the date of the deposit or disbursement; 2) the remitter's name or the payee's name; 3) the property address, unit identification number or form number for which the funds were received or disbursed; 4) check number; 5) the dollar amount of the deposit or disbursement and 6) a running balance after each bookkeeping entry.

The Sub-Ledger records the chronological sequence in which trust funds are received or disbursed by the broker on behalf of a seller and buyer or a landlord and tenant, as related to a single real estate transaction. Each Sub-Ledger must identify the seller or landlord's name, the buyer or tenant's name and the property address of the property sold or managed by the broker.

On real estate sales transactions, the bookkeeping entries posted to the Sub-Ledger must include the following

(Continued on page 5)

Disciplinary Actions Taken by The Real Estate Commission

(Does Not Include Cases on Appeal)

Real Estate Commission vs. Richard Lee Svoboda, broker. Stipulation and Consent Order with 2-years probation, from October 25, 1995 through October 24, 1997, during which time he may not manage real estate owned exclusively by others; plus an additional 12 hours continuing education completed within 9 months; and trust account records shall be kept current and accurate and will be subject to examination by the Commission at any time. (Violated Title 299, N.A.C. Ch. 3-002 by failing to maintain a bookkeeping system which will accurately and clearly disclose full compliance with the law relating to the maintenance of trust accounts; Section 81-885.24(6) by accepting or charging any undisclosed direct profit on expenses made for a principal; and Section 81-885.24(3) by failing to account for and remit any money coming into his possession belonging to others.) October 24, 1995

Robert R. Kennedy and Mary A. Kennedy vs. Arthur Hysell, broker. Stipulation and Consent Order of Censure. (Violated Title 299 N.A.C. 5-003.18 by refusing to reduce an offer to writing because the verbal offer had been previously rejected.) October 24, 1995

95-025 - Commission vs. Daniel Lee Bergmeyer, broker. Stipulation and

Consent Order of Censure. Thirty-day suspension, from January 1, 1996 through January 30, 1996. (Violated Neb.Rev.Stat. 81-885.24(26) by violating a rule or regulation adopted and promulgated by the Commission in the interest of the public and consistent with the Nebraska Real Estate License Act by failing to obtain the Seller's signature on the estimate of closing costs and failed to maintain a signed copy of said document in his transaction file as set forth in 299 N.A.C. 5-003.10; and the Nebraska Real Estate License Act by failing to prepare, or cause a third party to prepare, a deed or real estate transfer statement for closing as required.) December 11, 1995

95-035 - Irwin L. Nelson & Jeanette M. Nelson vs. Swanson Real Estate, Kaylene Swanson, broker. Stipulation and Consent Order of Censure. Ninety-day suspension, with the ninety-day period stayed and served on probation, from December 11, 1995 through March 9, 1996; plus an additional 6 hours continuing education completed within 9 months (before September 11, 1996). (Violated Section 81-885.24(29) by demonstrating negligence.) December 11, 1995

94-068 - Lowell D. & Deborah S. Nelson vs. Daniel Spence, salesperson. License suspended 90 days, with last 60

days stayed and served on probation; plus additional 12 hours of continuing education (to include at least one Ethics course) to be completed by January 31, 1997. (Violated Section 81-885.24(22) by making a substantial misrepresentation to the buyers; and 81-885.24(29) by demonstrating negligence, incompetency and unworthiness to act as a salesperson.) January 31, 1996

95-043 - Commission vs. Robert W. Tallichet, salesperson. License suspended for three (3) months, with the suspension being served from March 1 through March 15, 1996, and the remainder served on probation until May 31, 1996; plus additional 12 hours of continuing education to be completed by March 1, 1997. (Violated Section 81-885.24(19) by failing to leave a copy of the addendum to the listing agreement; Section 81-885.24(12) by offering real estate for sale on terms other than authorized by the owner or authorized agent; and Section 81-885.24(29) by filing a document or instrument purporting to create a lien based on a listing contract for the purpose of casting a cloud upon the title to real estate when no valid claim exists and by demonstrating negligence, incompetency or unworthiness to act as a salesperson.) March 1, 1996

Consumer Guide

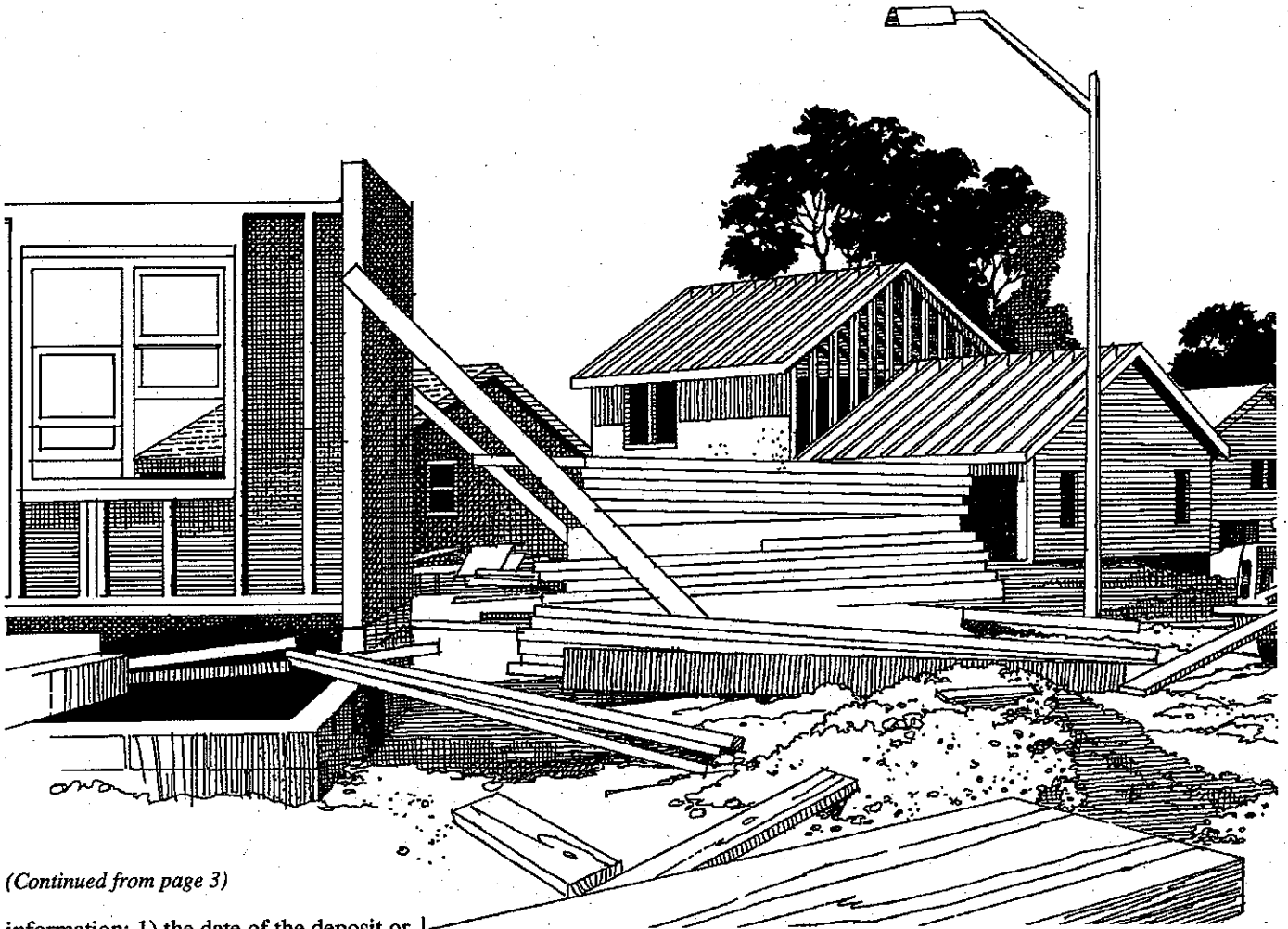
We would like to remind you of the availability of the "Consumer Guide to Buying and Selling Homes". This publication is available, upon request, free of charge.

This guide is not intended as a substitute for the use of licensed professionals such as real estate persons, lawyers or abstractors and appraisers. In fact, members of the real estate industry benefit as well when both parties to a transaction are informed and comfortable with the process.

The brochure includes material on: the real estate licensee's role, the selling process, the buying process, financing information, discrimination, and the Real Estate Commission's role. In addition, an extensive glossary is included.

We urge you to become familiar with this publication and to encourage its use. We believe that it can be of interest and benefit to you as well as the consumer. Copies may be requested from the Real Estate Commission office (402) 471-2004.





(Continued from page 3)

information: 1) the date of the deposit or disbursement; 2) the name of the party from whom the funds were received or for whom the funds were disbursed; 3) check number; 4) the dollar amount of the deposit or disbursement and 5) a running balance after each bookkeeping entry.

On property management transactions, the bookkeeping entries posted to the Sub-Ledger must include the following information; 1) the date of the deposit or disbursement; 2) the remitter's name or the payee's name; 3) the property address, unit identification number or form number for which the funds were received or disbursed; 4) check number; 5) the dollar amount of the deposit or disbursement and 6) a running balance after each bookkeeping entry.

As recommended by the Commission and on page 42 of the "Trust Account Manual", Security deposits, when maintained by the broker in the real estate trust account, should be identified on a separate Sub-Ledger apart from the Sub-Ledger that records the income and

expenses on behalf of the property owner. The Sub-Ledger should identify the property owner's name, the tenant's name and the property address. The bookkeeping entries posted to this Sub-Ledger must include: 1) the date of the deposit or disbursement; 2) the remitter's name or the payee's name; 3) check number; 4) the dollar amount of the deposit or disbursement and 5) a running balance after each bookkeeping entry.

It must be emphasized that all receipts and disbursements must be posted in chronological order to both the General Ledger and applicable Sub-Ledger at the time at which they occur. The posting of receipts and disbursements several days after the activity occurs is an unacceptable accounting practice. (Reference: "Trust Account Manual", p.16 through 28 and p.32 through 46)

Trust Account Examiners have reported that many financial institutions across the State of Nebraska have

changed to a system that no longer returns the original deposit slips or canceled checks with the bank statement. Instead, the bank returns a reduced-size, photo-copy of the original document. Because of this reduced-size, it has become extremely important that the information recorded on the deposit slip or check (i.e. seller/landlord and buyer tenant name; address of property sold or managed, etc.) Is legible and that there is sufficient information provided that would allow the funds to be traced to a specific real estate transaction. The designated broker is encouraged to discuss this issue with appropriate office personnel.



If you have questions pertaining to trust account issues and would like those answers published, you are encouraged to send your questions to: Nebraska Real Estate Commission, Attn: Terry Mayrose, PO Box 94667, Lincoln, Nebraska 68509-4667.

Nebraska Real Estate Commission Policy on Use of Unlicensed Persons by Licensees

(EDITOR'S NOTE: This article is being printed in response to the increasing number of requests we have been receiving for this information. These requests are reflective of the increase in the practice of using non-licensed persons in various capacities within a real estate firm. This Policy was originally circulated in a mailing to employing brokers in February 1992. Everyone is encouraged to review his/her practices in reference to this Policy to insure compliance. Brokers are encouraged to review their policies and procedures and their training regarding the use of unlicensed persons to be certain that they are reflective of this Policy. This information should be shared with all members of the firm, licensed and unlicensed.)

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

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

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

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

Activities which can be performed by unlicensed persons who, for example, act as personal assistants, clerical support staff, closing secretaries, etc.,

include, but are not necessarily limited to:

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

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

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

of commission, or any amount based on listings, sales, etc.

6. Negotiate or agree to any commission, commission split or referral fee on behalf of a licensee.

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

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

Adopted February 12, 1992.

Request for Legal Advice

The Real Estate Commission receives numerous telephone calls from licensees and the public requesting legal advice on real estate related matters.

The staff at the Commission are not attorneys and cannot give legal advice either to licensees or the public. This does not mean that the staff cannot answer questions from licensees concerning the existence and applicability of statutory law and rules governing their activities.

Licensees who have questions regarding interpretation of contracts, rental agreements, commission disputes and closings are advised to speak initially with their broker in charge, and if legal advice is needed, to then consult an attorney for appropriate action.

HUD and EPA Move to Protect Children From Lead-Based Paint Poisoning in Homes

(Editor's note: The following is a Press Release dated March 6, 1996 and issued, as HUD No. 96-53, by the U.S. Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA). In our next issue of Commission Comment we will print the article "Lead Alert" also prepared by HUD and the EPA. We believe that you will find this information extremely helpful in understanding the Residential Lead-Based Paint Hazard Reduction Act of 1992.)

The U.S. Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA) today launched a new Clinton Administration effort to protect children from lead poisoning and ensure that parents have the right to know about the hazards of lead paint when they buy or rent a home. The effort was announced today by EPA Administrator Carol M. Browner and HUD Secretary Henry G. Cisneros.

"With all the unknown perils parents face in raising children, it is our duty to make sure a known threat like lead paint poisoning is brought to parents' attention when they buy or rent a home," Cisneros said. "Our effort to combat lead paint hazards was developed by EPA and HUD in consultation with health experts, the parents of lead poisoned children and industry representatives."

"Today's action is an important step forward in two areas of critical concern to the Clinton Administration — protecting public health from serious threats and arming the public with the information they need to protect themselves. The public has a right to know about toxic hazards in the community, and today's action expands that right," said EPA Administrator Carol M. Browner.

More than 1.7 million American children have unsafe blood lead levels, making lead poisoning the number one environmental health hazard for young children. Most of those children are poisoned by deteriorated lead-based paint and the contaminated soil and dust it generates.

Approximately 64 million dwellings — all built before 1978 — contain some

lead-based paint, although much of it can be managed and maintained safely by using simple, low-cost common sense procedures. Particularly at-risk are families renovating older structures and low-income families living in dilapidated housing. Parents can unknowingly poison their children when they disrupt lead-based painted surfaces during renovations, for example.

The EPA estimates that one out of every eleven American children have elevated blood lead levels.

Lead paint poisoning can result in behavioral problems, learning disabilities and even permanent brain, nervous system and kidney damage in young children. Pregnant women poisoned by lead can pass that on to a developing fetus.

As part of the Clinton Administration's community right to know efforts to protect American children and families from the dangers of lead-paint poisoning, HUD and the EPA today released rules to implement Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992.

SPECIFICALLY, the new HUD/EPA rules state that:

1. Sellers and landlords must disclose any known lead-based paint hazards in homes. They also are required to give buyers or tenants any reports that are available from tests that may have been performed before sale or lease.
2. Sellers and landlords must give buyers and renters a pamphlet about how to protect families from lead in homes. The pamphlet, developed by HUD, EPA, and the Consumer Product Safety Commission, is available in both English and Spanish.
3. Home buyers receive an optional 10-day period to conduct a lead-based paint inspection or risk assessment at their own expense if desired. The number of days can be changed by mutual consent.

4. Sales contracts and leasing agreements must include provisions ensuring that disclosure and notification actually take place. Some states already have lead paint disclosure provisions in sale and lease contracts. For those states that do not, the agencies have developed a sample form included in the rule.
5. Sellers, landlords and real estate agents (or other agents) all share responsibility for ensuring compliance with the rule.

The new rule covers most public and private housing that could be occupied by children and was built before 1978 — the year lead was outlawed in household paint. Cisneros and Browner said that the new right-to-know rules should be most important to families with children, young couples planning a family, pregnant women, and those planning major renovation of older homes.

The new rule, which has the support of organizations from National Association of Realtors to the Consumer Federation of America and the Alliance to End Childhood Lead Poisoning, does not require any lead paint testing, removal or abatement, nor does it invalidate leasing and sales contracts.

Questions from the public about lead may be directed to the National Lead Information Center (NLIC), funded in part by HUD, EPA and other federal agencies: 1-800-424-LEAD. Pamphlets (in English or Spanish), sample disclosure forms, a copy of the regulation, a Fact Sheet on the law, and practical, low-cost tips on how to prevent lead poisoning may also be obtained by calling the NLIC.

SINGLE COPIES:

NLIC 1-800-424-LEAD
TDD 1-800-526-5456
or via World Wide Web <http://www.epa.gov>
or <http://www.hud.gov>

BULK COPIES:

Govt. Printing Office (202) 512-1800
GPO Stock # 055-000-00507-9
(\$26/package of 50 copies)

Reciprocity with Other Jurisdictions

The Commission continues the process of contacting all other states and territories of the United States in order to enter into Reciprocal Agreements which will allow licensees from Nebraska the same terms and conditions to license in other jurisdictions that are afforded licensees from other jurisdictions under the Nebraska Real Estate License Act.

Our goal is to establish reciprocity with the other real estate regulatory jurisdictions, which would allow a licensed broker and salesperson in either jurisdiction to be able to: 1) have a non-resident license issued based on the resident jurisdiction license; 2) have a resident license issued to a licensee upon moving to the reciprocal jurisdiction based on the prior residence jurisdiction's license; and 3) while a non-resident, the licensee would only have to meet the continuing education requirements in their jurisdiction of residence. (Note: The Association of Real Estate License Law Officials and the National Association of Realtors both support the reciprocal philosophy set forth in our goal for reciprocity.)

If we are unable to negotiate all of the above items with the other real estate regulatory jurisdictions, we will negotiate as close to this position as possible.

A listing of those jurisdictions with whom reciprocal agreements are in force follows. Because this list changes throughout the year, it is recommended that a current list be requested when considering licensing elsewhere.

Arkansas Real Estate Commission

612 South Summit St.
Little Rock, AR 72201-4740
(501) 682-2732

- issue based on active Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current non-resident license, then issue resident

Colorado Division of Real Estate

1900 Grant Street, Suite 600
Denver, CO 80203
(303) 894-2166

- must take state portion of examination
- Broker - actively licensed immediately preceding two years and be currently licensed
- Salesperson - current and active license
- certification required

Connecticut Dept. of Consumer Protection Real Estate Division

165 Capitol Avenue, Room G-8
Hartford, CT 06106
(860) 566-5130

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only

Florida Division of Real Estate

400 W. Robinson Street, N309
Orlando, FL 32801
(407) 245-0810

- must take Florida's law specific examination
- must have acquired Nebraska license by meeting educational, examination, and, if applicable, experience requirements
- current license must be active
- certification required

Georgia Real Estate Commission

Cain Tower, Suite 1000
229 Peachtree Street, N.W.
Atlanta, GA 30303-1605
(404) 656-3916

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

Illinois Dept. of Professional Regulation

500 East Monroe St. 2nd floor
Springfield, IL 62701
(217) 785-9300

- Broker - licensed immediately preceding two years
- Salesperson - based on Nebraska license
- certification required
- continuing education - resident state requirement only

Indiana Professional Licensing Agency
302 W. Washington St. E034
Indianapolis, IN 46204-2700
(317) 232-2980

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

**Iowa Department of Commerce
Professional Licensing & Regulation Division
Real Estate Commission**
1918 S.E. Hulsizer Ave.
Ankeny, IA 50021
(515) 281-3183

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

Kansas Real Estate Commission
Three Township Plaza, Suite 200
120 S.E. 6th Ave.
Topeka, KS 66603-3511
(913) 296-3411

- Broker - licensed immediate preceding two years
- Salesperson - issue based on Nebraska license
- certification required

Kentucky Real Estate Commission
10200 Linn Station Rd., Suite 201
Louisville, KY 40223
(502) 425-4273

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license then issue resident license

**Maine Dept. of Professional &
Financial Regulation
Real Estate Commission**
State House Station #35
Augusta, ME 04333
(207) 624-8516

- must take Maine Non-Resident Examination
- certification required

Massachusetts Real Estate Board
100 Cambridge Street, Room 1313
Boston, MA 02202
(617) 727-2373

- issue based on Nebraska license
- certification required
- continuing education - resident state only
- if move with current Nebraska license then issue resident license

**Michigan Dept. of Licensing &
Regulation - Real Estate**
P.O. Box 30243
Lansing, MI 48909
(517) 373-0490

- *Non-Resident Letter of Understanding Agreement
- Contact Michigan

Minnesota Department of Commerce
133 E. 7th St.
St. Paul, MN 55101
(612) 296-2488

- Broker - (1) active licensee 2 years; 60 hours of real estate education; & Brokers examination passed OR (2) 3 years licensee immediately preceding & Broker examination passed
- Salesperson - issued based on Nebraska license

Mississippi Real Estate Commission
5176 Keele St., PO Box 12685
Jackson, MS 39236-2685
(601) 987-3969

- issue based on Nebraska license
- certification required
- continuing education - resident state only
- if move with current Nebraska license then issue resident license

Missouri Real Estate Commission
P.O. Box 1339
Jefferson City, MO 65102
(314) 751-2628

- issue based on Nebraska license
- certification required
- continuing education - resident state only
- if move with current Nebraska license then issue resident license

Montana Board of Realty Regulation
111 N. Jackson
Helena, MT 59620-0513
(406) 444-2961

- issue based on Nebraska license
- certification required
- continuing education - resident state only

**New York Department of State
Division of Licensing Services**
84 Holland Avenue
Albany, NY 12208
(518) 473-2728

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only

North Carolina Real Estate Commission
P.O. Box 17100
Raleigh, NC 27619-7100
(919) 733-9580

- issue based on active Nebraska license
- certification required
- continuing education - resident state only
- if move with current non-resident license, then issue resident

North Dakota Real Estate Commission
314 E. Thayer Ave., P.O. Box 727
Bismarck, ND 58502-0727
(701) 328-9749 or
(701) 328-9737

- issue based on Nebraska active license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

Oklahoma Real Estate Commission
4040 N. Lincoln Blvd., Suite 100
Oklahoma City, OK 73105
(405) 521-3387

- issue based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

South Dakota Real Estate Commission
P.O. Box 490, 222 East Capitol, Ste. 15
Pierre, SD 57501-0490
(605) 773-3600

- issue license based on Nebraska license
- certification required
- continuing education - resident state requirement only

Tennessee Real Estate Commission
Volunteer Plaza Bldg., Suite 180
500 James Robertson Parkway
Nashville, TN 37243-1151
(615) 741-2273

- Salesperson - issue based on Nebraska license
- Broker - 3 years of real estate experience prior to application
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license (Broker must have 3 years of real estate experience prior to application)

West Virginia Real Estate Commission
1033 Quarrier Street, Suite 400
Charleston, WV 25301-2315
(304) 558-3555

- issue license based on Nebraska license
- certification required
- if move with current Nebraska license, then issue resident license if within one year of move

Wyoming Real Estate Commission
 2020 Carey Ave., Ste. 100
 Cheyenne, WY 82002-0180
 (307) 777-7141

- issue license based on Nebraska license
- certification required
- continuing education - resident state requirement only
- if move with current Nebraska license, then issue resident license

(Continued from page 1)

ACKNOWLEDGEMENT OF DISCLOSURE

This is not a contract

 (Name of Licensee)

 (Name of Company)

1. If licensee is attempting to obtain a listing **AND** the licensee does not represent a buyer interested in the property to be listed, then the following box only should be checked:

Licensee has informed me that licensee is offering to act as my limited Seller's Agent.

2. In all other cases, the following boxes should be used:

The licensee has informed me that licensee is:

offering to act acting

as a limited:

Buyer's Agent Tenant's Agent
 Seller's Agent Landlord's Agent
 Dual Agent

OR as a

Common Law Agent of the _____
 (Specify)

AND is:

offering to provide providing

services to me as a:

Customer, not as my agent
 Client, as my agent

By signing below, I acknowledge that I have received the information contained in the pamphlet "Brokerage Relationships in Real Estate Transactions" and that it was given to me at the earliest practicable opportunity during or following the first substantial contact with me and, further, if applicable, as a customer, the licensee indicated on this form has provided me with a list of tasks the licensee intends to perform for me.

 (Client or Customer) (Date)

 (Print Client or Customer Name)

 (Client or Customer) (Date)

 (Print Client or Customer Name)

 (Licensee) (Date)

**Continuing Education Lists
 available upon request.**

Contact Commission office.

ORDER FORM FOR TRANSLATED "BROKERAGE RELATIONSHIPS IN REAL ESTATE TRANSACTIONS" PAMPHLET

Name: _____

Address: _____

Please send me the following camera-ready translation in addition to the revised English language version:

_____ Spanish _____ Vietnamese

Please mail this order form by Friday May 3, 1996 to:

**Nebraska Real Estate Commission
 P.O. Box 94667
 Lincoln, NE 68509**

Future Real Estate Examinations

The following is the schedule of the dates on which the real estate licensing examinations are administered in Nebraska and the deadline dates for filing of broker and salesperson original applications, retake applications, proof of education and examination cancellation requests for the applicable Examination Date.

Examinations for both salesperson and broker applicants are administered eleven times a year as set out on this schedule. The examination is adminis-

tered in Lincoln, North Platte and Omaha on each Examination Date and in Scottsbluff on only the January, May and September Examination Dates. All applicants for a particular examination will receive notice of the time and place of the examination approximately one week prior to that Examination Date.

Applications, proof of education, and cancellation requests are due on the date of the deadline!

The Examination Date and the deadlines are subject to change by order of

the Nebraska Real Estate Commission. Affected applicants will be notified of any changes in a timely manner.

Applications and other pertinent information regarding the real estate licensing and examination process may be obtained from the Nebraska Real Estate Commission, P. O. Box 94667, Lincoln NE 68509-4667. Telephone Number: (402) 471-2004. TDD users may use the Nebraska Relay System at (800) 833-7352.

Real Estate Examination Schedule 1996

<u>Examination Date</u>	<u>Broker Original Application</u>	<u>Salesperson Original Application</u>	<u>Education Deadline</u>	<u>All Retake Applications</u>	<u>Cancellation Deadline</u>
April 20, 1996	March 5, 1996	March 18, 1996	April 1, 1996	April 5, 1996	April 9, 1996
May 18, 1996	April 2, 1996	April 15, 1996	April 29, 1996	May 3, 1996	May 7, 1996
June 15, 1996	April 30, 1996	May 13, 1996	May 18, 1996	May 31, 1996	June 4, 1996
July 20, 1996	June 4, 1996	June 17, 1996	June 1, 1996	June 5, 1996	July 9, 1996
August 17, 1996	July 2, 1996	July 15, 1996	July 29, 1996	August 2, 1996	August 6, 1996
September 21, 1996	August 6, 1996	August 19, 1996	September 3, 1996	September 6, 1996	September 10, 1996
October 19, 1996	September 3, 1996	September 16, 1996	September 3, 1996	October 4, 1996	October 8, 1996
November 16, 1996	October 1, 1996	October 15, 1996	October 28, 1996	November 1, 1996	November 5, 1996

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

<p>Bulk Rate U.S. Postage PAID Permit No. 212 Lincoln, NE</p>
