

COMMISSION COMMENT

Winter

1999

Governor Appoints Robert R. Moline To Commission

Governor Mike Johanns appointed Robert R. Moline to a six-year term on the Real Estate Commission beginning September 1999. Mr. Moline is the Chief Financial Officer of Woods Brothers Realty, Inc. which serves Lincoln and surrounding cities. Mr. Moline first became involved in real estate in Salt Lake City, Utah while working for a large real estate brokerage. Upon moving back to Nebraska in 1990, Robert became a real estate salesperson in February 1992 and received his brokers license in June 1994.

Robert grew up in Hastings, NE and went to the University of Nebraska, Lincoln. He holds a Bachelors Degree in Accounting and has received his Nebraska Certified Public Accountant Certificate. Robert is involved in many activities outside of his career. He is currently the Council President of the Cornhusker Council of the Boy Scouts of America and was the Chairman of the Lincoln Lights Holiday Spectacular in Lincoln the last two years. He is currently Past-President of the Downtown Lincoln Lion's Club, serves on the Board of Directors of the Lincoln Trap & Skeet Club, and is a youth group leader and a Trustee for Southview Christian Church.

activities in the Nebraska Realtors Association including chairing the Regulatory Liaison Committee, and the Affinity Task



Force. He is a Director of the Real Estate Services Providers Council (RESPRO) and has spoken nationally on RESPA and affiliated business practices in the real estate marketplace. Robert is also a member of the Nebraska Land Title Association and holds a title agent's license.

He has been actively involved with the Lincoln Board of Realtors in many committees including currently serving as the President of Midlands Multiple Listings Service. He has participated in many committee

Robert has been married to Deb for twenty years and they have three sons ages 15, 13, and 11. Robert enjoys the shooting sports, hunting, working with kids, and their small acreage where he gets to drive his old tractor.

Tentative Commission Meeting Schedule

December 14-15	Lincoln
January 19-20	Lincoln
February 24-25	TBA
March 21-22	TBA
April 17-18	TBA

On The Inside:

Holiday Message	page 2
Omissions on the Seller Property Condition Disclosure Statement ..	page 3
Disciplinary Actions Taken by the Real Estate Commission	page 4
License Recognition With Colorado	page 5
Recognition with other jurisdictions	page 5
Commission to Review Statutes ..	page 8
After-the-Fact Referral Fees Update	page 9



Chairperson Moore congratulates Commissioner Moline.

COMMISSION COMMENT

Official Publication of the
Nebraska Real Estate Commission
1200 "N" Street, Suite 402
P.O. Box 94667
Lincoln, Nebraska 68509-4667
(402) 471-2004

EDITOR: Teresa Hoffman

COMMISSION MEMBERS

CHAIRPERSON
Scott Moore
Secretary of State
State Capitol
Lincoln, NE 68509
(402) 471-2554

PUBLIC Member At Large
Paul Landow
21045 Timber Ln.
Elkhorn, NE 68022
(402) 289-3553

SALESPERSON Member At Large
Joan M. Nigro
12112 Pacific St.
Omaha, NE 68154
(402) 697-4193

BROKER MEMBERS

John F. Hansen
546 So. Washington St.
Papillion, NE 68046
(402) 339-2001

Fred A. Fletcher, Jr.
1105 Norfolk Ave., P.O. Box 1166
Norfolk, NE 68701
(402) 371-1480

Janice Wiebusch
4407 2nd Ave. Ste. B
Kearney, NE 68848-1389
(800) 947-8793

Robert Moline
4645 Normal Blvd.
Lincoln, NE 68506
(402) 434-3700

DIRECTOR

Les Tyrrell
1200 "N" Street, Suite 402
Lincoln, NE 68508
(402) 471-2004
Director@nrec.state.ne.us

The Nebraska Real Estate Commission grants permission to reprint articles which appear in this newsletter on condition that recognition of their original publication in the **Nebraska Commission Comment** also appears with the article.

The Nebraska Real Estate Commission often solicits articles from outside experts or reprints articles with permission. While we feel that these articles may offer a broader perspective and will be of interest to the reader, it should be remembered that the views expressed are those of the author and not necessarily those of the Commission.

Holiday Message From Chairperson Moore

I hope that this message finds you enjoying the holiday season and looking forward to the New Year.

One year ago when I wrote this annual letter, I told you that in 1999 the Real Estate Commission would be looking at ways "to conduct business the way business should be conducted in the new century." If one looks back on the last 12 months, I think we have made great progress, yet still have more to do.

Internally, in the office, we are in a much better position to conduct business in the digital age. All Commission Staff received e-mail addresses and Internet access in March. During the last year we have disconnected from the State Mainframe and have completed the process of bringing all of our records in-house. With the New Year we will have the Commission website up and running and our trust account examiners will be equipped with lap-top computers.

In the last year the Commission approved rule changes that allow for education providers to engage in different forms of distance education. With this process now in place on both the State and National level we will see the fruits of our labor in the next 12 months. This development will not only increase opportunities in rural Nebraska but also increase course offerings and options in urban Nebraska as well.

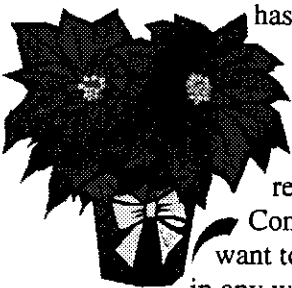
None of these developments in the last year are necessarily front-page news but I feel, when taken in total show the commitment of the Commission to maximizing the benefits of technology. The next big step that I hope the Commission can accomplish in the next twelve months is providing the opportunity for licensees to file and pay their annual renewals on line.

The State of Maryland, here, in the United States and the province of Alberta in Canada already have on-line licensing. Here in Nebraska, the Collection Agency Licensing Board, which I also Chair, is ready for on-line re-licensing for the next cycle. I am confident that the Nebraska Real Estate Commission will have this service ready for the November 2000 license renewal.

I am proud that the Nebraska Real Estate Commission has a reputation of being on the cutting edge of technology. Our challenge is to move forward while maintaining the personal service we have been known for and you expect and deserve. In an effort to assure this occurs the Commission

has also implemented a "Service Satisfaction" survey to solicit comments from individuals who have conducted business with us. Surveys are being sent out randomly, during the months of September and June, you may have already received one. Here, at the Nebraska Real Estate Commission, we are proud of what we do and we want to continue to serve you well. If we can assist you in any way, please contact us.

On behalf of my fellow Commissioners and the Staff at the Real Estate Commission Office, I wish you a happy holiday season and a prosperous New Year!



**MEET THE REAL ESTATE
COMMISSION STAFF**

The Real Estate Commission Staff is here to serve the public and the licensee population. It is our goal to be helpful and forthright in a courteous and professional manner. We hope that when you contact our office, you always receive useful, accurate information and/or are referred to the proper authority.

Following is a communication resource to assist you when contacting our office. If the indicated person is unavailable to take your call, please share the purpose for the call and your call will be routed to someone else who can help you.

We take pride in having a skilled staff. If you have comments or suggestions as to how we may better serve you, please contact our office.

COMMUNICATIONS GUIDE

Ask for person indicated if you have questions in the following areas.

- Commission Meeting Information** *Heidi Burklund*
InfoTech@nrec.state.ne.us
- Complaint Procedures** *Terry Mayrose*
DDEnf@nrec.state.ne.us
- Continuing Education History or**
- Inquiries** *Julie Schuur*
EdEnf@nrec.state.ne.us
- Curriculum Design (Education &**
- Instructor Approval)** *Teresa Hoffman*
DeputyD@nrec.state.ne.us
- Errors and Omissions Insurance**
- Inquiries** *Teresa Hoffman*
DeputyD@nrec.state.ne.us
- License Applications Packet**
- Requests** *Vera David-Beach*
- License Applications Process** . *Nancy Glaesemann*
Applic@nrec.state.ne.us
- Licensing and Education**
- Requirements** *Teresa Hoffman*
DeputyD@nrec.state.ne.us
- New Licenses in Process** *Nancy Glaesemann*
Applic@nrec.state.ne.us
- Specialized Registrations** *Monica Wade*
Finance@nrec.state.ne.us
- Transfer of License** *Joan Wells*
LicTsf@nrec.state.ne.us
- Trust Account Matters** *Terry Mayrose*
DDEnf@nrec.state.ne.us
John Clark
Bob Arterburn
Ron Pierson

TELEPHONE NUMBER
(402) 471-2004

ADDRESS:
Nebraska Real Estate Commission
P.O. Box 94667
Lincoln, NE 68509-4667

Omissions on the Seller Property Condition Disclosure Statement

The Commission recently addressed several situations regarding the Seller Property Condition Disclosure Statement (SPCD). The SPCD Statement is a document required by statute to be completed by the seller of residential real estate consisting of one to four dwelling units. The SPCD Statement discloses the condition of the real estate, any improvements on the real estate and other items including the appliances, structure, electrical system, sewer system and utilities.

When completing the SPCD Statement, the seller must complete the document to the best of the seller's ability. If the seller does not know the response to a certain question or series of questions, the seller is to indicate the lack of knowledge on the form by checking the "Do Not Know" option. While there are certain exceptions in the statute regarding the disclosure, this article will discuss transactions when a SPCD Statement is required.

The seller is required to deliver a copy of the SPCD Statement to the prospective purchaser or the agent of the prospective purchaser prior to entering into any contract that binds the purchaser to purchase the real estate [Neb. Rev. Stat § 76-2,120 (7)]. When the seller is represented by a licensee, the licensee has additional obligations. The agent of the seller is required to assure that a copy

of the SPCD Statement is delivered to the purchaser before the effective date of a contract (Title 299 N.A.C., Chapter 5-003.23). The agent of the purchaser is required to assure that a copy of the SPCD Statement is delivered to the purchaser prior to the effective date of a contract and obtain the signed receipt of the purchaser (Title 299 N.A.C., Chapter 5-003.24).

Whether the licensee is the agent of the seller or the agent of the buyer if the licensee knows of an error, inaccuracy or omission in a SPCD Statement, the licensee must disclose the error, inaccuracy or omission, to the potential purchaser and the seller by attaching a written disclosure to the SPCD Statement (Title 299 N.A.C., Chapter 5-003.25). Thus, if the licensee is aware that the seller did not disclose the leaking roof or the water in the basement, the licensee is under an obligation to disclose the error or inaccuracy. Implicit in the requirement that the licensee disclose the error or inaccuracy is the requirement that the licensee review the SPCD Statement.

At issue is whether the licensee has the responsibility to review the SPCD Statement and disclose an omission. The Commission has determined the licensee does have an obligation to review the SPCD Statement and disclose an omission.

(Continued to page 4)



We've Got Mail!!

E-mail, that is. The Commission is focusing on technology. Our goal is to enhance our accessibility and service to the Public and to our Licensee Population.

With that in mind, let us call your attention to the addition of e-mail addresses in the "Communications Guide" located on page 3. If you have any questions, please feel free to contact us by phone, mail, or e-mail, so that we may be of assistance.



When the seller fails to complete a section(s) or a question(s), the listing agent has the obligation to disclose the omission, in writing, to the seller and any prospective purchaser. The disclosure to the seller is as simple as informing him or her that there is an omission and it requires completion. If the seller does not correct the omission, the licensee should attach a notation to the SPCD Statement regarding the omission. When the buyer's agent presents the SPCD Statement to the prospective purchaser, the buyer's agent should also review the document and disclose any omission.

Since the licensee has an obligation to disclose known errors, inaccuracies or omissions, the only way to determine if an error, inaccuracy or omission exists is to review the

document. The review is not long, nor is it complicated. The review will allow the licensee the opportunity to make the disclosure as required pursuant to the regulation. This review and disclosure is NOT the same as an inspection or independent verification of the contents of the SPCD Statement. The licensee is NOT required to inspect the property or independently verify the condition of the property to insure the seller accurately disclosed matters and conditions on the SPCD. However, to remain in compliance with the Statute which requires the licensee to disclose known errors, inaccuracies or omissions, the licensee should review the form. When the seller has completed the document, the seller usually presents it to the licensee, either the buyer's agent or the sell-

er's agent. The licensee should then review the form. If the licensee observes that the seller states the roof does not leak, yet the licensee knows, based on statements made by the seller (or other evidence), that the roof leaked the last time it rained, and the seller has not repaired the leak, the licensee should inform the seller and any prospective purchaser, in writing, of the error or inaccuracy in the SPCD Statement.

Some licensees state they deliberately do not review the SPCD Statement because they assume the issue may be avoided. Deliberately avoiding the issue is not a defense and does not protect the licensee from his or her responsibility to inform the seller and prospective purchaser of the error, inaccuracy or omission on the SPCD Statement.

Disciplinary Actions Taken by The Real Estate Commission

(Does Not Include Cases on Appeal)

1999-015 - Teresa D. Reed vs. Marlene Ann Whitaker, broker, and D. Doreen Gulizia, salesperson. Gulizia - Dismissal; Whitaker - Stipulation and Consent Order. License censured; plus three (3) hours of continuing education in the area of disclosure to be completed by February 13, 2000. (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, to wit: Title 299, N.A.C. Ch. 5-003.25 by failing to disclose an omission on the Seller Property Condition Disclosure Statement, in writing to a potential purchaser and the seller; Neb. Rev. Stat. § 81-885.24 (29) by demon-

strating negligence to act as a broker.)

August 13, 1999

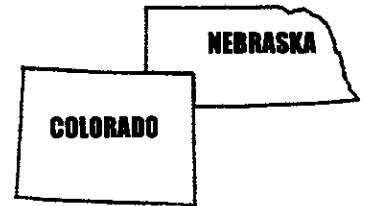
1999-022 - Commission vs. Robert Dean Rowan, salesperson. Stipulation and Consent Order. License censured; plus three (3) hours of continuing education in the area of disclosure to be completed by March 20, 2000. (Violated Neb. Rev. Stat. § 81-885.24(26) by violating a rule or regulation adopted and promulgated by the Commission in the interest of the public and consistent with the Nebraska Real Estate License Act, to wit: Title 299,

Ch. 5-003.25 by failing to disclose an omission on the Seller Property Condition Disclosure Statement, in writing, to a potential purchaser and the seller; Neb. Rev. Stat. § 81-885.24(29) by demonstrating negligence to act as a salesperson.)

September 20, 1999



License Recognition With Colorado



The Nebraska Real Estate Commission and the Colorado Real Estate Commission have entered into a License Recognition Agreement. The Agreement extends full license recognition to licensees from both states.

With this Agreement, a person holding a Nebraska real estate license will be granted an equivalent Colorado real estate license upon completing the application process, including the payment of license fees, with the Colorado Real Estate Commission. Since Colorado has three levels of broker licenses and no salesperson license, an equivalent license would be as follows:

- A Nebraska salesperson license is equivalent to a Colorado broker associate license.
- A Nebraska broker license is equivalent to a Colorado employing broker license.

Since the Colorado Errors and Omissions Insurance coverage is equivalent to our Nebraska coverage and Colorado has agreed to accept our coverage, there is no additional premium for Colorado coverage. However, Nebraska licensees will need to contact our Errors and Omissions Insurance Program Administrator, Williams Underwriting Group, to have verification

of coverage forwarded to the Colorado Commission.

Finally, Nebraska licensees, and Colorado licensees, will only need to comply with continuing education requirements in their resident state.

Please refer to the following table of information for a list of jurisdictions with which Nebraska has licensure recognition and the general provisions regarding issuance of the license in that jurisdiction.

LICENSURE RECOGNITION WITH OTHER REAL ESTATE REGULATORY JURISDICTIONS

This is general information pertaining to Nebraska resident licensees who are interested in obtaining a real estate license in any of the following real estate regulatory jurisdictions.

Below are the major provisions of qualifying for a non-resident license under the licensure recognition agreement entered into with that jurisdiction. In some cases you will note the licensure recognition extends to situations where licensees may be moving to that jurisdiction.

These are only general provisions and are subject to change, so immediate contact with that jurisdiction is recommended.

<i>Real Estate Regulatory Jurisdiction Address/Phone</i>	<i>General Provisions for Issuance of Non-Resident License</i>
Alabama Real Estate Commission 1201 Carmichael Way Montgomery, AL 36106-3674 (334) 242-5544	<ul style="list-style-type: none"> ✓ issue based on active Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current non-resident license, then issue resident
Arkansas Real Estate Commission 612 South Summit Street Little Rock, AR 72201-4740 (501) 683-8020	<ul style="list-style-type: none"> ✓ issue based on active Nebraska license ✓ certification required ✓ continuing education - resident jurisdiction requirement only ✓ if move with current non-resident license, then issue resident
Colorado Department of Regulatory Agencies, Division of Real Estate 1900 Grant Street, Suite 600 Denver, CO 80203 (303) 894-2166	<ul style="list-style-type: none"> ✓ issue based on Nebraska license (salesperson to broker's associate and broker to employing broker) ✓ certification required ✓ continuing education - resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license

Real Estate Regulatory Jurisdiction Address/Phone	General Provisions for Issuance of Non-Resident License
Connecticut Dept. of Consumer Protection, Real Estate and Professional Trades Division 165 Capitol Avenue, Room 110 Hartford, CT 06106 (860) 566-3290	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only
Florida Division of Real Estate- 400 W Robinson Street, N309 Orlando, FL 32801 (407) 245-0800	<ul style="list-style-type: none"> ✓ must take Florida's law-specific examination ✓ must have acquired Nebraska license by meeting educational, examination, and, if applicable, experience requirements ✓ certification required ✓ current license must be active
Georgia Real Estate Commission Suite 1000, International Tower 229 Peachtree Street NE Atlanta, GA 30303-1605 (404) 656-3916	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Illinois Office of Banks and Real Estate 500 E Monroe Street, Suite 200 Springfield, IL 62701 (217) 785-9300	<ul style="list-style-type: none"> ✓ Broker – licensed immediately preceding two years ✓ Salesperson – based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only
Indiana Professional Licensing Agency 302 W Washington Street, E034 Indianapolis, IN 46204 (317) 232-2980	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Iowa Real Estate Commission 1918 SE Hulsizer Avenue Ankeny, IA 50021-3941 (515) 281-3183	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Kansas Real Estate Commission Three Townsite Plaza, Suite 200 120 SE 6th Avenue Topeka, KS 66603-3511 (785) 296-3411	<ul style="list-style-type: none"> ✓ Broker – licensed immediate preceding two years ✓ Salesperson – issue based on Nebraska license ✓ certification required
Kentucky Real Estate Commission 10200 Linn Station Road, Suite 201 Louisville, KY 40223 (502) 425-4273 (888) 373-3300 (toll free)	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Maine Real Estate Commission 35 State House Station Augusta, ME 04333-0035 (207) 624-8603	<ul style="list-style-type: none"> ✓ must take Maine Non-Resident Examination ✓ certification required

<i>Real Estate Regulatory Jurisdiction Address/Phone</i>	<i>General Provisions for Issuance of Non-Resident License</i>
Massachusetts Board of Registration of Real Estate Brokers & Salespersons, Real Estate Board 239 Causeway Street Boston, MA 02114 (617) 727-2373	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Michigan Consumer & Industry Services, Office of Commercial Services PO Box 30243 Lansing, MI 48909 (517) 241-9288	<ul style="list-style-type: none"> ✓ Non-Resident Letter of Understanding Agreement ✓ Contact Michigan
Minnesota Commerce Department 133 E 7th Street St. Paul, MN 55101 (612) 296-4026	<ul style="list-style-type: none"> ✓ 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 PO Box 12685 Jackson, MS 39236-2685 (601) 987-3969	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
Missouri Real Estate Commission PO Box 1339 Jefferson City, MO 65102 (573) 751-2628	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ if move with current Nebraska license, then issue resident license
Montana Board of Realty Regulation PO Box 200513 Helena, MT 59634 (406) 444-2961	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only
New York Department of State, Division of Licensing Services 84 Holland Avenue Albany, NY 12208-3490 (518) 473-2728	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only
North Carolina Real Estate Commission PO Box 17100 Raleigh, NC 27619-7100 (919) 875-3700	<ul style="list-style-type: none"> ✓ issue based on active Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current non-resident license, then issue resident
North Dakota Real Estate Commission 314 E Thayer Avenue, PO Box 727 Bismarck, ND 58502-0727 (701) 328-9749 or (701) 328-9737	<ul style="list-style-type: none"> ✓ issue based on Nebraska active license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license

Real Estate Regulatory Jurisdiction Address/Phone	General Provisions for Issuance of Non-Resident License
Oklahoma Real Estate Commission 4040 N Lincoln Boulevard, Suite 100 Oklahoma City, OK 73105 (405) 521-3387	<ul style="list-style-type: none"> ✓ issue based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license
South Dakota Real Estate Commission 118 W Capitol Pierre, SD 57501-2000 (605) 773-3600	<ul style="list-style-type: none"> ✓ issue license based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only
Tennessee Real Estate Commission 500 James Robertson Parkway Davy Crockett Bldg, Suite 180 Nashville, TN 37243-1151 (615) 741-2273	<ul style="list-style-type: none"> ✓ Salesperson – issue based on Nebraska license ✓ Broker – 3 years of real estate experience prior to application ✓ certification required ✓ continuing education – resident jurisdiction 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	<ul style="list-style-type: none"> ✓ 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 Avenue, Suite 100 Cheyenne, WY 82002 (307) 777-7141	<ul style="list-style-type: none"> ✓ issue license based on Nebraska license ✓ certification required ✓ continuing education – resident jurisdiction requirement only ✓ if move with current Nebraska license, then issue resident license

COMMISSION TO REVIEW STATUTES

During the next year, the Nebraska Real Estate Commission will be reviewing the statutes which it administers dealing with real estate licensees. Those are the Nebraska Real License Act, the Agency Relationships Act and the Seller Property Disclosure Act. The purpose of the review will be to determine if these statutes need to be amended in any fashion in order to clarify provisions, delete obsolete provisions, etc.

We are asking for assistance in this process from you. Should you have any recommendations please forward them to the Commission Office. Please be specific as to which statute and sections(s) you are referring. Also please indicate how you may be contacted if we have any questions or need clarification on your suggestion.



After-the-Fact Referral Fees Update

(Editor's note: Since the matter of after-the-fact referral fees has been of interest to many of our Nebraska real estate licensees, we thought that we would share with you this very recent information from the Association of Real Estate License Law Officials.)

At the annual meeting of the Association of Real Estate License Law Officials (ARELLO) in Savannah, Georgia, attendees were given an update by Sandy Taraszki and Brian Pray, co chairpersons of the Controlled Business Practices Task Force. An overview of ARELLO's involvement with the Employee Relocation Council (ERC) as members of the "Coalition" was given along with the introduction of the "Coalition's" recently introduced "Interchange" during the meeting.

The "Coalition"

The Relocation Coalition for Cooperative Business Practices, the "Coalition", was formed by ERC in 1998. It is comprised of representatives from the relocation service firms, corporations, and regulators who are committed to creating and implementing effective business practices for the relocation industry.

The Coalition's first efforts have been focused on eliminating the incidents of "after-the-fact" referral fee demands. This led to a mutual agreement to devise business procedures that create an equitable obligation for the remittance of referral fees. In cooperation with ARELLO, one of the Coalition's primary objectives is to educate and inform the relocation industry, regulators, and state real estate organizations on referral fee issues. A Policy Statement was adopted and ARELLO and the Coalition are working to encourage states interested in regulating referral fees to use this recommended policy.

The "Interchange"

The Coalition's "Interchange" was created to facilitate the communication of "after-the-fact" referral fee concerns and the collection of information that will aid in the Coalition's efforts. The objective of the Interchange is to ensure swift and equitable problem resolution by bringing the issue to the attention of the appropriate executive from relocation service firms. The Interchange provides for resolution within a 10-day time frame, with most being resolved within a few days. The Interchange has accommodated and resolved several requests in the first weeks of activity. The establishment of the Interchange is good news for real estate professionals and transferees, which now have a central point to which they can direct their issues, receive a reply and, in turn, beneficially impact the process. ERC and the Coalition serve only as a conduit of information to the member. The Interchange is not a forum to mediate

or to otherwise intervene in any disputes.

Website

For up-to-date information of the Coalition and the Interchange, access is available on the Coalition's Website at <http://coalition.erc.org>. This will allow users to access the Interchange, download the Coalition's pledge and other communication about the Coalition's efforts.



Commission Members (L-R): Janice Wiebusch, Fred Fletcher, Joan Nigro, John Hansen, Robert Moline, Chairperson Scott Moore. Not pictured: Commissioner Paul Landow.



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

Bulk Rate U.S. Postage PAID Permit No. 212 Lincoln, NE
--