

# DOOR TO DOOR

Tennessee Real Estate Commission Newsletter

VOLUME 1 | NUMBER 2  
FALL, 2018

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## MEETING CALENDAR | 2018

October 4<sup>th</sup>  
Gray, Tennessee

November 7-8<sup>th</sup>  
Nashville, Tennessee

December 5-6<sup>th</sup>  
Nashville, Tennessee

## MEETING CALENDAR | 2019

January 9-10<sup>th</sup>  
Nashville, Tennessee

July 10-11<sup>th</sup>  
Nashville, Tennessee

February 13-14<sup>th</sup>  
Nashville, Tennessee

August 14-15<sup>th</sup>  
Nashville, Tennessee

March 13-14<sup>th</sup>  
Nashville, Tennessee

September 11-12<sup>th</sup>  
Nashville, Tennessee

April 17-18<sup>th</sup>  
Nashville, Tennessee

October 10-11<sup>th</sup>  
East Tennessee (TBD)

May 9-10<sup>th</sup>  
West Tennessee (TBD)

November 13-14<sup>th</sup>  
Nashville, Tennessee

June 12-13<sup>th</sup>  
Nashville, Tennessee

December 4-5<sup>th</sup>  
Nashville, Tennessee

## LICENSING STATISTICS

As of May 1, 2018

PROFESSION	COUNT
Acquisition Agents	173
Acquisition Agent Registration	42
Acquisition Representative	2,330
Affiliate Brokers	28,874
VLS Designated Agents	101
RE Brokers	7,708
Real Estate Firms	4,209
Time Share Exempt	151
Time Share Registrations	32
Time Share Sale	1,131
Vacation Lodging Service	112

## DIRECTOR'S NOTE



With summer coming to an end and as fall begins, we are closing out a busy licensing season and entering into what I would like to call "expiration season." We are currently in the process of education renewals and E&O renewals both of which occur at the end of this year and beginning of the next. In this edition of the newsletter, I have included topics that I often receive many questions about. Through this newsletter, I hope to provide clarity on certain topics that may be confusing. As always, please reach out with any questions, concerns, or recommendations at [trec.info@tn.gov](mailto:trec.info@tn.gov).

Caitlin Maxwell  
Executive Director

## NEWS AND UPDATES

### RETIRED STATUS

Per our statutes, agents have the ability to go into a temporary retired status. In this status, agents should be inactive and are not required to maintain firm affiliation or E&O Insurance. One of the biggest issues we run into with retired status is agents fail to renew their license. While in retired status, agents are still required to renew their license by paying the licensing fee. If you or someone you know is thinking of going into retired status, remember you must still renew prior to each expiration date in order to maintain your retired status. Please see applicable statute below:

#### 62-13-318. Temporary retirement -- Inactive status.

- (a)(1) Upon written request accompanied by the license and the fee for change of status, any real estate firm, real estate broker, affiliate broker, time-share salesperson, or acquisition agent may temporarily retire the license.
- (2) If the retiree wishes to remain in retirement for any portion of a subsequent license renewal period, the retiree shall pay the required license renewal fee prior to the license expiration date.
- (3) No retired licensee may engage in any act defined in § 62-13-102.
- (4) The retiree is responsible for advising the commission of the retiree's current mailing address.

(b)(1) A licensee wishing to reactivate a license from retirement status shall submit the proper form and fee for a change of status.

(2) Reactivation of a temporarily retired license shall not be permitted until the licensee provides proof of completion of sixteen (16) classroom hours in real estate courses as specified in § 62-13-303 during the current license renewal period.

(c) Any license in inactive status with the commission on July 1, 2016, shall be transferred to retirement status on that date.

### NOTIFY

If you are receiving this newsletter, there is a good chance you are signed up for Notify. If not, you should sign up [here](#). Notify is the system the State uses to distribute statute and rule changes. When we are in the process of a rule change, notice of the potential rule is sent via Notify to allow licensees and consumers an opportunity to voice their comments and opinions. It is also used to notify the public and licensees of major licensing updates and items such as the newsletter. It is by no means junk mail.

### CUSTOMER SERVICE CALL BACK

This is a relatively new feature being offered when you call in to the Commission. Rather than wait on hold, you have the option to receive a call back. You will not lose your place in line, but will be called back in the estimated time. This function allows you to move on to whatever else you have going on and allow us to call you back in the estimated timeframe.

## NEWS AND UPDATES (CONT'D)

### ERRORS & OMISSIONS "E&O" POLICY RENEWALS

The 2019-2021 E&O renewal cycle is fast approaching. As required by statute, active licensees are required to maintain E&O insurance. If your insurance is on the 1/1/17-1/1/19 cycle, it is almost time to renew your policy with your E&O provider. Be on the lookout for your insurance renewal notice and ensure your E&O is renewed by 1/1/19. Under our rules, there are penalties for licensees who fail to maintain continuous E&O insurance. As a principal broker, it is also important to ensure all licensees affiliated with your firm maintain their E&O insurance. If you wish to see more about the requirements and penalties of E&O insurance, please see Rule 1260-01-.16.

### EDUCATION

Calling all Education Providers and Instructors: Education course and instructor renewals all expire 12/31/2018. Renewal notices have been sent out in the mail. If you have not received your notice, or if you have any questions, please contact our office at [trec.info@tn.gov](mailto:trec.info@tn.gov) with the subject "Education Renewals."

### BILL TUNE AWARD

Congratulations to Karen Lowe on receiving the 2018 Bill Tune Award for Excellence in Education. The Commission had the pleasure of presenting this award to Karen at the September Commission meeting. This award is presented to individuals who represent the highest ideals of dedicated service and professionalism in real estate education. Thank you, Karen, for your many years of service in the real estate industry.



*Members of The Tennessee Real Estate Commission pictured with Bill Tune Award recipient Karen Lowe.*

### CONTINUED EDUCATION

All licensees, unless grandfathered, are required to complete sixteen (16) hours of education prior to license renewal. It is important to remember that if you are licensed in multiple states that you ensure you are taking education that is approved in both states where you are licensed. If the provider is approved in both states, please make sure that you ask the provider to provide completion of proof to both states to ensure you receive credit for the completed education.

### OUT OF STATE APPLICANTS

If you or someone you know is interested in becoming licensed in Tennessee, the first things required are a certified license history from the original state licensed and an education history of all the education completed in that state. Tennessee Code Annotated 62-13-314(b) states an applicant must meet or exceed the qualifications for licensure in this state. Our office will review the certified license history and education history and make a determination as to whether the applicant meets or exceeds Tennessee's requirements. Once these documents are reviewed, our office will communicate what additional requirements, if any, remain outstanding. Once the applicant meets all requirements, he or she will receive instructions on how to apply for Tennessee licensure.



## DISCIPLINARY ACTION REPORT | MAY-AUGUST, 2018

RESPONDENT	LOCATION	VIOLATION	ACTION	DATE
Able Services	Memphis, TN	Unlicensed Activity	\$2,000 Civil penalty	5/2/18
Thomas David Whitt II	Morristown, TN	Failure to furnish copy of contract at the time of execution	\$500 Civil penalty	5/7/18
Anthony Willoughby	Memphis, TN	Failing within a reasonable time to account for or to remit any moneys coming into the licensee's possession that belong to others	Voluntarily Surrendered License	5/7/18
Larry E. Little	Cordova, TN	Unlicensed Activity	\$29,000 Civil Penalty	5/17/18
Brian Scott Richardson	Nashville, TN	Advertising Violation	\$1,000 Civil penalty	5/30/18
Tyler Graham	Nashville, TN	Failure to supervise	\$1,000 Civil penalty	5/30/18
Tracy King	Knoxville, TN	Failure to disclose all pertinent details on the face of an advertisement	\$1,000 Civil penalty	5/30/18
Ryan Levenson	Knoxville, TN	Failure to Supervise	\$500 Civil penalty plus 4 hours of core continuing education	5/30/18
Tasha Valentine Kesterson	Knoxville, TN	Failure to exercise reasonable care in amending the terms of the listing agreement without prior authorization plus 4 hours of continuing education in Contracts	\$500 Civil penalty	6/19/18
O'Bryant Cannon	Madison, TN	Acting on a personal interest without prior disclosure and timely written consent plus 4 hours of continuing education in Contract Writing	\$1,000 civil penalty	6/20/18
SPM Resorts, Inc.	Myrtle Beach, SC	Failure to respond to complaint	\$1,000 civil penalty	6/20/18
Linda "Susanne" S. Flynn	Hendersonville, TN	Advertising violation	\$500 Civil Penalty	6/26/18
Marketplace Homes	Livonia, MI	Unlicensed activity	\$1,000 Civil penalty	6/27/18
Diamond Resorts International Marketing, Inc.	Las Vegas, NV	Failure to respond to complaint	\$1,000 Civil penalty	6/27/18
Ronald Delozier	Franklin, TN	Advertising violation	\$1,000 Civil penalty	6/29/18
Steven M. Champion	Chattanooga, TN	Failure to supervise	\$500 Civil penalty and 4 hours of CORE continuing education	7/13/18
Angela Dawn Vineyard	Knoxville, TN	Advertising which offered compensation for a referral	\$1,000 Civil penalty	7/13/18
Erieka E. Defoe	Knoxville, TN	Failure to supervise	\$1,000 Civil penalty	7/13/18
Angela Rhoads	Tucson, AZ	Advertising violation	\$500 Civil penalty	7/23/18
Mark Hite	Chattanooga, TN	Failing to obtain express written permission of all parties prior to amending the parties' agreement	\$500 Civil penalty and 4 hours of continuing education in Contracts	7/24/18
Melvin B. Priess	Franklin, TN	Website prompts users who are already working with another realtor to enter into a new agreement	4 hours of continuing education related to Agency	7/27/18
Tara Quirion	Clarksville, TN	Failure to supervise	\$1,000 Civil penalty	8/1/18
Werner Enterprises of Gatlinburg, Inc.	Gatlinburg, TN	Unlicensed activity	\$1,000 Civil penalty	8/1/18
Tavares Washington	Cordova, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
James Streeter	Chattanooga, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
Blakey Propst	Nashville, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
John Westmoreland	Celina, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
Mikki Batista	Knoxville, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
Lacey Montgomery	Hendersonville, TN	Failure to comply with T.C.A. §56-1-109, §56-1-312, or T.C.A. § 36-5-707	Suspension	8/2/18
Lisa Michelle Kennedy	Clarksville, TN	Failure to exercise reasonable skill and care	\$1,000 Civil penalty	8/7/18
T&T Enterprises	Cordova, TN	Unlicensed activity	\$500 Civil penalty	8/7/18
Joseph Arthur Fox	Knoxville, TN	Failure to exercise reasonable skill and care	\$1,000 Civil penalty	8/9/18
Diane Martin	Clarksville, TN	Advertising violations, failure to supervise	\$250	8/14/18
Cynthia "Cindy" Ruth Kraus	Maryville, TN	Respondent engaged in advertising activities that violate the statute or rule of the commission	\$500 Civil penalty	8/15/18