



VIRGINIA REAL ESTATE BOARD

VREB *SPEAKING*

www.dpor.virginia.gov

Spring 2012

Message from the Chair



Clifford L. Wells

The short days of winter have been replaced by longer and warmer spring days. Just as seasons turn, I trust the real estate market and economy are turning toward recovery, growth and prosperity.

We celebrated the 40th anniversary of the passage of the Virginia Fair Housing Law in April. Each issue of *VREB Speaking* during 2012 will focus on a different aspect of the importance of Fair Housing in Virginia. This issue highlights Governor Bob McDonnell's commemorating this important milestone by proclaiming April 2012 as "Fair Housing Month" across the Commonwealth. The Governor's Proclamation is reproduced on page 3 of this newsletter, and I encourage you to read it carefully.

The article on page 4 summarizes 2012 General Assembly legislation affecting the Real Estate Board and its licensees. HB 206 was probably the most important real estate-related bill as it includes a number of provisions that will affect brokers and salespersons.

One article on page 5 describes the three-hour Residential Standard Agency (RSA) course that will help licensees better understand the new real estate agency laws that go into effect on July 1, 2012.

Although some licensees may have up to two years after this date to complete the RSA course, I strongly advise you to take this course as soon as possible so that you understand the changes in law. New rules affecting dual agency and enhanced disclosures will apply to many real estate transactions. You will be responsible for conducting your practice according to law, so do take care to ensure you understand the new agency laws.

A second article on page 5 provides information on the Board's January 26, 2012, decision approving a new 30-hour post license education (PLE) curriculum for new salespersons. The new PLE curriculum will go into effect no later than January 1, 2014, and the current three-track PLE curriculum will be phased out.

The Board's disciplinary actions from its January and March 2012 meetings are listed on pages 6 through 9. Escrow violations continue to make up a significant number of the Board's disciplinary actions. Licensees may find it helpful

(Continued on page 9)

Virginia Real Estate Board
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Richmond, VA 23233
804-367-8526

Robert F. McDonnell
Governor

James S. Cheng
Secretary, Commerce & Trade

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2012 Meeting Dates

May 22, 2012

July 12, 2012

September 6, 2012

November 29, 2012

All meetings are held at the above address at the Perimeter Center.

BOARD MEMBERS

Clifford L. Wells, Chairman
Virginia Beach
Licensee Member
Four-year term ends on 6/30/13

Judith L. Childress, Vice Chair
Martinsville
Licensee Member
Four-year term ends on 6/30/12

Nathaniel Brown
Charlottesville
Citizen Member
Four-year term ends on 6/30/12

Carol F. Clarke
Charlottesville
Licensee Member
Four-year term ends on 6/30/12

Anh Tu Do
Annandale
Licensee Member
Four-year term ends on 6/30/15

Sandra Ferebee
Norfolk
Licensee Member
Four-year term ends on 6/30/14

Joseph Funkhouser, II
Harrisonburg
Licensee Member
Four-year term ends on 6/30/14

Sharon Parker Johnson
South Hill
Licensee Member
Four-year term ends on 6/30/12

DPOR Staff

Gordon Dixon, Director
Mark Courtney, Deputy Director
Licensing & Regulation Division
Nick Christner, Deputy Director
Compliance & Investigations Division
Steven Arthur, Deputy Director
Administration & Finance Division
Lizbeth Hayes, Director
Fair Housing Office



Real Estate Board Staff

Christine Martine
Executive Director
Kevin Hoeft
Education Administrator
Jeffrey Williams
Board Administrator
Emily Trent
Administrative Assistant

Board Contact Information

Executive Director - 804-367-8552
Licensing Section - 804-367-8526
Education Section - 804-367-2406
Fax Number - 866-350-7849
E-mail - REBoard@dpor.virginia.gov
Internet - www.dpor.virginia.gov
DPOR Main Number - 804-367-8500
Complaints Section - 804-367-8504



CERTIFICATE of RECOGNITION

By virtue of the authority vested by the Constitution in the Governor of the Commonwealth of Virginia, there is hereby officially recognized:

FAIR HOUSING MONTH

WHEREAS, equal housing opportunities are essential for supporting vibrant communities and economic vitality throughout the Commonwealth of Virginia; and

WHEREAS, illegal barriers to equal opportunity in housing, no matter how subtle, diminish the rights of all; and

WHEREAS, the policy of Virginia is to prohibit discriminatory housing practices in order that the peace, health, safety, prosperity, and general welfare of all the inhabitants of the Commonwealth may be protected and insured; and

WHEREAS, April 2012 marks the 40th Anniversary of the passage of the Virginia Fair Housing Law; and

WHEREAS, the federal Fair Housing Act, an historic component of the Civil Rights Act of 1968, affirms the right of all citizens to equal housing opportunities free from discrimination based on race, color, religion, national origin, sex, disability, or familial status; and

WHEREAS, our Commonwealth's own fair housing law affords even greater opportunities and ensures equitable treatment of older Virginians by also prohibiting discrimination based on elderliness; and

WHEREAS, the Virginia Fair Housing Office at the Department of Professional and Occupational Regulation operates to enforce fair housing law and educate the public that there can be no place for discrimination, whether in rental housing, home buying, lending, or insurance; and

WHEREAS, in partnership with non-profit and private-sector organizations involving in housing transactions, Virginia is committed to educating the public about fair housing rights and responsibilities; and

NOW, THEREFORE, I, Robert F. McDonnell, do hereby recognize April 2012 as **FAIR HOUSING MONTH** in our **COMMONWEALTH OF VIRGINIA**, and I call this observance to the attention of all our citizens.



Robert F. McDonnell
Governor

Janet V. Polarek
Secretary of the Commonwealth

2012 General Assembly Update

New Laws Affecting the Virginia Real Estate Board

The 2012 General Assembly Session considered 2,876 bills and resolutions during its 60-day session. Below are descriptions of Real Estate Board-related bills enacted by the legislature and signed by the governor. To view the full text of the new laws, visit the *Legislative Information System* online at <http://lis.virginia.gov> and search by bill number.



HB 206, requested by the Virginia Association of REALTORS®, directs the Board to develop regulations allowing licensees to carry over continuing education credits to another renewal cycle. The new law also gives the Board discretionary authority to establish criteria setting forth what type of work unlicensed employees of real estate licensees may perform without triggering the necessity for a license.

In addition, HB 206 imposes a mandatory self-audit provision for brokerage firms and sole proprietorships every two years—but that provision does not become effective until January 1, 2013. This bill also sets out the duties of supervising brokers.

Other bills of interest, although not specific to the Real Estate Board, include:

HB 210: Requires the Real Estate Appraiser Board to establish a licensure program for Appraisal Management Companies (AMCs) beginning July 1, 2014. The Dodd-Frank Reform Act enacted by Congress requires all state real estate appraiser boards to regulate AMCs.

HB 337: DPOR-requested legislation to strengthen the ability of regulatory boards to take legal action against exam imposters and others who obtain licenses fraudulently.

HB 609: Requires anyone regulated by a board at DPOR to present proof of licensure to customers/prospects upon request.

HB 937: Directs regulatory boards to establish procedures for expediting license applications from military spouses who hold similar credentials from another jurisdiction. DPOR already manually expedites license applications from military spouses whenever possible within the constraints of law and regulation. If approval for licensure will take longer than 30 days, beginning in 2014, this new law will require boards to issue temporary licenses to allow military spouse applicants to work while completing state-specific requirements.

HB 938: Mandates regulatory boards accept military training, education, or experience that is substantially equivalent to that required by law or regulation. DPOR already accepts substantially equivalent military training, education, or experience, and also extends the timeframe to meet license renewal requirements for active-duty military personnel and their spouses.

Board Approves Post License Education Program Changes

At its January 26, 2012, meeting, the Real Estate Board (Board) approved the January 18, 2012, "Real Estate Board Advisory Council Report," which will establish a new 30-hour post license education (PLE) curriculum for new real estate salesperson licensees. The new PLE curriculum will consist of the following eight courses: 1) Fair Housing, Americans with Disabilities Act and the Civil Rights Act of 1866 - 2 hours; 2) Real Estate Law and Board Regulations - 8 hours; 3) Ethics and Standards of Conduct - 3 hours; 4) Current Industry Issues and Trends - 2 hours; 5) Virginia Agency Law - 3 hours; 6) Contract Writing - 6 hours; 7) Risk Management - 3 hours; and 8) Escrow Requirements - 3 hours.

The Board has not set a specific start date for the new PLE curriculum, but it will go into effect no later than January 1, 2014. The Board is in the process of having its entire information system upgraded as part of the overall DPOR information system upgrade, so the implementation of the new PLE curriculum, along with the phase out of the current PLE curriculum, must be coordinated with this information system upgrade.

The January 18, 2012, "Real Estate Board Advisory Council Report" can be viewed on the Board's website at: <http://www.dpor.virginia.gov/dporweb/Real%20Estate%20Board%20Advisory%20Council%202012%20Report.pdf>

For background information on the Real Estate Board Advisory Council's 2011 meetings, please review the "2011 Real Estate Advisory Council Meetings Update" article on page 3 of the Winter 2011 issue of *VREB Speaking*, which can be accessed on the Board's website at: http://www.dpor.virginia.gov/dporweb/VREB_Speaking_Winter_2011.pdf

Residential Standard Agency Course Requirement

The Virginia General Assembly enacted legislation significantly amending residential agency law, and these changes go into effect on July 1, 2012. All active licensees who renew or reinstate an active salesperson or broker license, and all inactive licensees who activate an inactive salesperson or broker license from July 1, 2012, through June 30, 2014, must complete a Real Estate Board-approved three-hour course in Residential Standard Agency (RSA) to become familiar with these changes (Section 54.1-2105.03.A.3 of the Code of Virginia). The three-hour RSA course is required to renew all active salesperson and broker licenses that expire beginning with the July 31, 2012, expiration date and ending with the June 30, 2014, expiration date.

Completion of the RSA course is a one-time only education requirement. The three-hour RSA course is in addition to the required 24 hours of continuing education for brokers, the required 16 hours of continuing education for salespersons who have renewed their license at least one time previously, or the required 30 hours of post license education for new salespersons. A list of approved RSA courses is on the Board's website at: http://www.dpor.virginia.gov/dporweb/reb_rsa_course_report.pdf

Active licensees who do not practice residential real estate and will not do so during the current licensing term are not required to complete the three-hour RSA course. **HOWEVER**, in order to have the three-hour RSA course requirement waived, these active licensees must submit an original notarized affidavit to the Board certifying they do not practice residential real estate and shall not do so during the current licensing term. For more information on this, the *Residential Standard Agency Continuing Education Course Waiver Notarized Affidavit Form* is on the Board's website at: http://www.dpor.virginia.gov/dporweb/res_waiver_form.pdf At its May 22, 2012, meeting the Board determined that any active licensee whose license is affiliated with a referral company practices residential real estate and, therefore, must complete the three-hour RSA course.

A "Residential Standard Agency Course Requirement Notice" letter was mailed to all brokers and salespersons in April informing them of this course requirement. Please contact the Board's Education Section at 804-367-2406 or reschool@dpor.virginia.gov with any questions about the RSA course.



DISCIPLINARY ACTIONS



The Real Estate Board (the Board) licenses or certifies real estate salespersons, brokers, firms, proprietary schools and pre-license instructors. If a complaint is filed against a licensee who is subject to the laws and regulations of the Board, the complaint is reviewed by the Compliance and Investigations Division (CID) of DPOR to determine if a violation of these laws or regulations may have occurred. If there is probable cause of a violation, an investigation is initiated. If the investigation reveals that one or more violations may have occurred, the licensee receives notice to appear at an informal fact-finding conference (IFF) to address these alleged violations.

In some cases the licensee may be offered a pre-IFF Consent Order. A Consent Order is an agreement between the licensee and the Board consisting of specific violations and sanctions. Pre-IFF Consent Orders eliminate the time and expense associated with conducting an IFF.

If an IFF is held, a recommendation from the IFF hearing officer consisting of proposed violations and sanctions is submitted to the Board for consideration at its next meeting. The Board can take the following disciplinary actions against a licensee: assess a monetary penalty; suspend or revoke a license; place an individual on probation; require additional education; or deny renewal. A licensee can continue to practice throughout the disciplinary process until the Board either revokes or suspends his license.

THE FOLLOWING DISCIPLINARY ACTIONS RENDERED BY THE BOARD AT ITS JANUARY and MARCH 2012 MEETINGS CAN BE VIEWED AT: www.dpor.virginia.gov. Click on "License Lookup." Then click on "Search Disciplinary Actions Occurring since April 1, 2002." Then enter the Case Number in the blank "Search" box. Then click on the "Search" button. Then click on the highlighted "File Number." The Order and Report of Findings for that case will appear.

<u>Case Number</u>	<u>Licensee</u>	<u>Violations & Sanctions</u>
2011-03309	Richard L. Joyeusaz McLean, VA	18 VAC 135-20-260 - Unworthiness & Incompetence (2 counts) License Revocation
2011-02846	Gunther A. Viscarra Manassas, VA	18 VAC 135-20-170—Maintenance of Licenses \$500 Monetary Penalty, License Revocation
2011-03182	Ivan M. Parada Lorton, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts 18 VAC 135-20-260 - Unworthiness & Incompetence \$1000 Monetary Penalty, 8 hours Continuing Education, License Probation and Quarterly Reporting to the Board for One Year
2011-01514	Peter Tang Tang Bristow, VA	18 VAC 135-20-240 - Provision of Records to the Board 18 VAC 135-20-260 - Unworthiness & Incompetence (2 Counts) \$6000 Monetary Penalty, License Revocation
2011-03987	Peter Tang Tang Bristow, VA	18 VAC 135-20-250 - Response to Inquiry of the Board \$1000 Monetary Penalty, License Revocation
2011-02715	Ann W. High Clifton, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) \$2500 Monetary Penalty, License Revocation
2011-04216	Christine A. Nielsen Stafford, VA	18 VAC 135-20-310 - Delivery of Instruments \$150 Board Costs, 3 hours Continuing Education
2011-04996	Theodoros G. Priftis Alexandria, VA	18 VAC 135-20-290 - Improper Dealing \$150 Board Costs, 4 hours Continuing Education
2012-00831	Leanne Moore, t/a Dymond Property Management Ruther Glen, VA	Title 54.1, Chapter 21 of the Code of Virginia Cease and Desist from Acting as an Unlicensed Real Estate Broker or Salesperson



DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations & Sanctions</u>
2011-04577	John D. Samson Herndon, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (3 counts) 18 VAC 135-20-260 - Unworthiness & Incompetence \$3900 Monetary Penalty, \$150 Board Costs, 8 hours Continuing Education, Submit Results to the Board of CPA Audit of the Financial Records and Escrow Account(s) of Samson Companies, LLC, t/a Samson Properties by April 30, 2012, Quarterly Reporting to the Board for 2 Years and will not apply to be Principal Broker or Hold Signatory Authority on any Firm's Escrow Account for 2 Years
2011-04873	Matthew P. White Huddleston, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) 18 VAC 135-20-185 - Maintenance & Management Financial Records 18 VAC 135-20-260 - Unworthiness & Incompetence (2 counts) §54.1-2133.A.4 - Failure to Exercise Ordinary Care when Engaged by Landlords to Lease Property \$7950 Monetary Penalty (Waived by Board), \$150 Board Costs, License Revocation
2012-00092	Tammy Y. Finch Richmond, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) 18 VAC 135-20-185 - Maint. & Manage. Financial Records (3 counts) 18 VAC 135-20-260 - Unworthiness & Incompetence \$3950 Monetary Penalty, \$150 Board Costs, 8 hours Continuing Education, License Revocation
2011-05079	Cecelia A. Mahan Leesburg, VA	18 VAC 135-20-260 - Unworthiness & Incompetence 18-VAC 135-20-310 - Delivery of Instruments \$1850 Monetary Penalty, \$150 Board Costs, 8 hours Cont. Education
2012-00163	Cynthia L. Stevens Mechanicsville, VA	18 VAC 135-20-185 - Maintenance & Management Financial Records 18 VAC 135-20-240 - Provision of Records to the Board 18 VAC 135-20-250 - Response to Inquiry of the Board 18 VAC 135-20-260 - Unworthiness & Incompetence \$7250 Monetary Penalty, License Revocation
2012-00104	Hyun D. Lee Chantilly, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts 18 VAC 135-20-310 - Delivery of Instruments \$1100 Monetary Penalty, \$150 Board Costs, 8 hours Cont. Education
2011-04663	Robi G. Kline Swoope, VA	18 VAC 135-20-260 - Unworthiness & Incompetence \$1250 Monetary Penalty, \$150 Board Costs, 12 hours Continuing Education
2011-04963	Alan K. Price Virginia Beach, VA	18 VAC 135-20-260 - Unworthiness & Incompetence \$350 Monetary Penalty, \$150 Board Costs, 3 hours Cont. Education
2011-04540	Kevin J. Lee Haymarket, VA	18 VAC 135-20-260 - Unworthiness & Incompetence 18 VAC 135-20-330 - Principal and Supervising Broker's Responsibility for Acts of Licensees and Employees \$2900 Monetary Penalty, \$150 Board Costs, Broker License Revocation with Salesperson License Issued, Will Complete Broker Pre-license Education Requirement if Applies for a Broker License, Will Work with Fairfax Realty, Inc. Management to Evaluate the Firm's Supervisory Brokerage Policies for its Agents
2012-00793	Shawnte L. Grant Suffolk, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts \$500 Monetary Penalty, \$150 Board Costs
2011-05013	Janice W. Grenadier Alexandria, VA	§ 54.1-2112 et seq - Virginia Real Estate Transaction Recovery Act Claim approved for \$16,979.77, License Revocation



DISCIPLINARY ACTIONS (Cont.)



<u>Case Number</u>	<u>Licensee</u>	<u>Violations & Sanctions</u>
2011-04954	Kevin J. Lee Haymarket, VA	18 VAC 135-20-260 - Unworthiness & Incompetence 18 VAC 135-20-330 - Principal and Supervising Broker's Responsibility for Acts of Licensees and Employees \$150 Board Costs, 6 Hours Continuing Education, Broker License Revocation with Salesperson License Issued, Will Complete Broker Pre-license Education Requirement if Applies for a Broker License, Will Work with Fairfax Realty, Inc. Management to Evaluate the Firm's Supervisory Brokerage Policies for its Agents
2011-04576	Rana Hmaidan Ashburn, VA	18 VAC 135-20-260 - Unworthiness & Incompetence 18 VAC 135-20-300 - Misrepresentation/Omission 18 VAC 135-20-310 - Delivery of Instruments \$2000 Monetary Penalty, \$150 Board Costs, 4 hours Continuing Education, Quarterly Reporting to the Board
2011-04366	Lee A. Shelton-Matthews Suffolk, VA	18 VAC 135-20-260 - Unworthiness & Incompetence \$500 Monetary Penalty, License Probation until Complete 3 hours Continuing Education
2011-01724	Donald A. Herrington Stafford, VA	18 VAC 135-20-260 - Unworthiness & Incompetence (2 counts) License Revocation
2011-02072	Donald A. Herrington Stafford, VA	18 VAC 135-20-260 - Unworthiness & Incompetence (2 counts) License Revocation
2012-00296	Lester D. Smathers Colonial Heights, VA	18 VAC 135-20-260 - Unworthiness & Incompetence License Revocation
2011-01461	Patricia A. Holman Chesapeake, VA	18 VAC 135-20-260 - Unworthiness & Incompetence 18 VAC 135-20-300 - Misrepresentation/Omission \$2250 Monetary Penalty (Waived unless Applies for and is Granted a Virginia Real Estate License in the Future), \$150 Board Costs, 9 hours Continuing Education, License Revocation
2012-00685	Bonnie J. Rothschild Virginia Beach, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts 18 VAC 135-20-310 - Delivery of Instruments
2012-00428	Sarah C. Gordon Ruther Glen, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) 18 VAC 135-20-260 - Unworthiness & Incompetence 18 VAC 135-20-310 - Delivery of Instruments \$1950 Monetary Penalty, \$150 Board Costs, 16 hours Continuing Education, Broker License Surrender with Salesperson License Issued
2012-00628	Sarah C. Gordon Ruther Glen, VA	18 VAC 135-20-310 - Delivery of Instruments \$600 Monetary Penalty, \$150 Board Costs, 3 hours Cont. Education
2012-00323	Pamela M. Toth Chesapeake, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts 18 VAC 135-20-310 - Delivery of Instruments \$150 Board Costs, 3 hours Continuing Education
2011-02645	Orlando W. Pacheco Chantilly, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) 18 VAC 135-20-260 - Unworthiness & Incompetence \$2500 Monetary Penalty, 9 hours Cont. Education, License Revocation
2012-00026	David W. Lyne Stephens City, VA	18 VAC 135-20-300 - Misrepresentation/Omission \$150 Board Costs, 3 hours Continuing Education
2011-04948	Terri F. Davidson Portsmouth, VA	§ 54.1-2112 et seq - Virginia Real Estate Transaction Recovery Act Claim approved for \$20,000, License Revocation



DISCIPLINARY ACTIONS (Cont.)



Case Number	Licensee	Violations & Sanctions
2012-00027	Ernie E. Jackson Hillsville, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts \$150 Board Costs, 3 hours Continuing Education
2012-00170	Usen S. Udodong Silver Spring, MD	18 VAC 135-20-260 - Unworthiness & Incompetence \$1150 Monetary Penalty, \$150 Board Costs, 6 hours Continuing Education, Quarterly Reporting to the Board for Two Years
2012-00182	Ging-Hwang F. Tsoa Ashburn, VA	18 VAC 135-20-310 - Delivery of Instruments §54.1-2132.A.4 - Failure to Exercise Ordinary Care \$1000 Monetary Penalty, \$150 Board Costs, 8 hours Continuing Education
2012-00008	Colleen A. Starr Williamsburg, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts \$250 Monetary Penalty, \$150 Board Costs
2011-04358	Jaimie G. Hess Cedar Bluff, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts §54.1-2132.A.4 - Failure to Exercise Ordinary Care \$1300 Monetary Penalty, \$150 Board Costs, 3 hours Continuing Education
2011-04359	Vickie L. England Richland, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts §54.1-2132.A.4 - Failure to Exercise Ordinary Care \$1300 Monetary Penalty, \$150 Board Costs, 3 hours Continuing Education
2010-04336	Regis A. Gehin-Chireix Fairfax, VA	18 VAC 135-20-180 - Maintenance & Management Escrow Accounts 18 VAC 135-20-185 - Maintenance & Management Financial Records 18 VAC 135-20-210 - Disclosure of Interest 18 VAC 135-20-260 - Unworthiness & Incompetence (3 counts) 18 VAC 135-20-300 - Misrepresentation/Omission 18 VAC 135-20-310 - Delivery of Instruments License Revocation
2011-03668	Regis A. Gehin-Chireix Fairfax, VA	18 VAC 135-20-180 - Maint. & Manage. Escrow Accounts (2 counts) 18 VAC 135-20-185 - Maintenance & Management Financial Records 18 VAC 135-20-220 - Disclosure of Brokerage Relationships 18 VAC 135-20-300 - Misrepresentation/Omission License Revocation
2011-03018	Aliyah N. Malik Ashburn, VA	18 VAC 135-20-390 - Withdrawal of Approval Withdrawal of Pre-license Education Instructor Certification

(Continued from page 1)

to review the article, "Earnest Money Deposits - Questions and Answers," from page 4 of the Winter 2011 *VREB Speaking*, as well as the "Maintenance and Management of Escrow Accounts" section of the Board's Regulations (18 VAC 135-20-180).

The first article on page 10 describes the new regulations for Common Interest Community Managers that were approved by the Common Interest Community Board and went into effect on March 1, 2012.

The second article on Page 10 brings us full circle back to the subject of Fair Housing as the Board's Fair Housing actions from its January and March 2012, meeting are relayed. These actions remind us that although we've made a lot of progress in bringing about a just and equitable society, we still have work to do.

Please contact the Board staff or me at REBoard@dpor.virginia.gov or 804-367-8526 with your ideas and concerns about real estate in Virginia.

Cliff Wells, Chairman

New Regulations for Common Interest Community Managers

On March 1, 2012, revisions to the Common Interest Community (CIC) Manager Regulations, as established by the Common Interest Community Board, became effective. The new regulations provide several alternative methods to qualify for a CIC Manager license. In addition, the new regulations also govern the individual certification program applicable to supervisory and principal employees that becomes effective on July 1, 2012.

Common interest community managers became regulated in 2008 as a result of legislation enacted by the General Assembly and signed by the Governor. Anyone providing management services to a common interest community in Virginia, and not otherwise exempted by § 54.1-2347 of the Code of Virginia, must hold a license issued by the Common Interest Community Board. Please note that, while another exemption from CIC manager licensure may apply, real estate licensees are not automatically exempt from licensure by the CIC Board.

To learn more about the new CIC Manager Regulations, requirements for licensure, and other information about common interest community management, please visit the CIC Board website at http://www.dpor.virginia.gov/dporweb/cic_main.cfm. You may also contact the Board office by phone at (804) 367-8510 or email at cic@dpor.virginia.gov.

Fair Housing Cases



The Fair Housing Board administers and enforces the Virginia Fair Housing Law, although the Real Estate Board is responsible for fair housing cases involving real estate licensees or their employees. Each board investigates housing discrimination through the Virginia Fair Housing Office at DPOR. All fair housing cases must attempt conciliation – an alternative dispute resolution approach using informal negotiation. Successful conciliation agreements are public unless both parties request and agree to a confidentiality clause. If conciliation is unsuccessful in resolving the complaint, the Board determines if reasonable cause exists to support a charge of discrimination. In cases where the Board determines reasonable cause and issues a charge of discrimination, the Attorney General's Office brings civil suit in circuit court seeking relief for the complainant. The following fair housing actions were rendered by the Board at its January and March 2012 meetings:

<u>Case Number</u>	<u>Case Name</u>	<u>Action</u>
2011-04573	Zachary Belcher and Andrew Deboissiere v. Renee Daniels and 1st Choice Realty Affiliates LLC, t/a Exit 1st Choice Realty	Conciliation Agreement
2012-00990	Beulah Arrington v. Dezaray Drinkard and Artcraft Management, Inc.	Conciliation Agreement
2011-03816	Shirley Thomas v. JRK Residential America, LLC	Conciliation Agreement
2011-03817	Housing Opportunities Made Equal v. JRK Residential America, LLC	Conciliation Agreement
2012-00974	Brenda Yancey v. Drucker & Falk, LLC	Conciliation Agreement
2011-03039	Katherine and David Zichichi v. Henley Management Realty, Inc.	Discrimination by subjecting complainants to discriminatory terms and conditions based upon disability.