



BOUNDARY LINES

A LOUISIANA REAL ESTATE COMMISSION MONTHLY NEWSLETTER

EDUCATION NEWS

Education Audit: It's No Joke

The 2012 Education Audit is officially underway. If a licensee receives a letter from the Education Department, it does not necessarily mean the licensee is in violation of R.S. 37:1437. Instead, the letter means that our system has indicated that we have not received all twelve (12) hours of continuing education, including four (4) hours in the mandatory topic specified by the Commission. Recipients are required to complete a form and mail or hand deliver it with a copy of all 2011 course completion certificates within fifteen (15) days from the date of the notice.

Sometimes, the Commission does not receive all of a licensee's certificates; therefore, we are left to assume the licensee did not complete the necessary hours. However, if a licensee can prove that he/she has completed the continuing education requirements with a certificate of completion, he/she will be dismissed. The licensee is responsible for maintaining all course completion and providing copies to the Commission upon request.

- Lester Patin

Chairman's corner



Several recent studies conclude that nearly 80% of consumers first turn to the internet for information on real estate. More alarming is the fact over 80% of the information consumers find on the internet is wrong! The marketing prowess of Google, Trulia, Zillow, and others, continues to trump the traditional efforts of real estate professionals to educate consumers.

The conclusion reached by these studies center on the fact that the majority of real estate professionals practicing real estate, and the regulators charged with protecting the public interest in real estate transactions, are significantly older than the average age of the consumers they serve. It is believed that the reluctance of more mature real estate practitioners and regulators to embrace and utilize cutting edge technology in

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LREC WELCOMES
**LYNDA
NUGENT
SMITH**



The LREC is pleased to announce the addition of a new Commission member. Lynda Nugent Smith, CRS, GRI, is an associate broker with Keller Williams Realty 455-0100 and has been working in the real estate industry for forty years.

In 2010, Louisiana REALTORS® Association named Nugent Smith the 2010 REALTOR of the year. She also served as past director of the National Association of Realtors®, president of the New Orleans Metropolitan Association of Realtors, representative for Louisiana to National Association of Home Builders and is a current representative for the New Orleans Home Builders Association. Nugent Smith will represent the Louisiana Real Estate Commission at large.

Nugent Smith has partnered with her daughter, Lesha Nugent Freeland, to form an experienced real estate team serving the Greater New Orleans Metro Area.

We are excited about the new insight and fresh ideas Nugent Smith will bring to the Commission, and we are grateful for her continued service to the Louisiana real estate industry.

- Lester Patin



cont'd Chairman's Corner (below)

their respective roles, has left a huge void in the marketplace, a technology deficit happily filled by Internet entrepreneurs.

The demographics of Louisiana licensees confirm we fit the national pattern. Our LREC age demographic of brokers and agents, published in a prior issue of "Boundary Lines" revealed less than 20% of Pelican State real estate professionals are under the age of 35, the age group proven to be most technically savvy.

Your LREC is taking steps to become relevant and stakeholder friendly in the rapidly changing digital marketplace. Within the coming weeks and months, all transactions and information needed by consumers, licensees, real estate schools, and other stakeholders will be 100% available online. A new user friendly LREC website is nearing completion which will enable consumers and licensees to quickly access everything from the status of their continuing education to online processing of renewals, transfers, complaints, and disciplinary actions. We'll even offer a free "App," so that all resources can be used right from an Apple or Android mobile phone!

We believe consumers are best served when regulators and licensees alike are skilled and knowledgeable in all aspects of electronic communication in the digital age. If you have additional ideas on how LREC can better utilize technology in achieving our mission of protecting the public interest in real estate transactions, we'd like to hear from you. In the meantime, have you checked your own technology IQ? One thing is certain: we must all strive for continuous improvement in the brave new world of digital communication.



Property Management

The investigative staff has been contacted by licensees with questions regarding compliance with the law regarding their real estate activity as a property manager. These agents are simultaneously working as an employee for one or more owners while licensed as a salesperson or associate broker. The property management is not conducted through their sponsoring broker. This action constitutes a violation of the Louisiana Licensing Law, and the licensee could be censured, suspended or revoked, as well as face fines.

Managing property in Louisiana is a real estate brokerage activity that requires a real estate license. A licensee who wants to act as a leasing agent or property manager must conduct this activity through the brokerage firm that holds his or her license.

It has been determined that, in some instances, the broker has granted "permission" for their sponsored licensee to work outside of the broker's company. This practice is in violation of the law:

ASSOCIATE BROKERS AND SALESPERSONS

- Shall not accept a commission or other valuable consideration for a defined real estate activity from anyone other than their sponsoring or qualifying broker,
- Must place any funds entrusted to them in connection with any transaction involving the sale, lease, or management of real property with their sponsoring or qualifying broker.

SPONSORING OR QUALIFYING BROKERS

- Shall not permit a sponsored licensee to

operate as an individual real estate broker. Our investigators have found several brokers who were fully aware that their sponsored licensees owned and operated a separate property management company,

- Shall not permit a sponsored licensee or an employee to conduct real estate activities in violation of the licensing law.

The Commission has the authority to regulate the issuance of licenses and censure, suspend, or revoke licenses of those that violate license law or rules and regulations.

- Marsha Stafford

March Citations

A broker in the state was issued a citation and ordered to pay a fine in the amount of \$325.00 for failing to disburse a deposit within the required time frame.

A salesperson in the state was issued a citation and ordered to pay a fine in the amount of \$75.00 for failing to have all owners' authorization in writing before he/she advertised a property for sale.

A broker in the state was issued a citation and ordered to pay a fine in the amount of \$475.00 for failing to disburse a deposit within the required time frame and for failing to maintain records for a period of five years.

The Investigation Division issued 37 advertising citations in the month of March. The majority of these citations were issued on team advertisements, wherein the team member advertising failed to include all team members' names in the advertisement.

- Robert Maynor



Educating Ourselves: A Survey

A few months ago, we asked you what you thought the 2013 Continuing Education Topic should be, and now we want to know what topics you find to be the most important and most interesting for a Louisiana real estate licensee to learn. We are constantly striving to make sure every education topic is both relevant and interesting to the professional audience. We value the opinions of the licensee and the public alike. So, let us know what you think! We're listening!

[Click Here To Take Our Survey!](#)

Follow us for all the latest updates!



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