

# The Real Estatement

Vol. 36 No. 1

January 2015

## Comments From the Commission Chair



### We Don't Know What We Don't Know!

**Kathy Weber**  
IREC Chair

The year is 1980, and real estate is a mess. Agents licensed then are probably shuddering now with memories of high interest rates (15%-18% IF a buyer could obtain a loan), owner contracts, wrap-around contracts, and falling home values. That was the year I decided to get my real estate license, and Richard E. Harden and I opened a new agency. I didn't know what I didn't know.....

The required classes and tests to get a real estate license do not prepare many of us for the real world of listing and selling. We may know the law and have practiced filling in a contract; but until we work with a seller or buyer or run into a legal question or issue, it is just practice. Once we have the hands on experience, the next transaction is easier; and hopefully more valuable knowledge is stored in the brain! You don't know what you don't know.....

I was a very lucky new agent. My broker, whom I had known since I was 17, mentored and guided me through

many transactions and encouraged continuing education, even though it was not required at the time. Along with R.E. (as I called him), the more seasoned agents in my office and other agencies helped and mentored me, even if they didn't always know that was what they were doing. Constructive criticism, such as a friendly phone call that I had typed or handwritten the wrong legal or dropped/added a "0" in the purchase price, etc., was an invaluable experience. I was beginning to know what I didn't know...!

As my experience grew, I was always surprised and flattered when a new agent came to me for help or advice. It helped me realize a mentor did not need to know all the answers. Just being available to talk over the details of a transaction and being a shoulder to cry on or a sounding board were extremely valuable. Thus finding a way to help diffuse the situation so the parties could go forward in a positive manner was not only great for real estate but life in general! Learning what we don't know...

To be the best licensees, all of us occasionally need a mentor. We should also be available to mentor other agents when needed. We should make the commitment to continue our education beyond the required hours as an investment in not only our career, but an investment to benefit the public and our offices. From first hand, ongoing experience, I learned that being a mentor and mentee helped me stay out of trouble and made me a much better real estate licensee and person. The Golden Rule always applies. And we still don't know what we don't know...

### Congratulations, Patrick!

The Commission would like to welcome Patrick Malone to IREC's Education Council. Patrick is from the Southeast District and fills the vacancy left by the appointment of Michael J. Johnston to the Real Estate Commission. We are all looking forward to working with Patrick on the Council.



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**Commissioner Attorney -- Kim Coster**



## Odds and Ends

**Jeanne Jackson-Heim**  
Executive Director

**Legislation** - At this writing, the 2015 legislative session is underway. IREC has several pieces of draft legislation for consideration this year, as well as two changes to the administrative rules. Most of the proposed legislation involves clean-up and housekeeping. One substantive change affects the certification period for certified instructors and providers. If passed, the providers and certified instructors only would renew annually on the same date every year. Courses would continue to be certified for two years on a staggered basis through the year. Rule changes are also proposed to delete obsolete language and provide for electronic service of documents in contested cases (disciplinary hearings). All draft legislation and rules are posted on the Commission website at [irec.idaho.gov](http://irec.idaho.gov). If you have any questions or comments, please do not hesitate to contact us.

**Online Services Update** - Ding dong, the wicked Adobe Flash Player witch is (almost) dead... The Commission is pleased to announce that new and improved online services for our licensees and educators will be launched in February. The rewrite will no longer require Adobe Flash Player to log in to your account, and it will be mobile friendly. This means you will be able to renew your license and view your records on all kinds of devices, including Apple products and smart phones. We thank you for your patience! It took us a while, but we are thrilled this valuable update is very near to completion. Our next project is to make the same enhancements to our public database search, which we hope to have finished by mid-summer 2015. After launch, if you encounter difficulties in using the new online services, PLEASE let us know as soon as possible so we can assist you and correct any glitches.

**Commission Meetings** - If you want to attend a Commission meeting for continuing education credit, note the schedule is a bit different this year. The Commissioners are trying something new and have scheduled only seven meetings, and the meetings are set for various dates and locations. All meeting information is posted on the Commission website calendar. We encourage you to consider a Commission meeting to receive up to four hours of free CE credit! You can also download the meeting packet from the calendar – the agenda, reports, and other documentation for the meeting are posted one week in advance.

**Real Estate Issues** - You may be aware a letter was recently sent to some licensees from the Idaho Department of Health & Welfare regarding radon testing. And,

from time to time, IREC receives information about a federal law or program touching on real estate, such as changes to national flood insurance and flood maps, new appraisal rules for federally-related loans, IRS income reporting requirements, foreign investment in agricultural land, and so forth. While the Commission is unable to advise you on these matters, and IREC does not enforce federal or environmental regulations, we understand they have the ability to impact your real estate practice. We have found the REALTOR® association to be an excellent resource to help licensees stay up to speed on real estate issues and trends. The Commission appreciates our positive working relationship with the REALTORS®, and we encourage licensees to utilize the association’s member services to gain knowledge on these important matters.

**“Say it isn’t so...”** Speaking of regulation, we have heard an unusual “rumor” that we want to dispel! Yes, the licensed brokerage name must be included in licensee advertisements, but phone answering is not considered an advertisement. Therefore, please be advised IREC staff is NOT randomly calling licensees to see if they use the brokerage name when they answer the phone or in their voice mail messages. If you hear of anyone repeating this rumor, please let them know it’s incorrect. And as always, if you have any questions about the Idaho real estate license law or what we do here at the Commission, we are always available and happy to help you.



## Help Us Welcome Our New Administrative Assistant!

Kari Crisp brings 12+ years experience in the real estate industry. She began in real estate in 2002 and just recently placed her license inactive in order to join our team. During her time in real estate Kari was a sales person, associate broker and designated broker. She also served both on her local REALTOR® Board and on the Idaho Professional Standards Committee.

We were lucky to “steal” Kari from her position working for the Idaho State Police and are excited to have her join us.

Kari’s “free time” is filled with her granddaughter, five kids and two Mini-Australian Shepherd dogs. Her other interests include: dog agility, cross stitch, reading and crafts.



## The 3rd is Too Late!

**MiChell Bird**  
**Education & Licensing**  
**Director**

On July 1, 2014 the new Post License education requirement became law. A salesperson renewing for the first time or activating for the first time after having renewed on inactive status must complete two (2) different Core courses plus 12 hours of prescribed post license credit instead of general elective credit. New licensees are required to take a mandatory 8-hour Post License Fundamentals course plus their choice of one 4-hour post license module.

Licensees will need to plan ahead to meet these requirements for renewal. ***The courses are held infrequently and may be unavailable to complete at the last minute.*** In most months, Post License Fundamentals along with one of the modules is typically offered live around the state, but advanced planning will be needed in order to attend the module of your choice. Beginning in February, Post License Fundamentals will be available online through the College of Western Idaho (CWI). The 4-hour post license modules are only offered live at this time.

Although Post License Fundamentals is being offered online, the online course will still require some prior planning. The course completion format will be different than most other online courses available for real estate credit and will utilize student-to-instructor interactivity, such as email, discussion boards, online forums, and some short answer assessments.

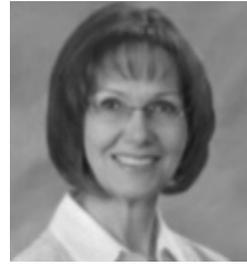
- Students must register by the 2nd of the month to be enrolled in that current month’s class. The 3rd is too late! If the deadline is missed, the licensee must wait for the next offering. The course must be completed by the 20th of the month.

- The course has interim and final assessments and some short answer essays that will have to be checked by an instructor. The course requires final instructor review and approval of any course requirements prior to awarding student credit for completion of the course.

- There is a maximum enrollment for each class of 20 students. Courses may fill up and be unavailable until the next month. If the minimum enrollment standards are not met, the course may be cancelled.

Whether licensees choose to complete the course live or online, licensees are encouraged to plan ahead so they can meet the CE requirements for an active renewal. Licensees who do not have the required education will need to renew their license on inactive status or wait to renew their license until they have completed the required education. Inactive licensees cannot participate in any real estate related business that requires an active license.

You can locate all certified post license courses, at [irec.idaho.gov](http://irec.idaho.gov) under the “Public Database Search”.



## Developing our Abilities

**Beckie Kukal**  
**Education Council Chair**

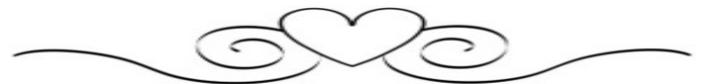
*“LET US THINK OF EDUCATION AS A MEANS OF DEVELOPING OUR GREATEST ABILITIES BECAUSE IN EACH OF US THERE IS A PRIVATE HOPE AND DREAM WHICH, FULLFILLED, CAN BE TRANSLATED INTO EVERYONE AND GREATER STRENGTH FOR OUR NATION” .... JOHN F. KENNEDY*

I’m sure by now everyone has heard the great news that our Continuing Education hours have changed a bit. This labor of love has been a long time in the making. Our first try at this occurred several years ago with four 8-hour modules that were designed for new licensees to give them a jump start in their new career.

These new post license courses are a wonderful resource and will be beneficial to new and seasoned licensees alike. The instructors are phenomenal and the courses are designed to ease new agents into the business or give a brush up for those who might be a little dusty. I had the opportunity to audit two of the new courses and think they will be a great addition to the courses already offered for CE. These courses are: Post License Fundamentals; Post License Professionalism, Negotiations and Closing; Post License Pricing, Marketing and Advertising; Post License Introduction to Commercial Real Estate.

If you have questions about how this will affect your renewal, you may call the Idaho Real Estate Commission and they will be happy to assist you.

There are many people who gave time and expertise to this endeavor. They are to be commended on a job well done and a heartfelt thank you.



<b>Licensee Statistics</b>	
<b>As of January 2015</b>	
<b>Active Licensees.....</b>	<b>7328</b>
<b>Inactive Licensees.....</b>	<b>2462</b>
<b>Total Licensees.....</b>	<b>9790</b>

## \*\* Audit Honor Roll \*\* May 2014 - November 2014

**Penilee "Peni" Stevens**, DB21805  
Recreation Realty

**C. Darlene Young**, DB10836  
Sun Valley Sotheby's International  
Realty

**James K. Figge**, DB19622  
Sun Valley Associates

**Teresa Kim Lebrecht**, DB20560  
Gem Valley Real Estate, Inc.

**Owen Jed Taylor**, DB25232  
Taylor Real Estate, LLC

**Mary Ann Blaser**, DB23425  
Riverside Real Estate, LLC

**Kathleen Ann Beber**, DB5142  
Re/Max Connections

**Angela Maria Heasley**, DB15641  
Moscow Realty, Inc.

**Gail A. Byers**, DB1159  
Gail Byers Real Estate

**Sean Matthew Wilson**, DB27993  
Latah Realty, LLC

**Nikki Lynn Trautman**, DB27027  
American Dream Real Estate, Inc.

**Marla J. McWilliams-Lopez**,  
DB32924, Estate Properties

**Gary T. Schneidmiller**, DB9956  
Coldwell Banker Schneidmiller Realty

**Todd L. Smith**, DB23410  
The Real Estate Office

**Theresa M. Brown**, DB22269  
Eagle Pointe Realty, LLC

**David Ray O'Brien**, DB10834  
Cascade Lake Realty, Inc.

**Heather Marie Haynes**, DB28915  
Century 21 Whitewater Clark

**Michelle Lynn Basye**, DB8197  
Brundage Realty, Inc.

**Harold Kenneth Dunn**, DB28143  
Sage Realty Group

**Kraig Paul Kincheloe**, DB28266  
SKE Realty Group, LLC

**Loretta E. Hartman**, DB21527  
North Idaho Real Estate, LLC

**Patricia A Krug**, DB10724  
**Jennifer Smock**, MA29491  
Windermere/Coeur d'Alene Realty,  
Inc.

**Tracy Denise  
Wohlschlegel**, DB11686  
Century 21 Greater LandCo Realty

**Patricia Ann Davis**, DB1876  
Voigt Davis REALTORS® Limited  
Company

**Rodney C. Panike**, DB6070  
**Roxanna Lynne Cline**, MA32258  
Select Properties LLC

**Ronda Sue Conger**, DB23336  
CBH Sales & Marketing, Inc.

**Steven Albert Caporale**, DB30105  
Amherst Madison Partners



## Disciplinary Actions

Formal Actions taken May 01, 2014  
through December 31, 2014

**Anderson II, Skinner Edward**  
"Skip", inactive salesperson. Con-  
victed for Misprision of a Felony. This  
involved his failure to report an illegal  
gambling operation at a property he  
owned. Stipulated to violation of Idaho  
Code 54-2061(1)(a) for conviction of a  
felony. Given a formal reprimand and  
must reimburse the Commission \$450  
for the costs and attorney's fees. His  
license is suspended for 12 months,  
but the entire suspension is withheld,  
providing he complies with the terms  
of the Final Order, his criminal pro-  
bation, and self-reports any probation  
violation within 20 days.

**Bird, Ronald G.**, inactive salesperson.  
Convicted of Sexual Abuse of a Child  
Under 16, in February 2013. Failed  
to report this felony to the Commis-  
sion. A Complaint was served upon

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Bird, and he failed to answer. A Notice  
of Proposed Default Order was issued,  
and when no Objection was received  
within the allowed time, the Commis-  
sioners entered a Final Order on May  
19, 2014, for violation of Idaho Code  
54-2061(1)(a) - conviction of a felony,  
and 54-2061(3) - failure to report his  
conviction to the Commission with-  
in 20 days. His real estate license is  
revoked, he is required to reimburse  
the Commission \$433.87 for costs and  
attorney's fees.

**Breuer, Julie R.**, unlicensed individu-  
al. Her name was placed in an adver-  
tisement as though she was an Idaho  
licensee. She has not been actively li-  
censed in Idaho since 2007. She failed  
at that time to renew her errors and  
omissions insurance. Case proceeded  
to formal hearing. Findings of Fact,  
Conclusions of Law and Final Order  
issued May 5, 2014. The Commission  
found she did not engage in unlicensed

Disciplinary Actions continued on page 6

practice, and the advertisement was  
someone else's fault. She is in viola-  
tion of Idaho Code 54-2013(1) - fail-  
ure to maintain errors and omissions  
insurance while license was active.  
Ordered to pay a \$200 civil fine and  
to reimburse the Commission for the  
costs and attorney's fees in an amount  
to be determined. Order on Costs  
& Attorney's Fees issued 6/19/14.  
Ordered to pay \$959.90 for costs and  
attorney's fees. The fine, costs, and  
attorney's fees are withheld until such  
time as Breuer applies for another  
Idaho real estate license.

**Brown, Patti Ann**, salesperson in  
Boise. Stipulated to violation of Idaho  
Code 54-2013(1) and Commission  
Rule 121.03 - failure to maintain a  
current policy of errors & omissions  
insurance. Received a formal reprim-  
and; ordered to pay a \$150 civil fine,  
and \$450 for costs and attorney's fees.

January 2015



## Coming Soon Listings

By Craig Boyack  
Chief Investigator

The Commission is getting a lot of calls about “coming soon” advertising. The calls usually indicate a property that is held from competing licensees, only to post on the MLS as pending a few days later. This is indicative of a licensee trying to double end the sales commission and earn both the selling agent’s and listing agent’s portion of the available fee.

There is certainly nothing wrong with selling your own listings, but this has to be accomplished according to the law. The Commission feels it is time to address what licensees are required to do under the license law.

Before any property is advertised, it must be listed by that brokerage. This can be as simple as a Compensation Agreement, or a full blown Seller’s Representation Agreement. Advertising an unlisted property is considered a misleading advertisement.



**Campbell Jr., Douglas Todd**, salesperson in Boise. Convicted of being a prohibited person in possession of a firearm and ammunition, a felony. He reported his conviction to the Commission within the proper time frame. He stipulated to a violation of Idaho Code 54-2061(1)(a) - conviction of a felony. Received a formal reprimand; required to pay \$450 for costs and attorney’s fees. His license is revoked, but the revocation is withheld providing he complies with all terms of his criminal probation and meets all terms of the Final Order.

**Coronado, Monica M.**, salesperson in Caldwell. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine and \$450 for costs and attorney’s fees.

**Drougas, Damon C.**, associate broker in Ketchum. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions

When working for an unrepresented seller, such as under a Compensation Agreement, the licensee still owes the seller several duties. These include acting with honesty, good faith, and reasonable skill and care. Licensees are also required to timely receive and present all offers. This means presenting all offers received, even if the seller or licensee is not ready to consider offers.

When working as an agent on behalf of the seller, additional duties are required under section 54-2087 including promoting the best interest of the client. Discouraging offers from buyers who use a competing agent is not promoting the best interest of the seller/client. Withholding a property from the open market to allow your buyer a head start may not be promoting the seller/client’s best interest either. When the buyer is also your client, you cannot favor the buyer/client’s best interest over that of the seller/client.

Promoting a property as coming soon may build a competitive atmosphere among interested buyers. Remember, you cannot refuse to present any legitimate offer to the seller, even if that offer arrives early.

A seller requesting time to prepare the property for showing may be a legitimate use of a coming soon sign. Withholding the property from the broader market to increase a licensee’s personal income is not.

insurance. Received a formal reprimand; ordered to pay a \$150 civil fine, and must reimburse the Commission \$450 for costs and attorney’s fees.

**Fait, Jamie Ann**, salesperson in Eagle. Advertised the listings of other brokers, but only included her contact information on the ads. She advertised the properties without permission of the competing brokers, and advertised lower prices than the sellers authorized. Stipulated to violation of Idaho Code 54-2053(4) for misleading advertising. Received a formal reprimand; ordered to pay a civil fine of \$1,000, she must reimburse the Commission \$450 for costs and attorney’s fees, and required to successfully complete two classes - “Are You a Secret Agent?” and any 4-hour Real Estate Forms class.

**Farnsworth, Matthew**, unlicensed individual. Farnsworth bought into an out-of-state investor’s online program. He acted as an independent contractor to find building lots for Capital Homes LLC. If any of the lots closed, Farnsworth anticipated a finder’s fee

of \$8,700.00 from Capital Homes. Farnsworth failed to respond to investigative inquiries about entering into a stipulation, and was served with a Complaint. He failed to answer the Complaint within the specified time period. Notice of Proposed Default Order issued October 1, 2014, and Final Order issued October 14, 2014, for violation of Idaho Code 54-2002 - engaging in the unlicensed practice of real estate in anticipation of a fee. Ordered to pay a \$1,500 civil fine, and reimburse the Commission \$450 for costs and attorney’s fees.

**Farnsworth, Valrea**, inactive salesperson. Farnsworth and her husband, Matthew, bought into an out-of-state investor’s online program. He acted as an independent contractor to find building lots for Capital Homes LLC. If any of the lots closed, Matthew anticipated a finder’s fee of \$8700 from Capital Homes. Valrea, with full knowledge of the program, prepared and presented five different offers on four different lots on Matthew’s behalf. Valrea Farnsworth failed to respond to investigative inquiries about

entering into a stipulation, and was served with a Complaint. She failed to answer the Complaint within the specified time period. Notice of Default Proposed Default Order issued October 1, 2014. Final Order issued October 14, 2014, for violation of Idaho Code 54-2060(12) - reckless conduct in a regulated real estate transaction by participating in and promoting Matthew's unlicensed practice. Received a formal reprimand; required to pay a \$1500 civil fine, must reimburse the Commission \$450 for costs and attorney's fees. Her real estate license is suspended but the suspension is withheld, providing she pays all fines and fees when due and complies with all other terms of the Final Order.

**Feaster-Eytchison, Steven M.**, salesperson in Boise. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine and \$450 for costs and attorney's fees.

**Fewkes, Misty M.**, expired salesperson. Fewkes and her husband presented an offer on a listed property. She failed to submit the contracts to her designated broker and failed to deliver \$1,100 in earnest money. The transaction failed and Fewkes signed a termination agreement that surrendered the consideration to the seller. Fewkes made a partial cash payment to the seller's brokerage, and delivered four postdated checks for the balance. The checks listed her address as the property she tried to buy. This was not the address on file with the Idaho Real Estate Commission. She failed to respond to any attempt to reach a stipulation with staff, and was served with a Complaint. She failed to answer the Complaint within the specified time period. Notice of Proposed Default Order issued October 1, 2014. Final Order issued October 14, 2014, for violation of the following sections of Idaho Code: 54-2012(1)(k) - failure to provide a full and current mailing address and to notify the Commission in writing of any change in mailing address within ten business days; 54-2045(4) - failure to immediately deliver all consideration to her broker or broker's office; 54-2060(3) - failure

to account for or remit any property, real or personal, or monies coming into the person's possession which belong to another; 54-2060(12) - gross negligence in a regulated real estate transaction; and 54-2086(1)(c) - failure to properly account for monies or property placed in the care and responsibility of the brokerage on behalf of the seller customer. Received a formal reprimand; ordered to pay a civil fine of \$1,000; and must pay \$720 for costs and attorney's fees.

**Gill, Harjot**, unlicensed individual, and Wells Net Lease Group, unlicensed entity. Gill advertised an Office Max in Pocatello for sale while acting under a Utah brokerage, Wells Net Lease Group. He had no listing, and this was more like a pocket listing. Found to be in violation of Idaho Code 54-2002 for unlicensed practice. Issued a Cease & Desist Order.

**Goasland, Brad T.**, expired salesperson. Obtained a listing when he was actively licensed. When he moved to Utah, he continued to promote the listing for sale on his website. Stipulated to violation of Idaho Code 54-2002 for unlicensed practice of real estate. Received a formal reprimand; ordered to pay a \$1,500 civil fine; and required to pay \$450 for costs and attorney's fees.

**Hall, Chelsie E.**, inactive salesperson. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine and \$450 for costs and attorney's fees.

**Hansen, Dayna S. "Dani"**, unlicensed individual. Formal hearing held March 20 and 21, 2013. Found to be in violation of Idaho Code 54-2002 for unlicensed practice. Amended Final Order entered November 21, 2013. She is required to pay a \$1,500 civil fine, and must reimburse the Commission for costs and attorney's fees to be determined. Appealed to District Court. District Court upheld Amended Final Order.

**Hansen, Terrell L. "Terry"**, inactive broker. Formal hearing held March 20 and 21, 2013. Found to be in violation

of the following sections of Idaho Code: 54-2060(11) for dishonest or dishonorable dealings; 54-2060(2) for engaging in a continued and flagrant course of misrepresentation; 54-2060(12) reckless conduct in a regulated real estate transaction; 54-2087(4) for failure to promote the best interest of his client; 54-2058(3) for providing altered evidence to the Commission in response to the Commission's request for records; 54-2040(4) for conducting business under a name other than the name in which his license was issued; 54-2050(1)(a) for failure to include conspicuous and definite beginning and expiration dated in a seller representation agreement; 54-2051(4)(c) for failure to include the responsible broker on offers to purchase; 54-2051(5) for failing to have the parties to the transaction initial and date changes made to offers to purchase or other real estate purchase agreements; 54-2085(4) for failure to correctly indicate the brokerage's relationship with the buyer and seller in the Representation Confirmation section of the purchase and sale agreements. Received a formal reprimand; his license is suspended for a period of three years, but the entire suspension is withheld, he must successfully complete a live Agency course consisting of at least four hours, he must successfully complete a live Business Conduct and Office Operations course, he must successfully complete a live Purchase Contracts course comprising no fewer than four classroom hours (all classes must be completed no later than August 30, 2014). He must pay a civil fine of \$3,500. He must reimburse the Commission for costs and attorney fees to be determined. Order on Costs & Attorney's Fees issued 1/16/14. Ordered to pay costs and attorney's fees of \$24,650 by 3/31/14.

**The Hansen Group Company, Inc.**, unlicensed entity. Formal hearing held March 20 and 21, 2013. Found to be in violation of Idaho Code 54-2002 for unlicensed practice. Ordered to pay a civil fine of \$1,500 and reimburse the Commission for costs and attorney's fees to be determined. Order on Costs & Attorney's Fees issued 1/16/14. Ordered to pay costs and attorney's fees of \$12,700 by 3/31/14.

**2nd Amended Final Order 9/4/2014, after District Court appeal:**

**Terrell Hansen:** Found to be in violation of: 54-2060(11) for dishonest or dishonorable dealings; 54-2087(4) for failure to promote the best interest of his client; 54-2058(3) for providing altered evidence to the Commission in response to the Commission's request for records; 54-2040(4) for conducting business under a name other than the name in which his license was issued; 54-2050(1)(a) for failure to include conspicuous and definite beginning and expiration dated in a seller representation agreement; 54-2051(4)(c) for failure to include the responsible broker on offers to purchase.; 54-2051(5) for failing to have the parties to the transaction initial and date changes made to offers to purchase or other real estate purchase agreements; 54-2085(4) for failure to correctly indicate the brokerage's relationship with the buyer and seller in the Representation Confirmation section of the purchase and sale agreements. Given a formal reprimand for his actions; his Idaho real estate license was revoked effective September 4, 2014. Order Regarding Costs & Attorney's Fees set aside.

**The Hansen Group Company, Inc.**

Found to be in violation of Idaho Code 54-2002 – engaging in the practice of real estate without an Idaho real estate license. Order Regarding Costs & Attorney's Fees set aside.

**Heaton, Jon C.,** salesperson in Boise. Issued a Cease & Desist Order on June 19, 2014, for violation of Idaho Code 54-2060(12) - engaging in reckless conduct. He is ordered to stop trying to collect extra fees outside his brokerage, and to stop trying to pay fees for buyers and sellers without making a full written disclosure to buyers, seller, loan underwriters, and lien holders.

**Hollingsworth, Robert R.,** inactive broker. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine and \$450 for costs and attorney's fees.

**Hume, LeAnn Marie,** associate broker in Boise. Hume was the designated

broker of Cushman and Wakefield Commerce Real Estate Solutions at the time of this action. She participated in the cooperative brokerage of the Cobblestone Creek Retail Center, in Pocatello, with an unlicensed company. Stipulated to violation of Idaho Code 54-2050(3) for using an automatic renewal clause in her listing agreement, and 54-2038 and 54-2038(1)(b) for failure to conduct her brokerage in compliance with the law and failure to review and approve all real estate agreements. Given a formal



reprimand; ordered to pay a \$1,500 civil fine and \$450 for costs and attorney's fees. She must also successfully complete a Real Estate Law class within six months.

**Jordan, Brent and David Viers**

**& Associates,** unlicensed in Idaho. Jordan and DVA are licensed in Montana, but unlicensed in Idaho. Jordan and DVA represented a buyer in the transaction for the Cobblestone Creek Retail Center, in Pocatello. Stipulated to violation of Idaho Code 54-2002 for unlicensed practice. Ordered to each pay a civil fine of \$3,000 and must reimburse the Commission a total of \$450 for costs and attorney's fees. Jordan and DVA are jointly and severally liable for costs and attorney's fees. Both are also required to cease and desist from unlicensed practice in Idaho.

**King, Brent,** associate broker in Fruitland. Listed a repossessed property. He was told the house sat on the property line, and could not be con-

veyed in its present condition. He sold the property, and did not disclose this adverse material fact. Stipulated to violations of Idaho Code 54-2060(11) for dishonest and dishonorable dealing; 54-2060(12) for reckless conduct; 54-2086(1)(a)(b) for failure to perform ministerial acts with honesty, reasonable skill, and care; and 54-2086(1)(d) for failure to disclose an adverse material fact. Received a formal reprimand; ordered to pay a \$3,000 civil fine; required to pay \$450 for costs and attorney's fees, and must successfully complete Risky Business 1 and Risky Business 2 within 6 months.

**Kludt, Travis,** inactive salesperson. Kludt made an appointment with a brokerage to show a vacant property. He obtained the code for a private lockbox and accessed the property. Kludt did not have a client with him. The complainant caught Kludt engaging in sexual activity with a female inside the property. Stipulated to violation of Idaho Code 54-2060(3) - failure to account for property by using his licensed status to gain access to the property for an improper purpose; 54-2060(12) - gross negligence or reckless conduct; and 54-2086(1)(c) - violation of the customer duty to account for property. Received a formal reprimand; and must reimburse the Commission \$450 for costs and attorney's fees. His real estate license is revoked but the revocation is withheld providing he complies with all terms of the Final Order.

**McCune, Gregory M.,** expired salesperson. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine, and \$450 for costs and attorney's fees.

**Mellen, Thomas M.,** salesperson in Boise. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$150 civil fine, and \$450 for costs and attorney's fees.

**Montgomery, Lon and The Leed Corporation,** unlicensed. Montgomery and The Leed Corporation

utilized a scheme of dealing in options and subletting the properties to others; whereby the tenant could buy the property at a later date, contingent upon The Leed Corporation first obtaining title to the property. The Commission found them in violation of Idaho Code 54-2002, for unlicensed practice. Order to Cease and Desist issued on October 1, 2014.

**Nourse, George**, salesperson in Boise. Stipulated to violation of Idaho Code 54-2013(1) and Commission Rule 121.03 - failure to maintain a current policy of errors & omissions insurance. Received a formal reprimand; ordered to pay a \$300 civil fine, and \$450 for costs and attorney's fees.

**Pratt, LaVina**, designated broker in Eagle. Pratt was convicted of a felony for operating a motor vehicle while under the influence of alcohol. Pratt mixed a prescription sleep medication with alcohol. Then, at an employee's request, drove to her brokerage to issue him a check. When she was leaving, she hit another vehicle and was arrested. She stipulated to violation of Idaho Code 54-2061(1)(a) - conviction of a felony. Received a formal reprimand; she must reimburse the Commission \$450 for costs and attorney's fees; her real estate license is revoked, but the revocation is withheld providing she complies with the terms of her criminal probation and the terms of the Final Order; she must close her trust account and is directed to take entrusted funds to title companies.

**Simon, Jason and Westwood Net Lease Advisors LLC**, unlicensed in Idaho. Simon and Westwood hold Missouri real estate licenses, but are unlicensed in Idaho. Simon and Westwood promoted a Twin Falls Walgreen's for sale and attempted to procure buyers. Issued an Order to Cease & Desist on July 17, 2014, for unlicensed practice.

**Thomsen, Davy**, salesperson in Nampa. Ran an advertisement offering cash for leads on Facebook. He stipulated to violation of Idaho Code 54-2054(3) - offering monetary compensation to unlicensed persons to induce them to procure prospects, and 54-2053(4) - misleading advertising when his advertisement failed to

include the licensed business name of his brokerage. Received a formal reprimand; ordered to pay a \$1,200 civil fine; required to pay \$300 for costs and attorney's fees; and must successfully complete Risky Business 1 and Risky Business 2 within 6 months.



**Timeshare Concepts**, unlicensed entity. Timeshare Concepts solicited an individual to sell his timeshare in the Sun Valley area. Individual paid an advance fee for advertising, as well as access to a lease or rent to own program. Timeshare Concepts was found to be in violation of Idaho Code 54-2002 - unlicensed practice. Issued a Cease & Desist Order. \*\*\*\*\*

**Late Errors & Omissions Insurance Renewal Violations** - Civil fine for violation of Idaho Code section 54-2013 - failure of a licensee to maintain Errors and Omissions insurance or failure of a licensee to submit or cause to be submitted a certificate of coverage as required. Civil penalty for violation: First - \$150; second - \$300; third - \$600; fourth - \$1,200; fifth - \$2,400; sixth - \$4,800.

**Anderson, Rae H.**, associate broker in Eagle - \$150

**Available Property, Inc.**, corporation in Eagle - \$150

**Baham, Shana D.**, inactive salesperson - \$150

**Benoit, Gary**, inactive salesperson - \$150

**Benson, Josephine "Jody"**, designated broker in Boise - \$150

**Beveridge, Nicholas**, salesperson in Coeur d'Alene - \$150

**Blewett, Jennifer**, inactive salesperson - \$150

**Blum, Cameron**, salesperson in Boise - \$150

**Breen, Peggy**, designated broker in Boise - \$150

**Brown, Michael J.**, designated broker in Eagle - \$150

**Bulson, Stephen L.**, salesperson in Meridian - \$300

**Cannariato, Steven**, associate broker in Boise - \$300

**Christianson, Kenneth**, salesperson in Boise - \$150

**Cockerham, Mickey**, salesperson in Gooding - \$150

**Coffield, Caycee**, salesperson in Boise - \$300

**Connect Realty.com, Inc.**, terminated corporation - \$150

**Cook, David E.**, salesperson in Post Falls - \$150

**Dean (Neely), Kendra Sue**, salesperson in Glens Ferry - \$300

**Dina, Claudia C.**, salesperson in Boise - \$150

**Edwards, Kali K.**, salesperson in Boise - \$300

**Ellis, Berkeley W.**, salesperson in Eagle - \$150

**Ellis, Steven W.**, designated broker in Eagle - \$150

**Erickson, Michael D.**, inactive salesperson - \$150

**Esquivel III, Antonio R. "Tony"**, salesperson in Boise - \$150

**Gardner, Karla K.**, salesperson in Boise - \$150

**Gardner, Miste**, salesperson in Boise - \$600

**Guiotto, Patrizia M.**, salesperson in Boise - \$150

**Hail, Matthew B.**, salesperson in Driggs - \$150

**Hart, Daniel**, salesperson in Twin Falls - \$300

**Hawkins, Gary R.**, designated broker in Boise - \$600

**Highland Realty, LLC**, Limited Liability Company in Grangeville - \$300

**Inland Empire Properties, Inc.**, corporation in Coeur d'Alene - \$150

**Innes, Aubrey J.**, salesperson in Nampa - \$150

**Jeremy Telford Real Estate Services**, Limited Liability Company in Meridian - \$150

**Jewett, James L.**, salesperson in Boise - \$150

**Johnson, Jerry**, salesperson in Hayden - \$150

**Jones, Deanna**, associate broker in Soda Springs - \$150

**Kidd, Dani**, salesperson in Eagle - \$150

**Kirby, Raymond A.**, limited broker in Boise - \$150  
**Koyle, Alexandra O.**, salesperson in Rupert - \$150  
**Koyle, Sheryl**, designated broker in Rupert - \$150  
**Kriesien, Brian**, salesperson in Twin Falls - \$150  
**Larsen, Rex B.**, designated broker in Meridian - \$600  
**Lewis, Karen**, associate broker in Moscow - \$150  
**Lindstrom, Sarah A.**, inactive broker - \$150  
**Marshall, Jacob**, salesperson in Meridian - \$150  
**Mason, Tammy L.**, salesperson in Spokane, Washington - \$150  
**McReynolds, Shellee**, salesperson in Caldwell - \$150  
**Movoto, Inc.**, corporation (41602) in Eagle - \$150  
**Ndikubwimana, Emmanuel**, salesperson in Boise - \$150  
**New Home Star Idaho, LLC**, Limited Liability Company in Elmhurst, Illinois - \$150  
**North End Real Estate, LLC**, Limited Liability Company in Boise - \$150  
**Orton, Benjamin J.**, salesperson in Burley - \$150  
**Perecz, Ryan**, salesperson in Garden City - \$150  
**Pickren, Michael**, designated broker in Boise - \$300  
**Poulsen, Alison M.**, designated broker in Ketchum - \$300  
**Premier Group Realty West**, partnership in Fruitland - \$300  
**Pugh, James D. "Jamie"**, designated broker in Elmhurst, Illinois - \$150  
**Quinn, Amanda**, salesperson in Meridian - \$150  
**Rex B. Larsen & Associates, LLC**, Limited Liability Company in Meridian - \$600  
**Sanders, Paula Rae**, salesperson in Fruitland - \$150  
**Schreiner, Kristie M.**, inactive salesperson - \$150  
**Sety, Michael L.**, salesperson in Boise - \$150  
**Shively, Daniel T.**, salesperson in Boise - \$150  
**Shreeve, Natalie**, inactive salesperson - \$150  
**Siler, William N.**, salesperson in Boise - \$150  
**Spittle, James**, salesperson in Boise - \$150  
**Stanhouse, Jason B.**, salesperson in Garden City - \$150

**Stansfield-Wilson, Jessica**, salesperson in St. Maries - \$150  
**Stranger, Amy**, salesperson in Coeur d'Alene - \$150  
**Stranger, Brian**, designated broker in Coeur d'Alene - \$1,200  
**Telford, Jeremy R.**, designated broker in Meridian - \$300  
**Thomas, Melanie**, inactive salesperson - \$150  
**Thompson, Mark**, salesperson in Driggs - \$300  
**Throngard, Desiree**, salesperson in Boise - \$150  
**Tompkins, Darin Wade**, salesperson in Boise - \$150  
**Tract Realty, Inc.**, corporation in Boise - \$150  
**Tran, Hai Minh**, inactive salesperson - \$100  
**Tremblay, Erica "Ricki"**, associate broker in Driggs - \$150  
**Trevino, Abel M.**, salesperson in Boise - \$150  
**Van Hees, Larry**, salesperson in Meridian - \$150  
**Veltrop, Michael D.**, inactive salesperson - \$150  
**Venable, Mycheil "Mykki" L.**, salesperson in Boise - \$150  
**Vitucci, Glenn**, salesperson in Driggs - \$150  
**Warner, Karen E.**, associate broker in Boise - \$150  
**Warrick, David**, salesperson in Boise - \$300  
**Watkins, Daniel S.**, salesperson in Boise - \$150

**Weed, Judith**, designated broker in Boise - \$150  
**Wickstrum, Kim**, designated broker in Los Gatos, California - \$150  
**Williams, Jenifer M.**, salesperson in Boise - \$150  
 \*\*\*\*\*  
**Late Continuing Education Renewal Violations** - Civil penalty for violation of Idaho Code 54-2018(5); 54-2023 and/or 54-2060(7) - misstatement in the application for renewal of a real estate license. (First time violation unless indicated otherwise by multiple asterisks: \*\* = 2nd violation; \*\*\* = 3rd violation.)  
**Eaton, Cheryl M.**, salesperson in Coeur d'Alene - \$500  
**Engelbreit, Laurie L.**, salesperson in Boise - \$500  
**Farnham, Thad**, salesperson in Hailley - \$150  
**Gaddis, Christopher C.**, designated broker in Logan, Utah - \$300\*\*\*  
**Glowacki, Jerome J.**, salesperson in Rigby - \$500  
**Haney, Lisa A.**, salesperson in Twin Falls - \$150  
**Hettinger, John L.**, salesperson in Boise - \$1,000\*\*  
**Howard, Ruth Elaine**, associate broker in Sandpoint - \$500  
**Howarth, Paul R.**, associate broker in Jackson, Wyoming - \$150  
**Jerome, Rob J.**, salesperson in Nampa - \$500



**The Commission would like to recognize the following instructors who helped pilot the new Post License curriculum. Our thanks goes out to:**

- \*\*Anne Anderson**
- \*\*Chris Mooney**
- \*\*John Hollar**
- \*\*Janis Mooney**
- \*\*Peggy Sawicki**
- \*\*James Igel**

- \*\*Mike Gamblin**
- \*\*Nancy Glaesemann**
- \*\*Georgia Meacham**
- \*\*Tracy Thompson**
- \*\*Shelly Shoemaker**

**Jones, James Wesley**, salesperson in Coeur d’Alene - \$150\*\*  
**Jones, Mary Ann**, designated broker in Newport, Washington - \$500  
**Jorgenson, Michael**, salesperson in Boise - \$1,000  
**Marez, Tiffany A.**, salesperson in Rexburg - \$150  
**Martin, Tracy E.**, salesperson in Boise - \$1,000  
**Neighbor, Connie M.** “Coni”, salesperson in Boise - \$500  
**Oeding, Charles**, salesperson in Salmon - \$500  
**Parmar, Robert Ravi**, designated broker in Bellevue, Washington - \$500  
**Pihlajisto, Arto**, salesperson in Logan, Utah - \$500  
**Poyner, DeAnn “De”**, salesperson in Coeur d’Alene - \$500  
**Reed, Debra J.**, salesperson in Boise - \$500  
**Rudolph, Shelley**, salesperson in Lewiston - \$1,000  
**Sellers, Greg D.**, salesperson in Idaho Falls - \$500  
**Stubblefield, John L.**, designated broker in Meridian - \$1,000

**Wendell, William G.**, salesperson in Boise - \$500  
**Williams, John D.**, salesperson in Coeur d’Alene - \$150  
**Windhorst, Trevor**, salesperson in Coeur d’Alene - \$1,000  
 \*\*\*\*\*  
**Office Audit Citations** – Citation and civil penalty fine for various Idaho Code violations found during an office inspection.  
**Beckstead, Scott**, designated broker with Scott Beckstead Real Estate Company in Preston - \$150  
**Black, Jeffrey**, designated broker with Cornerstone Real Estate Professionals, in Preston - \$150  
**Coulter, James H.**, designated broker with Coulter Properties, in Hailey - \$75  
**Longstreet, Garret**, designated broker with 1st Place Realty LLC, in Meridian - \$25  
**Miller, Tina**, designated broker with Assist 2 Sell Homepointe Realty Team in Idaho Falls - \$75

**Skinner, Evan E.**, designated broker with Property Pros Realty, in Montpelier - \$150  
**Todd, Margaret R.** “Margie”, designated broker with Ridge River Realty, LLC, in Wallace - \$25  
 \*\*\*\*\*  
**Late License Renewals** - Violation of Idaho Code 54-2002, 54-2018 and 54-2060(10) - continuing to practice as a licensee after license expired or was inactivated. Designated brokers - \$20 per day. All others - \$10 per day.  
**Ayres, Lisa N.**, salesperson in Soda Springs - \$20  
**Baker, Daniel J.**, salesperson in Harrison - \$60  
**Dina, Claudia C.**, salesperson in Boise - \$10  
**Johnson, Kimberly Rae**, salesperson in Eagle - \$10  
**Ordonez, Carlos E.**, inactive salesperson - \$1,110  
**Schlomer, Linda L.**, salesperson in Eagle - \$20

\*\* **In Memory** \*\*

The Idaho Real Estate Commission extends its deepest sympathies to the families of:

- \*Sandra Louise “Sandy” Rowe, Star
- \*Bryce Tracy, Mountain Home
- \*Jonathan Kahil Nahas, Boise
- \*Dale D. De Martini, Boise
- \*Christopher T. Stonehocker, Boise
- \*Leroy M “Roy” Wessels, Boise



# IDAHO

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