



Mediation - Is It Right For You?

Did you know that the Division of Real Estate & Professional Licensing has **15** trained mediators?

If you currently have a complaint filed against you, mediation may be a good option to resolve the complaint.

Why?

The mediation process can be a “win-win” situation for real estate licensees and complainants because it can result in a quick resolution of a complaint and, ultimately, lower legal costs for both parties. The process is completely voluntary; however, both parties must agree to participate.

How does the process work?

After the Division receives a complaint and determines that it falls within the Division’s regulatory authority, the real estate licensee and the complainant are offered the option to enter into the mediation process.

The parties are provided with an opportunity to describe the issue from each of their points of view. The mediator will then work with the parties to facilitate an agreement acceptable to both sides. When the agreement is fulfilled, the Division’s investigation will be closed.

What is the role of the mediator?

The mediator will facilitate the discussion between the parties without arriving at any judgments or conclusions. The mediator’s role is to ask questions and assist in negotiations between the parties. The mediator does not issue orders or take sides.



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Meet Our Customer Service Team

When you walk into or call the offices of the Division of Real Estate & Professional Licensing, you will be greeted by a customer service representative. The Division's representatives act as our "goodwill ambassadors" and are ready and able to answer your questions and review paperwork that is brought into the office.

The customer service section has evolved over the years. In the past, the receptionist would answer the phone and forward the call to the appropriate section. Today, we have a group of trained individuals who answer 74 percent of the 5,000 calls received each month. We believe this provides our customers with better, faster and friendlier service.

The Division's goodwill ambassadors are:

- Madelin Esquivel is the manager of the customer service section. She has served in various capacities within the Division since March 2006 and began managing the customer service section in November 2007.
- Roger Jones joined the customer service team in October 1994. Mr. Jones has just recently returned to the Division from two years of active military duty with the Ohio National Guard.
- Beverly Spears joined the Division of Real Estate in February 1998 and became a customer service representative in July 2005.
- Beth Dunkle joined the Division as a customer service representative in October 2005.
- Thomas Moore is the newest member of the customer service team. He officially joined the team in July 2007.
- Ronald McIntyre, who joined the Division as a Reproduction Operator in 2006, is a backup to the customer service team.

The customer service team is a very dedicated group that takes pride in the level of service it provides. This team cares about all of the Division's customers and attempts to demonstrate dedication and goodwill every day — one customer at a time.

Licensees and visitors to our Web site can let us know their thoughts by clicking on the Division's Customer Feedback survey under the "How Do I"... heading.

A comment from one of our real estate licensees: "Good attitudes from all of the calls I have made for general or specific information. I have been in Real Estate for over 30 years and this is the most 'agent friendly' I have seen. Keep up the good work."



Front row (left to right): Beth Dunkle and Beverly Spears. Back row (left to right): Thomas Moore, Roger Jones, Ronald McIntyre and Madelin Esquivel.



“Can You Hear Me Now?”®*

Licensure Requirements for Acquiring Cell Phone Tower Sites

The following questions were recently submitted to the Division. Below is a reproduction of the scenario presented, and the questions and answers.

“A wireless carrier has determined the need for a new facility in a geographic location and engages a site acquisition practitioner, whether a firm or individual, to procure and negotiate a long-term lease agreement from a private property owner for the construction of a tower facility. The site acquisition practitioner receives a flat fee upon delivery of an executed lease agreement, the terms of which have been agreed by the parties through negotiations the practitioner has facilitated.”

“Q1: In the above scenario, under Ohio’s real estate laws and statutes, would the site acquisition practitioner, meaning the individual actually negotiating the lease with the property owner, be required to have an active real estate license? Would a real estate license be required if the property was to be purchased rather than leased?”



A1: The practitioner must have an Ohio real estate license. Ohio Revised Code Sections 4735.01 and 4735.02 provide that any person who, for another, for compensation (fee, commission, valuable consideration) or the expectation of compensation, must have a license to do the following:

- (1) Sells, exchanges, purchases, rents, or leases, or negotiates the sale, exchange, purchase, rental, or leasing of any real estate;
- (2) Offers, attempts, or agrees to negotiate the sale, exchange, purchase, rental, or leasing of any real estate;
- (3) Lists, or offers, attempts, or agrees to list, or auctions, or offers, attempts, or agrees to auction, any real estate;
- (4) Buys or offers to buy, sells or offers to sell, or otherwise deals in options on real estate;
- (5) Operates, manages, or rents, or offers or attempts to operate, manage, or rent, other than as custodian, caretaker, or janitor, any building or portions of buildings to the public as tenants;
- (6) Advertises or holds self out as engaged in the business of selling, exchanging, purchasing, renting, or leasing real estate;
- (7) Directs or assists in the procuring of prospects or the negotiation of any transaction, other than mortgage financing, which does or is calculated to result in the sale, exchange, leasing, or renting of any real estate;
- (8) Is engaged in the business of charging an advance fee or contracting for collection of a fee in connection with any contract whereby the broker undertakes primarily to promote the sale, exchange, purchase, rental, or leasing of real estate through its listing in a publication issued primarily for such purpose, or for referral of information concerning such real estate to brokers, or both, except that this division does not apply to a publisher of listings or compilations of sales of real estate by their owners;
- (9) Collects rental information for purposes of referring prospective tenants to rental units or locations of such units and charges the prospective tenants a fee.

* *“Can You Hear Me Now ?”*® is a Verizon trademark

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Can You Hear Me Now continued...

Thus, the practitioner is acting as a buyer's agent when he or she facilitates the negotiations of the purchase or lease of real property on which a tower facility may be constructed. Ohio license law does not distinguish between purchases and leases with respect to licensure requirements.

"Q2: If the answer to Q1 was Yes, what charges, penalties or fines, if any, can be levied against the unlicensed site acquisition practitioner?"

A2: Ohio Revised Code Section 4735.052 provides that if the Ohio Real Estate Commission determines that a violation has occurred, the commission may assess a civil penalty, in an amount it determines, not to exceed \$1,000 per violation. Each day a violation occurs or continues is a separate violation. Each activity listed above is a separate violation. Thus, multiple violations may occur each day. A summary of the law and unlicensed activity fines levied may be found at: http://www.com.ohio.gov/documents/Collections_Summary_As_of_March_2007.pdf.

"Q3: Can any charges, penalties, or fines be levied against a person, company or firm that knowingly hires an unlicensed site acquisition practitioner to obtain real estate interests in Ohio?"

A3: Ohio license law, Chapter 4735, does not provide for any charges, penalties, or fines to be levied against the person who hires an unlicensed person to engage in activities that require a license. However, there may be civil ramifications should a dispute arise between the seller and buyer. A seller should seek legal counsel before engaging the services of a person not held to the ethical and legal standards set forth in license law.

If an Ohio licensee is involved in the transaction, for example as a seller's agent, he or she may be charged with Ohio Revised Code Section 4735.18(A)(34), which provides that a licensee may be disciplined for authorizing or permitting an unlicensed person to act as an agent in the capacity of a broker or salesperson. In addition, a licensee involved in such a transaction may be charged with general misconduct, splitting commissions with an unlicensed person, etc.

"Q4: Are executed instruments negotiated in good faith between the parties that are facilitated by an unlicensed practitioner valid? Are they voidable?"

A4: Ohio license law does not provide that instruments negotiated between parties but facilitated by an unlicensed person are voidable or illegal. The effect of an unlicensed "agent" may have civil ramifications. Again, sellers should seek legal counsel before knowingly engaging the services of an unlicensed person.

Ohio Revised Code Section 4735.21 and Ohio case law provide that unlicensed persons are precluded from instituting any type of action to collect compensation for the unlicensed activity, i.e., the activities listed in A1. Thus, in the scenario, the unlicensed person cannot sue the buyer/lessee for the flat fee or any other type of compensation.

Mediation continued...

Is the mediation confidential?

Yes, all information presented during the mediation is strictly confidential.

What are the possible outcomes of mediation?

A licensee could receive:

- Resolution of an investigation that could have resulted in charges against his/her license.

A complainant could receive:

- An apology.
- Compensation.
- Anything lawful agreed to by both parties.

The brochure can be found on our website at: http://www.ohio.gov/documents/REAL_MediationBrochure.pdf

Even if an investigation is underway, it's not too late to mediate!

Conviction Waiver Information

Before being licensed or certified as a real estate salesperson, broker or appraiser, an applicant must be deemed honest, truthful and of good reputation and not have ever been convicted of a felony or crime of moral turpitude.

Applicants with such criminal histories may be approved if they can first prove by their actions and employment since the time the crime was committed that they are not likely to re-offend and they now meet the standard of being honest, truthful and of good reputation. In addition to the completed application, transcripts, experience logs (for appraisers), and fees, applicants with such criminal history must submit:

- A cover letter addressed to the Superintendent of the Ohio Division of Real Estate and Professional Licensing, 77 S. High Street, 20th floor, Columbus, OH 43215-6133, requesting a waiver of the conviction.
- A certified copy of the Entry of Conviction or the equivalent document from the court where the conviction occurred. The Entry of Conviction can be obtained from the Clerk of Courts office in the county in which they were convicted.
- A copy of the document of release from incarceration, probation or community control, if applicable.
- Any letter of recommendation that would help to establish their honesty, truthfulness and good reputation, including a letter from the sponsoring broker, if applying to be a real estate salesperson.
- Appraiser applicants must also submit to national criminal background checks.

The documents will be reviewed carefully before a decision is made by the Superintendent. Applications must be submitted in their entirety prior to a review of past criminal convictions.

The Superintendent will not review an application to consider waiving any conviction if it is submitted without documentation that other requirements, such as education, have been met.

Subpoenas & Investigations

When the Division receives a complaint, generally an investigation is opened, and the Respondent is informed of the investigation. At that time, a request for a written response and specific documents is made. If the Respondent fails to respond to the initial request, the Division will issue a subpoena. Pursuant to Ohio Revised Code 4735.04, the Division may apply to the Court of Common Pleas of any county in this State to enforce a subpoena. The Division takes this issue very seriously and should a Respondent fail to comply, the Division will take the appropriate steps to enforce that subpoena in common pleas court. Should a licensee fail to comply with the subpoena, that person also will be subject to multiple violations of R.C. 4735.18(A)(6) as it incorporates both Ohio Administrative Code 1301:5-1-13 and The Canons of Ethics Section 1, Article 3.



DID YOU KNOW? for APPRAISERS

Appraisers: What's Wrong With "Pre-Comping" Properties?

As certified or licensed appraisers, you likely have received requests from potential clients asking you to pre-comp a subject property. This usually means the potential client wants the appraiser to provide a *range of value* for the subject property. The client's request often includes asking the appraiser to provide comparable sales – for the subject property before an appraisal is performed, a.k.a. "pre-comps." The problem with this is that according to the definition of "appraisal" in the Uniform Standards of Professional Appraisal Practice (USPAP), **a range of value is still considered an appraisal**. It is, therefore, held to USPAP standards, just as an appraisal with a specific numeric value. Some clients do not realize this, and actually insist that pre-comping properties is not an appraisal. Therefore, it is important that appraisers educate their clients as to what an appraisal entails. If the client wants "pre-comps," appraisers should discuss with the client that if an opinion of value is sought, the appraiser will need to be engaged to perform the appraisal assignment in order to develop a competent value opinion.

If an appraiser is being asked to provide comparables or otherwise determine which sales are most comparable to a subject property, the appraiser – by filtering those sales that are most comparable and possibly omitting other sales that are not as comparable – is developing an opinion of, or a range of, value and must comply with USPAP Standards. On the other hand, if the appraiser is asked to simply provide data, this would not be considered an opinion of, or range of, value as long as the appraiser is careful not to render any opinions or conclusions pertaining to the data provided.

When an appraiser is given a specific value for the subject property by the client in an appraisal assignment order or if the client requests that he or she be notified if a certain value cannot be reached, the appraiser should respond in writing in either of the following ways:

- The assignment cannot be completed if it is contingent on a certain value being obtained.
- The assignment will not be performed contingent on any predetermined value.

It is advisable that you should receive follow-up correspondence from the client in writing and correspondence should be kept in the file.

Appraisers who are receiving requests that are contingent on obtaining a certain value or are otherwise being pressured to "hit a number" should contact the Ohio Attorney General's Office, Consumer Protection Section, at **1-800-282-0515** or online at **www.ag.state.oh.us**.

The certified or licensed real estate appraiser is the professional when it comes to developing an opinion of value. If clients want a quality appraisal, they will engage the appraiser to perform the assignment without placing conditions on the assignment.

What To Do If A Purchaser Or Seller Declines...

Ohio Administrative Code 1301:5-6-06 provides that if a purchaser or seller declines to acknowledge receipt of the Consumer Guide to Agency Relationships or to sign an Agency Disclosure Form that is presented, the licensee shall note the following on the bottom of the form:

- a. the parties to whom the form was presented.
- b. the date and time the form was presented.
- c. the fact that the parties declined to sign the form.
- d. the reason the parties declined to sign the form, if known.

If the forms are presented by mail because the seller is out of state, the Division recommends that the licensee mail the documents via certified mail or maintain a fax confirmation. This will provide the needed information for item "b" above.

FAIR HOUSING LANGUAGE UPDATED *EFFECTIVE March 25, 2008*

House Bill 372, effective March 25, 2008, modified Ohio Revised Code 4735.16 and 4735.55. Specifically, as of March 25, 2008, the Fair Housing poster and the Fair Housing pamphlet must indicate that it is illegal to discriminate against any person because of military status.

As always, the Fair Housing poster must be displayed prominently in the same immediate area as the licenses and must also bear:

- The United States Department of Housing and Urban Development Equal Housing Opportunity logo.
- Information that the broker and the broker's salespersons are licensed by the Division of Real Estate and Professional Licensing.
- Information that the Division can be contacted for inquiries and consumer complaints.
- Information on the Real Estate Recovery Fund (O.R.C. 4735.12) as a source of revenue for unsatisfied civil judgments against a licensee.
- The Division's address and telephone number.



In addition, all written agency agreements and consumer guides to agency relationships must indicate that it is illegal to discriminate against any person because of military status. Both the written agency agreement and the consumer guide must also include a definition of the practice known as "blockbusting" and a statement that it is illegal.

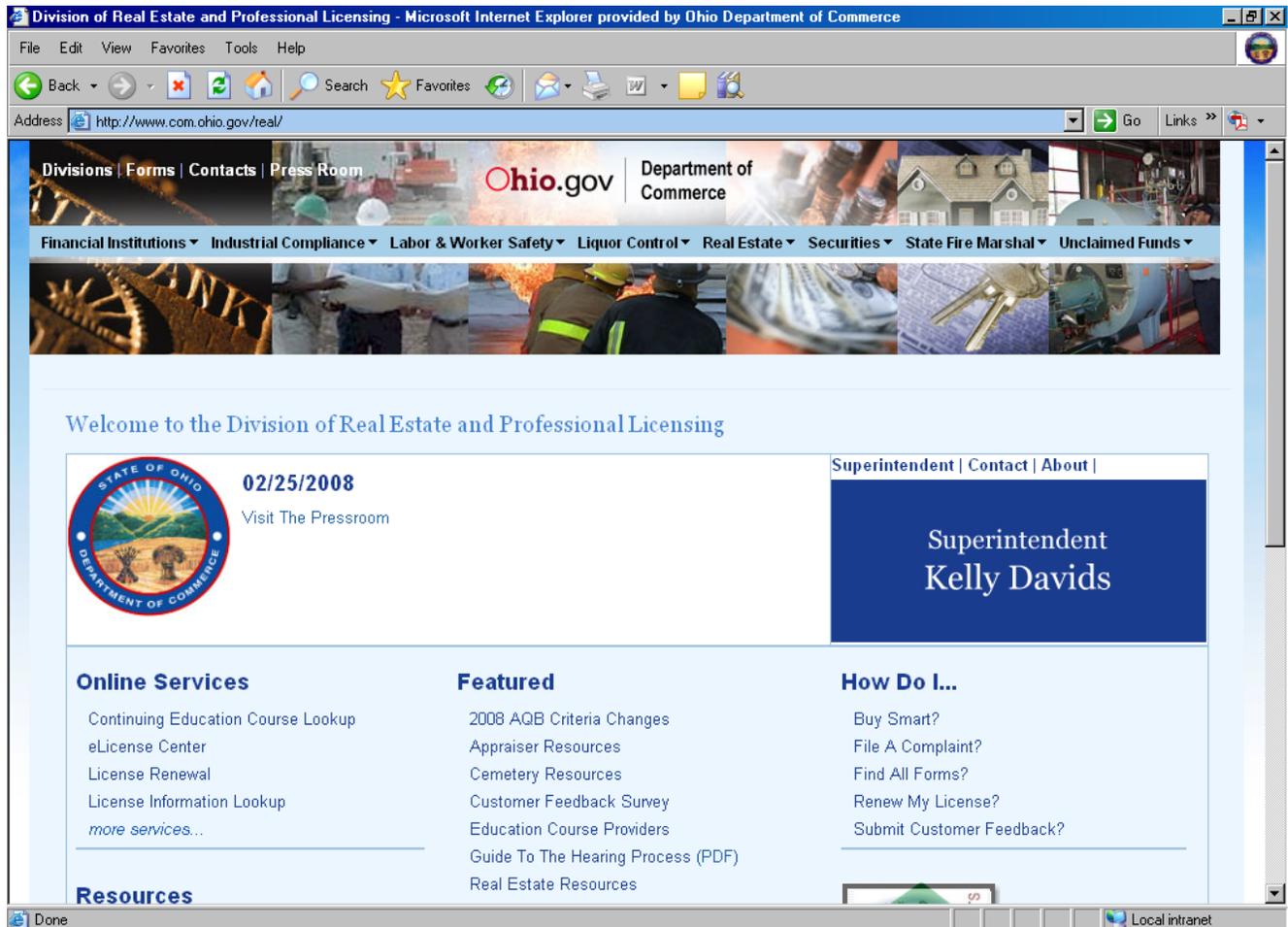
As always, written agency agreements must also contain:

- An expiration date.
- A place for the licensee and the client to sign and date the agreement.
- The United States Department of Housing and Urban Development Equal Housing Opportunity logo as evidence of compliance with the prohibitions against discrimination in advertising under the Fair Housing Act.

Finally, a licensee is still required to furnish a copy of any written agency agreement to a client in a timely manner after the licensee and the client have signed and dated it.

If you have pre-printed materials, the Division recommends that you provide an addendum to include the new fair housing language. If your pre-printed materials contain carbon copies, attach an addendum to each copy. The addendum should include the fair housing statement and have a place for you to obtain the client's signature. Maintain a copy for your files. If you have any questions regarding these changes, please contact the Division at (614) 466-4100.

Check Out Our Updated Website



You may have noticed that the Division's website has recently undergone a change. The change reflects the State's commitment to keeping government accessible. All of the features are still available – the format has just changed. To find:

Real Estate Licensees – click Real Estate Resources under the *Featured* heading.

Appraiser Licensees and Certificate holders – click Appraiser Resources under the *Featured* heading.

Cemetery Information – click Cemetery Resources under the *Featured* heading.

Continuing Education Providers – click Education Course Providers under the *Featured* heading.

Real Estate License Renewal – click eLicense Center under the *Online Services* heading.

License Lookup – click License Information Lookup under the *Online Services* heading.

Continuing Education Course Lookup – click the Continuing Education Course Lookup under the *Online Services* heading.

Ohio's 'Save the Dream' Campaign

The Ohio Department of Commerce has launched the State of Ohio's foreclosure prevention public awareness campaign – Save the Dream. The multi-media campaign is aimed at helping Ohioans take action to save their dream of homeownership.



The Save the Dream campaign includes radio and television advertisements, an information-rich Web site at www.savethedream.ohio.gov, and a telephone hotline (888-404-4674.)

The campaign supports the number one recommendation in the Ohio Foreclosure Prevention Task Force's report submitted to Governor Ted Strickland last year. The recommendation was for a public awareness campaign and borrower outreach events to encourage homeowners to contact their mortgage servicer if they are having trouble making their mortgage payment or are facing a reset of an adjustable rate mortgage.

The core message of the Save the Dream campaign is for homeowners to:

- Contact their mortgage loan servicer at the first sign that they may have difficulty in making their mortgage payment.
- While working with the servicer, homeowners should contact a HUD-approved housing counselor to discuss their options.

The television and radio advertisements will run statewide through August. The ads are being financed through the Ohio Real Estate Commission's Education and Research Committee, which advances education and research in real estate in Ohio. The Committee approved \$160,000 in funding for the radio and television advertisements.

Friendly Reminders...

Forms

All of the Division's forms are available online at <http://www.com.state.oh.us/real/realform.htm>

Continuing Education Certificates

Real Estate licensees **must** submit continuing education certificates along with the Renewal Application with Continuing Education Compliance Form.

Forms received without the certificates will not be processed and could result in the suspension of the license.

Appraiser Licenses

The State of Ohio will continue to recognize the Licensed Residential Real Estate Appraiser status. A few other states have decided to eliminate this level, but Ohio will continue to issue these licenses.

Real Estate Tests

The questions on the state and national portions of the Ohio Real Estate Salesperson and Broker exams have changed with the new test provider, but the content of the exams remains the same.



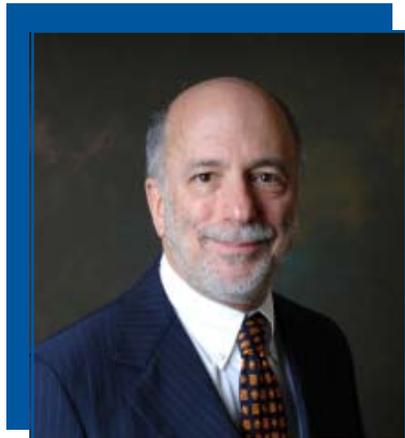
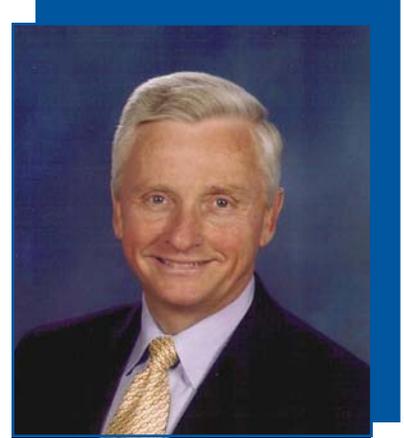
Governor Strickland Appoints New Members to the Ohio Real Estate Commission

Stephen A. Madru

The Division would like to welcome Stephen A. Madru of Chillicothe to the Ohio Real Estate Commission.

Governor Strickland appointed Mr. Madru to the Commission to replace Owen Hall, who held the position for 15 years.

Mr. Madru was licensed as an Ohio real estate salesperson in 1974, and he earned his Ohio broker's license in 1976. Mr. Madru also holds an Ohio residential real estate appraiser certification, which he earned in 1991. His combined expertise will prove to be a great asset to the Commission.



Gary Froelich

The Division would like to welcome Gary Froelich of Dayton to the Ohio Real Estate Commission.

Governor Strickland appointed Mr. Froelich to the Commission as a public member to replace John Kennedy, who resigned to take a position with the Ohio Chiropractic Board.

Mr. Froelich graduated from Miami University in 1965, and from Ohio State University College of Law in 1968 with a Juris Doctor. During his career, he has served as an assistant Montgomery County Prosecutor and as a Special Counsel to the Ohio Attorney General. Mr. Froelich has worked as an attorney in private practice since 1968.

Real Estate Disciplinary Actions

Listed below are the Real Estate Disciplinary Actions for May to September 2007. The actions can be found on the website at: http://www.com.ohio.gov/documents/REAL_RealEstateDiscipline.pdf

REVOCATIONS/PERMANENT SURRENDER

Marjorie J. Padgett	Broker	Gahanna
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SUSPENSIONS, FINES, EDUCATION and REPRIMANDS

Anthony J. Apotsos	Broker	Westlake
Andrea K. Baroff	Salesperson	Boardman
Patricia A. Bell	Salesperson	Mayfield Heights
Mary D. Berarducci	Salesperson	Youngstown
David A. Best	Salesperson	Strongsville
Terrence C. Boso	Salesperson	Middleburg Heights
Steven D. Calhoun	Salesperson	Lorain
Camille D. Carbetta	Salesperson	Mansfield
Albert B. Clayton	Broker	Alliance
Gregory W. Coddington	Salesperson	Lewis Center
June E. Contini	Salesperson	Sugarcreek
Richard W. Farina (1)	Broker	Broadview Heights
Richard W. Farina (2)	Broker	Broadview Heights
Lewis Fletcher	Broker	Cleveland
Carolena M. Fortner	Salesperson	Chillicothe
Peggy A. Krowailis	Salesperson	Lebanon
Jerry McKinney	Broker	Youngstown
Robin L. Montgomery	Salesperson	Grove City
William R. Murray	Salesperson	Dublin
Marshal L. Passerell	Salesperson	Mentor
Barbara J. Peyatt	Broker	Warren
James S. Porter	Broker	Eaton
Barry L. Rice (1)	Broker	South Euclid
Barry L. Rice (2)	Broker	South Euclid

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Real Estate Disciplinary Actions continued...

Laney J. Ross	Salesperson	St. Clairsville
James P. Slough	Salesperson	Findlay
Lee A. Sokolis-McCoy	Salesperson	Mason
Paula J. Sulzener	Salesperson	Sugarcreek
Salvatore J. Tomaselli	Salesperson	Seven Hills
Patti Urbatis	Salesperson	Granville
John M. Wyant	Salesperson	Youngstown
Tracy B. Young	Salesperson	Dublin
Zamarelli Real Estate Inc	Corporation	Warren

Appraiser Disciplinary Actions

Listed below are the Appraiser Disciplinary Actions for June to August 2007. The actions can be found on the website at: http://www.com.ohio.gov/documents/REAL_AppraiserDiscipline.pdf

REVOCATIONS/PERMANENT SURRENDER

Sidney C. Bachman	Ohio Certified Residential Real Estate Appraiser	Reynoldsburg
Norman Galloway	Ohio Licensed Residential Real Estate Appraiser	Chardon
Rosemarie Catherine Keesy	Ohio Licensed Residential Real Estate Appraiser	Akron
Thomas J. Pusecker II	Ohio Licensed Residential Real Estate Appraiser	Columbus
Jeremy K. Virgin	Ohio Licensed Residential Real Estate Appraiser	Columbus
Sean T. Whalen	Ohio Certified Residential Real Estate Appraiser	Fairview Park

SUSPENSIONS, FINED, ADDITIONAL EDUCATION AND REPRIMANDS

Jon Archiable	Ohio Licensed Residential Real Estate Appraiser	Cincinnati
Todd A. Augustine	Ohio Licensed Residential Real Estate Appraiser	Cincinnati
Charlotte A. Berryman	Ohio Licensed Residential Real Estate Appraiser	Westerville
Donna J. Callahan	Ohio Licensed Residential Real Estate Appraiser	Sidney
Robert S. Cenci	Ohio Licensed Residential Real Estate Appraiser	Chillicothe
Frederick William Council	Ohio Licensed Residential Real Estate Appraiser	Cincinnati
Michael Todd Dawson	Ohio Licensed Residential Real Estate Appraiser	Cincinnati

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Appraiser Disciplinary Actions continued...

Harold Paul Deeds	Ohio Licensed Residential Real Estate Appraiser	Lima
Mark F. Depasquale	Ohio Licensed Residential Real Estate Appraiser	Massillon
Dennis J. Dolan	Ohio Licensed Residential Real Estate Appraiser	Worthington
Kevin Donaldson	Ohio Licensed Residential Real Estate Appraiser	Cleveland
Eugene Freeman, Jr.	Ohio Licensed Residential Real Estate Appraiser	Bedford
Christopher Linn Haines	Ohio Licensed Residential Real Estate Appraiser	Miamisburg
Thomas Edward Heflin	Ohio Certified Residential Real Estate Appraiser	Columbus
James R. Heinz	Ohio Licensed Residential Real Estate Appraiser	Kettering
James Robert Holycross	Ohio Licensed Residential Real Estate Appraiser	Powell
Richard M. Hull	Ohio Certified Residential Real Estate Appraiser	Akron
Sam M. Ivy, III	Ohio Licensed Residential Real Estate Appraiser	Richmond Heights
Charles M. Kent	Ohio Licensed Residential Real Estate Appraiser	Columbus
Jeremy L. Kimble	Ohio Licensed Residential Real Estate Appraiser	Huntington, W.V.
Linda L. Kirk	Ohio Licensed Residential Real Estate Appraiser	Columbus
Thomas J. Knecht	Ohio Licensed Residential Real Estate Appraiser	Lancaster
Donald G. Maras	Ohio Licensed Residential Real Estate Appraiser	Warren
Joseph M. Massey	Ohio Licensed Residential Real Estate Appraiser	Columbus
Jeffrey A. Mazzaferri	Ohio Certified Residential Real Estate Appraiser	N. Canton
William J. McGregor	Ohio Licensed Residential Real Estate Appraiser	Willoughby
Conrad E. McMongile	Ohio Licensed Residential Real Estate Appraiser	Dayton
Barbara A. Miller	Ohio Licensed Residential Real Estate Appraiser	Centerville
Andrew P. Morgan	Ohio Licensed Residential Real Estate Appraiser	Cincinnati
Jason D. Murphy	Ohio Licensed Residential Real Estate Appraiser	Avon
Harry J. Pissini	Ohio Licensed Residential Real Estate Appraiser	Niles
Durk D. Reese	Ohio Certified Residential Real Estate Appraiser	Columbus
Terrance L. Roberts	Ohio Licensed Residential Real Estate Appraiser	Columbus
Todd D. Rose	Ohio Certified General Real Estate Appraiser	Hamilton

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Appraiser Disciplinary Actions continued...

Charles F. Rosile	Ohio Licensed Residential Real Estate Appraiser	Hubbard
Dirk E. Schneider	Ohio Certified General Real Estate Appraiser	Cincinnati
Thomas G. Severovich	Ohio Licensed Residential Real Estate Appraiser	Beachwood
Pat A. Slaughter	Ohio Certified Residential Real Estate Appraiser	Perrysburg
Kent C. Smith	Ohio Certified General Real Estate Appraiser	Dublin
Michele J. Smith	Ohio Licensed Residential Real Estate Appraiser	Thurman
Daniel L. Spahr	Ohio Certified Residential Real Estate Appraiser	Cleveland
David Walker	Ohio Licensed Residential Real Estate Appraiser	Youngstown
Adam Weisinger	Ohio Licensed Residential Real Estate Appraiser	Solon
Dean E. White	Ohio Licensed Residential Real Estate Appraiser	Greenville
Kenneth P. Wood	Ohio Certified General Real Estate Appraiser	Toledo
Stanley R. Yoblinski	Ohio Licensed Residential Real Estate Appraiser	St. Clairsville

Canon of Ethics Question

Sally Seller has her property listed with Alpha Realty Co. Prior to the expiration of her agreement with Alpha Realty Co., Sally calls Bob, a salesperson with Delta Realty Co., and asks about the terms under which Delta Realty Co. would list her property at the expiration of her agreement with Alpha Realty Co.

Is Bob permitted to talk to Sally?

Section III, Article 17 of the Canons of Ethics, provides that a licensee should respect the exclusive agency of another licensee until it has expired, or until the client, without solicitation, initiates a discussion with the licensee about the terms upon which the licensee might enter into a future agency agreement or one commencing upon the expiration of any existing agreement. Therefore, Bob may discuss the terms of a future listing agreement with Sally. The key here is that Sally called Bob. Bob did not solicit Sally's listing.

The canons of ethics may be found at:

http://www.com.state.oh.us/documents/RE_canons_of_ethics.pdf

REPL Employees Participate in Several Charitable Programs

2007 Operation Feed Campaign

The Division of Real Estate & Professional Licensing participated in the State of Ohio's 2007 Operation Feed Campaign.

The campaign helped to provide food and monetary donations for various Ohio Foodbanks.

The Department of Commerce collected cash and food to provide at least 22,295 meals for those less fortunate.

2007 Combined Charitable Campaign (CCC)

Ohio Department of Commerce employees collected \$99,693.95 for various charities statewide through the Combined Charitable Campaign (CCC).

2007 Holiday Food Basket Campaign

During the State's Holiday Food Basket Program ceremony, Commerce won the "Best in Show" display, which included a quilt. Each of the nine divisions in Commerce submitted a square and the Division's square represented its licensees. Commerce employees collected 2,580 pounds of food and \$3,132.65 in monetary donations for Ohio's Holiday Food Basket Program.



The Division's quilt square submitted for the Ohio Department of Commerce's holiday quilt. Each of the nine divisions in Commerce participated in the final quilt design.



State of Ohio
Department of Commerce
Division of Real Estate and Professional Licensing
77 South High Street, 20th Floor
Columbus, OH 43215-6133

Commission Members
David C. Paul, Acting President
Shirley L. Davis
Gary Froelich
Rosetta Hayes-Borders
Stephen Madru

Appraiser Board Members
Brian W. Barnes, Chair
Lytle T. Davis
Margaret A. Hambleton
Raymond E. Houk
Michael Koren

The Division of Real Estate and Professional Licensing Newsletter is published by The Ohio Department of Commerce, Division of Real Estate and Professional Licensing. Karen Bowman, Editor.

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Customer Service Hours: M - F, 8:00 a.m. - 5:00 p.m.

Cleveland Office
Voice (216) 787-3100
FAX (216) 787-4449

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EMPLOYER AND SERVICE PROVIDER