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Attorney Member

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The COMMENTATOR

District of Columbia Real Estate Commission 1100 4th St SW, Suite E500, Washington, DC 20024



Dr. Shari Barton,  
DCREC Commissioner

Commission member, Dr. Shari Barton passed away on January 15, 2014, after a long and brave five year fight with breast cancer. Her children were by her side, holding her hands, as she gradually slipped away. They let us know that Shari was at peace—in the city she loved, in the house she owned for more than 50 years, in her own room, and with no pain. This was her plan and, as Frank Sinatra would have said, she did it her way.

The Commission will miss Shari, who was a beloved “firebrand” who kept us on task and ever vigilant on the task of protecting the health, safety and welfare of the real estate consumer. She served on the DC Real Estate Commission under both Mayor Adrian Fenty and Mayor Vincent Gray. Shari was most recently the Chair of the Commission’s Legal Committee reviewing hundreds of complaints and legal matters.

Dr. Barton began a very successful career in real estate in the mid 1980s. She

It is with great, great sadness that I announce that a long-time

was extremely active in the field until her death. In this capacity she served several terms on the Board of Directors of the international Association of Real Estate License Law Officials (ARELLO) and chaired several of its working committees. She also served on two committees of the National Association of Realtors (NAR).

Dr. Barton received an Applied Baccalaureate degree in Political Science from Mount Holyoke College, earned a Master of Science degree in Journalism from Boston University, and an Master of Arts degree and Doctor of Philosophy degree in Public Administration from The University of Maryland. She highly valued her time at Hunter College High in New York City.

Dr. Barton moved to Washington, DC in the late 1950's and quickly became an integral part of her adopted city - serving as President of the Forest Hills Citizen Association, Membership Chair of the Committee of 100 of the Federal City, Chairperson of the Council of Governments Election Task Force, Chair of the DC Board of Elections and Ethics under Mayor Walter Washington, on the Board of Appeals and Review under Mayor Barry.

Dr. Barton began her political career at the age of

18 when she interned during the summer of 1954 at the Democratic National Committee. She returned the following summer as a paid employee. She later worked for five years at the AFL-CIO and two years at AFSCME.

A founding member of People for the Ethical Treatment of Animals, (PETA), Shari had a lifelong love of animals and passionately supported many animal protection agencies. Shari’s faithful companion dog Cassie was at her side when she passed.

In remembrance of Dr. Shari Barton, donate to: The Gateway for Cancer Research, 1336 Basswood Road, Schaumburg, IL 60193.

Please write "In honor of Shari Barton/Breast Cancer Research" on the memo line .



Alton Duncanson, DCREC Chair

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## *DCREC Bids Fond Farewell Mr. Henry Terrell, Esq.*



Henry Terrell, Esq.  
DCREC Commissioner

The DC Real Estate Commission (DCREC) bids long standing member, Henry Terrell, Esq., farewell.

Henry Terrell, a seven-year member of the Commission, recently completed his term as the Attorney Member. Commissioner Terrell served diligently on the Commission during this period and served as vice chair for four years. Commissioner Terrell was also a dedicated member of the Legal Committee. Whenever requested to do extra duty, Commissioner Terrell always answered the call. He was a very active Commissioner with the *Historic Preservation* seminars co-sponsored each year by the Commission. Further, Mr. Terrell served several years as a Director on the Board of the Association of Real Estate

License Law Officials (ARELLO), and was well respected on the Board for his insight and vision.

Commissioner Terrell served on many committees with ARELLO, including service on the Law and Monitoring Committee and performed work with the Investigator/Auditor Resource Committee, as well as served as an active participant at Commissioner Forums. He assisted immediate past president of ARELLO and staff member, Leon Lewis, with wise counsel and was very supportive during Mr. Lewis' presidency.

As a former Recorder of Deeds, Commissioner Terrell was known for his legal background in the real estate field and provided expertise to the Commission when it was confronted with difficult legal

decisions. Mr. Terrell's background included resolving homeowner and residential real property tax assessment and delinquent payments issues and concerns, resolving commercial and residential deed transfer and recordation tax and exempt transactions recorded at the Recorder of Deeds; Counsel in matters of residential real estate (Purchase/Sale) contracts and real property transfers by will to heirs and siblings.

Over his tenure, Mr. Terrell reviewed hundreds of cases and legal matters before the Commission. His service on the Commission is beyond reproach in protecting the public interest. The Commissioners and staff express their deep appreciation to Mr. Terrell for his outstanding service and dedication and wish him well in all future endeavors.

## *DCREC Welcomes Ms. Ulani Gulstone, Esq.*



Ulani Gulstone, Esq.  
DCREC Commissioner

The DC Real Estate Commission (DCREC) welcomes attorney member Ms. Ulani Gulstone.

She has actively practiced real estate law in both jurisdictions for six (6) years as an Associate Attorney with Scheuermann & Menist, a boutique law firm located in the District of Columbia. Ms. Gulstone recently opened her own law firm, the Law Office of Ulani P. Gulstone, PLLC and remains Of Counsel to Scheuermann & Menist. Ms. Gulstone's real estate practice focuses primarily on community association law, including the representation of condominium associations and homeowners' associations. In addition to real estate law, she provides advice and counsel in the areas of probate law, estate planning, small business formation,

bankruptcy law, and contract law.

Ms. Gulstone previously practiced family law with the Maryland Legal Aid Bureau, a private, non-profit law firm that provides free legal services to individuals meeting certain income qualifications. She served as a Judicial Law Clerk to the Honorable Cathy H. Serrette of the Circuit Court for Prince George's County, Maryland, and as a Judicial Intern for the Honorable Jeanette Jackson Clark of the Superior Court of the District of Columbia. She was an active volunteer with the Court Appointed Special Advocates for abused and neglected children in Memphis, TN and continued to volunteer with the organization while in law school. In a previous career, Ms. Gulstone was a licensed financial advisor at Waddell & Reed in Memphis, TN,

where she assisted individuals in developing financial plans using mutual funds and insurance products to meet their financial goals.

Ms. Gulstone is a member of the Real Estate, Housing and Land Use and the Estates, Trusts and Probate Law sections of the District of Columbia Bar. She also serves on the Probate Digest Committee. She is the secretary of the Maryland State Bar Association's Delivery of Legal Services Section Council and a member of the Construction Law and Real Property sections.

Ms. Gulstone holds a Juris Doctor from the Howard University School of Law in Washington, D.C. and a Bachelor of Science in Business Administration, with a concentration in Finance, from the University of Tennessee.

# DC Continuing Education Requirements: A Primer

**15 Hour  
Continuing  
Education  
Requirements**

**Broker & Property Manager**

**3/1/2013  
to  
2/28/2015**

**Salesperson**

**9/1/2013  
to  
8/31/2015**

Fair Housing (3 hrs)  
DC Legislative Update (3 hrs)  
Financing Issues/Update (3hrs)  
General Electives (6 hrs)

Visit our website at renewal  
time for Online License  
Renewal information:  
[www.pearsonvue.com/dc/realstate/](http://www.pearsonvue.com/dc/realstate/)

## Occupational and Professional Licensing

STAFF

Clifford Cooks  
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Stephanie Johnston  
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Legal Counsel

Wilfred Usher  
George Batista  
Steve Parker  
Investigators

The 2013-2015 renewal cycle is nearing its midpoint. To be sure, most licensees still have continuing education requirements to fulfill.

The biggest challenge for all licensees remains the timely completion of continuing education (CE) requirements before the end of the license cycle. Brokers, property managers and salespersons continue to leave this important license renewal task until the last minute and even later. The last minute rush is avoidable by honoring the age old adage of “There’s no time like the present”.

Per DC regulation, licensees must complete CE requirements **on or before the end of their applicable licensing cycle**, either February 28, 2015 (Brokers and Property Managers) and August 31, 2015 (Salespersons). Fulfilling CE requirements early, allows for all possible snags to be caught and addressed before deadlines are missed.

Many licensees believe that there is a “**grace period**” within which CE credits may be obtained. In fairness, the Commission has previously operated as though there was an extension period during which it allowed licensees to complete the entire CE requirement in the two months following the end of the cycle. **The Commission ended that practice as of the end of the cycle ending in 2013.**

Regarding the “grace period”, per DCMR 17 §2605.8 An applicant for the renewal of a license who fails to submit proof of having completed the continuing education requirements by or before the expiration date may renew the license within sixty (60) days after expiration by

submitting proof pursuant to §DCMR 17 §2605.8 of this section and by paying the required late fee. Upon renewal, the Commission will deem the applicant to have possessed a valid license during the period between the expiration of the license and its renewal.

In other words, the licensee must **COMPLETE the coursework prior to the end of their applicable cycle**. The 60 day period following the end of the cycle is only there for licensees to SHOW PROOF that the credits were earned prior to the end of the cycle.

One popular question from licensees is regarding whether CE credits taken in another jurisdiction during this cycle are good in DC.

**Courses are good for DC credit IF the provider is a DC approved provider AND that provider applied to the DCREC for approval of the course(s) in question prior to the course(s) being offered to any students.**

Please check with the course provider to confirm (or deny) whether they applied to the DCREC for approval of the course(s) in question. Providers apply for DC credit BEFORE the first offering of a course. If the credits apply, the provider will upload the credits to the licensee’s record.

Showing proof of earned CE credits within the 60 day period following the end of the cycle allows licensees to request of providers that they upload (bank) credits to the PULSE system. It does not entitle the licensee to take a course after the end of the cycle and have it count, with no penalties.

**There is NO “Grace Period” or extension period in which to take CEs.** The penalty for not completing CE courses on time will be to have licenses deemed expired and need to be **reinstated** prior to conducting any real estate business in the District.

### How to Reinstate a License

- Visit [www.PulsePortal.com](http://www.PulsePortal.com) .
- Click “Reinstate/Reactivate License”. Follow all prompts.
- Submit Letter of Certification from states/jurisdictions where you have been practicing real estate since your last renewal.
- Provide proof of having completed the continuing education hours required since your last renewal.
- Letters of Explanation on why license expired.
- Letters of recommendation from two (2) real estate brokers licensed to practice real estate in the District.

DC Licensees may search CE educational offerings by visiting:

<https://www.PulsePortal.com>

**Program:**  
“District of Columbia”

**Board:**  
“Real Estate”

**Select:**  
“Course Offering Inquiry”

Fill in Dates using Drop Down Calendar in first two white boxes

**Click:**  
“View/Refresh Report”

Wait a minute or two for the report to generate. If no report is produced, check your browser for a message about blocked pop-ups and allow pop-ups from our site.

## *Mandatory Continuing Education Course Offerings from the DC Real Estate Commission Coming July 24, 2014*

### 15 Hour CE Requirements

#### Broker & Property Manager

3/1/2013 — 2/28/2015

#### Salesperson

9/1/2013 — 8/31/2015

Fair Housing (3 hrs)  
DC Legislative Update (3 hrs)  
Financing Issues/Update (3hrs)  
General Electives (6 hrs)

Visit our website  
at renewal time for  
Continuing Education  
information:  
[www.pearsonvue.com/dc/realestate/](http://www.pearsonvue.com/dc/realestate/)

The three mandated DC Real Estate Commission courses will be offered on July 24, 2014 and again around September 25, 2014 at the Kellogg Conference Center on the grounds of Gallaudet University. **Registration details will be e-mailed to all licensees prior to each of the offerings.** The mandated courses are Fair Housing, DC Legislative Update and Financing Issues/Update. Each of the courses can be attended by up to 275 licensees. The Commission cannot and will not accommodate ALL licensees.

**Do NOT take these courses IF this is the first renewal of your current license type.** Per DCMR 17 §2605.1 – [CE requirements] shall apply to all

applicants for the renewal or reinstatement of a real estate broker, real estate salesperson, or property manager license, EXCEPT those applicants seeking first renewal of a [new] license granted by examination. Please note that you still must **renew your current license** by the end of the current cycle.

One frequently asked question is “How is it that these courses can be offered at no additional cost to the licensee?” The short answer is that the Commission regulates the licensure of real estate brokers, property managers, and salespersons. The Commission is authorized to offer courses paid for through each licensee’s payment into the DC Real Estate Guaranty and Education Fund. Per DCMR 17 §2707.1, the Commission may

use the Fund to pay that proportion of the cost of a program that is equal to the percentage of the program directly related to establishing or maintaining an educational program to improve the competency of licensees or applicants for licensure.

These courses are offered as a way to comply with the regulation and help some licensees to keep current with their continuing education. Even when accommodating larger groups of licensees, the Commission cannot and will not accommodate ALL licensees.

**Licensees are strongly encouraged to take the educational offerings available from approved CE providers throughout the cycle.**

## *Advertising Compliance Requirements*

“[These requirements are] intended to place greater accountability upon the brokerage and its agents to receive and respond responsibly to telephone calls from the public and other licensees.”

Advertising violations are a continual problem both in print and electronic media (i.e. Facebook, Twitter, etc.)

Real Estate licensees are reminded that on April 25, 2008, the DC Real Estate Commission published final rulemaking amending the real estate licensing rules to require real estate brokers and real estate salespersons to include in their advertisements the name and main telephone number of the affiliated brokerage or company. **This requirement generally applies to all forms of advertisements, including online advertising through e-mail, web pages, or social media outlets.** This requirement is intended to place greater accountability upon the brokerage and its agents to receive and respond responsibly to telephone calls from the public and other licensees. i.e. **Direct access to the**

### managing broker.

The DC Municipal Regulations which establishes the “Code of Ethics for Real Estate Brokers, Real Estate Salespersons, and Property Managers” provides the following:

**17 DCMR § 2609.5**  
A real estate broker shall not knowingly permit a real estate salesperson or associate broker to use the salesperson’s or associate broker’s name in any advertisement without the name of the brokerage company with whom the salesperson or associate broker is affiliated, and the main telephone number of the brokerage company or branch office which serves as the salesperson’s or associate broker’s regular place of employment.

**17 DCMR § 2609.6**  
A real estate salesperson or

associate broker shall not knowingly permit the use of his or her name in any advertisement without the name of the brokerage company with whom he or she is affiliated, and the main telephone number of the brokerage company or branch office which serves as his or her regular place of employment.

Please be advised that any licensee who fails to comply with these regulations may be subject to disciplinary action.

Licensees should obtain an updated copy of the “Real Estate Legislation and Regulations booklet. As of April 2013, the updated rules, including recent amendments, can be obtained at the DC Real Estate Commission website at <http://www.pearsonvue.com/dc/realestate/> in the section labeled “Publications and Forms” under the title “Municipal Regulations”.

## *Legal Actions*

### **17 §42-1706 Application to the Real Estate Guaranty and Education Fund**

A person filing an application meets the requirements of this subsection if:

- (1) The person is not a licensee or the personal representative of a licensee and is not the spouse or child of the licensee against whom the final judgment was awarded, or the personal representative of the spouse or child;
- (2) The person has made the investigation as is reasonably necessary to determine whether the judgment debtor possesses real or personal property or other assets which are liable to be sold or applied in satisfaction of the final judgment and has filed with the Commission an affidavit which states that the investigation has been made; and
- (3) The investigation required by paragraph (2) of this subsection has not disclosed the existence of any real or personal property or other assets, or, if the investigation has disclosed the existence of real or personal property or other assets (which shall be described in the affidavit) the person has taken all action necessary for the sale or application, and the amount so realized is insufficient to satisfy the judgment (which amount shall have been stated in the affidavit together with the balance remaining due on the judgment after the sale or application).

### **Long and Foster Real Estate, Inc.**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for failure to adequately supervise the circulation or placement of an advertisement in accordance with 17 D.C.M.R. Section 2614.1 and Section 2615.3.

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### **First American Properties, Inc. D/B/A Re/Max Advantage Realty**

By Consent Order, a fine of \$1,500.00 was imposed on the respondent for failure to properly supervise the activities of a salesperson in the District after his license expired in violation of D.C. Official Code Section 47-2853.02(a) (2001).

### **Robert T. Casteel**

By consent order, the Commission imposed a fine of \$1500.00 for violation of DC Official Code Section 47-2853.17 (a)(19) (2001) for operating as a real estate property manager when unlicensed and not renewed.

### **Greenline Real Estate, LLC**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for failure to adequately supervise the circulation or placement of an advertisement in accordance with 17 D.C.M.R. Section 2614.1 and Section 2615.3.

### **Andrew Riguzzi**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of his name in an advertisement without the telephone number of the brokerage company with whom she is affiliated.

### **James Bell**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of his name in an advertisement without the telephone number of the brokerage company with whom she is affiliated.

### **Kenneth Ross**

The respondent entered into a Settlement Agreement, where his salesperson's license was suspended for one year.

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### **Sheila Mooney**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of her name in an advertisement without the telephone number of the brokerage company with whom she is affiliated.

### **Keith Carr**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of his name in an advertisement without the telephone number of the brokerage company with whom he is affiliated.

### **Thomas D. Walsh, Inc.**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for failure to adequately supervise the circulation or placement of an advertisement in accordance with 17 D.C.M.R. Section 2614.1 and Section 2615.3.

### **Jack Shoptaw**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of his name in an advertisement without the telephone number of the brokerage company with whom he is affiliated.

### **Thurman L. Battle**

By Consent Order, a fine of \$2,500 was imposed on the respondent pursuant to D.C. Official Code Section 47-2853.17 (a)(13) in that respondent willfully practiced an occupation or profession with an unauthorized person or aided an unauthorized person in the practice of an occupation or profession.

### **Philip DiRuggiero**

By Consent Order, a fine of \$1,000.00 was imposed on the respondent for violation of 17 DCMR Section 2609.6 for permitting the use of his name in an advertisement without the telephone number of the brokerage company with whom she is affiliated.

# Key Dates and Facts

## DCRA Offices

Department of Consumer and Regulatory Affairs (DCRA)

1100 4th St., SW  
Washington, DC  
20024

At Waterfront Metro Station on the Green Line.



<http://dcra.dc.gov/DCDCRA>

## 2014 Event Calendar

**Real Estate Educators Association**  
Annual Conference  
Scottsdale, AZ, June 20-23

**National Association of Real Estate Brokers (NAREB)**  
National Convention  
Baltimore, MD, July 25—30

**Association of Real Estate Law Officials (ARELLO)**  
Annual Conference  
Philadelphia, PA , Sept. 17 - Sept.21

**2014 National Association of REALTORS® (NAR)**  
Annual Convention  
New Orleans, LA, November 7-10

## 2014 Meetings

Commission meetings scheduled for second Tuesday each month.

- July 8, 2014
- August—Recess
- September 9, 2014
- October 14, 2014
- November 18, 2014
- December 9, 2014

Dates subject to change.  
Call 202-442-4320  
for updated dates.

## Active Licensee Counts

(As of June, 2014)

- Brokers 2,784
- Broker Companies 28
- Property Managers 614
- Salespersons 8,440



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