

Alton Duncanson,
DCREC Chair, Education Chair, Salesperson Member

Josephine Ricks,
Broker Member, Legal Committee Chair

Kenneth D. Smith,
Property Manager Member

Christine Warnke,
Consumer Member

Frank Pietranton,
Broker Member

Monique N. Owens,
Salesperson Member

Helen Dodson,
Broker Member

Ulani Gulstone,
Attorney Member

Rabbiah A. Sabbakhan , Interim Director - Department of Consumer and Regulatory Affairs



Alton Duncanson,
DCREC Chair

The real estate business can be fairly complex for the people who are licensed and trained to conduct this kind of business. Frequently, arising out of that complexity, both the public and real estate professionals find reason to lodge a formal complaint against a licensee.

Complaints brought before the Commission fall under four general categories:

- Misrepresentation
- Earnest money disputes
- Advertising violations
- Unlicensed activity

The Commission does not field money disputes regarding commission payments or splits.

There is tremendous variety within the specific complaint types; however, here are some that recur frequently:

Deposit / Escrow Issues

- Failure to account for escrow/security deposits.
- Failure to return escrow/security deposits.
- Co-mingling of deposits with broker's/manager's other funds.

Disposition of earnest money regarding contract disputes.

Advertising Violations

- Broker's name and or phone number missing on ads.
- Broker fails to review advertising before releasing to the public.
- Failure to follow advertising regulations on internet sites.

Misrepresentation Issues

- False or misleading advertising.
- Misrepresentation of facts or property condition.
- Contract breach.
- Property manager/tenant dispute.
- Fiduciary duties failure.

Unlicensed Activity

- Practicing real estate without ever having obtained a license.
- Practicing with an expired or suspended license.
- Practicing with a license NOT from the jurisdiction where the property is based.

The DC Real Estate Commission's (DCREC) Legal Committee receives

and reviews all filed complaints. The committee makes recommendations that fall into one of three categories:

- Request a formal investigation if it falls within DCREC jurisdiction.
- Transfer to the Regulatory Investigations Section for violations outside of the DCREC purview (unlicensed activity).
- Dismiss if a civil matter or no basis for action against the licensee.

When the Commission finds against a licensee, there is a range of actions or penalties that can be taken. A letter of admonition will be sent in cases where a fine is not warranted or the Commission wants to put the licensee on notice regarding a particular infraction. When a fine is required, the amounts can max out at \$2,500 per violation. More severe violations can result in a license suspension or revocation. In all cases, respondents have the option to appeal the Commission's decision.

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DCREC Bids Fond Farewell Mr. Richard Gersten



Richard Gersten
DCREC Commissioner

The DC Real Estate Commission (DCREC) bids long standing member, Richard “Rick” Gersten a fond farewell.

Mr. Gersten, a five-year member of the Commission, highlighted his tenure by being an expert resource and advocate regarding landlord tenant relations with the general public. He also gave the Commission invaluable insight into how commercial transactions are done in the District of Columbia. Commissioner Gersten provided a strident voice ensuring that the Commission’s decisions were well reasoned. Mr. Gersten also served as a dedicated member of the Legal Committee. In every committee

meeting and deliberation, Commissioner Gersten always contributed with solid input and experienced counsel.

In 2009, Rick started the free apartment finder service Urban Igloo. As a veteran commercial real estate tenant representative and developer, he wanted to bring commercial market professionalism and service to DC-area apartment renters. Urban Igloo was created not just as a place to post and find rental listings, but a source of true local rental market knowledge, expertise, and connections. The company was the first to offer car service to show DC apartments. They consider themselves DC’s Match.com for landlords and renters—only powered by real people, in your backyard. Some of Urban Igloo’s top DC neighborhoods are:

Adams Morgan, DuPont Circle, Woodley Park, & the West End. Their website enables them to attract huge numbers of renters and landlords; however, it is their local agents that get these two groups working together.

Over his tenure with the DC Real Estate Commission, Mr. Gersten helped review hundreds of cases and legal matters brought before it. His service on the Commission is beyond reproach in protecting the public interest.

The Commissioners and staff express their deep appreciation to Mr. Gersten for his outstanding service and dedication and wish him well in all future endeavors.

Thank you for your service, Rick.

DCREC Welcomes Christine Warnke, PhD



Dr. Christine Warnke
DCREC Commissioner

The DC Real Estate Commission (DCREC) welcomes its newest member, Dr. Christine Warnke.

Dr. Warnke is the Senior Governmental Affairs Advisor at Hogan and Hartson, LLP and is a member of the firm’s Washington-based Legislative Group. She represents individuals, groups, agencies, and corporations of all stripes on legislative and regulatory matters before Congress, the White House, and the Executive Branch. She also worked with the U.S. Senate’s Office of the Secretary as Executive Assistant to then Senate Majority Leader Mr. Robert C. Byrd and the American Textile Manufacturer’s Institute where she became assistant director

for Governmental Affairs.

Dr. Warnke is a Member of the Advisory Board at Euclid Investment Services, LLC. She has written numerous articles on the city’s immigrant population and history. Dr. Warnke co-authored *The Urban Odyssey*, a book published by the Smithsonian Institution Press. She was appointed by Mayor Anthony Williams and confirmed by the Washington, D.C. City Council to serve on the District of Columbia Human Rights Commission. Dr. Warnke spearheaded the D.C. Commission for Women and serves on the Business Advisory Board of the Opportunities Industrialization Centers and the Woodrow Wilson of International Scholars’ Council. She is known as a Capitol Hill

lobbyist and as a humanitarian for her numerous non-profit volunteer efforts.

Dr. Warnke was honored recently in New York City as the recipient of the Women of Excellence award given by the World Council of Hellenes Abroad, an organization of Greek government officials and people of Greek descent worldwide. She was the winner last spring of a Salute to Women Award that is given every two years for excellence in serving the international and national community by the Daughters of Penelope, the largest and oldest international auxiliary of women of Hellenic descent.

Welcome, Ms. Christine Warnke!

DCREC Welcomes Helen Dodson



Helen Dodson
DCREC Commissioner

The DC Real Estate Commission (DCREC) welcomes back a former member in Ms. Helen Dodson.

For ten years, beginning in 2001, Ms. Dodson previously served on the DC Real Estate Commission. In 2014 she was again appointed to the Commission by the District of Columbia Mayor. Studies she completed through the National Association of Realtors have earned her the professional designations of Certified Residential Specialist (CRS), Graduate of the Realtor Institute (GRI) and Seniors Residential Specialist (SRES).

During ten years as co-owner and associate broker of Dodson Realty Inc., Ms. Dodson worked in sales,

training and recruiting to help lead and grow the brokerage into a successful Century 21 franchise office and then a Long and Foster Realtors office. Ms. Dodson has successfully helped many buyers and sellers during her time in residential sales .

With over 30 years experience in real estate sales, Helen gets wonderful results for home sellers and buyers. Her marketing savvy and negotiating expertise have helped many who now contribute to her strong referral business.

A native Washingtonian, she is licensed in the District of Columbia and the state of Maryland and knows the many city and suburban neighborhoods area residents love. From starter homes in

moderately price neighborhoods, to million-dollar-plus homes in upscale neighborhoods throughout the city and Maryland suburbs, Helen is active in serving clients in many different communities. This vast experience will prove very valuable in carrying out Commission duties.

In 2011, Helen joined the Bethesda/Chevy Chase market center of Keller Williams Capital Properties. She is excited to work in one of the top real estate firms in Washington, supported by Keller Williams Realty International, now the largest real estate company in North America. She serves on the Agent Leadership Council at her office and uses her experience, expertise and the Keller Williams resources to help people sell and buy homes.

Frank Pietranton Joins the DC Real Estate Commission



The DC Real Estate Commission (DCREC) continues to grow, with yet another new member, Frank Pietranton.

Mr. Pietranton is the Director of Community Managers of Common Element

Communities with Pier Associates / ProCAM, DC

ProCAM is a Professional Common Element Community Association Management firm, offering Condominiums, Cooperatives, and HOA's in and around DC tailor made,

collaborative assistance to Association Directors provide membership with sound, value added Association oversight.

Welcome, Mr. Frank Pietranton!

DC Real Estate Community Mourns the Loss of Rudy Taylor



Rudy A. Taylor
DCREC Commissioner

Rudolph A. (Rudy) Taylor, former Real Estate Commissioner, passed away recently. Mr. Taylor was extremely instrumental in the development and passage of the Real Estate Licensure Act of 1982. He had been a real estate broker and appraiser for many decades, operating his

own brokerage and appraisal firm, and was a champion of real estate and appraiser regulatory laws and regulations. Mr. Taylor was also a past member of the Association of Real Estate License Law Officials (ARELLO) and the Real Estate Educators Association

(REEA). He was also an active member of the National Association of Real Estate Brokers, Inc. (Realtist), and with their local affiliate, the Washington Real Estate Brokers Association (WREBA). He was a pioneer as a minority in the real estate brokerage and appraisal disciplines during the 20th Century.

DC Continuing Education Requirements. Are U Ready?

**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/

**Occupational
and Professional
Licensing Staff**

**Clifford Cooks
Program Manager**

**Leon W. Lewis
Program Liaison**

**Kevin Cyrus
Education Liaison**

**Stephanie Johnston
Commission Assistant**

**Kia Winston
Legal Counsel**

**Wilfred Usher
George Batista
Steve Parker
Investigators**

The 2013-2015 renewal cycle is nearing its end. To be sure, many 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) or 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 licensees may 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 .
- 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 the 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 February, 2015

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/

The three mandated DC Real Estate Commission courses will be offered in February 2015 and again in June 2015 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, NO dates have been set.** 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.

Are Advertising Fines Coming YOUR Way?

“This requirement generally applies to all forms of advertisements, including online advertising through e-mail, web pages, or social media outlets.”

Advertising violations are a flagrant problem both in print and electronic media.

Real Estate licensees are reminded that in April 2008, the DC Real Estate Commission amended 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 establish 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 advertising regulations may be subject to fines up to \$2,500 per violation.

Licensees should review the current copy of the “Real Estate Legislation and Regulations booklet. As of April 2013, the updated rules, including recent amendments, can be obtained at the 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).

Redfin Corporation

By consent order, the Commission imposed a fine of \$2500.00 for violation of DC Official Code Section 47-2853.17(a)(19) (2001) for operating as a real estate brokerage entity when unlicensed and not renewed.

Beasley Real Estate

By consent order, the Commission imposed a fine of \$2500.00 for violation of DC Official Code Section 47-2853.17(a)(19) (2012 Repl.) for operating as a real estate brokerage entity when unlicensed and not renewed.

Joseph Dent

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

Donna Turner

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.

Chatel 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.

Renee Raymond

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 he is affiliated.

Carolyn Wilson

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 he is affiliated.

Morris Realty and Associates

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.

Joseph Stanton

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.

W.C. & A.N. Miller, A Long & Foster Company

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.

Roger Neely

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.

Supreme Properties, 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.

Coldwell Banker Residential Brokerage

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.

Peter Sarro

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.

Edward Wood

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.

City Houses, 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.

Bruce Majors

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.

Edward Giles

The Commission issued an Order to Cease and Desist on Edward Giles.

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/DC/DCRA>

2015 Event Calendar

Real Estate Educators Association
Annual Conference
Storrs, CT, June 18-22

National Association of Real Estate Brokers (NAREB)
Annual Convention
Houston, TX, August 17—21

Association of Real Estate Law Officials (ARELLO)
Annual Conference
Washington, DC, Sept. 9 - Sept. 13

2015 National Association of REALTORS® (NAR)
Annual Conference
San Diego, CA, November 13-16

2015 Meetings

Commission meetings scheduled for second Tuesday each month.

January 13, 2015

February 10, 2015

March 10, 2015

April 14, 2015

May 12, 2015

June 9, 2015

July 14, 2015

August—Recess

September 8, 2015

October 13, 2015

November 10, 2015

December 8, 2015

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

Mission Statement

The Commentator is published by the DC Real Estate Commission to provide licensees with pertinent information about industry issues from a local perspective.

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District of Columbia Real Estate Commission
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