

# Review

*Wyoming Real Estate Commission and  
Certified Real Estate Appraiser Board*

2012—Issue 1



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## What Is Your License Number?

The first year of the on-line education tracking (2011) has come and gone. The WREC saw a few problems this renewal season where licensees were not able to prove proper credit for continuing education they had taken. Often the problem was due to the licensee not giving the education provider the correct real estate license number. Since most educators are no longer providing paper certificates the proof of taking the class is in the electronic system, so it is crucial to get it correct. It can be very frustrating and time consuming for the licensee or staff to track down the education provider to fix the li-

cence number and post it to the system quickly (especially if the licensee has procrastinated). Please take a moment to learn your number or where to find it. It IS NOT the red number on your license.

Please look at the upper left portion of your license or your receipt or your pocket card. This is another good reason to get signed up for the on-line education system (C.E. Upload System) so you can make sure all of your classes are being reported.

### Commissioner Members:

Dixie See, Sheridan  
Bo Short, Cheyenne  
Ray Elser, Jackson  
Landis Benson, Worland  
Marcia Case, Douglas

### Board Members:

Judy Lane, Cheyenne  
Theo Hirshfeld, Buffalo  
Robert Brockman, Wheatland  
Londa (Loni) Hillyard, Afton  
Marlon Schlup, Douglas

Bookmark the WREC website:  
[realestate.state.wy.us](http://realestate.state.wy.us)

## Attention Property Managers

This office has repeatedly fielded requests from licensees for classes specific to property management. The frequent comment is that segment of the real estate profession gets neglected in the “typical” elective classes and the required courses and that the only property management specific classes approved are only available on line. I am aware of a course that may fill these requests and be of interest to licensees involved in property management. If interested in landlord tenant law:

<https://store.sterlingeducation.com/seminars.php?state=WY>

The Honorable Matthew H. Mead, Governor  
Trenton Hogg, Director  
Kari Rayment, Business Coordinator  
Kamron Ritter, Investigator  
Anna Rabou, Executive Secretary  
BJ Jibben, Paralegal

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## **Certified Appraiser AND Real Estate Licensee?**

Please be aware approved appraiser continuing education courses will not count toward your real estate license continuing education unless the course has been approved by the Wyoming Real Estate Commission. The WCREAB has sent letters to appraiser education providers asking them to submit their courses for both certified appraiser education credit and real estate education credit. However, absent approval from the WREC as a course approved for real estate licensees; an approved certified appraiser course will only count for credit toward your certified appraiser credential. Please cross reference the approved education lists for each industry on the website to discern which courses can count for both.

## **New USPAP Requirement for Wyoming Appraisers (effective 1/1/2012)**

All Wyoming certified appraisers are required to take the 2012-2013 7-Hour USPAP Update Course by April 1<sup>st</sup>, 2012. Nearly 150 Wyoming appraisers met this requirement on January 12, 2012 at the annual appraiser education event held in Casper, WY. Those appraisers have been accounted for and the WCREAB staff has tracked your attendance. Appraisers taking a different 2012-2013 USPAP Update Course should submit proof of completing the course to the WCREAB before April 1<sup>st</sup>, 2012. You can do so by submitting the course certificate attention Anna Rabou by fax (307-777-3796), email at [anna.rabou@wyo.gov](mailto:anna.rabou@wyo.gov), or regular mail.

## **Wyoming Proud (and Represented)**

The Wyoming Certified Real Estate Appraiser Board and the Wyoming Real Estate Commission are proud of a recent selection of our investigator, Kamron Ritter. Kamron was selected by The Appraisal Foundation and the Association of Appraiser Regulatory Officials (funded by the Appraisal Subcommittee) to help build and create an investigator training course/video to be used by investigators from all US jurisdictions regulating the appraisal industry. Kamron was one of a handful chosen out of possible hundreds for his investigation report writing skills and expertise. As Kamron Ritter is the investigator for both the Board and Commission, we and our industry members should be proud to be represented on a national platform by one of our own.

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## Blast From the Past...

I've heard it said, "The more things change the more things stay the same." I intend to reprint articles from past Wyoming Real Estate Reviews that have bearing on real estate today. I hope you find it interesting and enjoyable. I find it fascinating that the real estate industry of today can sometimes be very much like the real estate of the past with many of the same issues facing us all. This article written in the Summer Edition, 1979 by Director Stanley H. Roberson seems to be applicable, timely and pertinent over thirty years later.

### **EDUCATION – FACT OR FANCY!**

In most instances, your job is to sell real estate. That's the task for which you have been trained and by which you earn your living. Your interest in your work in the sale of this tangible is a step toward making a profession of your chosen occupation.

The greatest part of your job is not selling...although therein the cash profit lies. You are a counselor, an advisor, a businessman who offers service to clients. Your task is to assist your people to make right decisions for their present and future happiness. In doing so, you can earn the respect, and many times the gratitude for those you serve.

It seems hardly necessary to remind those engaged in real estate work that the public will not endow our calling with a professional status unless we are prepared to offer wise counsel and understanding service to our clients, the buying and selling public.

In recent years the practice of real estate has become infinitely more complicated. There is an increasing growth of social control over property expressed through federal acts, including intricate tax laws, state statutes and local ordinances of all kinds, such as zoning restrictions, building codes, and considerable intensified city, county and state planning.

The financing of real estate transactions often present a difficult problem. All these matters require constant study by the broker or salesman who wishes to rise to the top of the ladder of success. Deed restrictions, the impact of the income tax on real estate transactions, modern complicated theories on appraising, render the modern practice of real estate increasingly difficult.

The time has come to protect the public not so much from the dishonest who are a comparatively small group but rather from the incompetent and the untrained who still function in the real estate field. The latter must be convinced that a continuous study of conveyancing must be undertaken by them in order to continue in real state.

After working nearly twenty-three years in license law administration and reviewing hundreds of complaints, it has been noted that injury resulted to the public far more often from ignorance than from intentional wrong doing. The one and only solution to the elimination of incompetence is that of education...a fact

## DISCIPLINE—REAL ESTATE

**Rhonda J. Burkhart**, Responsible Broker (License No. 1305), was found in violation of the various provisions of the Wyoming Real Estate License Act (RELA), as well as the Rules and Regulations of the Wyoming Real Estate Commission, for failure to maintain proper accounting practices with respect to a trust account and commingling of trust funds with personal funds.

The applicable statutory and rules provisions include the following: Wyo. Stat. Ann. § 33-28-111(a)(ii) [violation of RELA or Commission’s Rules]; Wyo. Stat. Ann. § 33-28-111(a)(xiv) [commingling the money or other property of the licensee’s principals with his own]; Wyo. Stat. Ann. § 33-28-111(a)(xxvi) [failure to keep the funds of others in an escrow or trust account]; Wyo. Stat. Ann. § 33-28-122(d) and (e) [no entitlement to advance payment of earnest money / no commingling of trust funds with personal funds]; Wyo. Stat. Ann. § 33-28-303(a)(i) [required performance of the terms of a written agreement made with the seller]; Wyo. Stat. Ann. § 33-28-303(a)(ii) [failure to exercise reasonable skill and care for the seller]; Commission’s Rules, Chapter 2, Section 11(e), (g) and (h) [Brokers’ trust accounts]; and Commission’s Rules, Section 14(a)(i) and (ix) [Regulatory enforcement grounds – failure to comply with any rule of the commission / commingling the money or property of others with his own].

The Commission approved a settlement agreement, which included the following disciplinary sanctions: (i) administrative fine of One Thousand Dollars (\$1,000.00); (ii) completion of education (Contracting, Trust Accounting, and Closing, Ethics I & II, and Professional Standards); (iii) Suspension for one (1) year, stayed under condition of compliance with terms of the settlement agreement; (iv) probation for one (1) year following suspension; and (v) audit of accounting records for a period of two (2) years at her expense and subject to reporting to the Commission.

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**Dennis R. Langdon**, Associate Broker (License No. 2061), was found in violation of the Wyoming Real Estate License Act (RELA), as well as the Rules and Regulations of the Wyoming Real Estate Commission.

The applicable statutory and rules provisions include the following: WYO. STAT. ANN. § 33-28-111(a)(ii) [violation of RELA or any rule of the Commission]; Chapter II Real Estate Commission Rules and Regulations Section 9 (b)(xiv) [all changes made to an offer or counter-offer must be dated and initialed by all parties to the contract].

The Commission approved the proposed settlement agreement, which included the following disciplinary sanctions: (i) censure; and (ii) completion of education (contract law).

### Real Estate Commissioner and Appraiser Board Members Needed

If you would like to give back to your industry, help the fine state of Wyoming, and protect the public... please consider applying to Governor Mead’s office for appointment.

After 6 years of dedication and service to the Wyoming Certified Real Estate Appraiser Board, the appraisal industry, and the users of Wyoming appraisal services; Theo Hirshfeld is term limited. Governor Mead will be appointing a new Wyoming Certified General Board Member to take Theo’s place this summer.

Commissioner Bo Short has admirably served his industry, State and the public as well. Although eligible for reappointment, he has chosen not to pursue another term. Governor Mead will need to reappoint a Wyoming licensee and have that appointment ratified by the Wyoming senate.

For an appointment application for either the Board of Commission, go to:

<http://governor.wy.gov/resources/Pages/BoardsandCommissions.aspx>