



Georgia

Real Estate

Commission

Fiscal Year 2018

Annual Report



**GEORGIA
REAL ESTATE
COMMISSION**

Suite 1000
International Tower
229 Peachtree Street, N.E.
Atlanta, Georgia 30303-1605
404-656-3916 Voice
404-656-0529 Fax
Internet: www.grec.state.ga.us
Email: ldempsey@grec.state.ga.us

MEMBERS

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Chair

PAUL G. BROWER
Vice Chair

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CLAYTON FOSTER
CINDY RAMPLEY
JODIE SHEPARD

STAFF

LYNN DEMPSEY
Real Estate Commissioner

CRAIG COFFEE
Deputy Real Estate Commissioner

January 2, 2019

The Honorable Brian Kemp
Governor, State of Georgia
Georgia State Capitol
Atlanta, Georgia 30334

Dear Governor Kemp,

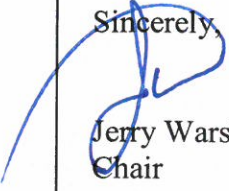
Pursuant to the Official Code of Georgia Annotated §43-40-2 (g), I submit the Annual Report of the Georgia Real Estate Commission, ("the Commission," or the "Agency") for the fiscal year July 1, 2017, through June 30, 2018 ("FY 2018"). This report includes: (1) a summary of actions taken by the Commission; (2) a financial report of Income and Disbursements; (3) staff personnel; (4) the number of persons licensed by the Commission; and (5) steps taken in education and research to disseminate information so all licensees can be better informed to protect the public.

Since the Commission also provides administrative support for the Georgia Real Estate Appraisers Board (GREAB), I have included separate information concerning it though the budgets are combined.

FY 2018 ended with a real estate licensee population of 92,747. This is an increase of 4,124 licensees from FY 2017. FY 2018 ended with an appraiser population of 4,309. This is a decrease of 7 licensees from FY 2017. The licensee population increased in FY 2018 as the number of individuals becoming licensed increased and this offset the number of individuals choosing not to renew a license.

By law, no general State tax revenues may be used to support our Agency's operations. All funding comes from license fees together with retained revenue (reimbursed for disciplinary actions). With an increase in the licensee population in FY 2018, the Agency returned approximately \$731,222.00 surplus to the state.

Sincerely,



Jerry Warshaw
Chair

GEORGIA REAL ESTATE COMMISSION

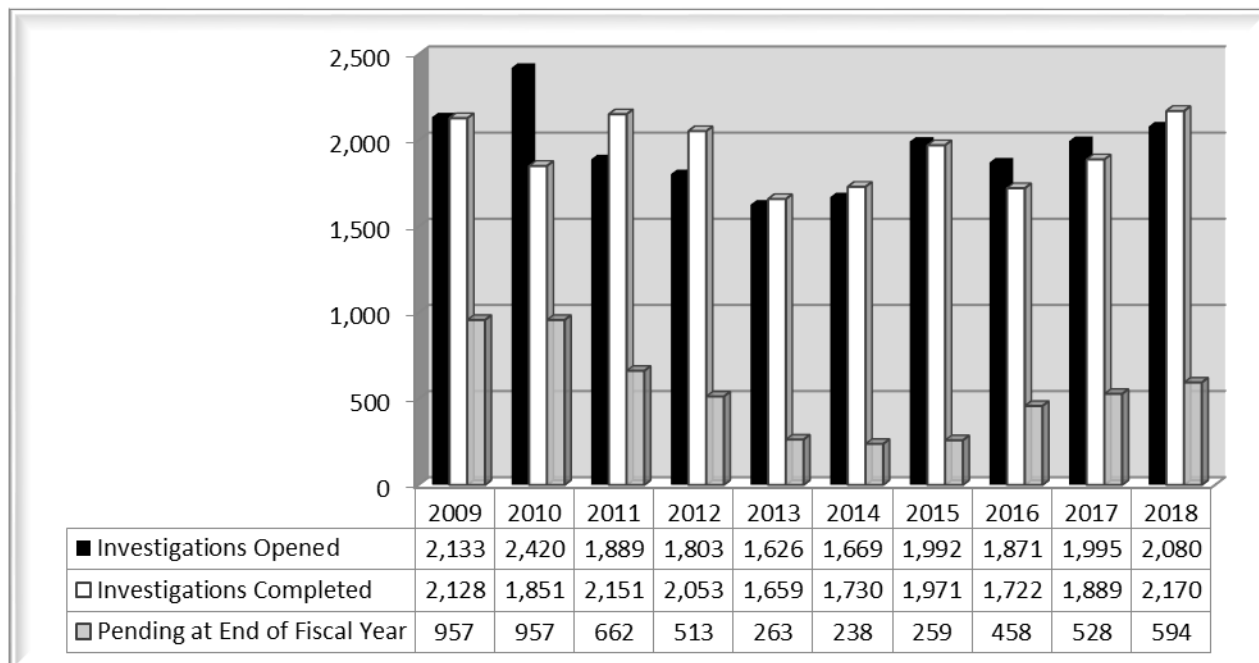
GEORGIA REAL ESTATE APPRAISERS BOARD

FISCAL YEAR 2018 ANNUAL REPORT

TABLE OF CONTENTS

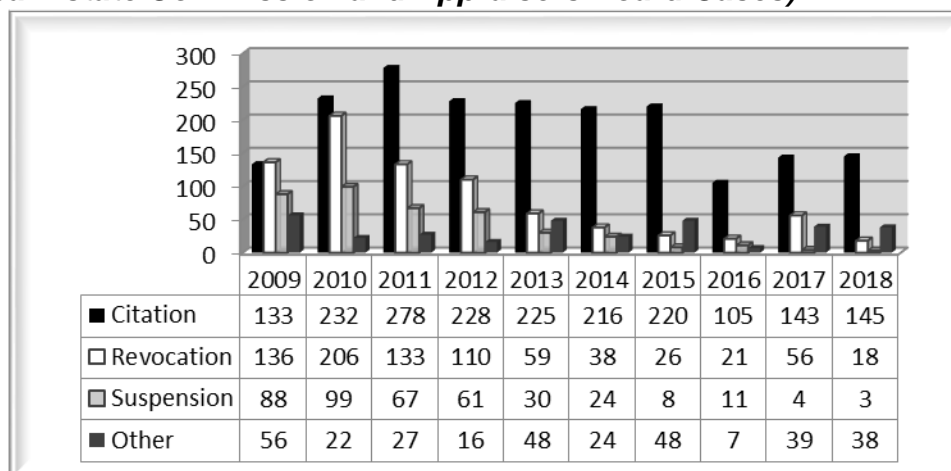
Agency Investigative Statistics by Fiscal Year	1
Agency Disciplinary Actions Imposed by Fiscal Year	1
Fines and Disciplinary Costs Reimbursements Collected	2
Agency Investigations Completed by Fiscal Year and Type	2
Real Estate Licensees by Fiscal Year	3
Real Estate License Renewals by Fiscal Year	3
New Resident Real Estate Licenses Issued by Fiscal Year	4
New Non-Resident Real Estate Licenses Issued by Fiscal Year	4
Agency’s Separate Budget Unit Status	5
Report of Revenue Collected and Amounts Expended During Fiscal Year 2018	6
Education, Research and Recovery Fund	7
Recovery Fund Contracts.....	8
Organizational Chart	9
Strategic Plan.....	10
Results Based Budget Measures	11
Results Based Budget Measures	12
Appraisers by Fiscal Year	13
Appraiser Disciplinary Actions Imposed by Fiscal Year	13

Agency Investigative Statistics by Fiscal Year (Includes Real Estate Commission and Appraisers Board Cases)



In addition to written Requests for Investigations, the Commission's staff answers a number of questions daily, including complaints and inquiries received from telephone or walk-in individuals. The staff resolves most of these informal matters rapidly to the satisfaction of the public. Many complaints involve contract disputes and require legal assistance. In those instances, the staff recommends that the complaining party seek legal counsel or consider pursuing the matter in court for appropriate action.

Agency Disciplinary Actions Imposed by Fiscal Year (Includes Real Estate Commission and Appraisers Board Cases)



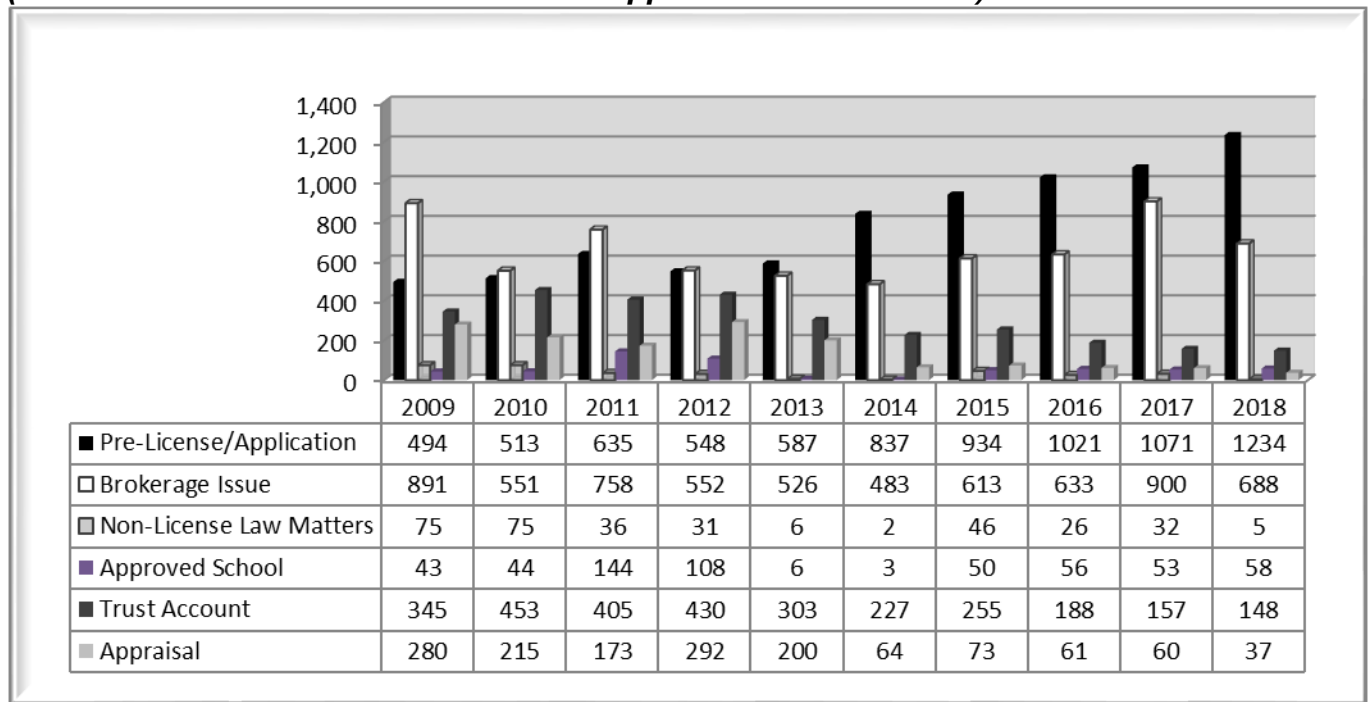
Disciplinary Actions include Citations (generally for less serious violations – 145 in FY2018) or Sanctions (for more serious violations – 18 in FY2018). The Commission also has an option to send “letters of findings” to licensees when an investigation reveals only technical license law violations that involve no harm to the public.

The Commission and Board make extensive use of Consent Orders to resolve contested cases. Where there is little dispute regarding the facts in a case and the parties agree on the sanction to be imposed, the Commission and Board use the Consent Order to save parties the time and the expense of a full, formal hearing before an Administrative Law Judge. Most cases are resolved without a formal hearing. Only ten cases were heard before an Administrative Law Judge in FY2018.

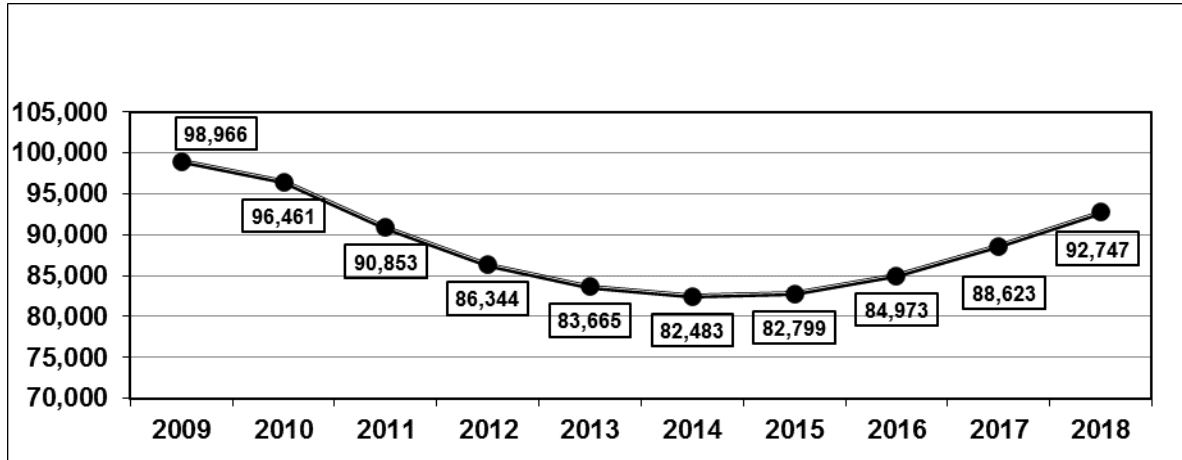
Fines and Disciplinary Costs Reimbursements Collected

GEORGIA REAL ESTATE COMMISSION & APPRAISERS BOARD			
	GREC	GREAB	AGENCY
FINES	\$22,700	\$1,800	\$24,500
DISCIPLINARY COSTS REIMBURSEMENTS	\$52,900	\$20,300	\$73,200

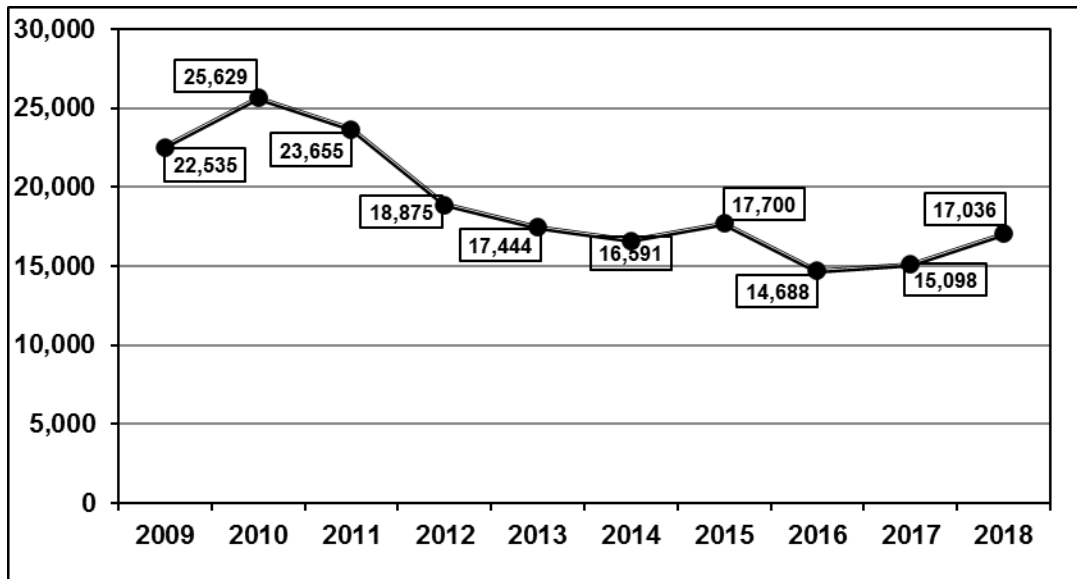
Agency Investigations Completed by Fiscal Year and Type (Includes Real Estate Commission and Appraisers Board Cases)



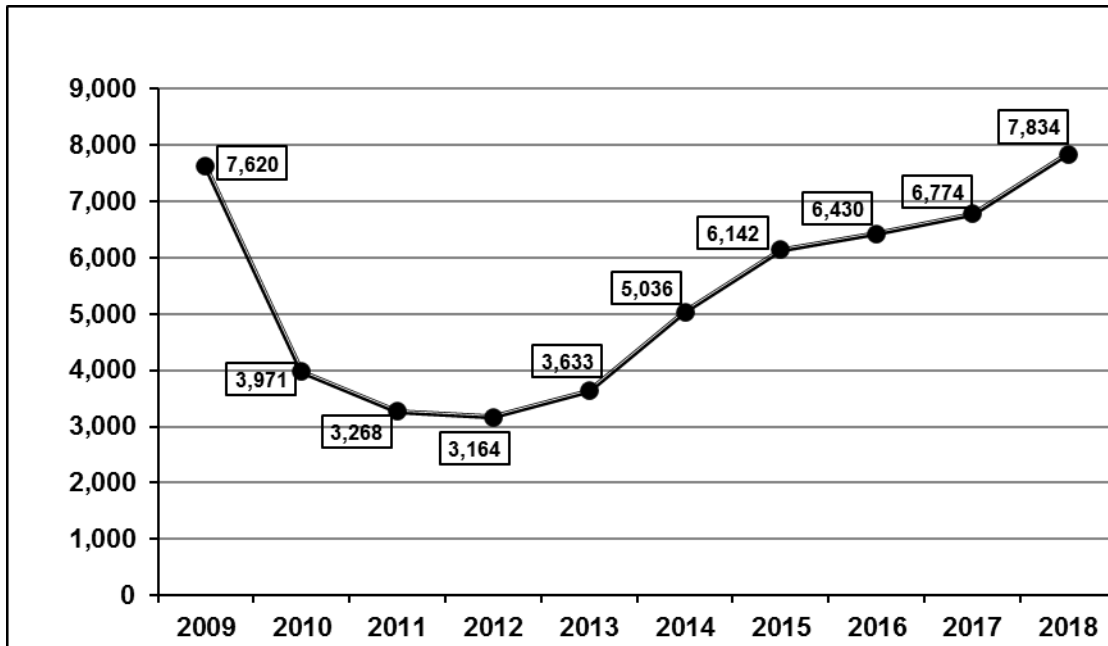
Real Estate Licensees by Fiscal Year



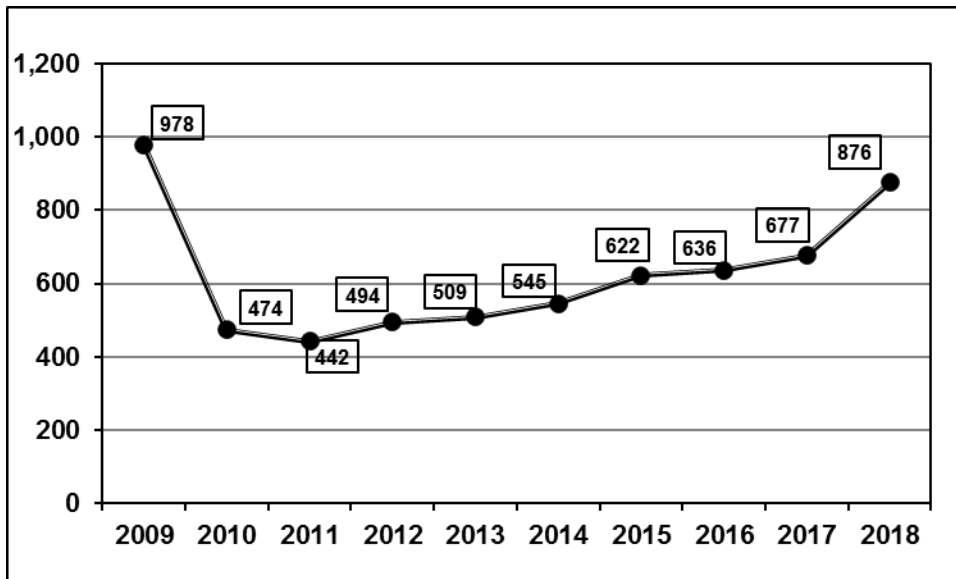
Real Estate License Renewals by Fiscal Year



New Resident Real Estate Licenses Issued by Fiscal Year



New Non-Resident Real Estate Licenses Issued by Fiscal Year



Agency's Separate Budget Unit Status

A 1977 court ruling and subsequently adopted state statutes require that the Commission's budget for direct and indirect costs approximately equal its revenue collections. Revenue collections are fees paid by licensees for both new licenses and the renewal of existing licenses. Direct costs include expenses for which the Commission directly pays; for example, salaries, rent, computer charges, administrative law courts and Special Assistant Attorney Generals (SAAGS) for legal work on disciplinary cases. Indirect costs include the Office of the Georgia Attorney General for additional legal work and the Georgia Secretary of State for Human Resources services. In past years, The Governor's Office of Planning and Budget (OPB) and the Legislative Budget Office (LBO) have instructed the Commission to base its proposed budget so that the State's appropriation to it equals approximately 85% of its income. The 15% difference retained by the State pays the indirect costs.

If the Commission's fee income significantly exceeds the State's appropriations to it, it must reduce fees charged to licensees. Conversely, if fee income falls significantly below the State's appropriations to it, the Commission must increase fees to licensees.

In 1990, the State of Georgia created the Georgia Real Estate Appraisers Board (GREAB). The Commission performs similar services for appraisers as it does for the real estate licensees. It regulates, educates and disciplines appraisers in the same manner as real estate licensees. The budget for the Commission includes the fee income and cost of the GREAB.

From the years 2000 through 2008, the fee income from real estate and appraiser licensees significantly exceeded the Agency's expenditures. This was due to a significant increase in new licensees. However, the licensee population started declining in 2008 and continued until FY15, which showed a slight increase of 171 licensees. In FY16, there was an increase of 2,174 licensees. In FY17, there was an increase of 3,650 licensees. In FY18 there was an increase of 4,124 licensees. In addition to the amounts appropriated by the State each year to the Commission, the Commission is allowed by law to retain revenue collected from disciplined licensees to reimburse the Commission for its administrative, investigative, legal costs and expenses ("Retained Revenue").

**Report of Revenues Collected and Amounts Expended by the
GREC & GREAB for Amended FY 2018**

Revenue

\$3,648,430	Revenue from Real Estate Licensees (New, Renewals, Reinstatements, Penalty Fees & <u>Recovery Fund</u>)
(-\$ 175,590)	Required Deposit into <u>Recovery Fund</u> derived from New Real Estate Licensees
\$ 461,210	Revenue from Appraiser Classifications and Appraisal Management Company's (New, Renewals, Reinstatements & Penalty Fees)
\$ 73,200	Retained Revenues (Cost Reimbursement from Real Estate and Appraiser Licensees for Disciplinary Actions) (<u>Included carryover of \$0 from previous years</u>)
<u>\$4,007,250</u>	Total Revenue of the GREC & GREAB

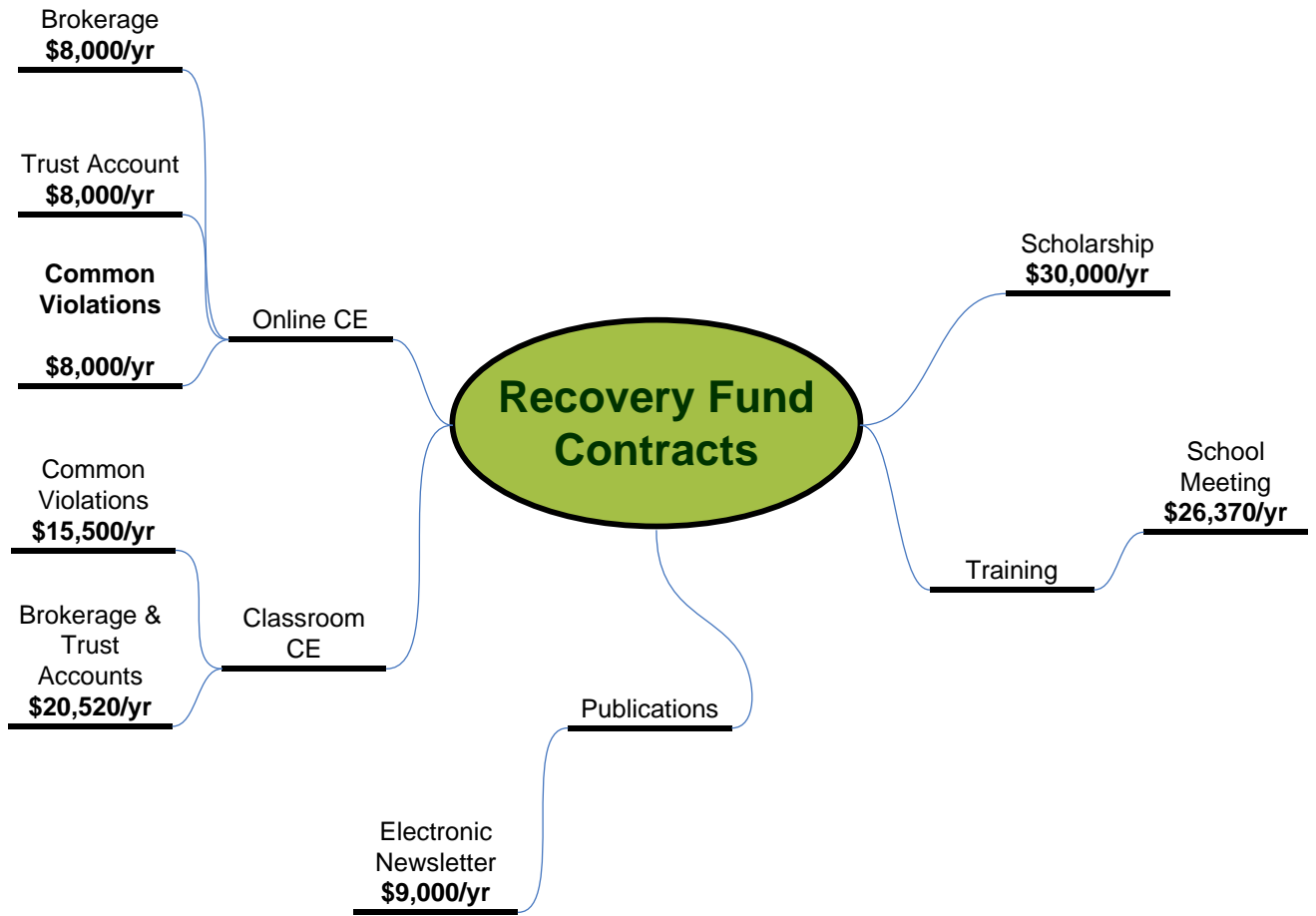
Expenditure (Note: Expenditures by the Commission are limited by law to funds appropriated from the State Legislature and Retained Revenues)

\$3,111,033	AFY 2018 State Appropriation
<u>\$ 73,200</u>	Retained Revenues (Included carryover of \$0 from previous years)
\$3,184,233	Total Amount Limited by Law for Spending by the GREC & GREAB
(-\$2,986,028)	Total Amount spent by the GREC & GREAB
\$ 198,205	Unspent Funds from Appropriated Funds and Retained Revenue
<u>\$4,007,250</u>	Total Revenue Collected by the GREC & GREAB
(-\$3,184,233)	Total Limited by Law for Spending by the GREC & GREAB
\$ 823,017	Excess Revenue collected from Real Estate and Appraiser Licensees over Appropriated Funds and Retained Revenue
\$ 198,205	Unspent Funds from Appropriated Funds and Retained Revenue
(-\$ 290,000)	<u>Estimated</u> Cost of Human Resource services provided by the Secretary of State and of legal services provided by the Attorney General (Attorney General - \$190,000) (Secretary of State - \$100,000)
\$ 731,222	<u>Estimated</u> Excess Revenue from Real Estate and Appraiser Licensees deposited into the State Treasury

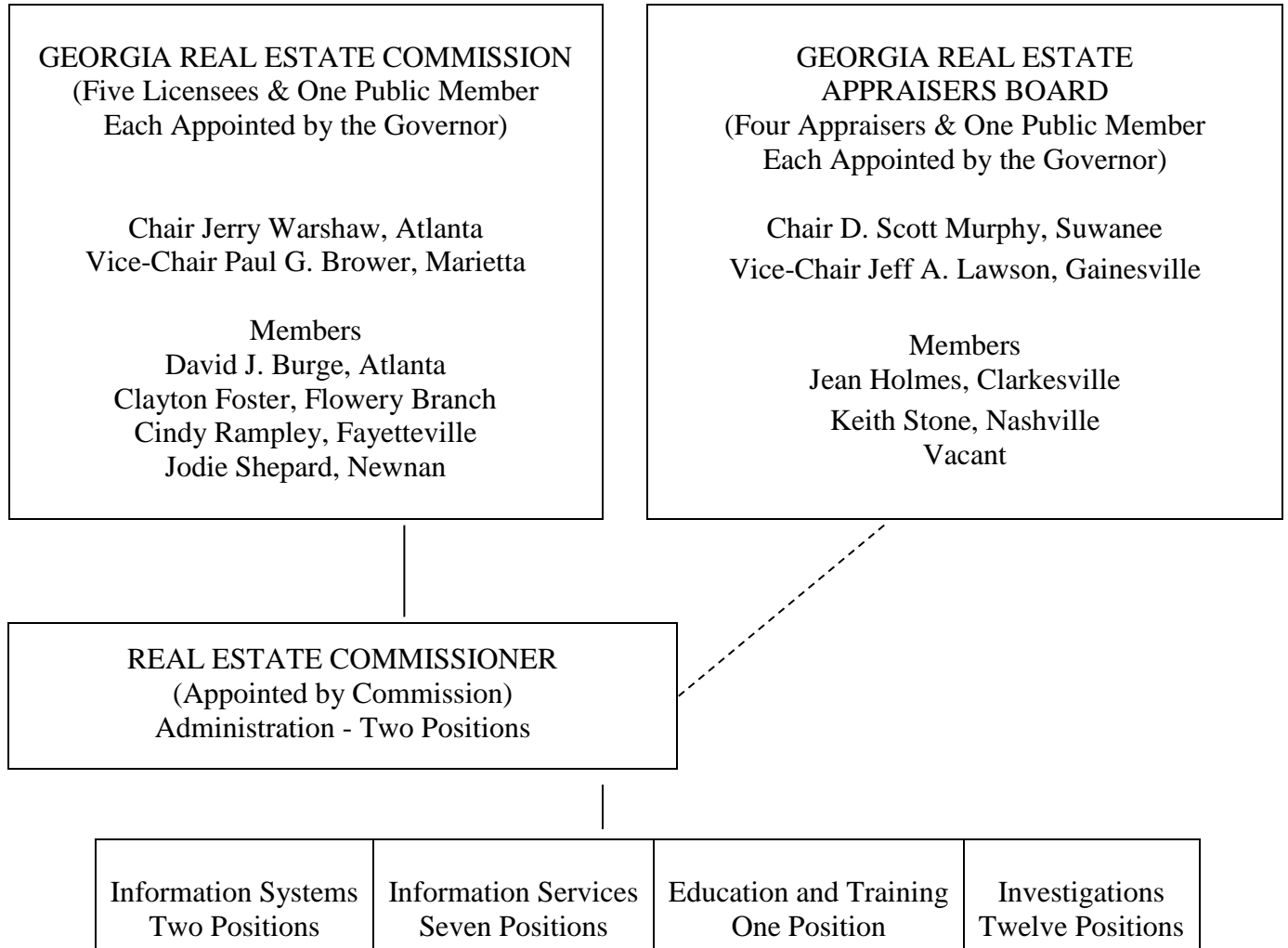
Education, Research and Recovery Fund ("Recovery Fund")

The Recovery Fund is funded from a one-time \$20.00 fee for each original real estate license issued and any interest earned in the fund. The Recovery Fund is used to reimburse non-licensees who have been harmed by a licensee but cannot recover from the licensee after obtaining a judgment against the licensee through the courts. The fund is also used to underwrite the cost of developing real estate courses, conducting real estate seminars, conducting real estate research projects, publishing and distributing real estate educational material, and for education research programs for the benefit of real estate licensees and the public. The Commission is required by law to keep a minimum balance of \$1,000,000.00 in the Recovery Fund. At the end of FY 2018, the Recovery Fund balance was \$1,676,100.

Fiscal Year	Income		Disbursements				Balance
			Judgments Paid & Collection Costs		Education & Research Contracts		
	Licensee Payments	Interest Earned	Number of Judgments	Amount	Number of Contracts Awarded	Amount	
1974-2005	\$3,829,379	\$2,290,125	132	\$796,101	207	\$3,001,207	\$2,322,196
2006	\$329,060	\$63,430	1	\$5,155	10	\$218,620	\$2,490,911
2007	\$326,550	\$128,801	0	\$32	7	\$406,033	\$2,540,197
2008	\$181,460	\$83,668	0	\$0	4	\$212,204	\$2,593,121
2009	\$95,200	\$29,720	0	\$0	10	\$348,900	\$2,493,271
2010	\$96,238	\$6,498	0	\$0	10	\$324,491	\$2,276,422
2011	\$74,940	\$3,916	0	\$0	10	\$325,617	\$2,029,661
2012	\$73,520	\$3,205	0	\$0	11	\$357,411	\$1,748,975
2013	\$83,560	\$3,374	0	\$0	10	\$310,813	\$1,525,096
2014	\$112,660	\$4,182	0	\$0	8	\$150,866	\$1,491,072
2015	\$133,380	\$3,046	1	\$7,932	7	\$93,423	\$1,526,143
2016	\$150,820	\$5,592	0	\$0	7	\$118,957	\$1,563,598
2017	\$167,000	\$5,827	0	\$0	7	\$118,858	\$1,617,567
2018	\$169,613	\$5,977	0	\$0	6	\$117,057	\$1,676,100



Organizational Chart



Permanent Employees and Their Years of Service as of June 30, 2017

Lynn Dempsey, Real Estate Commissioner (2)
 Craig Coffee, Deputy Real Estate Commissioner (17)

Frank Ambio (12), Projects Manager
 Brandon Gibbons (1), Investigator
 Vivian Chang (17), Investigator II
 Terence Curry (1), Investigator
 Deborah Dupree (32), Administrative Clerk
 Alan Gloer (34), Investigations Area Supervisor
 Tia Griffin-Barnes (11), Investigative Assistant
 Jennifer Higbee (3), Investigator
 Teresa Holder (21), Director of Information Systems
 Felicia Hubbard (24), Information Services Manager
 Letitia Jackson (7), Investigator

Ken Johnson (3), Education Advisor
 Jennifer Jones (12), Administrative Clerk
 Taiwan Kelly (1), Information Specialist
 Josephine Lee (12), Auditor / Compliance
 Shin Shin Liu (17), Network Specialist
 Shonda Mason (19), Investigations Area Supervisor
 Carol Robinson (5), Information Specialist
 Jon Snelling (6), Investigator
 Annette Strickland (4), Receptionist
 Margaret Wallace (11), Investigator
 Kimberley Wimby (18), Senior Information Specialist

Strategic Plan

The Agency's Mission

The mission of the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board is to ensure professional competency among real estate licensees and appraisers and to promote a fair and honest market environment for them, their customers and clients, and the citizens of Georgia.

The Agency's Vision

For the public to encounter educated, knowledgeable, and ethical professionals and for those professionals to be able to obtain license renewals in an expeditious manner.

Core Values

To protect the public in maintaining a fair and honest market for real estate transactions in Georgia.

FY18 Strategic Plan

State Goal (s)	Agency Goal (s)	Measurable Objective (s)	Strategy
Responsible and Efficient Government R4) Focus State Resources on Essential Services and Employ Enterprise Solutions	The project is 70% finished and has 3 remaining modules that require between \$27,232 and \$142,000 to complete depending on the module.	M2) To begin the "Persons" (Module 9) by January 1, 2018 at a cost of \$142,000. Completion in FY19. Baseline (X) 8 Target (Y) 9	S2) The agency's Information Technology (IT) Department will work with a private vendor to begin the "Individuals" module in FY 2018 and complete in FY 2019.
R3) Build and Maintain a Quality State Government Workforce	G2 - Georgia real estate and appraiser licensees will use well designed efficient online computer services to conduct business with the agency such as renewing licenses and changing license status.	M1) Replace the Telephone System for the Agency with an internet based system (VOIP) by September 30, 2017. Baseline (X) 0 Target (Y) 1	S1) The agency's Information Technology (IT) Department will work with a private vendor to replace the telephone system with an internet based system (VOIP).
R4) Focus State Resources on Essential Services and Employ Enterprise Solutions		M2) Replace the automated call distribution system software that manages the call flow into the agency's Call Center by September 30, 2017. Baseline (X) 0 Target (Y) 1	S2) The agency's Information Technology (IT) Department will work with a private vendor to replace the automated call distribution software that manages the call flow into the agency's Call Center.
R4) Focus State Resources on Essential Services and Employ Enterprise Solutions	G1 - Amend Title 43-39A-14.1 Requirements for the establishment and maintenance of a real estate appraisal management company to comply with the federal Final AMC Rule establishing minimum requirements for state registration and supervision of appraisal management companies.	M1) Statutory Amendment of Title 43-39A-14.1 Requirements for the establishment and maintenance of a real estate appraisal management company by the end of the 2018 legislative session. Baseline (X) 0 Target (Y) 1	S1) Amend Title 43-39A-14.1 to mirror federal requirements through agency legislation

Results Based Budget Measures

SECTION 1: PROGRAM RESULTS AND MEASURES

- 1.1. **Agency Name:** Georgia Real Estate Commission
Georgia Real Estate Appraisers Board
- 1.2. **Program Name:** Regulation, through licensing, education, and disciplining of real estate licensees and real estate appraisers.
- 1.3. **Program Purpose:** To protect the public and other licensees by regulating real estate licensees and real estate appraisers.

SECTION 2: PROGRAM GOALS DESIRED RESULTS AND RESULTS MEASURES

- 2.1 **Goal 1:** Real estate licensees and real estate appraisers will be qualified and provide competent service.
- 2.2 **Desired Result 1.a:** Conducting investigations of the activities of licensees ensures professional competence and promotes a fair and honest market environment

Actual Results 1.a Number of Agency Investigations Completed in a Fiscal Year				
FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
1,730	1,971	1,646	1,889	2,170

Desired Result 1.b:

Georgia's passing rates on the qualifying examinations to be within 5 points of the average passing rates of other states giving the same examinations; thereby ensuring that persons successfully passing the exam are minimally qualified to practice real estate brokerage activities.

FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
7.0% above	7.0% above	6.0% above	6% above	1% above

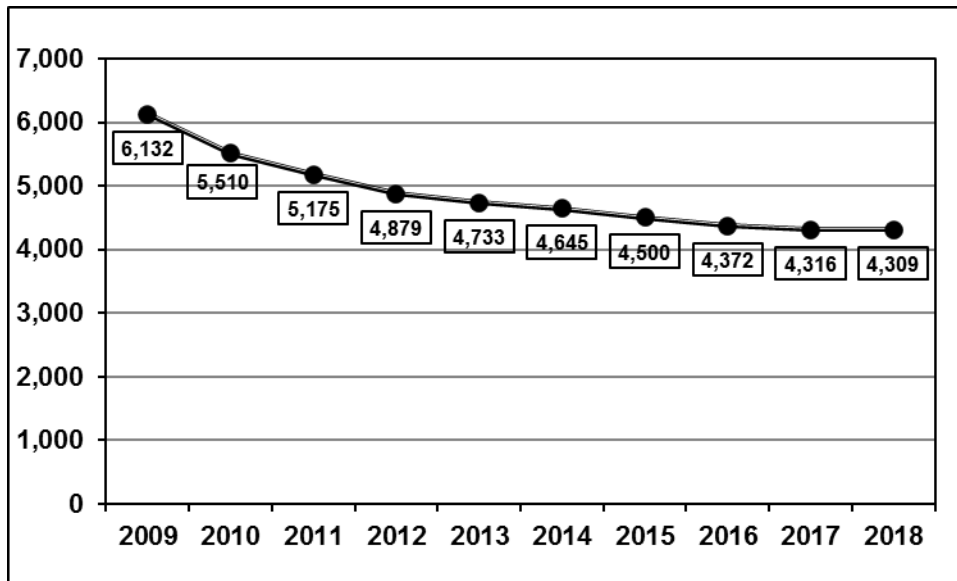
Goal 2:

Staff will process all applications submitted to the agency within five business days or less.

Actual Results 2 Service Provided	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
All completed applications will be processed by the staff within five business days of receipt.	97%	98%	98%	98%	97%

Georgia Real Estate Appraisers Board

Appraisers by Fiscal Year



GREAB Disciplinary Actions Imposed by Fiscal Year

