



NORTH CAROLINA
REAL ESTATE LICENSING BOARD

Real Estate Bulletin

Volume 10

1979

Number 1

Applications For License Renewal Mailed

See Page 3 For Important Information

In the next six weeks an estimated record number 36,000 brokers and salesmen and 1800 corporations are expected to renew their North Carolina real estate licenses for the year 1979-80.

To help expedite the processing of your renewal application, remember to (1) personally sign your application form (and the form of any licensed salesman for which you are acting as supervising broker), (2) do not include any other fees with your \$10.00 application fee, and (3) RENEW EARLY.



Naomi Cottle, Renewal Supervisor, with boxes of renewal applications ready for mailing.



Computers increase speed and accuracy of processing renewal applications.

IT'S YOUR MOVE

The Real Estate Licensing Board is pleased to announce the publication of an instructional manual entitled "IT'S YOUR MOVE" which is designed to acquaint North Carolina high school students with basic consumer housing information. This booklet was developed by the California State Department of Real Estate and with their permission has been revised for use in North Carolina.



How to choose an apartment? Responsibilities of landlord and tenant? To buy or to rent? How to deal with real estate agents? These are a few of the many questions which will be facing these students after graduation and which are answered in a very clear and concise manner in this booklet. Students may keep their booklets for future reference and share it with their parents, friends and relatives who may even now be in need of this information.

IT'S YOUR MOVE has received the endorsement and enthusiastic support of Governor Hunt who believes that it will prove to be a valuable resource to students in future years, providing them with basic "survival information" in a most vital area of their adult lives.

Yet despite the best efforts of the Licensing Board, the success or failure of this program will ultimately rest upon you, your friends and associates, and other interested per-

(Cont'd on Page 4)

REAL ESTATE BULLETIN

Published quarterly as a service to real estate licensees to promote a better understanding of the Real Estate Licensing Law, Rules and Regulations, and proficiency in ethical real estate practice. The articles published herein shall not be reprinted or reproduced in any other publication without specific reference being made to their original publication in the North Carolina Real Estate Licensing Board Real Estate Bulletin.

NORTH CAROLINA REAL ESTATE LICENSING BOARD

115 Hillsborough St.
Raleigh, North Carolina 27602
James B. Hunt, Jr., Governor

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NUMBER PLEASE

North Carolina now has nearly 40,000 licensed real estate brokers, salesmen, and corporations; 500 to 600 new licensees are added each month; and more than 1,800 persons have been scheduled for real estate examinations in May. As a result of this dramatic increase in licensees, the staff of the Real Estate Licensing Board is faced with the formidable task of processing, storing, and retrieving volumes of new files, folders, forms and other records.

Computers are now routinely used to maintain many records, and all individual licensee files, both active and inactive, have been rearranged by license number (rather than name) to improve operational efficiency and maximize our storage capacity. It is, therefore, more important than ever that licensees give our staff their license numbers (on license certificate and pocket renewal card) when contacting our office. By doing so, we can locate your records and respond to your inquiries more quickly and easily.

So remember, when writing or calling our office

NUMBER PLEASE

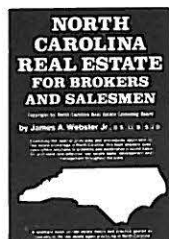
REALTOR'S INSTITUTE
June 10-16

EDUCATION COMMENT

By
Larry A. Outlaw
Education Director

Revision of Webster Book

The Licensing Board is planning a revision of the popular book **North Carolina Real Estate for Brokers and Salesmen** by James A. Webster (copyright by the North Carolina Real Estate Licensing Board).



Since its publication in 1974, it has been the most widely used textbook for pre-licensing courses in North Carolina as well as a primary reference book for real estate practitioners in the state. However, recognizing that certain material in this book is now outdated, and that certain sections of the book could perhaps be improved, the Board has directed me to formulate recommendations regarding this revision.

Written comments by those who are familiar with this book would be most welcome, especially comments regarding specific discrepancies or deficiencies in the book and suggestions for improving its usefulness both as a textbook for pre-licensing courses and a reference book for practitioners. It is hoped that a revised edition can be published and ready for distribution by the early fall of this year.

East Carolina Symposium

I recently had the pleasure of attending the Fourth Annual Real Estate Symposium on the East Carolina University campus at the invitation of Dr. Bruce Wardrep, Assistant Professor of Real Estate. This symposium was jointly sponsored by the Rho Epsilon Professional Real Estate Fraternity, the North Carolina Real Estate

Educational Foundation, and the North Carolina Association of REALTORS, and was conducted for the purpose of providing information to real estate students at East Carolina concerning various areas of real estate practice.

The symposium theme was "Opportunities in Real Estate" and topics included: Residential Brokerage, Property Management, Mortgage Banking, Residential Land Development, Home-building, Commercial Brokerage, and Real Property Valuation. Presentations were made on these topics by guest speakers including Dee McCandlish of the North Carolina Real Estate Licensing Board who spoke on Mortgage Banking.

The symposium was well attended by students, and I am confident that they acquired much valuable information which will assist them as they enter the real estate profession. Dr. Wardrep is to be congratulated for his fine real estate program at East Carolina, and all the organizations mentioned above are to be commended for their sponsorship and support of this worthy educational endeavor.

Licensee Questionnaire

Response to the Licensee Questionnaire contained in the last issue of the BULLETIN has been excellent. Approximately 2,000 completed questionnaires have been received to date and responses are still coming in.

The huge task of compiling the survey results will soon begin, and I expect to have a report on the results in the next issue of the BULLETIN. The information gained from the survey will be most helpful to the Board in developing new and more effective ways to help you better serve real estate consumers.

If you have not yet submitted your response, please do so right away. **THERE IS STILL TIME TO MAKE YOUR OPINION COUNT!**

**RENEW
EARLY!**

EXAM RESULTS

Examination — February, 1979		
	Passed	Failed
Brokers	429	416
Salesmen	49	33
Examination — March, 1979		
	Passed	Failed
Brokers	576	450
Salesmen	50	41

License Renewals

Real Estate Licenses Expire on June 30, 1979

Applications for renewal of real estate licenses have been mailed to all brokers, salesmen, and corporations of record. If you have not received your renewal application by June 1, you should contact the Board office for a duplicate form. Please allow several weeks for receipt of your renewal pocket card during which time your cancelled check for renewal fee will serve as evidence that your license has been renewed for the year 1979-80.

Since incomplete and incorrectly completed renewal applications cannot be accepted, you are advised to carefully read the instructions on the reverse side of your renewal application and the following examples:

BROKER

Make Address Changes if Necessary

APPLICATION FOR REAL ESTATE LICENSE RENEWAL
FOR THE YEAR ENDING JUNE 30, 1980 (U.S. RES. ACT)
YOUR REAL ESTATE LICENSE WILL EXPIRE ON JUNE 30, 1979
FILE RENEWAL APPLICATION PRIOR TO EXPIRATION

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MAIL THIS APPLICATION AND (\$10.00) REMITTANCE TO N. C. REAL ESTATE LICENSING BOARD, P. O. BOX 27447 RALEIGH, N.C. 27611
AFTER EXPIRATION DATE ADD (\$5.00) LATE FILING FEE.

20158

BROKER

APPLICANT PLEASE SIGN

Robert S. Broker

Robert S. Broker
 Broker Realty, Inc.
 P.O. 44111 Maple St.
 Anywhere, N. C. 21110

Broker Must Sign

SALESMAN

Make Address Changes if Necessary

APPLICATION FOR REAL ESTATE LICENSE RENEWAL
FOR THE YEAR ENDING JUNE 30, 1980 (U.S. RES. ACT)
YOUR REAL ESTATE LICENSE WILL EXPIRE ON JUNE 30, 1979
FILE RENEWAL APPLICATION PRIOR TO EXPIRATION

1979 - 80

MAIL THIS APPLICATION AND (\$10.00) REMITTANCE TO N. C. REAL ESTATE LICENSING BOARD, P. O. BOX 27447 RALEIGH, N.C. 27611
AFTER EXPIRATION DATE ADD (\$5.00) LATE FILING FEE.

10345

SALESMAN

SALESMAN MUST HAVE SPONSORING BROKER COMPLETE THIS CERTIFICATE FOR SPONSORING BROKER I CERTIFY THAT I AM THE SPONSORING BROKER OF THE NAMED SALESMAN APPLICANT AND HAVE APPLIED FOR RENEWAL OF MY LICENSE FOR YEAR ENDING JUNE 30, 1980

SALESMAN SIGNATURE *Samuel Salesman*
 BROKER SIGNATURE *Robert S. Broker*
 Robert S. Broker

Salesman Must Sign

Supervising Broker of Salesman Must Sign

CORPORATION

Make Address Changes if Necessary

APPLICATION FOR REAL ESTATE LICENSE RENEWAL
FOR THE YEAR ENDING JUNE 30, 1980 (U.S. RES. ACT)
YOUR REAL ESTATE LICENSE WILL EXPIRE ON JUNE 30, 1979
FILE RENEWAL APPLICATION PRIOR TO EXPIRATION

1979 - 80

MAIL THIS APPLICATION AND (\$10.00) REMITTANCE TO N. C. REAL ESTATE LICENSING BOARD, P. O. BOX 27447 RALEIGH, N.C. 27611
AFTER EXPIRATION DATE ADD (\$5.00) LATE FILING FEE.

C8213

CORPORATION

PRINCIPAL BROKER PLEASE SIGN

Robert S. Broker
 Robert S. Broker

Principal Broker of Corporation Must Sign

FEE

Make Check Payable to N.C. Real Estate Licensing Board

1583

June 4, 1979

PAY TO THE ORDER OF N.C. Real Estate Licensing Board \$10.00

Ten and 00/100 DOLLARS

BB&T
BRANCH BANKING & TRUST COMPANY
 RALEIGH, NORTH CAROLINA 27602

MEMO: 1979-80 license renewal

010531 10391 1303140863 583

66-1039 531

\$10 Renewal Fee
 (Add \$5 Late Filing Fee After June 30, 1979)

THE INDEFINITE CONTRACT IS UNENFORCEABLE

Contracts that are vague and indefinite cannot be enforced by the courts. This rule is as old as the English law, but is often overlooked by the modern real estate broker. A substantial number of sales agreements in present practice are so vague that even the parties themselves cannot determine their intent.

We are referring to the present practice of altering the sales price numerous times during the process of offers and counter-offers. Most of the time the broker dutifully has the parties initial various changes, but the changes frequently become so involved that it is almost impossible to determine the final sales price. Some contracts have multiple changes in several areas, such as closing dates, the personal property involved, and others.

Not only does this practice lead to misunderstanding between the parties, it makes the closing difficult. Several states have promulgated rules prohibiting the changing of contract provisions, and requiring that they be rewritten. The addendum-counter offer form is the next best method of avoiding the problem. The best way is to rewrite the contract to conform to the wishes of the parties.

There is no hard and fast rule, but some cases indicate that three or more changes of the same fact situation could render the contract indefinite and void. A whole string of changes, with attending initials, illustrates sloppy draftsmanship and should be discouraged.

Sometimes the language itself is vague. A special clause produced on the spur of the moment may sound entirely different a day later. It is good practice to have another member of the office read any special clauses you have drafted. Other persons may interpret the language in an entirely different light than you expected.

If you must explain the special clause to the parties, it is your signal that the language could be improved. It is relatively simply to re-type the contract before the signing, rather than later or spend attorneys' fee and court costs to prove your interpretation of the language.

CAVEAT: Avoid changing and initialing of contracts. Rewrite wherever possible. Ask an associate to read any new clauses for clarity of intent before you use them.

Reprinted from
Living Real Estate Law
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September 1977

It is quite common for sellers to strike through objectionable terms or add their own terms to a buyer's original offer, thinking that they can always accept the original offer at some later time should the buyer refuse to accept his new conditions.

The Licensing Board advises you to caution sellers that changing an offer constitutes a rejection of the offer, and that once rejected, an offer is gone forever.

IT'S YOUR MOVE (from Page 1)

sons in your community contacting local school officials, informing them of this new and rewarding program, expressing to them your genuine concern for providing young adults meaningful consumer housing information, and, above all, urging them to quickly order these materials so that they may implement this "mini-course" in the upcoming school year, school officials should contact the Division of Social Studies, Department of Public Instruction.

The Licensing Board charges you both as licensed brokers and salesmen and as concerned citizens of North Carolina to do your part in supporting and promoting this worthwhile project. □

DISCIPLINARY ACTION

DENNIS R. HOLLOMAN—Durham — Broker's License No. 5657—suspended for 180 days for violation of G.S. 93A-6(a)(1) —making substantial and wilful misrepresentations to a mortgage banker; G.S. 93A-6(a)(2) —making false promises and executing false affidavits; G.S. 93A-6(a)(10) —engaging in improper, fraudulent and dishonest dealing by knowingly giving false information to a mortgage banker.