

NORTH CAROLINA REAL ESTATE COMMISSION

Real Estate Bulletin

NEW COMMISSION MEMBERS

Governor James G. Martin has appointed Mrs. Anne M. Allen of Greensboro, Mr. Gilbert L. Boger of Mocksville, and Ms. Patricia Casey Wilson of Wilson to the North Carolina Real Estate Commission for three-year terms commencing August 1, 1985.



ANNE M. ALLEN

Mrs. Allen is Executive Vice President of Merrill Lynch Realty/Anne Allen in Greensboro. She has been active in the real estate brokerage business since 1961.

Mrs. Allen has held every elective office in the Greensboro Board of REALTORS and was named their REALTOR of the Year in 1975. She has also held numerous offices in the REALTOR Association at both the state and national levels including President of the State Association in 1979.

Active in Greensboro civic affairs, she is a Past Director of the Greensboro Chamber of Commerce, the Better Business Bureau, the Merchants Association, and has been a member of the Greensboro Redevelopment Commission.

In 1978 she was designated "Boss of the Year" by the American Business Women's Association and in 1980 was one of 15 women in the country to attend a White House Conference on "Women in Housing."



GILBERT LEE BOGER

Mr. Boger is owner of Boger Real Estate and Boger Builders in Mocksville. He obtained his real estate broker's license in 1974 and was licensed as a General Contractor in 1978.

Prior to entering the real estate and construction business he operated Gilbo Farm and owned and operated Sugar Valley Flying Service.

Mr. Boger served four terms in the North Carolina General Assembly. In 1967, 1969, and 1972/73 he was a member of the North Carolina House of Representatives, and in 1981/82 he served in the North Carolina Senate. He was also a member of the North Carolina Agricultural Stabilization and Conservation Committee in 1975.

Mr. Boger is a member of the Bethlehem United Methodist Church, the Farmington Masonic Lodge and the Winston-Salem Scottish Rite Bodies.



PATRICIA CASEY WILSON

Ms. Wilson is a Certified Public Accountant, Certified Internal Auditor and Certified Management Accountant in Wilson. She is Accounting Program Coordinator at Atlantic Christian College and a Tax Accountant with the law firm Narron, Holdford, et al in Wilson.

She obtained her Bachelors Degree and Master of Accounting Degree from the University of Florida with additional study at the University of North Carolina in Chapel Hill.

She is a member of both the Florida and American Institute of CPAs and the North Carolina Association of CPAs where she serves as Proctor for the Board of CPA Examiners and has chaired their Accounting Education Forum and Accounting Education Committee. Ms. Wilson is also active in the Speakers Bureau and the Coastal Plains Chapter of the N. C. Association of CPAs.

ON THE INSIDE ... License Law and Rules Amendments ... New Salesman License Transfer Procedure ... Pest Control Operators and Reports ... Trust Account Short Course ... Exam Results ... From the Board Room ... And More.

REAL ESTATE BULLETIN

Published quarterly as a service to real estate licensees to promote a better understanding of the Real Estate License 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 Commission Real Estate Bulletin.

NORTH CAROLINA REAL ESTATE COMMISSION

1200 Navaho Drive
P.O. Box 17100
Raleigh, North Carolina 27619
Phone 919/733-9580

James G. Martin, Governor

COMMISSION MEMBERS

Brantley T. Poole Raleigh
Chairman
A. P. Carlton Greensboro
Vice Chairman
Anne M. Allen Greensboro
Gilbert L. Boger Mocksville
Lee R. Barnes Durham
LaNelle Lilley Wrightsville Beach
Patricia Casey Wilson Wilson

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Asst. Attorney General
Blackwell M. Brogden, Jr.
..... Dep. Legal Counsel
Larry A. Outlaw ... Education Director
F. Michael Hughes Asst. Ed. Dir.
Mary Frances Whitley Fin. Officer

EXAM RESULTS

EXAMINATION—May, 1985

	Passed	Failed
Brokers	82	78
Salesmen	460	312

EXAMINATION—June, 1985

	Passed	Failed
Brokers	182	91
Salesmen	683	459

EXAMINATION—July, 1985

	Passed	Failed
Brokers	164	71
Salesmen	794	414

FROM THE BOARD ROOM

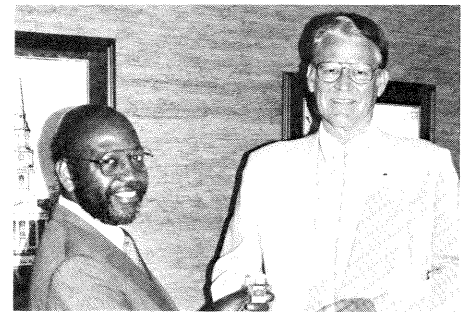


Brantley T. Poole has been elected Chairman of the Real Estate Commission for a one-year term beginning August 1. Mr. Poole is owner of Poole Realty Company in Raleigh.



A. P. "Red" Carlton was elected Vice-Chairman of the Real Estate Commission. He is currently serving as President-elect of the National Association of Real Estate License Law Officials (NARELLO).

Trust Account Auditor **Nancy Adams, CPA**, has been awarded her G.R.I. designation (Graduate of REALTORS Institute) ... The Commission was pleased to award its annual "Joe Schweidler Memorial Scholarship" to Greensboro salesman **Shirley H. Barricks** for achieving the highest scholarship average in Course B of the REALTORS' Institute ... 87% of all North Carolina real estate brokers, salesmen and corporations re-



Former Commission Chairman Thomas Council (left) presents 25-year Service Award to Commission Investigator Everett H. Jenkins.

newed their real estate licenses by the June 30 deadline ... Real Estate Investigator **Everett H. Jenkins** was recently recognized for having completed 25 years service with the Real Estate Commission and the State of North Carolina. □

IN MEMORIAM

The North Carolina Real Estate Commission extends its sincere sympathy to the family and friends of former Commission Member and Chairman **J. Bart Hall** of Belmont upon his recent passing.

Pest Control Operators and Reports

What should real estate consumers reasonably expect of North Carolina Pest Control Operators when they complete the standard "Wood-Destroying Insect Information Report"? This was the subject of a recent memorandum from the Structural Pest Control Division of the North Carolina Department of Agriculture which has been excerpted below:

PEST CONTROL OPERATORS

1. Must make a careful visual examination of all accessible areas of a building and attempt (by "sounding" accessible structural members) to determine the presence of any damage by wood-destroying insects.
2. Must report any wood-destroying insect damage, any evidence of recent activity, and any "conditions conducive to subterranean termites" (e.g., insufficient ventilation, cellulose debris under structure, etc.).
3. May submit a bid to *treat* the structure and stop any such activity, but may not be qualified to make damage repairs or determine whether repairs have been properly made.

WOOD-DESTROYING INSECT INFORMATION REPORT

(HUD Form #92053):

1. Is used to report infestations of and damage by various wood-destroying insects (not just termites).
2. Is not a "clearance letter" or a warranty as to the absence of wood-destroying insects; but rather is a report of the *apparent absence* of such insects at the time of inspection.
3. Is the only form which may be used to report infestation of buildings and structures for sale.
4. May be issued only by licensed pest control operators.

In short, according to the Structural Pest Control Division, "The most important thing to remember is that the report must be, as required by law, a true indication of the presence or absence of wood-destroying insects and their related damage."

For further information, contact the N.C. Department of Agriculture, Structural Pest Control Division, P.O. Box 27647, Raleigh, N.C. 27611, Phone (919) 733-6100. □

REAL ESTATE LICENSE LAW AMENDED

Summarized below are the various changes in the North Carolina Real Estate License Law (G.S. 93A) which were enacted by the 1985 Session of the North Carolina General Assembly.

License Exemption

A real estate broker or salesman license will no longer be required of persons who perform certain limited acts associated with leasing *non-residential* real estate. Under the previous License Law, salaried employees of licensed real estate brokers who managed property for others were not required to obtain a real estate license in order to perform the following acts with regard to *residential* property: exhibit the units to prospective tenants; provide information about the lease; accept lease applications; complete and execute preprinted form leases; and accept security deposits and rents made payable to the owner or broker. However the employee's broker was held strictly accountable for any misconduct on the part of the broker's unlicensed employee(s). As amended, this licensing exemption will apply to persons who perform the same acts with regard to *non-residential* property.

License Fees

The Real Estate Commission was authorized to increase certain license fees charged to real estate brokers and salesmen. The annual license renewal fee could be increased to \$25 (now \$15). The application fee for a salesman license could be increased to \$30 (now \$20). The fee charged to issue a duplicate real estate license certificate was increased to \$5 (previously \$1). And a \$10 fee will now be charged to research, report and certify a real estate broker, salesman or time share project's license history (previously no fee was charged).

The General Assembly noted that the previous and new license fees were generally well below those fees charged by other professional and occupational licensing agencies for similar services.

License Renewal

The Real Estate Commission was authorized to renew real estate licenses on a "staggered basis" rather than at the same

time each year. However, the Real Estate Commission has no plans at this time to implement a "staggered" license renewal.

Time Share Projects

(Effective January 1, 1986)

Developers of time share projects will be required to record time share instruments (purchaser's deeds or sales contracts) within 45 days of the date of the purchaser's contract or they may place all payments made by the purchaser with an independent escrow agent for 120 days or until recordation, whichever first occurs. At the time the developer records the purchaser's deed, the purchaser's time share must be free and clear of any liens or other encumbrances. To ensure compliance, the developer must designate a person to act as Time Share Registrar who must see that the deeds are properly recorded, and if the Registrar knowingly or recklessly fails to record such deeds, he/she will be guilty of a "Class J" felony.

In addition to the Time Share Registrar, the developer will also be required to designate a licensed real estate broker to supervise the time share sales activity at the project.

The Real Estate Commission may increase the annual renewal fee for time share projects to \$1500 (now \$750).

The current five-day "cooling-off period" within which time share purchasers can cancel their sales contract will be *non-waiverable*.

Any claim or defense which would be available to a time share consumer in a lawsuit or action against a time share developer would be preserved for one year and would apply in an action between the purchaser and any holder of the purchaser's indebtedness. For example, if a time share project fails, the purchasers of time shares at the project could assert against any third party creditor (i.e., lender who has purchased the purchaser's note and deed of trust) any claim or defense which he might have against the developer. □

RULES AND REGULATIONS AMENDED

Summarized below are recent amendments to the Rules and Regulations of the North Carolina Real Estate Commission (21NCAC) which were adopted by the Commission following an August 23 rule-making hearing. These changes become effective November 1, 1985.

Rule A .0101 was amended to clarify that the broker-in-charge (rather than employing broker) is responsible for displaying the licenses of all brokers and salesmen at the office in his charge.

Rule A .0105(c) was amended to provide that a salesman need only include the name of the broker or firm with whom he is associated (rather than both) when advertising real estate.

Rule A .0107(g) was amended to clarify that the Tenant Security Deposit Act shall govern the handling of disputed tenant security deposits on residential property, and that the rule applies only to disputes between buyer and seller or landlord and tenant (not brokers or salesmen involved in the transaction).

Rule A .0109 was amended to eliminate certain unnecessary language recommending the use of written agreements.

Rule A .0110(a)(6) was amended to include certain language inadvertently omitted by the Department of Justice. [Note: Licensing materials distributed by the Commission contain the correct language.]

Rule A .0301 was amended to require disclosure of bankruptcies on license applications.

Rule A .0302(a) was amended to permit the Commission's Executive Director to establish license application filing deadlines and (c) was amended to raise the application fee for a salesman's license to \$30.

Rule A .0402 was amended to provide a more specific statement as to the subject matter on licensing examinations and a new subsection (b) was adopted establishing the minimum passing scores for licensing examinations.

Rule A .0403 was amended to clarify that to qualify for automatic re-examination, a failing candidate must appear for and take his first license examination.

(Continued on Page 4)

REGISTRATION FORM TRUST ACCOUNT SHORT COURSE

McKimmon Center, Raleigh, N.C. (All Classes Begin at 1:00 p.m.)

☐ September 17 ☐ October 15 ☐ November 19 ☐ December 17

Name: _____ Phone: _____

Address: _____ City: _____

Mail to: N.C. Real Estate Commission, P.O. Box 17100, Raleigh, N.C. 27619-7100, Attn: Ms. Hamm

RULES

(Continued from Page 3)

Rule A .0404 was adopted to clarify that cheating and related misconduct during a licensing examination are grounds for license denial and disqualification of examination results.

Rule A .0405 was adopted to clarify that the real estate licensing examinations are the exclusive property of the Real Estate Commission and to protect the confidentiality of the examinations.

Rule A.0406 was adopted to specify the procedures by which an applicant who fails his license examination may review his examination.

Rule A .0502 was amended to require more complete disclosure of the names of persons associated with corporate applicants for real estate licenses, to require more complete disclosure of the corporation's history, and to provide that one individual broker who is an officer of the corporation must act as principal broker of the corporation.

Rule A .0503 was amended to increase the annual license renewal fee to \$20.

Rule A .0504 was amended concerning inactive license status to provide for an inactive status for corporation licensees, to permit salesmen on inactive status to retain their license certificates, and to simplify the salesman's license transfer procedure [See article "New Salesman License Transfer Procedure Adopted" on this page of the *Bulletin*.]

Rule A .0505 was amended concerning expired licenses to reflect the increases in the salesman license application fee and the renewal fee.

Rule A .0506 was amended to simplify the procedure for transferring a salesman from one Broker-in-Charge to another and to make other technical changes.

Rule A .0508 was adopted to provide that a fee of \$10 will be charged for certifying the license history of a licensee, and a fee of \$5 will be charged to issue a duplicate license certificate.

Rules A.0105, A.0107, A.0109, A.0303, A.0403 and A.0502 were amended to change the term "Board" to "Commission". □

NEW SALESMAN LICENSE TRANSFER PROCEDURE ADOPTED

All Salesmen To Receive New License Certificates

In an effort to reduce the time and simplify the procedure for transferring real estate salesman licenses from one broker-in-charge or firm to another, the Commission has approved an innovative new procedure which will take effect November 1, 1985.

Under the new procedure, salesmen will be given custody and control of their licenses rather than having the license issued to the salesman's broker-in-charge which is currently the practice. The new procedure will work as follows:

On November 1, 1985, all licensed North Carolina real estate salesmen (including salesmen whose licenses are on Inactive Status) will be mailed a new real estate license certificate. The new certificate will resemble the current certificate except that it will not contain the name of the salesman's supervising broker (broker-in-charge), and it will bear a red seal—rather than the current blue seal—to more clearly and readily distinguish it from broker license certificates. Upon receiving the new certificate, salesmen should remove their previous wall license certificate from display in the office of their broker-in-charge and replace it with the new certificate. Salesmen may retain or destroy their previous certificate. (Do not return it to the Commission.) Salesmen who are on Inactive Status should keep the new certificate until such time as they associate with a real estate broker or firm; they cannot, of course, engage in the business of a real estate salesman until they are under the supervision of a broker-in-charge.

After receiving the new license certificate, a salesman who wishes to leave his current employment and associate with another real estate firm should take the license certificate with him/her to the new firm. *The license should not be returned to the Real Estate Commission* for reissuance which is currently the practice. However, the salesman's former broker-in-charge should immediately notify the Commission in writing when the salesman has terminated his association so that the Commission can change its records to reflect that the broker-in-charge is no longer responsible for the salesman's activities. Both the salesman and the broker-in-charge will receive a written acknowledgement from the Commission that the proper record changes have been made.

When a salesman associates with a new firm, the salesman and the broker-in-

charge of the office where the salesman will be employed must immediately complete and return to the Commission a "Supervisions of Salesman" form; these new forms will be available from the Commission Office. Upon mailing or delivering the "Supervision of Salesman" form to the Commission, the salesman can begin working as a real estate salesman *under the supervision of the broker-in-charge*. The Commission will make the necessary changes in the records of the salesman and the broker-in-charge and send the broker-in-charge an acknowledgement certifying that the changes have been made. The acknowledgement should be retained by the broker-in-charge in his files. But if the broker-in-charge has not received the written acknowledgement from the Commission by 30 days from the date shown on the "Supervision of Salesman" form, the salesman must cease further real estate activities until the acknowledgement has been received. This new procedure will also apply to salesmen in offices where the broker-in-charge of such office has changed.

Brokers-in-charge and salesmen are cautioned, however, that this new procedure in no way diminishes the responsibility of the broker-in-charge to at all times personally, actively supervise the activities of the salesman. □

COMMISSION ENJOINS FORMER BROKER

The Real Estate Commission has obtained a Permanent Injunction in Wake County Superior Court restraining former Dare County real estate broker Marvin E. Minton from engaging in the practice of real estate brokerage. The Commission and Mr. Minton entered into a Consent Order on May 13, 1985, in which Mr. Minton admitted to having engaged in real estate brokerage after the June 1, 1983, revocation of his broker's license by continuing to act as agent in the sale and management of certain property belonging to others. Minton contended that his actions were not intended to violate the Commission's Order of Revocation. □

DISCIPLINARY ACTION

Penalties for violations of the Real Estate License Law and Commission Rules and Regulations vary depending upon the particular facts and circumstances present in each case. Due to space limitations in the Bulletin, a complete description of such facts cannot be reported in the following Disciplinary Action summaries.

BEACH HARBOUR ENTERPRISES (Carolina Beach)—By Consent, the Commission fined Beach Harbour Enterprises, developer of the time share project Beach Harbour, \$6000 for employing a different marketing entity from the one listed on its application for time share project registration, and for failing to properly supervise the advertising activities of the marketing firm. The Commission found that the marketing entity had engaged in deceptive advertising in its offering of a vacation trip to Mexico for persons who attended a sales presentation at the project. Their solicitation failed to disclose that a \$150 deposit was required and that air fare was provided for only one person although two persons were required to attend the sales presentation.

ROBERT T. BERRY, JR. (Greensboro)—The Commission suspended Mr. Berry's broker's license for 90 days effective June 1, 1985, for falsely certifying an acknowledgement as a notary public and for improperly notarizing deeds to convey real estate.

WILLIAM C. BYRD (Kinston)—By Consent, the Commission suspended Mr. Byrd's broker's license for six months effective April 17, 1985, but then suspended its Order and placed Mr. Byrd on probation for one year on condition that he complete a Commission-approved course in Real Estate Law and the Commission's Trust Account Short Course. The Commission found that Mr. Byrd had offered property for sale with the knowledge that his principal could not convey marketable title. The Commission also found that he had commingled client funds with his own funds and had deposited client funds in an interest-bearing account without proper authorization.

ALVIN BRYAN CARR, JR. (Fayetteville)—By Consent, the Commission reprimanded Mr. Carr and placed him on probation for two years because of his 1983 conviction of the criminal offense of conspiracy to obtain money by false pretense. Mr. Carr's offense was not directly related to the real estate business and he has voluntarily made restitution.

HOWARD L. (DANNY) CORRELL, JR. (Mocksville)—The Commission suspended Mr. Correll's broker's license for six months effective December 1, 1985, and placed him on two years probation. Mr. Correll appealed the Commission's ruling to Wake County Superior Court and the North Carolina Court of Appeals which affirmed the Commission's decision on May 21, 1985. The Commission found that Mr. Correll had purchased property previously listed with his real estate firm at a price substantially below the listed price. He then obtained a loan to finance his purchase without informing the lender of his intention to resell the property. Mr. Correll then proceeded to sell the property on an installment land contract to a person who had previously attempted to purchase the property through his firm. Mr. Correll did not make timely payments on his loan, and although he had received in excess of \$18,000 from the purchaser on the installment land contract, he paid the lender less than \$11,000 on his loan. The lender subsequently foreclosed on the property and the property was sold in foreclosure. The Commission found that Mr. Correll failed to disclose to the seller the resale price for the property, and failed to disclose to the buyer the price which he paid for the property and the possibility that the buyer might have purchased the property herself for substantially less than her original offer. As a result of the two transactions, the Commission found that Mr. Correll and his firm had received a secret profit of \$8000.

CHETOLA PROPERTIES (Blowing Rock)—By Consent, the Commission reprimanded Chetola Properties, developer of the time share project Chetola Lake Condominiums, for violating the provisions of Chapter 75 of the General Statutes in connection with a mass mail solicitation of prospective time share purchasers.

RONALD G. DIX (Pineville)—The Commission revoked Mr. Dix's broker's license effective June 12, 1985. The Commission found that Mr. Dix's broker's license in the Commonwealth of Virginia had been suspended when the Virginia Real Estate Commission was forced to pay a \$5000 claim from its Recovery Fund arising out of a transaction in which Mr. Dix had wrongfully withheld and converted client funds to his own use. In the transaction, Mr. Dix had received an escrow deposit of \$5000 from a purchaser to assist the purchaser in locating a home, and although no purchase took place, he refused to return any portion of the escrow deposit to the purchaser.

PHYLLIS P. GLINDEMAN (Fayetteville)—By Consent, the Commission suspended Ms. Glindeman's broker's license for one year effective September 2, 1985, for improper conduct in allowing an unlicensed person to control her acts as a real estate broker. The Commission also found that Ms. Glindeman had failed to properly supervise the acts of a real estate salesman and had procured such salesman to prepare a deed to which the salesman was not a party.

ALBERT J. HIGHT (Durham)—By Consent, the Commission reprimanded Mr. Hight for commingling trust funds with funds in which he had an ownership interest. As optionee of a certain parcel of land, Mr. Hight contracted to sell the property to a third party. In connection with this contract, Mr. Hight received earnest money which he improperly deposited into his real estate trust account in violation of the Commission's Rules and the License Law.

DAVID C. HILTON (Murphy)—By Consent, the Commission suspended Mr. Hilton's broker's license for six months effective May 22, 1985, but then suspended its Order and placed Mr. Hilton on probation for six months on condition that he complete the Commission's Trust Account Short Course. The Commission found that Mr. Hilton had failed to properly account for and maintain records concerning client funds. Upon being informed of certain underpayments to property owners, Mr. Hilton made full restitution to such owners.

GARLAND M. JONES (Greensboro)—By Consent, the Commission suspended Mr. Jones' broker's license for 30 days effective April 17, 1985, but then suspended its Order and placed Mr. Jones on probation through December 1, 1985, on condition that he complete a Commission-approved course in Real Estate Law. The Commission found that Mr. Jones had, without authority, signed his principal's name to a contract to sell real estate and that he had permitted an unlicensed associate to engage in the business of a real estate broker.

ROBERT F. KNOWLES (Wilmington)—By Consent, the Commission revoked Mr. Knowles' broker's license effective August 1, 1985, which license may be reinstated on August 1, 1986. Mr. Knowles was granted a salesman's license in the interim. The Commission found that Mr. Knowles had failed to maintain adequate records of client funds and had used

(Continued on Page 6)

DISCIPLINARY ACTION

(Continued from Page 5)

such funds for his personal expenses. The Commission also found that he had failed to properly expend, maintain and account for the funds of a homeowners' association which he managed.

GERALD W. LITTLETON (Raleigh)

—By Consent, the Commission suspended Mr. Littleton's broker's license for 30 days effective March 27, 1985, but then suspended its Order and placed Mr. Littleton on probation for one year on condition that he complete Commission-approved courses in Real Estate Law and Real Estate Brokerage Operations. The Commission found that Mr. Littleton had failed to disclose to his principal and failed to include in an offer to purchase the material fact that it was necessary for the purchaser to sell or lease her present residence in order to qualify for financing required to complete the purchase. The Commission also found that Mr. Littleton refused to return to the purchaser the keys to her residence.

MALCOLM A. MINTER (Charlotte)—The Commission censured Mr. Minter for assisting and encouraging a purchaser to furnish misleading information to a lender. Mr. Minter appealed the Commission's ruling, but the appeal was voluntarily dismissed in the Wake County Superior Court.

BETTY H. NANTZ (Maggie Valley)

—By Consent, the Commission suspended Ms. Nantz' broker's license for six months effective July 1, 1985, and placed her on probation for two years on condition that she complete the Commission's Trust Account Short Course. The Commission found that Ms. Nantz's had converted client funds to her own use during transactions occurring before December, 1982.

JAMES C. OGBURN (Raleigh)—

The Commission revoked Mr. Ogburn's broker's license effective June 12, 1985, for converting client funds to his own use in 19 separate real estate transactions and for attempting to conceal such conversion from the Commission.

LAWRENCE R. PHILLIPS (Lake Lure)—

By Consent, the Commission reprimanded Mr. Phillips. The Commission found that following the acceptance and execution of a contract of sale by a seller, Mr. Phillips presented a subsequent, more favorable offer to the seller which was accepted. Mr. Phillips then recorded the contract, which placed a cloud on the seller's title preventing the closing of the earlier sale and subjecting the seller to potential liability for damages to the initial purchasers and to payment of a brokerage fee to the agents who procured such purchasers.

HARRIET R. RAINES (Mebane)—

By Consent, the Commission suspended Ms. Raines' broker's license for 90 days effective February 10, 1985, for subleasing apartments and accepting gratuities from original tenants without the knowledge or consent of her employer, the property owner.

LLOYD B. SPRINGLE, JR. (Beaufort)—

The Commission suspended Mr. Springle's broker's license for 60 days effective May 1, 1985. Thirty days of the suspension is to be active and Mr. Springle was placed on probation for two years on condition that he complete Commission-approved courses in Real Estate Law and Real Estate Brokerage Operations and the Commission's Trust Account Short Course. The Commission found that Mr.

Springle had failed to maintain adequate records of client funds, including the amount, nature and purpose of deposits and withdrawals, bank statement reconciliations, and a running balance of funds in his trust account. The Commission also found that he had failed to make his records available for inspection to a Commission Trust Account Auditor despite numerous requests.

TRANSCO FINANCIAL GROUP, LTD. (Pompano Beach, Fla.)—

By Consent, the Commission fined Transco Financial Group, Ltd., developer of the time share projects Frontier Village I and Frontier Village II, \$6000 for employing persons to engage in time share sales who did not hold North Carolina real estate broker or salesman licenses.

WESTRIDGE AT SUGAR (Banner Elk)—

By Consent, the Commission revoked the time share project registration certificate of Westridge at Sugar effective June 30, 1985. The Commission noted that the project's initial application for registration had been denied by the Commission on the grounds that the project was not directed by persons of good character in that two of the project developer's principal officers were disbarred attorneys. However, following a hearing at which the Commission was assured that these individuals would not be involved in the operations of the project, the Commission registered the project. Upon subsequently learning that these individuals had continued to substantially influence the conduct of business at the project, the Commission with the consent of the developer, Sugar Mountain Development Corporation, revoked the project's registration certificate. □

**ALL
SALESMEN
TO RECEIVE
NEW
LICENSE
CERTIFICATE**

See Page 4 for Details

NORTH CAROLINA
REAL ESTATE COMMISSION
P.O. Box 17100
Raleigh, N.C. 27619

BULK RATE
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