



## NORTH CAROLINA REAL ESTATE COMMISSION

# Real Estate Bulletin

Volume 29

Winter 1998 - 1999

Number 4

## Commission Staff Update



**Sarah E. Nixon** Division. Sarah E. Nixon has been employed as a Records Specialist. A Maryland native, Sarah now lives in Benson.

Sarah attended UNC-Chapel Hill and Art Institute of Atlanta. Prior to joining the Commission staff, she was employed as a medical records clerk in Raleigh.

As Records Specialist for the Commission, Sarah will assist with updating and maintaining licensee files.



**Ginger L. Schultz-Lamitie** The Commission has filled a vacancy in its Education and Licensing Division by employing Ginger L. Schultz-Lamitie as Licensing and Education Officer. A North Carolina native, Ginger has also lived in South Carolina, Ohio, California, and Hawaii. She is a graduate of the University of Hawaii in Honolulu.

Ginger is a former public school educator. A licensed real estate

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## Commission Member elected to State Legislature

**John Bridgeman resigned as Commission Member effective December 31, 1998, to accept legislative post.**



**John D. Bridgeman**

John D. Bridgeman of Gastonia was elected to the North Carolina House of Representatives, District

76, during the November election. He was sworn in as a Legislator on January 27.

Mr. Bridgeman began his real estate career with employment as a mortgage loan officer at a bank in Gastonia. In 1970, he opened Bridgeman Real Estate Company (now Coldwell Banker, Bridgeman & Associates). The firm has offices in Gastonia and Belmont, and is the largest real estate firm in Gaston County. Mr. Bridgeman

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## ARELLO honors CE Program

At its annual conference this fall, the Association of Real Estate License Law Officials (ARELLO) presented an "Education Award to the North Carolina Real Estate Commission for Mandatory Continuing Education."

This award makes 12 times - dating back to 1980 - that ARELLO has recognized the Commission for excellence in various real estate education programs and publications.



Shown with the award, left to right: Commission Member Wanda Proffitt, Commission Vice-Chairman Billie Mercer, Commission Member Sang Hamilton, Director of Education and Licensing Larry Outlaw, Commission Chairman Mona Hill, Continuing Education Officer Pam Milligan, Commission Member Lanny Wilson, Education and Examination Officer Anita Burt, and Licensing and Education Officer Ginger Schultz-Lamitie.

## REAL ESTATE BULLETIN

Published quarterly as a service to real estate licensees to promote a better understanding of the Real Estate License Law and Commission Rules, and proficiency in 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

1313 Navaho Drive  
P.O. Box 17100  
Raleigh, North Carolina 27619-7100  
Phone 919/875-3700  
James B. Hunt, Jr., Governor

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Chairman  
Billie J. Mercer ..... Wilson  
Vice-Chairman  
Raymond A. Bass, Jr. .... Fayetteville  
Sang J. Hamilton, Sr. .... Winton  
Wanda J. Proffitt ..... Burnsville  
Lanny T. Wilson ..... Wilmington

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Executive Director  
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Pamela R. Milligan ..... Cont. Ed. Officer  
Ginger L. Schultz-Lamitie.....Licensing/Ed. Officer

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Julie S. Egan ..... Information Officer

Editor - In - Chief  
Phillip T. Fisher  
Editor  
Carrie D. Worthington

## Commission Staff Update

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broker, she was affiliated with a local real estate company prior to her employment with the Commission.

The following Commission staff members have made appearances before various real estate industry and related groups since the last issue of the *Bulletin*. Miriam J. Baer, Assistant Director of Legal Services, discussed "Real Estate Commission Perspective on New Contracts and Disclosures" when she spoke at a meeting of the North Carolina Bar Association's Real Property Symposium...Chief Deputy Legal Counsel Blackwell M. Brogden, Jr., spoke on designated agency when he addressed the

Carteret County Association of REALTORS®...Deputy Legal Counsel Janet B. Thoren talked about legal issues related to property management, when she participated in a panel discussion before the Property Management Division of the North Carolina Association of REALTORS® in Greensboro. At a meeting of the Durham Association of REALTORS®, Janet discussed current issues and common complaints against real estate agents received by the Commission.

(Individuals and groups requesting a speaker from the Real Estate Commission are reminded that a "Request for Program Presenter" form is available from the Commission Office or by calling (919) 850-2757 for Document No. 510.) □

### REGISTRATION FORM

for

### BASIC TRUST ACCOUNT PROCEDURES COURSE MONTHLY - RALEIGH

Four (4) hours continuing education elective credit will be awarded for completion of the course. The course begins at 1:00 p.m. and ends at 5:00 p.m. It is held at the McKimmon Center.

The course is intended for brokers and trust account bookkeepers. Salesmen will be admitted on a space available basis. Each session is limited to 40 participants, scheduled according to date received.

Complete this form (make copies for additional persons) and mail with a check for \$35 tuition fee to be received by the Commission no later than 7 working days prior to date of preferred session. Walk-ins will be accepted on a space available basis only.

* March	<input type="checkbox"/> April 6	<input type="checkbox"/> May 4
<input type="checkbox"/> June 1	<input type="checkbox"/> July 6	<input type="checkbox"/> August 3
<input type="checkbox"/> September 14	<input type="checkbox"/> October 5	<input type="checkbox"/> November 2

Name \_\_\_\_\_ Phone \_\_\_\_\_  
(Daytime)

Address \_\_\_\_\_  
(Street, P.O.Box, etc.) (City) (State) (Zip)

☐ Broker (License No. \_\_\_\_\_) Mail to: NC REAL ESTATE COMMISSION  
Attention: Audits and Investigations Division  
☐ Salesman (License No. \_\_\_\_\_) P. O. Box 17100  
Raleigh, NC 27619-7100  
☐ Bookkeeper

Enclose \$35 tuition fee

\* No class in Raleigh in March due to Trust Account Caravan.

## Commission conducts Update Course Instructor Seminars

By Pamela R. Milligan  
Continuing Education Officer

On September 1 and 3 in Raleigh and Charlotte, respectively, the Commission presented its 1998-1999 Update Course Instructor Seminars. A total of 85 Commission-approved instructors and continuing education coordinators attended the day-long sessions.

In Raleigh, the seminar was conducted by Director of Education and Licensing Larry Outlaw and the Commission's Legal Counsel, Tom Miller. The Charlotte seminar was conducted by Mr. Outlaw and Chief Deputy Legal Counsel Blackwell Brogden. The seminars were designed to familiarize instructors with material covered in this year's course and to assist them in presenting the material to licensees.

The Update course this year focuses on Commission Rule Revisions, Residential Property Disclosure, and selected Agency and License Law issues. At the seminars, instructors were given the opportunity to ask questions and receive clarification concerning any troublesome topics, and to hear suggestions for preferred presentation techniques.

Instructors expressed their gratitude to the Commission for offering the sessions in two different locations this year, which facilitated greater overall attendance for the seminars. □

### EXAM RESULTS

	<u>Passed</u>	<u>Failed</u>
September		
Brokers	90	51
Salesmen	352	219
October		
Brokers	91	49
Salesmen	287	186
November		
Brokers	85	70
Salesmen	400	268

## Bridgeman elected to State Legislature

(continued from page 1)

is president of the firm, which has divisions for both residential and commercial/industrial sales.

A broker and active REALTOR®, Mr. Bridgeman has served on numerous professional boards and was elected to three terms on Gastonia's City Council. He has often been recognized for his community service.

Mr. Bridgeman and his wife Nan have two daughters, Amy and Dana,

and two sons, Rob and Alex.

First appointed to the Real Estate Commission by Governor Hunt in 1993, Mr. Bridgeman was re-appointed for a second term in 1996. He served as Commission Chairman in 1996 - 1997.

The Commission congratulates Mr. Bridgeman on his election to the State Legislature and thanks him for his years of service to the real estate industry. ■

### REAL ESTATE COMMISSION PUBLICATIONS ORDER FORM

No. Copies  
Requested

*Res. Property Disclosure Statement and Guidelines* (Please limit request to one copy.)

*Res. Square Footage Guidelines* (Please limit request to one copy per agent per firm.)

*Questions and Answers on: Tenant Security Deposits*

*Questions and Answers on: Fair Housing*

*Questions and Answers on: Condos and Townhouses*

*Questions and Answers on: Who Agents Represent*

*Questions and Answers on: Purchasing Coastal Real Estate in North Carolina*

*Questions and Answers on: Renting Residential Real Estate*

( )

Name

Phone Number (Including Area Code)

Street Address (NOT P.O. BOX)

City

State

Zip

#### Instructions

1. You may request single copies of these free publications by returning this Order Form or calling the Commission office (919) 875-3700, menu option 3.
2. To order multiple copies of these publications, please complete this Order Form and return it to the N.C. Real Estate Commission, P.O. Box 17100, Raleigh, N.C. 27619-7100. Attention: Publications.
3. Please allow two weeks for delivery.
4. Please understand that orders of more than 50 copies require special consideration.
5. The Residential Property Disclosure Statement and Guidelines may be duplicated as needed.
6. Space has been provided on the *Questions and Answers* brochures if you wish to add your company name.



# Communicating with the Commission

## Mail

1313 Navaho Drive  
Post Office Box 17100  
Raleigh, North Carolina 27619-7100

## Fax (Area Code 919)

Admin . . . . . 877-4217 Ed. & Lic. . . . . 877-4216  
Audits/Inves. . . 877-4218 Legal Services . 877-4220  
Records . . . . . 877-4221

## Telephone

919/875-3700

You will receive more prompt service if you use this directory when calling the Commission. If the automated telephone attendant answers your call, you may access the section or division shown in the "Access Code" column by dialing on your touchtone phone the number shown parenthetically ( ).

Subject	Access Codes
• Application form requests . . . . .	Receptionist (0)
• Real estate license renewals and record changes . . . . .	Records Section (1)
• Complaints and legal matters (Consumer complaints/inquiries, pending cases/hearings) . . . . .	Legal Services Division (2)
• Education matters . . . . .	Education Section (3)
• Real estate license qualifications and examinations . . . . .	Application Section (4)
• Real estate firm licensing and licensing by reinstatement or reciprocity . . . . .	Licensing Section (5)
• Complaint investigations and audits . . . . .	Audits and Investigations Division (6)
• Administration, personnel matters and accounting . . . . .	Administration Division (7)
• Other matters . . . . .	Receptionist (0)

## Interactive Voice Response

To retrieve licensee data (license status, CE credits, broker-in-charge information, etc.) from the Interactive Voice Response (IVR) system, use a touchtone phone to dial (919) 850-2753.

## Internet

"Visit" the Commission on-line at Web Site: [www.ncrec.state.nc.us](http://www.ncrec.state.nc.us) - your easy access to Commission information. The Internet brings to your computer screen licensing information including the License Law, Commission Rules, Trust Account Guidelines, State Fair Housing Act, general information and guides, sample forms and real estate licensing forms. Also, exam schedules and review dates as well as Commission publications including the *Bulletin* (and index of *Bulletin* articles), *CE Schedule*, Commission brochure and the complete *Question and Answer Series*.

## E-Mail

• Executive . . . . . [exec@ncrec.state.nc.us](mailto:exec@ncrec.state.nc.us)  
• Administration . . . . . [admin@ncrec.state.nc.us](mailto:admin@ncrec.state.nc.us)  
• Education & Licensing . . . . . [educ@ncrec.state.nc.us](mailto:educ@ncrec.state.nc.us)  
• Audits & Investigations . . . . . [ai@ncrec.state.nc.us](mailto:ai@ncrec.state.nc.us)  
• Legal Services . . . . . [legal@ncrec.state.nc.us](mailto:legal@ncrec.state.nc.us)  
• Records . . . . . [records@ncrec.state.nc.us](mailto:records@ncrec.state.nc.us)

## Fax-on-Demand

The following documents are available from the various Commission Divisions/Sections by dialing on your touchtone phone (919) 850-2757.

Document #	Administration/Records
200	Request to Activate Broker or Salesman License, Notification of Salesman Supervision, Notification of Change of Broker's Business Address
210	Broker-in-Charge Declaration
220	Request for Reissuance of Real Estate License Certificate and/or Renewal Pocket Card
	<b>Education/Licensing</b>
300	Continuing Education Course Schedule
310	Publications Order Form
320	License Examination Schedule and License Examination Review Schedule
330	Basic Trust Account Procedures Course Schedule and Registration Form
340	Order Form for License Examination Candidate Roster/Order Form for Register of New Licensees
350	Verification of Salesman Experience
360	Request for Equivalent Education Credit
	<b>Legal Services</b>
400	Complaint Form
410	Criminal Conviction Reporting Form
420	Residential Property Disclosure Statement
430	Disclosure to Buyer From Seller's Agent or Subagent
	<b>Other</b>
500	1998 Commission Meeting Schedule
510	Request for Program Presenter

Here's a handy list of addresses for you to copy, clip and save for your ready-reference when communicating with the Commission.

**Mail**

1313 Navaho Drive  
Post Office Box 17100  
Raleigh, NC 27619-7100

**Fax**  
(Area Code 919)

Admin . . . . . 877-4217  
Audits/Inves. . . 877-4218  
Ed. & Lic. . . . 877-4216  
Legal Ser. . . . 877-4220  
Records . . . . . 877-4221

**Interactive Voice Response**  
(919) 850-2753

**Phone**  
919/875-3700

**Web Site**  
[www.ncrec.state.nc.us](http://www.ncrec.state.nc.us)

**Fax-on-Demand**  
919/850-2757

**E-Mail**

Exec. . . . . [exec@ncrec.state.nc.us](mailto:exec@ncrec.state.nc.us)  
Admin. . . . . [admin@ncrec.state.nc.us](mailto:admin@ncrec.state.nc.us)  
Ed. & Lic. . . . [educ@ncrec.state.nc.us](mailto:educ@ncrec.state.nc.us)  
Audits & Inv. . . [ai@ncrec.state.nc.us](mailto:ai@ncrec.state.nc.us)  
Legal Ser. . . . [legal@ncrec.state.nc.us](mailto:legal@ncrec.state.nc.us)  
Records . . . . [records@ncrec.state.nc.us](mailto:records@ncrec.state.nc.us)

# APPLICATION FOR EMPLOYMENT

STATE OF  
NORTH CAROLINA

Date of Application

Please Print or Type (SSN Voluntary, for Record-Keeping and Data Processing Only)

Social Security Number	Last Name	First Name	Middle Name
Address (Street number and name)		City	County
State	Zip Code	Phone (Home or where you can be reached) ( )	Business Phone ( )

## Availability

Do you now work for the State of N.C.? Are you related by blood or marriage to any person now working for the State? ☐ YES ☐ NO  
☐ YES ☐ NO (If yes, give name, relationship to you and the agency where employed)

If subject to Military Selective Service registration, certify compliance by initialing dotted line .....

## Military Service

Have you served honorably in the Armed Forces of the United States on active duty for reasons other than training? ☐ YES ☐ NO

Do you wish to declare a service-connected disability? ☐ YES ☐ NO

At the time of this application, are you the surviving spouse or dependent of a deceased veteran who died from service-related reasons? ☐ YES ☐ NO

Do you wish to declare eligibility for veterans preference as the spouse of a disabled veteran? ☐ YES ☐ NO

Give dates of your (or spouse's) qualifying active military service:

Entered: \_\_\_\_\_ Separated: \_\_\_\_\_ Branch: \_\_\_\_\_ Rank: \_\_\_\_\_

Are you a member of the Military Reserves? ☐ YES ☐ NO Branch: \_\_\_\_\_ Rank: \_\_\_\_\_

AGENCY USE ONLY ELIGIBILITY FOR VETERAN'S PREFERENCE ☐ YES ☐ NO

CHECK the types of work you will accept: ☐ 1. Permanent full-time ☐ 2. Permanent part-time ☐ 3. Temporary full-time  
☐ 4. Temporary part-time ☐ 5. Any of the preceding ☐ 6. Work involving Travel ☐ 7. Shift or Split Shift Work

If you are not available for work now, enter the earliest date you could begin work (mo./day/yr) \_\_\_\_\_

Will you accept work anywhere in N.C.? ☐ YES ☐ NO (If no, list below the counties in which you would be willing to work.)

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_ 5. \_\_\_\_\_

## Jobs Applied For

Enter below the specific title(s) of the job(s) for which you are applying. Please list no more than three on this application.

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_

## Referral Source

Please indicate your referral source: \_\_\_\_\_ If you were referred by the

Employment Security Commission (Job Service) please indicate which local office \_\_\_\_\_

## Education

Circle highest grade completed: 1 2 3 4 5 6 7 8 9 10 11 12 GED College 1 2 3 4 Graduate School 1 2 3 4

Under S/Q Hrs., list the hours of credit received and if they were semester (S) or quarter (Q) hours.

Schools	Name and Location	Dates Attended (mo/yr) From: To:	Grad?	S/Q Hrs.	Maj/Min Course Work	Type of Degree Received
High School			YES <input type="checkbox"/> NO <input type="checkbox"/>			
College(s) University (s)			YES <input type="checkbox"/> NO <input type="checkbox"/>			
Graduate or Professional			YES <input type="checkbox"/> NO <input type="checkbox"/>			
Other educational, vocational school, internships, etc.			YES <input type="checkbox"/> NO <input type="checkbox"/>			

Special training programs and seminars you have completed in the last five years (List):

If the job(s) applied for calls for specific courses, indicate those courses taken and credits received:

Current professional status: (List fields of work for which you have been registered)

Registration: \_\_\_\_\_ State: \_\_\_\_\_ No. \_\_\_\_\_

Registration: \_\_\_\_\_ State: \_\_\_\_\_ No. \_\_\_\_\_

Membership in professional, honorary, or technical societies (List):

## DO NOT COMPLETE THIS BLOCK

DEGREES AND PROFESSIONAL CREDENTIALS

☐ Have been verified

☐ Will be verified within 90 days (G.S. 126-30)

Person responsible \_\_\_\_\_

**Licenses and certifications (List, giving dates and sources of issuance):**

**Skills**

CHECK the following skills, experiences, etc. which you have:

- |                                              |                          |                                                                     |                                                |
|----------------------------------------------|--------------------------|---------------------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Driver's License    | Number _____ State _____ | <input type="checkbox"/> Sign language                              | <input type="checkbox"/> Legal transcription   |
| <input type="checkbox"/> Chauffeur's license | Number _____ State _____ | <input type="checkbox"/> Foreign language (specify) _____           | <input type="checkbox"/> Medical transcription |
| <input type="checkbox"/> Car for use at work |                          | <input type="checkbox"/> Adding machine/calculator                  | <input type="checkbox"/> Braille               |
|                                              |                          | <input type="checkbox"/> Typing (specify WPM) _____                 | <input type="checkbox"/> Word Processing       |
|                                              |                          | <input type="checkbox"/> Shorthand/speedwriting (specify WPM) _____ | <input type="checkbox"/> Other _____           |

Have you ever been convicted of an offense against the law other than a minor traffic violation? (A conviction does not mean you cannot be hired. The offense and how recently you were convicted will be evaluated in relation to the job for which you are applying.) ☐ YES ☐ NO (If yes, explain fully on an additional sheet.)

**Work History (include volunteer experience) Use Additional Sheets If Necessary**

Current or Last Employer:				Address:			
Job Title				Supervisor's name:		Telephone Number:	
Date Employed (mo/yr)				Starting Salary \$ per		Ending or Current Salary \$ per	
				Reason for Leaving:		May We Contact Employer? YES <input type="checkbox"/> NO <input type="checkbox"/>	
Date Separated (mo/yr)				List major duties in order of their importance in the job			
Full Time	Years	Months					
Part Time	Years	Months					
If part time, number of hours worked per week							
Employer:				Address			
Job Title:				Supervisor's name		Telephone Number:	
				No. Supervised by you:			
Date Employed (mo/yr)				Starting Salary \$ per		Ending Salary \$ per	
				Reason for Leaving:			
Date Separated (mo/yr)				List major duties in order of their importance in the job			
Full Time	Years	Months					
Part Time	Years	Months					
If part time, number of hours worked per week							
Employer:				Address			
Job Title				Supervisor's name		Telephone Number:	
				No. Supervised by you:			
Date Employed (mo/yr)				Starting Salary \$ per		Ending Salary \$ per	
				Reason for Leaving:			
Date Separated (mo/yr)				List major duties in order of their importance in the job			
Full Time	Years	Months					
Part Time	Years	Months					
If part time, number of hours worked per week							
Employer:				Address			
Job Title				Supervisor's name		Telephone Number:	
				No. Supervised by you:			
Date Employed (mo/yr)				Starting Salary \$ per		Ending Salary \$ per	
				Reason for Leaving:			
Date Separated (mo/yr)				List major duties in order of their importance in the job			
Full Time	Years	Months					
Part Time	Years	Months					
If part time, number of hours worked per week							

I certify that I have given true, accurate and complete information on this form to the best of my knowledge. In the event confirmation is needed in connection with my work, I authorize educational institutions, associations, registration and licensing boards, and others to furnish whatever detail is available concerning my qualifications. I authorize investigation of all statements made in this application and understand that false information or documentation, or a failure to disclose relevant information may be grounds for rejection of my application, disciplinary action or dismissal if I am employed, and (or) criminal action. I further understand that dismissal upon employment shall be mandatory if fraudulent disclosures are given to meet position qualifications. (Authority: G.S. 126-30, G.S. 14-122.1.)

Signature of Applicant (unsigned applications will not be processed)

Date

Employer:			Address:		
Job Title			Supervisor's name:		Telephone Number:
No. Supervised by you:					
Date Employed (mo/yr)	Starting Salary \$ per	Ending Salary \$ per	Reason for Leaving		
Date Separated (mo/yr)	List major duties in order of their importance in the job:				
Full Time	Years	Months			
Part Time	Years	Months			
If part time, hours per week:					

Employer:			Address:		
Job Title			Supervisor's name:		Telephone Number:
No. Supervised by you:					
Date Employed (mo/yr)	Starting Salary \$ per	Ending Salary \$ per	Reason for Leaving		
Date Separated (mo/yr)	List major duties in order of their importance in the job:				
Full Time	Years	Months			
Part Time	Years	Months			
If part time, hours per week:					

Employer:			Address:		
Job Title			Supervisor's name:		Telephone Number:
No. Supervised by you:					
Date Employed (mo/yr)	Starting Salary \$ per	Ending Salary \$ per	Reason for Leaving		
Date Separated (mo/yr)	List major duties in order of their importance in the job:				
Full Time	Years	Months			
Part Time	Years	Months			
If part time, hours per week:					

Copy and attach additional sheets if needed.

Equal Opportunity Information										
<p>State Government policy prohibits discrimination based on race, sex, color, creed, national origin, age or disability. Sex or age is a bona fide occupational qualification in a small number of State jobs. The information requested below will in no way affect you as an applicant. Its sole use will be to see how well our recruitment efforts are reaching all segments of the population.</p>										
<p>Date of Birth</p> <table style="width: 100%;"> <tr> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> <tr> <td>(mo.)</td> <td>(day)</td> <td>(year)</td> </tr> </table> <p>SEX <input type="checkbox"/> M (male) <input type="checkbox"/> F (female)</p>	<input type="text"/>	<input type="text"/>	<input type="text"/>	(mo.)	(day)	(year)	<p><b>DISABILITY:</b> "Disability means, with respect to an individual: (1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment" (Americans with Disabilities Act of 1990). Persons without a disability should check item A.</p> <p>The reporting of a disability is strictly <b>VOLUNTARY</b>. Persons with disabilities who <b>DO NOT WISH</b> to report their disabilities should check item A. Information reported on this form will be kept confidential as required by State law. Public disclosure of this information without your consent would be a violation of G.S. 126-27.</p> <table style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p><b>ETHNIC GROUP</b></p> <p>1. <input type="checkbox"/> White (non-Hispanic)</p> <p>2. <input type="checkbox"/> Black (non-Hispanic)</p> <p>3. <input type="checkbox"/> Hispanic (Mexican, Puerto Rican, Cuban, Central or South American, other Spanish origin regardless of race)</p> <p>4. <input type="checkbox"/> Asian (including Pacific Islander)</p> <p>5. <input type="checkbox"/> American Indian (including Alaskan native)</p> </td> <td style="vertical-align: top;"> <p>A <input type="checkbox"/> None/Prefer not to report</p> <p>B <input type="checkbox"/> Blind or severely visually impaired</p> <p>C <input type="checkbox"/> Deaf or severely hearing impaired</p> <p>D <input type="checkbox"/> Loss or limited use of arms and/or hands</p> <p>E <input type="checkbox"/> Non-ambulatory (must use wheelchair)</p> <p>F <input type="checkbox"/> Other orthopedic impairment (including amputation, arthritis, back injury, cerebral palsy, spina bifida, etc.)</p> </td> <td style="vertical-align: top;"> <p>G <input type="checkbox"/> Respiratory impairment</p> <p>H <input type="checkbox"/> Nervous system/Neurological disorder</p> <p>I <input type="checkbox"/> Mentally restored</p> <p>J <input type="checkbox"/> Mental retardation</p> <p>K <input type="checkbox"/> Learning disability</p> <p>L <input type="checkbox"/> Others (heart disease, diabetes, speech impairment)</p> <p>M <input type="checkbox"/> Other (please specify) _____</p> </td> </tr> </table>	<p><b>ETHNIC GROUP</b></p> <p>1. <input type="checkbox"/> White (non-Hispanic)</p> <p>2. <input type="checkbox"/> Black (non-Hispanic)</p> <p>3. <input type="checkbox"/> Hispanic (Mexican, Puerto Rican, Cuban, Central or South American, other Spanish origin regardless of race)</p> <p>4. <input type="checkbox"/> Asian (including Pacific Islander)</p> <p>5. <input type="checkbox"/> American Indian (including Alaskan native)</p>	<p>A <input type="checkbox"/> None/Prefer not to report</p> <p>B <input type="checkbox"/> Blind or severely visually impaired</p> <p>C <input type="checkbox"/> Deaf or severely hearing impaired</p> <p>D <input type="checkbox"/> Loss or limited use of arms and/or hands</p> <p>E <input type="checkbox"/> Non-ambulatory (must use wheelchair)</p> <p>F <input type="checkbox"/> Other orthopedic impairment (including amputation, arthritis, back injury, cerebral palsy, spina bifida, etc.)</p>	<p>G <input type="checkbox"/> Respiratory impairment</p> <p>H <input type="checkbox"/> Nervous system/Neurological disorder</p> <p>I <input type="checkbox"/> Mentally restored</p> <p>J <input type="checkbox"/> Mental retardation</p> <p>K <input type="checkbox"/> Learning disability</p> <p>L <input type="checkbox"/> Others (heart disease, diabetes, speech impairment)</p> <p>M <input type="checkbox"/> Other (please specify) _____</p>
<input type="text"/>	<input type="text"/>	<input type="text"/>								
(mo.)	(day)	(year)								
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## REAL ESTATE COMMISSION EMPLOYMENT OPPORTUNITY

The following job description summarizes a position now available on the Real Estate Commission staff. Interested, **qualified** persons are referred to the accompanying Application for Employment Form and instructions.

Questions or requests for additional information should be directed **in writing** (no telephone inquiries please) to the Commission's Director of Administration, N.C. Real Estate Commission, P.O. Box 17100, Raleigh, N.C. 27619-7100.

### Auditor/Investigator

- Salary:** Beginning Salary \$28,895
- Benefits:** Blue Cross health insurance; retirement contribution; paid vacation and sick leave
- Duties:**
1. Audits and inspects real estate brokerage trust records on a statewide basis whenever the Commission determines that the records are pertinent to the investigation of a specific complaint against a real estate broker or salesman or time share project.
  2. Conducts routine, periodic audits of real estate trust accounts to determine compliance with the Real Estate License Law and Commission rules.
  3. Investigates consumer complaints against licensees involving misrepresentations, loan fraud, mishandling of client funds, and other improper acts in connection with real estate sales and leasing transactions.
  4. Writes reports for review by the Director of Audits and Investigations regarding results of investigations.
  5. Testifies before the N.C. Real Estate Commission on investigative findings.
  6. Performs other related duties at the direction of the Director of Audits and Investigations.
- Minimum Qualifications:** Graduation from a four-year college or university including nine (9) semester hours in accounting or a major in business administration or police science, and either one (1) year of accounting and/or auditing experience, or one (1) year of law enforcement or investigative experience.
- Other Requirements:** Must reside in or be willing to relocate to Raleigh (no moving expenses or allowance will be paid by the Commission); must have automobile available for use at work.

## APPLICATION FOR EMPLOYMENT

### Instructions

#### Completion of Application Form (pages 5-7)

1. Use black ink or typewriter.
2. List your social security number correctly.
3. List your zip code correctly.
4. Complete the section for Equal Opportunity Employment.
5. Give complete information on your education and work history (Do not put "See Resume" under education and work history).
6. List separately each job held and your duties for each position when you worked for one employer and held more than one position.
7. Sign and date your application.
8. [Note: Incomplete applications may not be considered or may be returned to you for proper completion.]

#### Filing Application Form and Materials

1. Carefully remove the application form from the Bulletin.
2. Mail your application form and other required materials to the following:  
N.C. Real Estate Commission  
P.O. Box 17100, Raleigh, NC 27619-7100  
Attn: Director of Administration.
3. No telephone inquiries or requests for appointments, please!
4. Application for Employment and related materials must be received in the Real Estate Commission Office by February 24, 1999.

#### Employment Schedule

- |             |                                      |
|-------------|--------------------------------------|
| February 24 | Application Deadline                 |
| February 25 | Application Review                   |
| March 4     | Preliminary Interviews               |
| March 10    | Commission Interviews                |
| April 1     | Employment Date<br>(date negotiable) |

## EQUAL OPPORTUNITY EMPLOYER



# Residential Square Footage Guidelines

The Commission's newest publication is reprinted below and on *Guidelines* page 1 - *Guidelines* page 12 of this *Bulletin*. [Please see related article on *Bulletin* page 9.]

## Introduction

It is often said that the three most important factors in making a homebuying decision are "location," "location," and "location." Other than "location," the single most-important factor is probably the size or "square footage" of the home. Not only is it an indicator of whether a particular home will meet a homebuyer's space needs, but it also affords a convenient (though not always accurate) method for the buyer to estimate the value of the home and compare it with other properties.

Although real estate agents are not required by the Real Estate License Law or Real Estate Commission rules to report the square footage of properties offered for sale (or rent), when they do report square footage, it is essential that the information they give prospective purchasers be accurate. At a minimum, information concerning square footage should include the amount of *living area* in the dwelling. The following guidelines and accompanying illustrations are designed to assist real estate brokers and salesmen in measuring, calculating and reporting (both orally and in writing) the *living area* contained in detached and attached single-family residential buildings. When reporting square footage, real estate agents should carefully follow these *Guidelines* or any other standards that are comparable to them, including those approved by the American National Standards Institute, Inc. (ANSI) which are recognized by the North Carolina Real Estate Commission as comparable standards.\* Agents should be prepared to identify, when requested, the standard used.

## Living Area Criteria

*Living area* (sometimes referred to as "heated living area" or "heated square footage") is space that is intended for human occupancy and is:

1. **Heated** by a conventional heating system or systems (forced air, radiant, solar, etc.) that are permanently installed in the dwelling — not a portable heater — which generates heat sufficient to make the space suitable for year-round occupancy;
2. **Finished**, with walls, floors and ceilings of materials generally accepted for interior construction (e.g., painted drywall/sheet rock or panelled walls, carpeted or hardwood flooring, etc.) and with a ceiling height of at least seven feet, except under beams, ducts, etc. where the height must be at least six feet four inches [Note: In rooms with sloped ceilings (e.g., finished attics, bonus rooms, etc.) you may also include as living area the portion of the room with a ceiling height of at least five feet if at least one-half of the finished area of the room has a ceiling height of at least seven feet.]; and
3. **Directly accessible from other living area** (through a door or by a heated hallway or stairway).

Real estate appraisers and lenders generally adhere to more detailed criteria in arriving at the *living area* or "gross living area" of residential dwellings. This normally includes distinguishing "above-grade" from "below-grade" area, which is also required by many multiple listing services. "Above-Grade" is defined as space on any level of a dwelling which has *living area* and no earth adjacent to any exterior wall on that level. "Below-Grade" is space on any level which has *living area*, is accessible by interior stairs, and has earth adjacent to any exterior wall on that level. If earth is adjacent to any portion of a wall, the entire level is considered "below-grade." Space that is "at" or "on grade" is considered "above-grade."

While real estate agents are encouraged to provide the most complete information available about properties offered for sale, the *Guidelines* recognize that the separate reporting of "above-grade" and "below-grade" area can be impractical in the advertising and marketing of homes. For this reason, *real estate agents are permitted under these Guidelines to report square footage of the dwelling as the total "living area" without a separate distinction between "above-grade" and "below-grade" areas. However, to help avoid confusion and concern, agents should alert purchasers and sellers that the appraisal report may reflect differences in the way living area is defined and described by the lender, appraiser, and the North Carolina Building Code which could affect the amount of living area reported.*

(continued on *Guidelines* page 2)

\*The following materials were consulted in the development of these *Guidelines*: The *American National Standard for Single-Family Residential Buildings: Square Footage-Method for Calculating* approved by the American National Standards Institute, Inc.; *House Measuring & Square Footage* published by the Carolina Multiple Listing Services, Inc.; and materials compiled by Bart T. Bryson, MAI, SRA, and Mary L. D'Angelo.

# Residential Square Footage Guidelines

(continued from Guidelines page 1)

Determining whether an area is considered *living area* can sometimes be confusing. Finished rooms used for general living (living room, dining room, kitchen, den, bedrooms, etc.) are normally included in *living area*. For other areas in the dwelling, the determination may not be so easy. For example, the following areas are considered *living area* if they meet the criteria (i.e., heated, finished, directly accessible from living area):

- △ **Attic**, but note in the listing data that the space is located in an attic (Fig. 2). [Note: If the ceiling is sloped, remember to apply the "ceiling height" criteria.]
- △ **Basement (or "Below-Grade")**, but note in the listing data that the space is located in a basement or "below-grade" (Fig. 1).  
[Note: For reporting purposes, a "basement" is defined as an area below the entry level of the dwelling which is accessible by a full flight of stairs and has earth adjacent to some portion of at least one wall above the floor level.]
- △ **Bay Window**, if it has a floor, a ceiling height of at least seven feet, and otherwise meets the criteria for *living area* (Fig. 2).
- △ **Bonus Room (e.g., Finished Room over Garage)** (Fig. 3).  
[Note: If the ceiling is sloped, remember to apply the "ceiling height" criteria.]
- △ **Breezeway** (enclosed).
- △ **Chimney**, if the chimney base is inside *living area*. If the chimney base is outside the *living area* but the hearth is in the *living area*, include the hearth in the *living area* but not the chimney base (Fig. 1).
- △ **Closets**, if they are a functional part of the *living area*.
- △ **Dormers** (Fig. 6).

- △ **Furnace (Mechanical) Room**  
Also, in order to avoid excessive detail, if the furnace, water heater, etc. is located in a small closet in the *living area*, include it in *living area* even if it does not meet other *living area* criteria (Fig. 4).
- △ **Hallways**, if they are a functional part of the *living area*.
- △ **Laundry Room/Area** (Fig. 6).
- △ **Office** (Fig. 1).
- △ **Stairs**, if they meet the criteria and connect to *living area* (Fig. 1, 2, 3, 4, 5, 6). Include the stairway with the area from which it descends, not to exceed the area of the opening in the floor. If the opening for the stairway exceeds the length and width of the stairway, deduct the excess open space from the upper level area. Include as part of the lower level area the space beneath the stairway, regardless of its ceiling height.
- △ **Storage Room** (Fig. 6).

## Other Area

Note in the listing data and advise purchasers of any space that does not meet the criteria for *living area* but which contributes to the value of the dwelling; for example, unfinished basements, unfinished attics (with permanent stairs), unfinished bonus rooms, shops, decks, balconies, porches, garages and carports.

## Helpful Hints

Concealed in the walls of nearly all residential construction are pipes, ducts, chases, returns, etc. necessary to support the structure's mechanical systems. Although they may occupy *living area*, to avoid excessive detail, do not deduct the space from the *living area*.

When measuring and reporting the *living area* of homes, be alert to any remodeling, room additions (e.g., an enclosed porch) or other structural modifications to assure that the space

meets all the criteria for *living area*. Pay particular attention to the heating criteria, because the heating system for the original structure may not be adequate for the increased square footage. Although agents are not required to determine the adequacy of heating systems, they should at least note whether there are heat vents, radiators or other heat outlets in the room before deciding whether to include space as *living area*.

When an area that is not part of the *living area* (e.g., a garage) shares a common wall with the *living area*, treat the common wall as the exterior wall for the *living area*; therefore, the measurements for the *living area* will include the thickness of the common wall, and the measurements for the other area will not.

Interior space that is open from the floor of one level to the ceiling of the next higher level is included in the square footage for the lower level only. However, any area occupied by interior balconies, lofts, etc. on the upper level or stairs that extend to the upper level is included in the square footage for the upper level.

## Measuring

The amount of *living area* and "other area" in dwellings is based upon exterior measurements. A one-hundred-foot-long tape measure is recommended for use in measuring the exterior of dwellings, and a thirty-foot retractable tape for measuring interior and hard-to-reach spaces. A tape measure that indicates linear footage in "tenths of a foot" will greatly simplify your calculations. For best results, take a partner to assist you in measuring. But if you do not have someone to assist you, a screwdriver or other sharp tool can be used to secure the tape measure to the ground.

Begin at one corner of the dwelling and proceed with measuring each exterior wall. Round off your measurements to the nearest inch (or tenth-of-a-foot if your tape indicates footage in that manner). Make a

(continued on Guidelines page 3)



# Residential Square Footage Guidelines

(continued from Guidelines page 2)

sketch of the structure. Write down each measurement as you go, and record it on your sketch. A clipboard and graph paper are helpful in sketching the dwelling and recording the measurements. Measure *living area* and "other area," but identify them separately on your sketch. Look for offsets (portions of walls that "jut out"), and adjust for any "overlap" of exterior walls (Fig. 3) or "overhang" in upper levels (Fig. 5).

When you cannot measure an exterior surface (such as in the case of attics and below-grade areas), measure the perimeter walls of the area from the inside of the dwelling. Remember to add **six inches** for each exterior wall and interior wall that you encounter in order to arrive at the exterior dimensions (Fig. 2, 3, 4, 6).

Measure all sides of the dwelling, making sure that the overall lengths of the front and rear sides are equal, as well as the ends. Then inspect the interior of the dwelling to identify spaces which cannot be included in *living area*. You may also find it helpful to take several photographs of the dwelling for later use when you return to your office.

## Calculating Square Footage

From your sketch of the dwelling, identify and separate *living area* from "other area." If your measurements are in inches (rather than tenths-of-a-foot), convert your figures to a decimal as follows:

1" = .10 ft.	7" = .60 ft.
2" = .20 ft.	8" = .70 ft.
3" = .25 ft.	9" = .75 ft.
4" = .30 ft.	10" = .80 ft.
5" = .40 ft.	11" = .90 ft.
6" = .50 ft.	12" = 1.00 ft.

Calculate the *living area* (and other area) by multiplying the length times the width of each rectangular space. Then add your subtotals and round off your figure for total square footage to the nearest **square foot**. Double-check your calculations. When in doubt, re-check them and, if necessary, re-measure the house.

## Attached Dwellings

When measuring an "attached" single-family home (e.g., townhouse, duplex, condominium, etc.), use the same techniques just described. If there is a common wall, measure to the inside surface of the wall and add **six inches**. [Note: In the case of condominiums, do not include the thickness of exterior or common walls.] Do not include any "common areas" (exterior hallways, stairways, etc.) in your calculations.

## Proposed Construction

For proposed construction, your square footage calculations will be based upon dimensions described in blueprints and building plans. When reporting the projected square footage, be careful to disclose that you have calculated the square footage based upon plan dimensions. Therefore, the square footage may differ in the completed structure. Do not rely on any calculations printed on the plans.

## Agents' Responsibility

When reporting square footage, listing agents are expected to personally measure all properties they list and accurately calculate their square footage. They must **not** rely on tax records, information from a previous listing, or representations of the seller or others. The listing agent will be held accountable for the accuracy of square footage information the listing agent reports to prospective purchasers — including information obtained by purchasers from property data sheets and MLS data banks.

Agents working with buyers (either as a buyer's agent or seller's agent) may rely on the listing agent's square footage representations unless there is a reason ("red flag") to suspect that the information is in error. If there is a "red flag" regarding the reported square footage, the agent should promptly point out the suspected error to the buyer and the listing agent. The listing agent must then verify the square footage and correct any error in the information reported. While agents of the seller (including those working with buyers) may rely on the

verified or corrected figure, agents employed by buyers must independently measure and calculate the square footage if the buyer has any further interest in the dwelling, and the buyer's agent must advise the listing agent of any errors found.

Real estate agents are expected to be able to accurately calculate the area of most dwellings. Agents who are inexperienced in calculating square footage should seek the assistance of their brokers-in-charge or more experienced agents. And where a complex, odd-shaped dwelling is involved, agents should advise the seller (or buyer, if appropriate) to seek the assistance of a State-licensed or State-certified appraiser or an experienced engineer or architect in calculating the square footage. In areas where the prevailing practice is to report square footage in the advertising and marketing of homes, agents whose policy is **not** to calculate and report square footage must disclose this fact to prospective buyer and seller clients before entering into agency agreements with them.

## Illustrations

For assistance in calculating and reporting the area of homes, refer to the following illustrations showing the *living area* shaded. To test your knowledge, an illustration and blank "Worksheet" for a home with a more challenging floor plan has also been included. (A completed "Worksheet" for the Practice Floor Plan can be found on *Guidelines page 12*.) In reviewing the illustrations, assume that for those homes with basements, attics, etc., the exterior measurements shown have been derived from interior measurements taking into account walls and partitions (see *column one, this page*). Where there is a common wall between *living area* and other area (see *Guidelines page 2*), the measurements shown in the illustrations include the thickness of the common wall in *living area* except in the condominium example where wall thickness is not included.

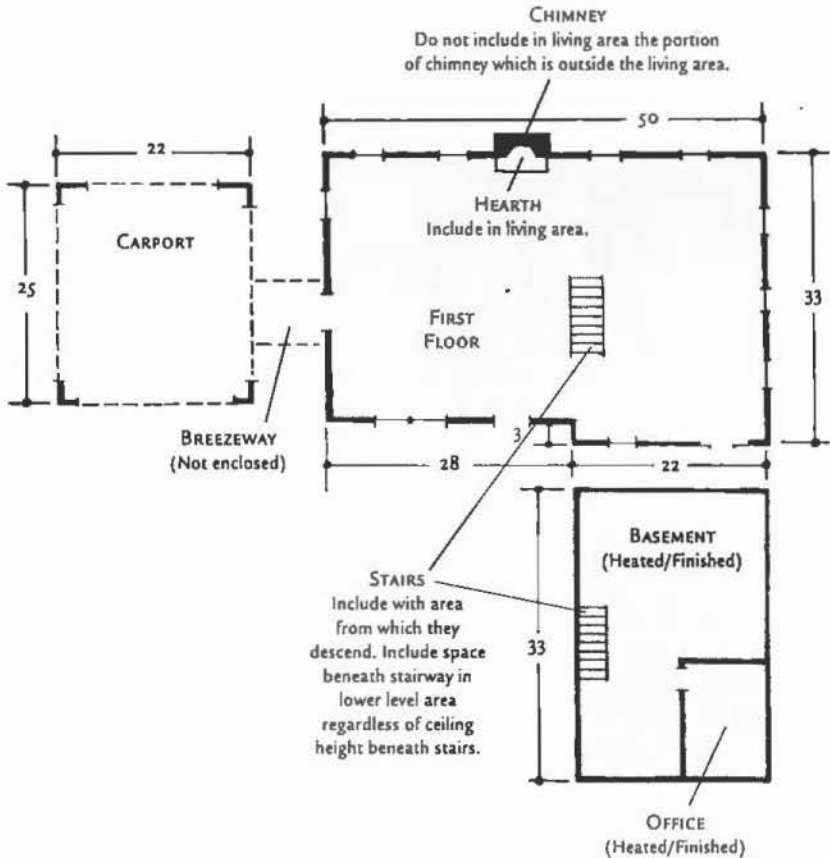
(continued on Guidelines page 4)

ONE STORY WITH BASEMENT AND CARPORT

(Figure 1)



Guidelines page 4



ONE STORY WITH BASEMENT AND CARPORT WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor	50 x 30	1,500	
	3 x 22	+ 66	1,566
Basement	22 x 33		726
Total			2,292
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Carport	22 x 25		550

REPORT: ONE-STORY DETACHED HOUSE WITH 2,292 SQUARE FEET OF LIVING AREA OF WHICH 726 SQUARE FEET ARE IN A FINISHED BASEMENT, PLUS A 550-SQUARE-FOOT CARPORT.



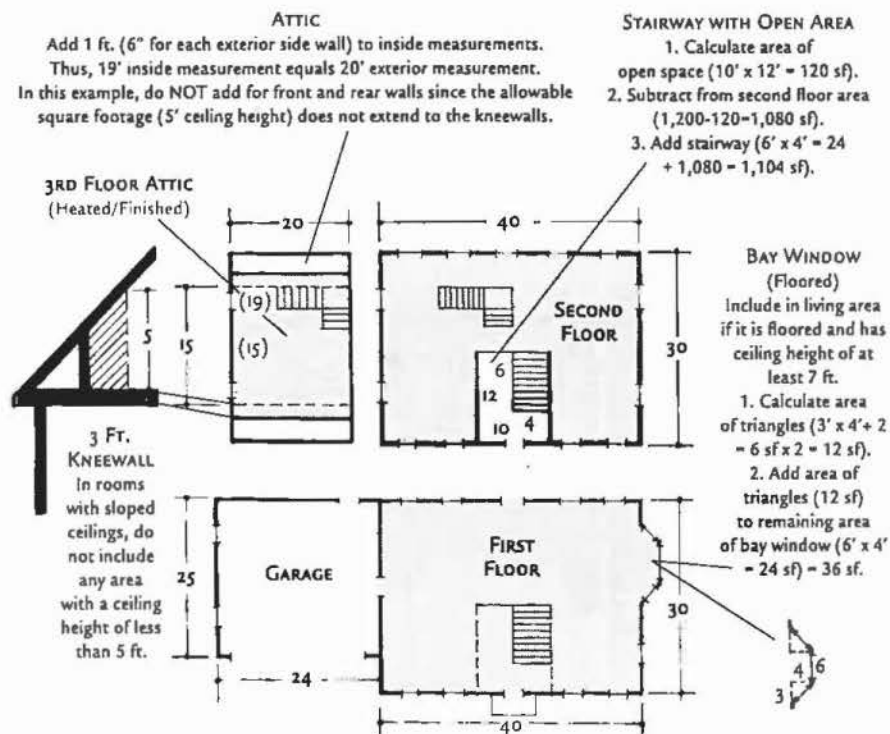
(continued from Guidelines page 4)

## TWO STORY WITH OPEN FOYER AND FINISHED ATTIC

(Figure 2)



Guidelines page 5



## TWO STORY WITH OPEN FOYER AND FINISHED ATTIC WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor	40 x 30	1,200	
Bay Window		36	1,236
2nd Floor	40 x 30	1,200	
	10 x 12	- 120	
	4 x 6	+ 24	1,104
Fin. Attic	20 x 15		<u>300</u>
Total			2,640
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Garage	25 x 24		600

REPORT: TWO-STORY DETACHED HOUSE WITH 2,640 SQUARE FEET OF LIVING AREA OF WHICH 300 SQUARE FEET ARE IN A FINISHED ATTIC, PLUS A 600-SQUARE-FOOT GARAGE.

(continued on Guidelines page 6)

(continued from Guidelines page 5)

TWO STORY WITH "BONUS ROOM" OVER GARAGE

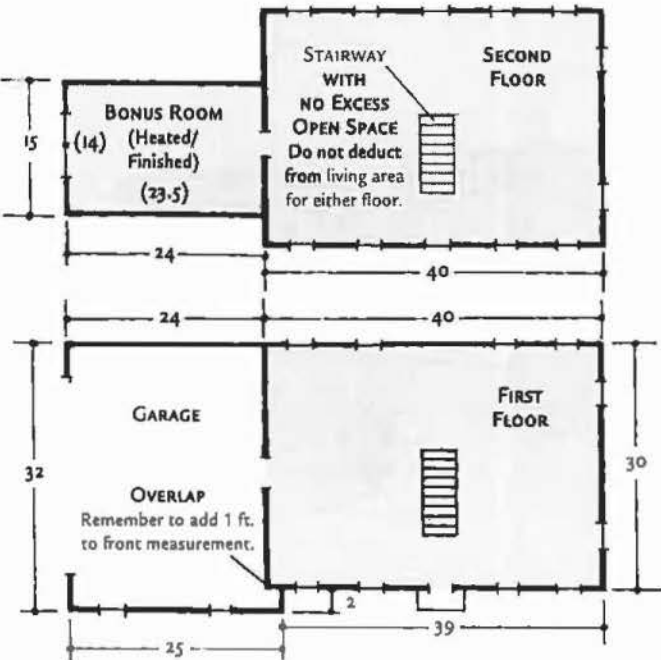
(Figure 3)



BONUS ROOM

If the "Bonus Room" is accessible from living area through a door, hallway or stairway, include in living area; otherwise, report as other area.

Add 6" to inside measurements for each exterior wall. Thus, 14' x 23.5' inside measurement equals 15' x 24' exterior measurements. In rooms with sloped ceilings, do not include any space with a ceiling height of less than 5 ft.



TWO STORY WITH "BONUS ROOM" OVER GARAGE WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor	40 x 30		1,200
2nd Floor	40 x 30		1,200
Bonus Room	15 x 24		<u>360</u>
Total			2,760
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Garage	24 x 32	768	
	1 x 2	+ 2	770

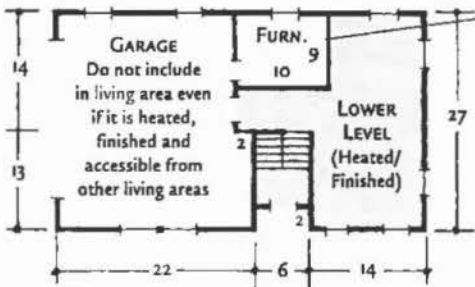
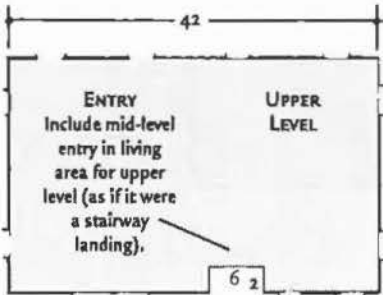
REPORT: TWO-STORY DETACHED HOUSE WITH 2,760 SQUARE FEET OF LIVING AREA OF WHICH 360 SQUARE FEET ARE IN A "BONUS ROOM" OVER THE GARAGE, PLUS A 770-SQUARE-FOOT GARAGE.

(continued on Guidelines page 7)

(continued from Guidelines page 6)

SPLIT FOYER

(Figure 4)



SPLIT FOYER WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Upper Level	27 x 42	1,134	
	6 x 2	- 12	1,122
Lower Level	22 x 27	594	
	6 x 2	- 12	
	13 x 2	- 26	
	9 x 10	- 90	<u>466</u>
Total			1,588
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Garage	27 x 20	540	
	2 x 13	+ 26	566
Furnace Room	9 x 10		90

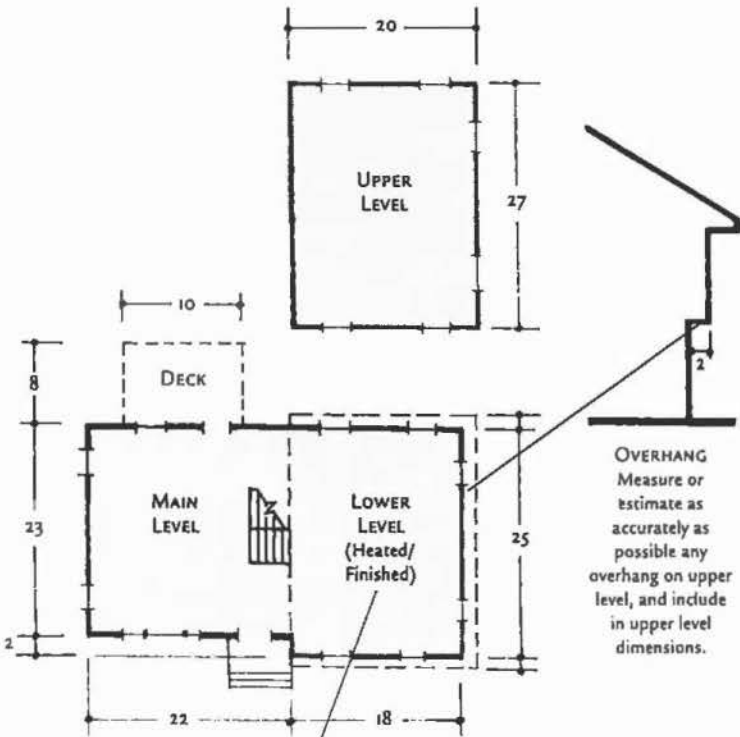
REPORT: SPLIT-FOYER DETACHED HOUSE WITH 1,588 SQUARE FEET OF LIVING AREA,  
PLUS A 566-SQUARE-FOOT GARAGE AND 90-SQUARE-FOOT FURNACE ROOM.

(continued on Guidelines page 8)

(continued from Guidelines page 7)

SPLIT (TRI-) LEVEL WITH OVERHANG

(Figure 5)



LOWER LEVEL  
Report this as "lower level" rather than "basement" because it is not accessible by a full flight of stairs.

OVERHANG  
Measure or estimate as accurately as possible any overhang on upper level, and include in upper level dimensions.

SPLIT (TRI-) LEVEL WITH OVERHANG WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Main Level	22 x 23		506
Lower Level	18 x 25		450
Upper Level	27 x 20		<u>540</u>
Total			1,496
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Deck	8 x 10		80

REPORT: SPLIT-LEVEL DETACHED HOUSE WITH 1,496 SQUARE FEET OF LIVING AREA, PLUS AN 80-SQUARE-FOOT DECK.

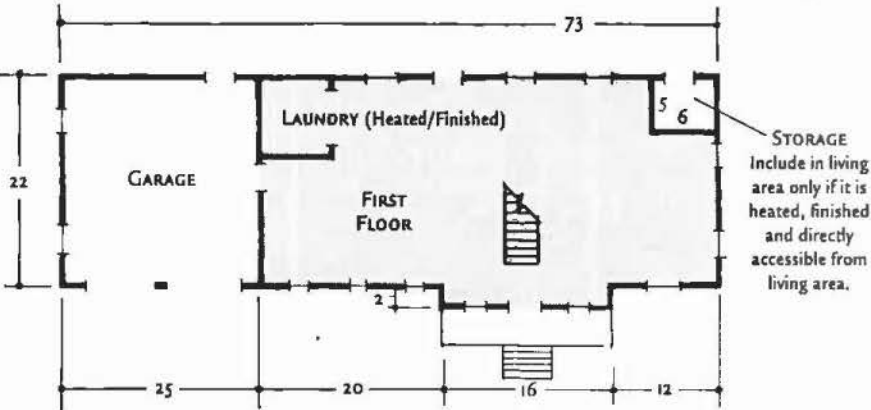
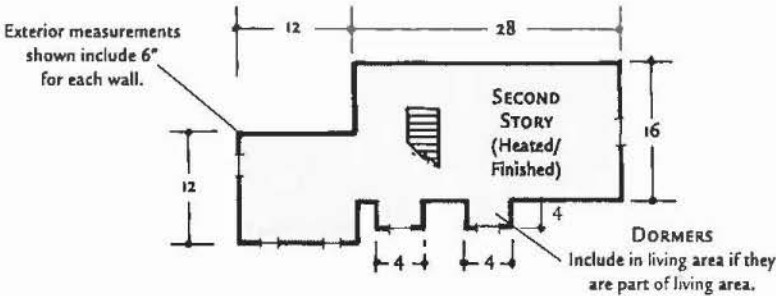
(continued on Guidelines page 9)



(continued from Guidelines page 8)

ONE AND ONE-HALF STORY

(Figure 6)



ONE AND ONE-HALF STORY WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor	48 x 22	1,056	
	16 x 2	+ 32	
	5 x 6	- 30	1,058
2nd Floor	16 x 28	448	
	4 x 4	+ 16	
	4 x 4	+ 16	
	12 x 12	+ 144	624
Total			1,682
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Garage	22 x 25		550
Storage	5 x 6		30

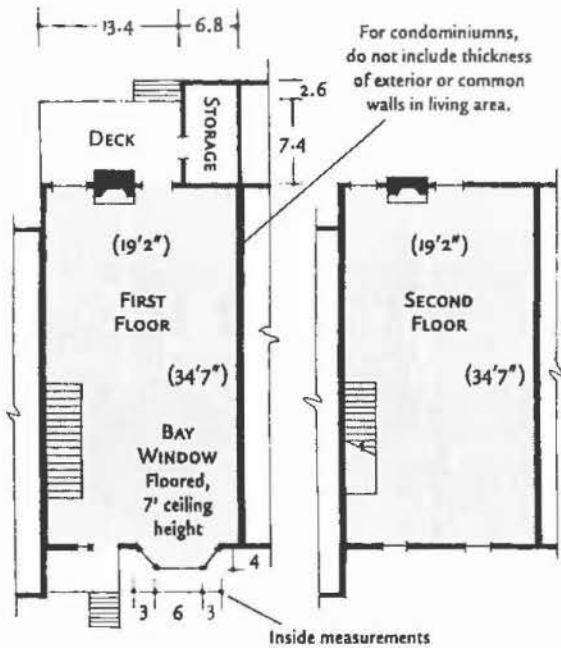
REPORT: ONE AND ONE-HALF STORY DETACHED HOUSE WITH 1,682 SQUARE FEET OF LIVING AREA,  
PLUS A 550-SQUARE-FOOT GARAGE.

(continued on Guidelines page 10)

(continued from Guidelines page 9)

CONDOMINIUM

(Figure 7)



CONDOMINIUM WORKSHEET

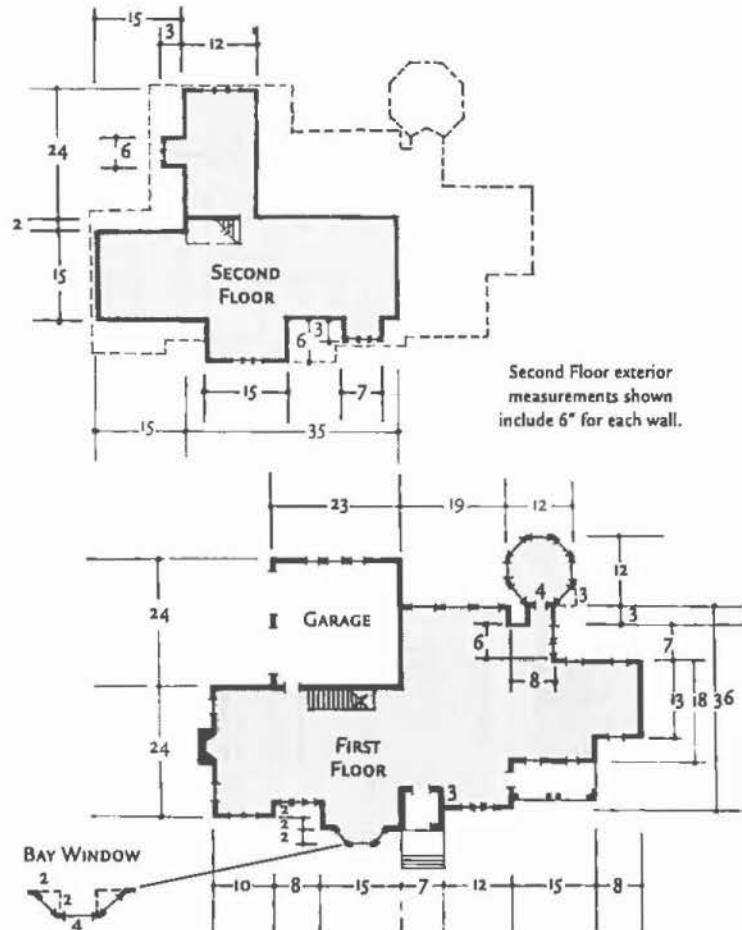
LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor	34.6 x 19.2	664.3	
Bay Window		36.0	700
2nd Floor	34.6 x 19.2	664.3	664
Total			1,364
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Deck	13.4 x 7.4	99.2	99
Storage	10 x 6.8		68

REPORT: TWO-STORY CONDOMINIUM WITH 1,364 SQUARE FEET OF LIVING AREA, PLUS A 99 SQUARE FOOT DECK.

(continued on Guidelines page 11)

Guidelines page 11

(Figure 8)



## LIVING AREA

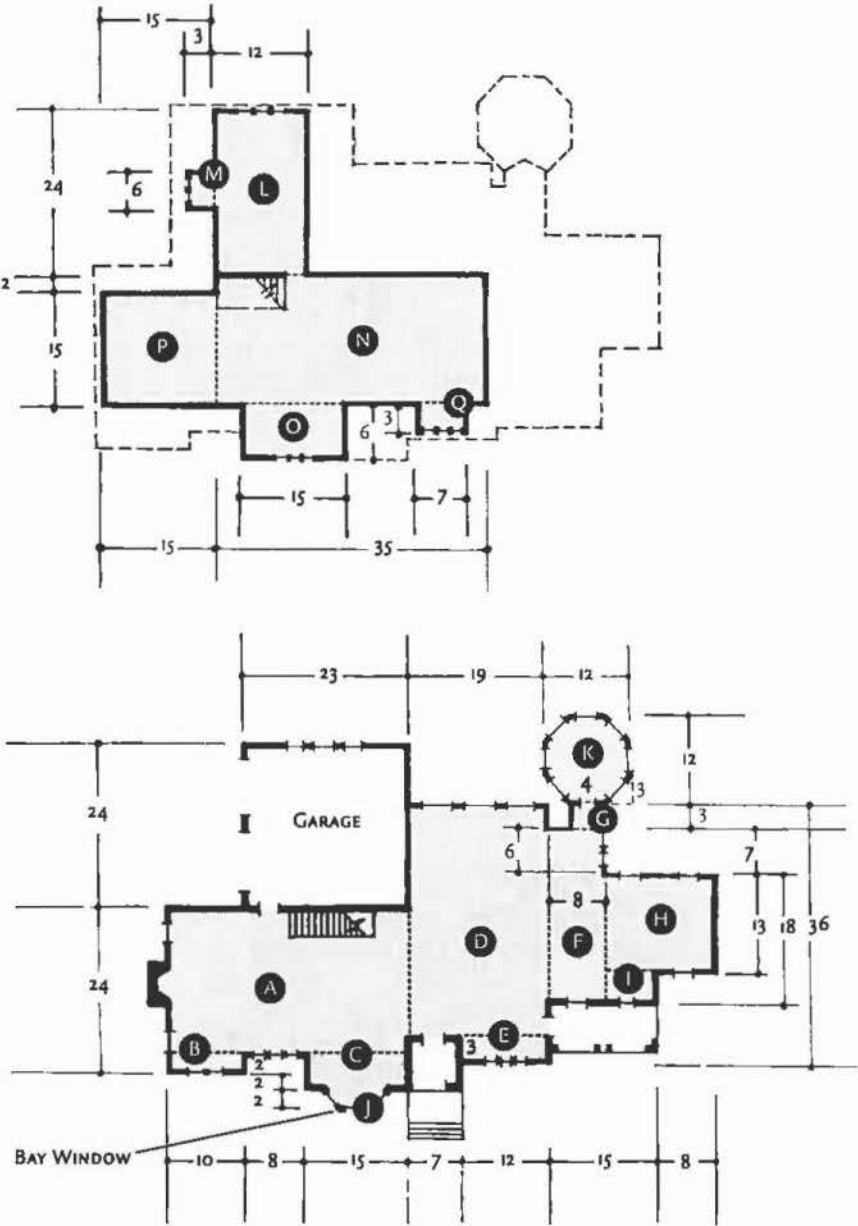
LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL

(continued on Guidelines page 12)

(continued from Guidelines page 11)

PRACTICE FLOOR PLAN

(Zoned to facilitate calculations)



Guidelines page 12

PRACTICE FLOOR PLAN WORKSHEET

LIVING AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
1st Floor A	22 x 23	726	
1st Floor B	2 x 10	20	
1st Floor C	4 x 15	60	
1st Floor D	19 x 33	627	
1st Floor E	3 x 12	36	
1st Floor F	8 x 25	200	
1st Floor G	4 x 3	12	
1st Floor H	15 x 13	195	
1st Floor I	7 x 5	35	
Bay Window J		12	
Oct. Window K		126	2,049
2nd Floor L	24 x 12	288	
2nd Floor M	3 x 6	18	
2nd Floor N	17 x 35	595	
2nd Floor O	15 x 6	90	
2nd Floor P	15 x 15	225	
2nd Floor Q	3 x 7	21	1,237
Total			3,286
OTHER AREA			
AREA	DIMENSIONS	SUBTOTAL	TOTAL
Garage	24 x 23		552

REPORT: ONE AND ONE-HALF STORY DETACHED HOUSE WITH 3,286 SQUARE FEET OF LIVING AREA, PLUS A 552-SQUARE-FOOT GARAGE.



## Announcing...

### Commission publishes *Residential Square Footage Guidelines*

The Real Estate Commission is pleased to announce that its *Residential Square Footage Guidelines* booklet is ready for distribution to licensees. For your convenience, the booklet is re-

printed in its entirety in this *Bulletin*. [See *Guidelines page 1 - Guidelines page 12.*]

To receive a copy of the booklet, please refer to the order form on page 3 of this *Bulletin*. □

## For your information...

You are reminded that the Real Estate Commission's meetings are open to the public. Real estate licensees and consumers are always welcome.

Although advance notice is not required in order for you to attend, you are encouraged, when possible, to please notify the Commission of your plans to attend a scheduled meeting at least ten business days prior to the meeting, in order to ensure adequate parking and seating arrangements.

Please mail your notice to the North Carolina Real Estate Commission, P. O. Box 17100, Raleigh, NC 27619-7100, or call the Commission office (919) 875-3700.

For your convenience, the following calendar lists the meeting dates for the next four months. ■

### 1999 Trust Account Caravan Registration Form

Four (4) hours continuing education elective credit will be awarded for completion of each course. Courses are intended for brokers and trust account bookkeepers. Salesmen will be admitted on a space available basis.

#### Boone - Comfort Suites

1184 Hwy. 105

- ☐ Basic Trust Account Procedures Course

March 16, 1999 9:00 am - 1:00 pm

- ☐ Trust Account Procedures for Resort Property Managers

March 17, 1999 9:00 am - 1:00 pm

#### Charlotte - Charlotte Hilton Executive Park

5624 Westpark Drive

- Basic Trust Account Procedures Course \*

March 19, 1999 9:00 am - 1:00 pm

#### Greensboro - Greensboro Regional REALTORS® Association

23 Oak Branch Drive

- ☐ Basic Trust Account Procedures Course

March 18, 1999 9:00 am - 1:00 pm

#### Kill Devil Hills - Ramada Inn at Nags Head Beach

1701 South Virginia Dare Trail

- ☐ Basic Trust Account Procedures Course

March 2, 1999 8:30 am - 12:30 pm

- ☐ Trust Account Procedures for Resort Property Managers

March 3, 1999 8:30 am - 12:30 pm

#### Wilmington - Coast Line Convention Center

501 Nutt Street

- ☐ Basic Trust Account Procedures Course

March 29, 1999 1:00 pm - 5:00 pm

- ☐ Trust Account Procedures for Resort Property Managers

March 30, 1999 9:00 am - 1:00 pm

Complete this form (*make copies for additional persons*) and mail with a check for **\$35 tuition fee** to be received by the Commission no later than 10 working days prior to date of preferred session. Each session is limited to 40 participants, scheduled according to date received. **Walk-ins will be accepted on a space available basis only.**

Name \_\_\_\_\_ Phone \_\_\_\_\_  
(Daytime)

Address \_\_\_\_\_  
(Street, P.O. Box, etc.) (City) (State) (Zip)

☐ Broker (License No. \_\_\_\_\_) Mail to: **NC REAL ESTATE COMMISSION**  
Attention: Audits and Investigations Division

☐ Salesman (License No. \_\_\_\_\_) P. O. Box 17100  
Raleigh, NC 27619-7100

☐ Bookkeeper Enclose \$35 tuition fee

\* Please note: Charlotte course is full; no further availabilities for this session.

### Commission Calendar

#### Meeting Dates

March 10

April 14

May 12

June 9

Meetings begin at 9 a.m. and are held in the conference room of the Real Estate Commission office, 1313 Navaho Drive, Raleigh, NC 27609, unless otherwise noted. [Please understand that circumstances sometimes necessitate changes in meeting dates and times.]

## "Open Houses" and Drug Diversion

The following article is reprinted with the permission of the North Carolina Board of Pharmacy. The article appeared in the Pharmacy Board's October 1998 newsletter, NC Vol. 20, No. 2.

A recent report described a new drug diversion scheme that involved culprits attending real estate "open houses." While on the property, the culprits would look through the owner's medicine cabinet(s) for prescription containers, particularly those with controlled substances and that indicated there were refills remaining.

After obtaining the information from the label, they would proceed to call in the refill at the pharmacy and obtain drugs illegally in this unique way.

### Real Estate Commission Caveat

The Commission reminds its licensees to be aware of this particular scheme and other potential problems when conducting "open houses"; e.g., in a number of separate instances recently, the agent on duty at an open house has been attacked by a person posing as a potential buyer.

You are advised to consider having two or more agents on duty at an open house at all times. Be observant and alert to possible risky situations, and report any suspicious behavior to the proper authorities. □

## In memoriam

*With deep regret, the Real Estate Commission announces the death of Rodolph Hill of Kinston. Mr. Hill retired as a Commission Investigator in 1991, after more than 20 years of employment with the Commission.*

*The Commission extends deepest sympathy to Mr. Hill's family.* ■

## Disciplinary action



*Penalties for violations of the Real Estate License Law and Commission Rules 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.*

**MARGARET L. BRANSTROM (Banner Elk)** - By Consent, the Commission revoked Ms. Branstrom's broker license effective December 1, 1998. On January 30, 1999, Ms. Branstrom is eligible to be licensed as a real estate salesman, upon certain conditions. The Commission found that Ms. Branstrom, while broker-in-charge of a resort rental firm, had failed to control the trust accounts and records of trust account transactions, and did not conduct the monthly reconciliations required by Commission rule. The Commission further found that an unlicensed person had converted to other uses trust monies held by the firm. The Commission noted that Ms. Branstrom had cooperated with its investigation of these matters.

**CARLENE G. HALL (Banner Elk)** - The Commission accepted the voluntary surrender of Ms. Hall's broker license for one year effective January 1, 1999. The Commission dismissed without prejudice charges that Ms. Hall had violated the Real Estate License Law and the rules of the Commission in the conduct of a real estate brokerage business.

**JAMES W. HALL (Hendersonville)** - By Consent, the Commission suspended Mr. Hall's broker license for three years effective November 1, 1998. Two years of the suspension are to be active and the remaining period stayed for a probationary term of one year, all upon certain conditions. The Commission found that Mr. Hall had caused compensation arrangements to be inserted into a real estate sales contract when acting as an agent in the transaction.

**SYLVIA M. HENDERSON (Charlotte)** - By Consent, the Commission suspended Ms. Henderson's salesman license for two years effective June 10, 1998. One year of the suspension is to be active and the remaining period stayed for a probationary term of one year. The Commission found that Ms. Henderson, while an inactive salesman, acted in a capacity for which an active real estate license was required.

**JASON J. HOLT (Fletcher)** - By Consent, the Commission suspended Mr. Holt's salesman license for three years effective November 1, 1998. Four months of the suspension are to be active and the remaining period stayed for a probationary term of 32 months. The Commission found that Mr. Holt had made a false representation on his sworn application when he applied for a real estate salesman license in or about December 1996; i.e., Mr. Holt had represented that he had never been convicted of a crime (excluding minor traffic offenses) when, in fact, he had been convicted in September 1991 of drinking beer/wine while driving. The Commission further found that after Mr. Holt was licensed, he was convicted of possession of marijuana, a misdemeanor. The Commission noted that Mr. Holt had voluntarily reported the conviction to the Commission.

**BETHANY H. KONZ (Boone)** - By Consent, the Commission suspended Ms. Konz's broker license for one year effective January 1, 1999. Thirty days of the suspension were active and the remaining period stayed for a probationary term of eleven months. The Commission found that Ms. Konz, as the selling agent of a property, had provided the buyers with an MLS data sheet and other information prepared by the listing agent indicating the property had city sewer service when, in fact, the property's sewage disposal was by a single septic system which served two cabins on the property. The Commission

(continued on page 11)

# Disciplinary action

(continued from page 10)

further found that when Ms. Konz learned that the cabins were served by a septic system, she failed to correct the MLS and other written materials. Ms. Konz neither admitted nor denied any misconduct.

**OUTER BEACHES REALTY, INC. (Avon)** - By Consent, the Commission suspended Outer Beaches Realty, Inc.'s corporate real estate broker license for three years effective November 1, 1998, upon certain conditions. The Commission then stayed the suspension for a probationary term of three years. Outer Beaches Realty, Inc., a property management firm, engaged in deficit spending, failed to properly reconcile its trust account computer records to manual records, and failed to properly disclose fees it collected for services provided to its tenants and owners. The Commission noted that the firm cooperated fully with Commission staff and, with assistance from its CPA firm and private consultant, subsequently implemented changes in its record-keeping procedures and made disclosures necessary to comply with Commission guidelines.

**PARAGON PROPERTIES OF NORTH TOPSAIL, INC. (North Topsail Beach)** - By Consent, the Commission suspended Paragon Properties of North Topsail, Inc.'s corporate real estate broker license for six months effective November 1, 1998. The Commission then stayed the suspension for a probationary term of two years. The Commission found that the corporation had failed to conduct the monthly reconciliations for its resort rental trust account between January 1, 1997 and April 1, 1998. The Commission noted that Paragon Properties of North Topsail, Inc. had cooperated with the Commission's investigation, had instituted correct accounting procedures, and had brought its escrow accounts into balance.

**CRAIG S. RALPH (Raleigh)** - By Consent, the Commission suspended Mr. Ralph's broker license for 20

months effective November 19, 1998. Forty-five days of the suspension were active and the remaining period stayed for a probationary term of 18 months and 15 days, upon certain conditions. The Commission found that Mr. Ralph had used a listing contract that did not include the non-discrimination language required by Commission rule. The Commission also found that during a listing period but prior to any sale, Mr. Ralph had sought payment from property owners for certain expenses he had incurred in connection with his efforts to re-zone their properties, although nothing in the contract provided for advance payments of that nature, and that Mr. Ralph had discontinued his efforts on behalf of the owners and instead actively opposed their interests when they refused to pay. The Commission further found that Mr. Ralph had sued the owners for commissions after they had sold the properties themselves, based upon his claimed agency relationship with them. Mr. Ralph neither admitted nor denied any misconduct.

**CAROL S. RANKIN (Wilmington)** - By Consent, the Commission revoked Ms. Rankin's salesman license effective November 1, 1998. The Commission found that Ms. Rankin, on her application for real estate licensure, had failed to disclose that her former employer was in the process of reporting her to the FBI for investigation of possible criminal activity. The Commission further found that after Ms. Rankin was licensed, she pled guilty to Making or Causing False Entries to be Made in the Books and Records of a Financial Institution, a violation of federal law.

**DAVID O. RIGGS (North Topsail Beach)** - By Consent, the Commission reprimanded Mr. Riggs effective November 1, 1998. The Commission found that Mr. Riggs, as broker-in-charge for a firm, had failed to conduct the monthly reconciliations for the firm's resort rental trust account

between January 1, 1997 and April 1, 1998. The Commission noted that Mr. Riggs had cooperated with the Commission's investigation, had instituted correct accounting procedures, had brought into balance the escrow accounts which were under his control and had completed two courses on real estate escrow accounts.

**JAMES A. RISSE (Avon)** - By Consent, the Commission suspended Mr. Risser's broker license for three years effective November 1, 1998. Thirty days of the suspension were active and the remaining period stayed for a probationary term of 35 months upon the condition that he complete an additional 16 hours of continuing education credits prior to June 1, 2000. Mr. Risser, as broker-in-charge of a property management firm, engaged in deficit spending, failed to properly perform monthly reconciliations of trust account records, and failed to properly disclose fees the firm collected for services provided to its tenants and owners. The Commission noted that Mr. Risser and his firm cooperated fully with Commission staff and, with assistance from its CPA firm and private consultant, subsequently implemented changes in its record-keeping procedures and made disclosures necessary to comply with Commission guidelines.

**MARJORIE K. ROUTH (Franklinville)** - By Consent, the Commission reprimanded Ms. Routh effective October 15, 1998. The Commission found that Ms. Routh, while acting as broker-in-charge of a firm, had failed to actively supervise a salesman under her employ. The Commission noted that there was no financial harm or loss to any member of the public or client or customer of the firm. Ms. Routh neither admitted nor denied any misconduct.



(continued on page 12)



# Disciplinary action

(continued from page 11)



PIER P. TARRANT (Goldsboro) - The Commission accepted the voluntary surrender of Ms. Tarrant's salesman license for four years effective February 1, 1999. The Commission dismissed without prejudice charges that Ms. Tarrant had violated certain provisions of the License Law and administrative rules of the Commission. Ms. Tarrant neither admitted nor denied any misconduct.

RICHARD T. THOMPSON, JR. (Kill Devil Hills) - By Consent, the Commission suspended Mr. Thompson's salesman license for three years effective November 1, 1998. Sixty days of the suspension were active and the

remaining period stayed for a probationary term of two years and eleven months. The Commission found that Mr. Thompson, while licensed as a salesman and active under a supervising broker, had received referral fees in rental transactions without the broker's knowledge and without paying to the firm its share of the compensation received. The firm, after discovering this situation, has been paid its share of the compensation.

COLA F. VAUGHAN (Nags Head) - By Consent, the Commission suspended Mr. Vaughan's broker license for 60 days effective December 1, 1998. The Commission then stayed the suspension for a probationary term of one year. The Commission found

that Mr. Vaughan, as broker-in-charge, had failed to keep adequate records of trust funds as required by Commission rule. The Commission further found that as a result of his failure to maintain adequate records, Mr. Vaughan had spent the funds of others on repairs when there were no funds available, resulting in negative owner balances. The Commission noted that these negative balances have been corrected. The Commission further noted that Mr. Vaughan cooperated with the Commission investigation, immediately corrected his rule violations, brought his trust accounts into balance and instituted procedures in accord with Commission rules. ■

## ANNOUNCING...

**Commission's new  
telephone number!  
(919) 875-3700**

### *On the inside...*

**Bridgeman elected to  
State Legislature**

**Commission wins  
ARELLO award**

**Employment  
opportunity**

**Commission publishes  
*Residential Square  
Footage Guidelines***

***Residential Square  
Footage Guidelines*  
reprint**

**Commission Calendar**

**Communicating with  
the Commission**

***...and more.***

## *A reminder...*

**The countdown is on! June 10 is the deadline to earn  
continuing education credits for the current fiscal year.**

*75,250 copies of this public document were printed at a cost of \$.1917 per copy.*

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REAL ESTATE COMMISSION  
P.O. Box 17100  
Raleigh, NC 27619 - 7100

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