

Part I – Agency Profile

Agency Overview

The Idaho Real Estate Commission, created in 1947, is a self-governing agency authorized under Chapter 20, Title 54, Idaho Code. The Commission is a dedicated fund agency, with funding for all Commission operations coming primarily from license and application fees; the Real Estate Commission receives no general fund monies. The primary obligation of the Commission is to protect the public interest in regulated real estate transactions through administration of the Idaho Real Estate License Law and Rules. The Commission issues licenses to real estate brokers and sales associates, develops and oversees education programs and licensing exams, and investigates complaints and takes disciplinary actions for violations of the license law. The Commission is also charged with administering the State's Subdivided Lands Disposition Act (Chapter 18, Title 55, Idaho Code). The Act requires sellers of timeshares and out-of-state subdivision lots to register their projects with the Commission as a prerequisite to marketing them in Idaho.

The Commission is composed of five Governor-appointed Commissioners, including brokers from four geographic areas of the state, and one "at large" public member. The Commissioners meet approximately 9 times a year to establish the policies by which the Commission operates and to hear and decide enforcement matters. Commissioners hire an Executive Director to oversee agency operations and implement Commission policies. The Commission's 14 additional full-time employees are divided into three departments: Administration, Education & Licensing, and Enforcement.

In addition, the Real Estate Education Council is established by Idaho Code 54-2008 to serve as an advisory group to the Commission and to perform other duties related to planning, coordinating and directing education programs as authorized in the Council's bylaws. The Education Council consists of six members: four appointed by the Commission from the four geographic areas of the state; one Commissioner; and the Commission's Executive Director.

Approximately 91% of active Idaho licensees belong to the Idaho Association of REALTORS®, a prominent trade association for real estate licensees. Although the interests of the agency and the association may sometimes differ, the Commission works with the Association to develop consensus on issues affecting licensees.

Core Functions/Idaho Code

Education & Licensing Department – Issues and renews licenses for Idaho real estate brokers salespersons and companies, including verification of eligibility for licensure; develops and reviews curriculum for pre-license and post license education, the Commission's Business Conduct & Office Operations course, and annual Core courses; certifies courses, instructors and course providers and monitors their performance; audits licensee compliance with Continuing Education requirements; oversees license examination content and administration; oversees fingerprinting for background checks; oversees licensee Errors & Omissions insurance program and monitors licensee compliance with E&O requirement; processes records changes and requests for certified license and education histories.

Enforcement Department – Investigates complaints of alleged license law violations; inspects real estate brokerage trust accounts and office operations; recommends discipline for licensees and others for violations of the license law and monitors compliance; provides training and assistance to licensees, brokerages, and trade associations; oversees the timeshare and land registrations required under the Idaho Subdivided Lands Disposition Act.

Administration Department – Maintains the Commission website, online services and internal licensing database application; publishes and distributes the bi-annual licensee newsletter (the *Real Estatement*), annual license law booklet, and Commission-approved agency disclosure brochure; acts as a liaison with legislature and trade association (Idaho REALTORS®); performs fiscal, human resources and purchasing functions; and functions as support staff for the Commissioners, Education Council and legal counsel.

Revenue and Expenditures

| Revenue | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|-----------------------------|--------------------|--------------------|--------------------|--------------------|
| Special Real Estate Fund | \$1,038,233 | \$1,169,121 | \$1,265,982 | \$1,347,723 |
| Civil Penalty Fine Monies** | 181,006 | 127,495 | 150,606 | 193,869 |
| Total | \$1,219,239 | \$1,296,616 | \$1,416,588 | \$1,541,592 |
| Expenditures | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
| Personnel Costs | \$855,086 | \$881,782 | \$952,113 | \$937,895 |
| Operating Expenditures | \$480,095 | \$459,975 | \$418,417 | \$405,128 |
| Capital Outlay | \$0 | \$8,203 | \$18,127 | \$30,793 |
| Trustee/Benefit Payments | \$0 | \$0 | \$0 | \$0 |
| Total | \$1,335,181 | \$1,349,960 | \$1,388,657 | \$1,373,816 |

Profile of Cases Managed and/or Key Services Provided

| Cases Managed and/or Key Services Provided | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|----------------|----------------|-----------------|----------------|
| LICENSING DEPARTMENT | | | | |
| New Licenses Issued | 1,304 (+20.5%) | 1,539 (+18.0%) | 1,851 (+21%) | 1,816 (-1%) |
| Total License Count | 10,695 (+6.7%) | 11,434 (+6.9%) | 12,609 (+10.3%) | 13,276 (+5.3%) |
| (% Change from Previous Year) | | | | |
| ENFORCEMENT DEPARTMENT | | | | |
| Total Office Audits Completed | 212 | 189 | 203 | 183 |
| Total New Complaints Opened | 546 | 417 | 552 | 669 |
| Total Complaints Dismissed | 64 | 37 | 47 | 31 |
| Total Disciplinary Actions Taken | 480 | 390 | 503 | 598 |
| CE Disciplinary Actions | 119 | 136 | 140 | 189 |
| E&O Disciplinary Actions | 217 | 186 | 304 | 367 |
| Other Disciplinary Actions | 144 | 58 | 57 | 42 |
| EDUCATION DEPARTMENT | | | | |
| Certification of New | | | | |
| Courses | 86 | 84 | 79 | 58 |
| Instructors | 8 | 10 | 17 | 28 |
| Providers | 8 | 7 | 20 | 12 |
| Curriculum Evaluation | | | | |
| Sales Pre-License | Ongoing | Ongoing | Ongoing | Ongoing |
| Broker Pre-License | Ongoing | Ongoing | Ongoing | Ongoing |
| Education Council Course Audits | 13 | 12 | 12 | 8 |
| License Exam Statistics | | | | |
| Idaho exams administered | 2,712 | 2,871 | 3,376 | 3,509 |

Licensing Freedom Act

Agencies who participate in licensure must report on the number of applicants denied licensure or license renewal and the number of disciplinary actions taken against license holders.

| | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|---------|---------|---------|---------|
| BROKER LICENSE | | | | |
| Total Number of Licenses | 2,444 | 2,458 | 2,552 | 2,587 |
| Number of New Applicants Denied Licensure | 1 | 1 | 3 | 1 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 140 | 104 | 138 | 157 |
| Number of Final Disciplinary Actions Against Licensees | 121 | 93 | 126 | 142 |

| | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|---------|---------|---------|---------|
| SALESPERSON LICENSE | | | | |
| Total Number of Licenses | 8,150 | 8,905 | 9,863 | 10,689 |
| Number of New Applicants Denied Licensure | 5 | 8 | 3 | 2 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 334 | 321 | 411 | 503 |
| Number of Final Disciplinary Actions Against Licensees | 289 | 287 | 366 | 448 |
| COMPANY LICENSE | | | | |
| Total Number of Licenses | 763 | 779 | 820 | 864 |
| Number of New Applicants Denied Licensure | 0 | 0 | 0 | 0 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 49 | 42 | 42 | 40 |
| Number of Final Disciplinary Actions Against Licensees | 46 | 39 | 42 | 39 |
| COOPERATIVE BROKER LICENSE | | | | |
| Total Number of Licenses | 0 | 2 | 22 | 14 |
| Number of New Applicants Denied Licensure | 0 | 0 | 0 | 0 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 0 | 0 | 2 | 0 |
| Number of Final Disciplinary Actions Against Licensees | 0 | 0 | 0 | 2 |
| PROVIDER CERTIFICATION | | | | |
| Total Number of Licenses | 83 | 81 | 95 | 93 |
| Number of New Applicants Denied Licensure | 0 | 0 | 0 | 0 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 0 | 0 | 1 | 0 |
| Number of Final Disciplinary Actions Against Licensees | 0 | 0 | 0 | 0 |
| INSTRUCTOR CERTIFICATION | | | | |
| Total Number of Licenses | 69 | 68 | 64 | 78 |
| Number of New Applicants Denied Licensure | 1 | 0 | 3 | 0 |
| Number of Applicants Refused Renewal of a License | 0 | 0 | 0 | 0 |
| Number of Complaints Against Licensees | 0 | 0 | 0 | 0 |
| Number of Final Disciplinary Actions Against Licensees | 0 | 0 | 0 | 0 |
| SUBDIVIDED LANDS AND TIMESHARE REGISTRATION | | | | |
| Total Number of Licenses | NA | NA | NA | NA |
| Number of New Applicants Denied Licensure | NA | NA | NA | NA |
| Number of Applicants Refused Renewal of a License | NA | NA | NA | NA |
| Number of Complaints Against Licensees | 1 | 0 | 1 | 3 |
| Number of Final Disciplinary Actions Against Licensees | 0 | 0 | 0 | 0 |

Red Tape Reduction Act

Each agency shall incorporate into its strategic plan a summary of how it will implement the Red Tape Reduction Act, including any associated goals, objectives, tasks, or performance targets. This information may be included as an addendum.

| | As of July 1, 2019 |
|------------------------|--------------------|
| Number of Chapters | 1 |
| Number of Words | 4,136 |
| Number of Restrictions | 82 |

Part II – Performance Measures

| Performance Measure | | FY 2016 | FY 2017 | FY 2018 | FY 2019 | FY 2020 |
|---|--------|------------------------------------|-----------------------------------|------------------------------------|------------------------------------|-----------------------------------|
| Goal 2 – Improve the quality and relevance of education programs for new and existing licensees. | | | | | | |
| 1. Number of sales associate and broker prelicense courses reviewed and updated each year for relevance and current laws | actual | Sales Associate: No Broker: Yes | Sales Associate: No Broker: No | Sales Associate: No Broker: Yes | Sales Associate: 0% Broker: 40% | ----- |
| | target | 25% | 25% | 25% | 25% | 25% |
| Goal 3 – Improve administration of licensing process to promptly and efficiently process licensing paperwork. | | | | | | |
| 2. Number of completed license applications and notice of change forms processed and approved within ten (10) business days from receipt | actual | X | X | X | 100% | ----- |
| | target | 100% | 100% | 100% | 100% | 100% |
| Goal 4 – Assure consistent licensee compliance with real estate license law. | | | | | | |
| 3. Maintain bi-annual audit schedule for Idaho brokerages | actual | Yes | Yes | No | No | ----- |
| | target | 50% of offices each year | 50% of offices each year | 50% of offices each year | 50% of offices each year | 50% of level 2+ offices each year |
| 4. Number of investigations completed within 6 months from opening of case | actual | 95% | 93% | 90% | 90% | ----- |
| | target | 100% | 100% | 100% | 100% | 100% |
| Goal 5 – Develop and maintain technology, procedures and staff training to ensure efficient operations and customer service. | | | | | | |
| 5. Number of callers or e-mail inquiries who are able to make contact with a staff member within one business day of contacting the commission office | actual | X | X | X | 100% | ----- |
| | target | 100% | 100% | 100% | 100% | 100% |

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