

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. Executive Order 2020-10 moved the Real Estate Commission from a stand-alone agency to be included under the Division of Occupational and Professional Licensing. 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 13 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 2017	FY 2018	FY 2019	FY 2020
Special Real Estate Fund	\$1,169,121	\$1,265,982	\$1,347,723	\$1,332,894
Civil Penalty Fine Monies**	\$127,495	\$150,606	\$193,869	\$187,856
Total	\$1,296,616	\$1,416,588	\$1,541,592	\$1,520,750
Expenditures	FY 2017	FY 2018	FY 2019	FY 2020
Personnel Costs	\$881,782	\$952,113	\$937,895	\$1,023,241
Operating Expenditures	\$459,975	\$418,417	\$405,128	\$633,549
Capital Outlay	\$8,203	\$18,127	\$30,793	\$22,586
Trustee/Benefit Payments	\$0	\$0	\$0	\$0
Total	\$1,349,960	\$1,388,657	\$1,373,816	\$1,679,377

Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2017	FY 2018	FY 2019	FY 2020
LICENSING DEPARTMENT				
New Licenses Issued	1,539 (+18.0%)	1,851 (+21%)	1,816 (-1%)	1,545 (-15%)
Total License Count (% Change from Previous Year)	11,434 (+6.9%)	12,609 (+10.3%)	13,276 (+5.3%)	13,921 (+4.6%)
ENFORCEMENT DEPARTMENT				
Total Office Audits Completed	189	203	183	369
Total New Complaints Opened	417	552	669	597
Total Complaints Dismissed	37	47	31	35
Total Disciplinary Actions Taken	390	503	598	562
CE Disciplinary Actions	136	140	189	250
E&O Disciplinary Actions	186	304	367	240
Other Disciplinary Actions	58	57	42	72
EDUCATION DEPARTMENT				
Certification of New				
Courses	84	79	58	48
Instructors	10	17	28	13
Providers	7	20	12	8
Curriculum Evaluation				
Sales Pre-License	Ongoing	Ongoing	Ongoing	Ongoing
Broker Pre-License	Ongoing	Ongoing	Ongoing	Ongoing
Education Council Course Audits	12	12	8	10
License Exam Statistics				
Idaho exams administered	2,871	3,376	3,509	2,890

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 2017	FY 2018	FY 2019	FY 2020
BROKER LICENSE				
Total Number of Licenses	2,458	2,552	2,587	2,644
Number of New Applicants Denied Licensure	1	3	1	0
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	104	138	157	132
Number of Final Disciplinary Actions Against Licensees	93	126	142	115

	FY 2017	FY 2018	FY 2019	FY 2020
SALESPERSON LICENSE				
Total Number of Licenses	8,905	9,863	10,689	11,277
Number of New Applicants Denied Licensure	8	3	2	1
Number of Applicants Refused Renewal of a License	0	0	0	0
Number of Complaints Against Licensees	321	411	503	400
Number of Final Disciplinary Actions Against Licensees	287	366	448	382
COMPANY LICENSE				
Total Number of Licenses	779	820	864	903
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	42	42	40	35
Number of Final Disciplinary Actions Against Licensees	39	42	39	31
COOPERATIVE BROKER LICENSE				
Total Number of Licenses	2	22	14	35
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	2	0	1
Number of Final Disciplinary Actions Against Licensees	0	0	2	0
PROVIDER CERTIFICATION				
Total Number of Licenses	81	95	93	91
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	1	0	0
Number of Final Disciplinary Actions Against Licensees	0	0	0	0
INSTRUCTOR CERTIFICATION				
Total Number of Licenses	68	64	78	68
Number of New Applicants Denied Licensure	0	3	0	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	0	1	3	0
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	As of July 1, 2020
Number of Chapters	1	1
Number of Words	4,136	4,136
Number of Restrictions	82	82

Part II – Performance Measures

Performance Measure		FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
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: No	Sales Associate: No Broker: Yes	Sales Associate: 0% Broker: 40%	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	100%	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	25% of offices	31% of offices	25% of offices	39% of offices	-----
	target	50% of offices each year	50% of offices each year	50% of offices each year	50% of level 2+ offices each year	50% of level 2+ offices each year
4. Number of investigations completed within 6 months from opening of case	actual	93%	90%	90%	92%	-----
	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	100%	100%	-----
	target	100%	100%	100%	100%	100%

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