



NORTH CAROLINA REAL ESTATE COMMISSION

Q. What is the Real Estate Commission?

A. The North Carolina Real Estate Commission (“Commission”) is an independent state government agency. The Commission’s primary function is to license and regulate North Carolina’s real estate brokers (persons and firms who sell, lease, etc. real estate for others).

The Commission also registers and regulates sales activities of time share projects, where ownership in a single living unit (usually a resort condominium) is shared by many persons, and regulates brokers who act as time share agents.

In addition, the Commission disseminates information of interest to brokers and consumers about residential and commercial real estate transactions, including sales and rental management.

The Commission should not be confused with NC REALTORS® (including its local and regional boards and associations), a private trade organization whose members are known as “REALTORS®.”

Q. Can the Real Estate Commission give consumers legal advice or help them settle disputes with real estate brokers?

A. No. The Commission cannot enforce contracts or require real estate brokers to fulfill promises, reimburse money, or perform other acts. Persons who feel that money is owed to them in a real estate transaction or that a sales contract, lease, or other real estate contract has been breached should consult their private attorney for advice and assistance.

Q. What types of consumer complaints should be reported to the Real Estate Commission?

A. Buyers, sellers, landlords, tenants and other persons involved in real estate transactions who believe that they have been defrauded or victimized by the improper or incompetent acts of a real estate broker or a person acting as a real estate broker should report their complaints to the Commission’s Regulatory Affairs Division.

Q. What happens when a complaint is filed with the Real Estate Commission?

A. Persons who wish to file complaints against real estate brokers (including those associated with time share projects) may file a complaint at the Commission’s website, www.ncrec.gov.

Complaints are reviewed by the Commission’s regulatory staff and, if appropriate, an investigation or other inquiry is conducted.

If, following an investigation or other inquiry, it is determined that there appears to be sufficient proof (“probable cause”) that the broker has violated the Real Estate License Law or the Commission’s rules, and that discipline may be warranted, a hearing is ordered. The Commission’s hearings are conducted in accordance with the Administrative Procedures Act, NCGS Chapter 150B. During the hearing, the Commission receives the sworn testimony of witnesses and affords the broker the opportunity to answer the charges and present evidence in his or her defense. The broker may be represented by an attorney, and a staff attorney represents the Commission.

If, based upon the evidence, the Commission finds that the broker has violated the Real Estate License Law or Commission rules and that discipline is warranted, it can either (a) *reprimand* the broker; (b) *suspend* the broker’s real estate license for a definite period of time; (c) *revoke* the broker’s license; or (d) in the case of time share transactions, *fine* the time share project’s developer. [Note: Decisions of the Commission may be appealed by licensees through the court system.]

Q. Can the Real Estate Commission assist persons whose funds have been fraudulently taken by a real estate broker?

A. Persons who give down payments, earnest money deposits and other trust monies to licensed real estate brokers to be held pending the completion of real estate transactions, and whose funds are converted or embezzled by the broker, may, *under certain specific conditions*, receive reimbursement from the *Real Estate Recovery and Education Fund* which is maintained by the Commission. See N.C.G.S. Chapter 93A, Article 2.

EDUCATIONAL PROGRAMS/PUBLICATIONS

The Commission offers a variety of programs and publications for the benefit of consumers and brokers. Unless otherwise noted, the publications are available free of charge on the Commission’s website or can be purchased in bulk.

- **North Carolina Real Estate Manual.** Reference book for real estate practitioners and postlicensing course students. Available for purchase in print or as a website subscription.
- **Residential Square Footage Guidelines.** Booklet detailing how to measure, calculate and report the living area of residential buildings.
- **Real Estate Licensing in North Carolina.** Booklet containing information on application and licensing processes.
- **North Carolina Real Estate License Law and Commission Rules.** Booklet contains the License Law and Rules, and Comments to assist in understanding selected laws and rules.
- Question and Answer brochures addressing topics affecting real estate brokers and consumers: *Fair Housing,* Renting Residential Real Estate,* Tenant Security Deposits,* Condos and Townhouses, Home Inspections, Purchasing Coastal Real Estate in North Carolina, Residential Subdivisions and Planned Communities, Earnest Money Deposits, Real Estate Closings, Offer and Acceptance, Owning Vacation Rental Property and N.C. Military Personnel Residential Lease Termination.*
* Also available in Spanish
- **Residential Property and Owners’ Association Disclosure Statement.** A form required for owners of residential real estate to disclose the condition of their property to prospective purchasers.
- **Mineral and Oil and Gas Rights Disclosure Statement.** A form required for use by owners of residential real estate to disclose transfers of various surface and sub-surface rights.
- **Working with Real Estate Agents.** Brochure required for use by brokers in all real estate sales transactions describing the various roles of real estate brokers (English and Spanish).
- **EBulletin Digital Newsletter.** Newsletter distributed 12 times each year to North Carolina real estate brokers.
- **North Carolina Real Estate Agent Safety Guide.** Booklet containing tips for real estate brokers to promote personal safety in business practice and procedure.

- **Basic Trust Account Procedures Course.** Course conducted by Commission staff for North Carolina real estate brokers and trust account bookkeepers; \$45 per course; four (4) hours of continuing education elective credit is awarded for completing the course. Trust account guidelines are included.
- **Broker-In-Charge Best Practices Guide**
- **Issues and Answers in Real Estate Practice.** Refresher course on brokerage issues conducted by Commission staff. \$85 per course. No continuing education credit is granted for the course.
- **Broker-In-Charge Course.** 12-hour course conducted for new brokers-in-charge of real estate offices by Commission staff; \$110 per course.
- **Instructor Development Workshop.** An interactive course facilitated by Commission staff to benefit NC prelicensing and postlicensing instructors and school directors. \$85 per course. No continuing education credit is granted for the course.

Divisions & Personnel

REAL ESTATE COMMISSION

- **Commission:** Consists of nine volunteer members appointed by the Governor and General Assembly. At least three members *must be* real estate brokers, and at least two “public members” *must not be* involved in the real estate brokerage business.
- **Function:** Responsible for policy-making with regard to licensing and regulatory matters governing North Carolina real estate brokers. Also conducts hearings and takes disciplinary action against licensees for violations of the Real Estate License Law and Commission rules.

EXECUTIVE/ADMINISTRATION DIVISION

Function:

1. Overall administration of the Commission’s staff, programs, and operations in accordance with the policies and directives of the Commission, and legislative requirements.
2. Financial operations.
3. Personnel, purchasing, general and technical support services.
4. Website, fillable forms, communication with licensees and the public.
5. Coordination of Commission publications.

Continued

EDUCATION AND LICENSING DIVISION

Function:

1. Administering and monitoring prelicensing and postlicensing education, and continuing education program.
2. Processing applications for real estate licenses.
3. Administering real estate license examination program.
4. Maintaining records on real estate brokers, brokerage firms, brokers-in-charge, and time share projects.
5. Overseeing annual license renewal.
6. Teaching Broker-in-Charge courses.

REGULATORY AFFAIRS

Function:

1. Conducting inquiries and investigations of consumer and other complaints against real estate brokers and time share projects.
2. Examining trust accounts of real estate brokers.
3. Prosecuting charges against licensees at hearings before the Real Estate Commission.
4. Providing legal counsel to the Real Estate Commission.
5. Coordinating the rulemaking process.
6. Registering time share projects and regulating time share sales.
7. Teaching Trust Account and Issues and Answers courses.
8. Providing information to licensees and consumers concerning the Real Estate License Law and Commission rules.

WEBSITE

The Commission website, www.ncrec.gov, provides information for real estate brokers, consumers and applicants for licensure. It includes the following sections:

- **Home:** provides links to those areas of the site most frequently accessed: License Law/rules, broker login pages, broker and firm searches, and "What's New."
- **Licensing:** FAQs, broker and firm login, apply for a license, request application booklet, reinstate a license, licensure certification, broker searches.
- **Education:** FAQs, schools, course registration, continuing education, prelicensing, postlicensing.
- **Publications:** Real Estate Bulletin archives, publication order forms, broker education topics, property management resources.

- **Resources:** annual report, blog, FAQs, License Law/Rules, military resources, trust accounts, video library.
- **Consumers:** FAQs, complaint form, License Law/Rules, publications, video library, broker search.
- **Forms:** application, consumer, licensee, education, school, disputed trust account monies, time share registration, publications, program presenter.
- **About Us:** Commission members, mission and goals, meeting schedule and news, and employment opportunities, accessibility, contact info.

CONTACT INFORMATION

Main: 919/875-3700 • **Regulatory Affairs:** 919/719-9180

You will receive more immediate 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 entering the number shown parenthetically ().

Subject	Access Codes
• Broker license application, qualifications, examination, reinstatement.....	License Services (1)
• Firm licensing and limited nonresident commercial licenses.....	License Services (2)
• License status, renewal, education requirements, or to update your record.....	License Services (3)
• Complaints and legal matters* • (Consumer complaints/inquiries, pending cases/hearings, audits/investigations).....	Regulatory Affairs (4)
• Real Estate Instructors, Schools/Sponsors.....	Education and Licensing (5)
• Accounting.....	Executive Division (6)
• Administration and personnel matters.....	Administration (7)
• Other matters.....	Receptionist (0)

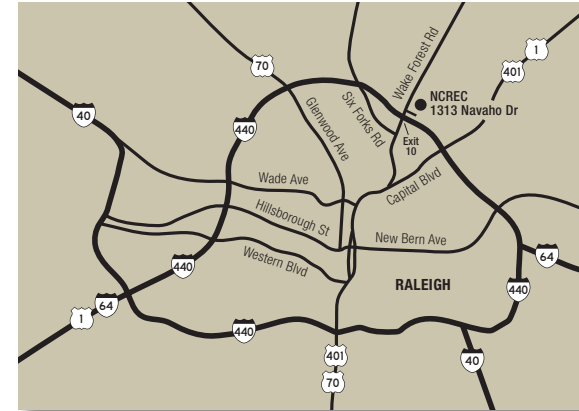
Email Addresses – Divisions/Sections

- Executive.....exec@ncrec.gov
- Administration.....admin@ncrec.gov
- Education & Licensing.....educ@ncrec.gov
- Regulatory Affairs.....RA@ncrec.gov
- License Services.....licenseservices@ncrec.gov
- Publications.....publications@ncrec.gov
- Website.....www.ncrec.gov

* **The Real Estate Commission is not authorized to give legal advice or answer questions on legal subjects other than the North Carolina Real Estate License Law or rules promulgated by the Real Estate Commission.**

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- **Address:** P.O. Box 17100, Raleigh, NC 27619-7100
- **Phone:** 919/875-3700
- **Regulatory Affairs:** 919/719-9180
- **Website:** www.ncrec.gov



- **Above:** Directions/map to North Carolina Real Estate Commission Office.

This pamphlet has been prepared and is distributed without charge to real estate licensees, consumers and interested persons for the purpose of promoting a better understanding of the functions, programs and organization of the North Carolina Real Estate Commission.

- **Below:** Scan QR code below to access the Commission website from your mobile devices.



- **Printing:** 8,000 copies of this public document were printed at a cost of \$.XXXX per copy.

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