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 the North Carolina Association of REALTORS® (including its local 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, including sales and rental management, may access a "Complaint Form" from the Commission's website at www.ncrec.gov or from the Commission office.

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 access a "Complaint Form" from the Commission's website at www.ncrec.gov or from the Commission office.

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) suspend the broker's license; (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, file 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 funds to licensed 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.

REAL ESTATE COMMISSION EDUCATIONAL PROGRAMS/PUBLICATIONS

- Residential Square Footage Guidelines. How to measure, calculate and report the living area of residential buildings.
- Real Estate Licensing in North Carolina. Free booklet containing information on application and licensing processes.
- Question and Answer brochures addressing topics affecting real estate brokers and consumers: Fair Housing • Renting Residential Real Estate • Tenant Security Deposits • Condominiums 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 use by 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).
- Real Estate Bulletin. Newsletter distributed three 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.
- Issues and Answers in Real Estate Practice. Refresher course on various 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; $100 per course.
- Broker-In-Charge Guide. Reference publication for brokers-in-charge of real estate offices and the text for the Broker-In-Charge 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 AND 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.
2. Financial operations.
3. Personnel, purchasing, and 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.
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 projects.
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, and firm and time share sales.
- **Licensing**: FAQs, broker and firm login, apply for a license, request application, 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 monties, time-share registration, publications, program presenter.
- **About Us**: Commission members, mission and goals, meeting schedule and news, and employment opportunities, accessibility, contact info.

INFORMATION DIRECTORY • 919/875-7700

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**
- Broker license application, qualifications, examination, reinstatement (Broker 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, School/Sponsors (Education and Licensing (5))
- Accounting, Executive Division (6)
- Administration and personnel matters (Administration (7))
- Other matters (Receptionist (9))

**Access Codes**

- 919/875-7700
- 919/875-3700
- licenseservices@ncrec.gov
- educ@ncrec.gov
- admin@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.