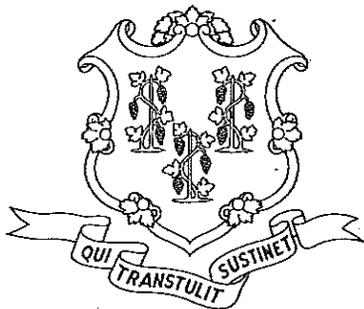


Connecticut Real Estate Commission

Connecticut
General Assembly



LEGISLATIVE
PROGRAM REVIEW
AND
INVESTIGATIONS
COMMITTEE

SUNSET 1982

CONNECTICUT GENERAL ASSEMBLY

LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 as the Legislative Program Review Committee to evaluate the efficiency and effectiveness of selected state programs and to recommend improvements where indicated. In 1975 the General Assembly expanded the Committee's function to include investigations and changed its name to the Legislative Program Review and Investigations Committee. During the 1977 session, the Committee's mandate was again expanded by the Executive Reorganization Act to include "Sunset" performance reviews of nearly 100 agencies, boards, and commissions, commencing on January 1, 1979.

The Committee is composed of twelve members, three each appointed by the Senate President Pro Tempore and Minority Leader, and the Speaker of the House and Minority Leader.

1981-82 Committee Members

Senate

Nancy L. Johnson, Co-chairman
M. Adela Eads
John C. Daniels
Margaret E. Morton
Amelia P. Mustone
Carl A. Zinsser

House

Joseph H. Harper, Jr., Co-chairman
William J. Cibes, Jr.
J. Peter Fusscas
Carol A. Herskowitz
Dorothy K. Osler
William J. Scully, Jr.

Committee Staff

Michael L. Nauer, Ph.D., Director
Kenneth L. Levine, Staff Attorney
Anne E. McAloon, Program Review Coordinator
George W. McKee, Sunset Review Coordinator
L. Spencer Cain, Program Analyst
Catherine McNeill Conlin, Program Analyst
Debra S. Eyges, Program Analyst
Jill E. Jensen, Program Analyst
Leslee L. Maltzer, Program Analyst
Toby Moore, Ph.D., Program Analyst
Gary J. Reardon, Program Analyst
Lillian B. Crovo, Administrative Assistant
Mary Lou Gilchrist, Administrative Assistant

Staff on this Project

Catherine McNeill Conlin, Principal Analyst

Legislative Office Building, 18 Trinity St., Hartford, CT 06115 (203)566-8480

SUNSET REVIEW 1982
REAL ESTATE COMMISSION

VOL III - 4

JANUARY 1982

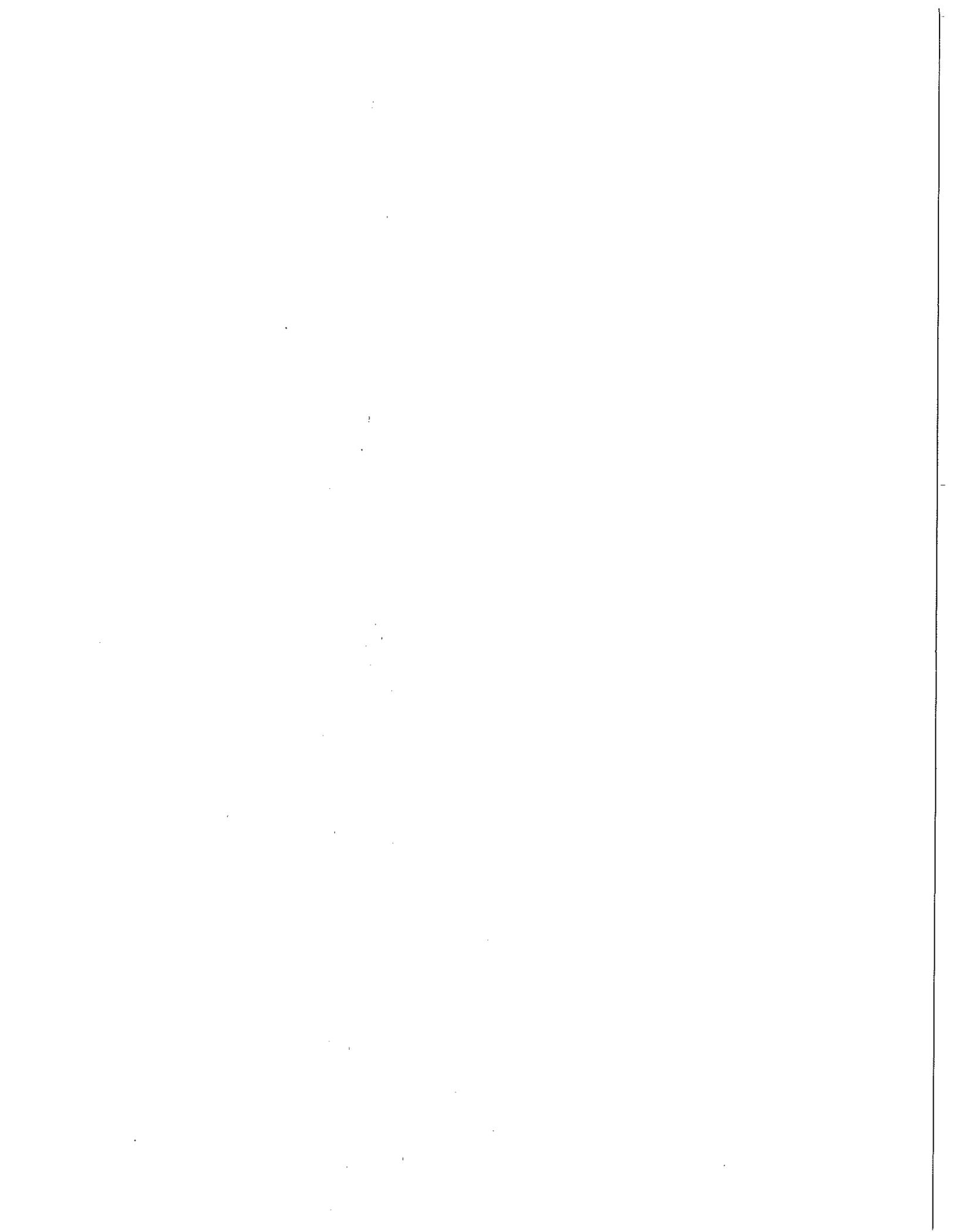
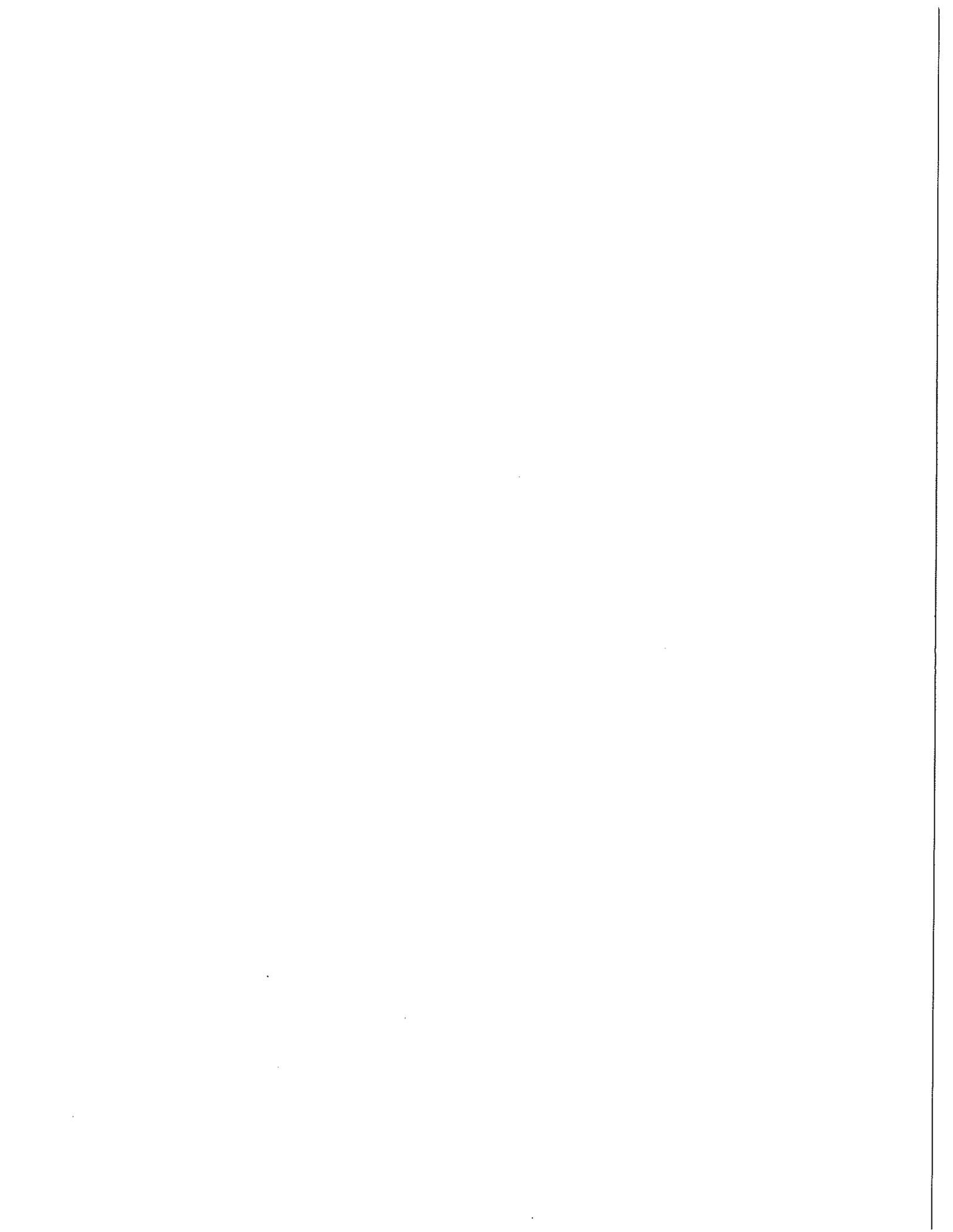


TABLE OF CONTENTS

SUMMARY.....	iii
I. INTRODUCTION.....	1
Purpose and Authority for Sunset Review....	1
Methodology.....	2
II. BACKGROUND.....	3
Legislative History.....	3
Nature of the Profession.....	5
Structure.....	8
Purpose, Powers and Duties.....	9
Fiscal Information.....	10
III. ACTIVITIES.....	13
IV. ANALYSIS AND RECOMMENDATIONS.....	17
APPENDICES.....	29
A. Department of Consumer Protection - General Provisions.....	31
B. Summary Sheet.....	37
C. Composite Picture of a Commission Meeting.....	41
D. Survey of Real Estate Commission Members.....	43
E. Survey of Random Sample of Real Estate Agents in Connecticut.....	47
F. Interstate Comparison of Educational and Experience Requirements.....	51
G. Legislative Changes.....	55
H. Interstate Comparison of Investi- gative Statistics.....	56



CONNECTICUT REAL ESTATE COMMISSION

SUMMARY

Connecticut began regulating the real estate industry in 1953, through the licensure of both brokers and salesmen. The state Insurance Department was responsible for the regulation until 1967, when an independent Real Estate Commission was created, consisting of five gubernatorial appointees.

Since 1977, the Real Estate Commission has been under the Department of Consumer Protection, which assigns staff to the commission and controls its budget. The commission oversees the practice of real estate and performs the following functions:

- approving the issuance of licenses
- approving schools, courses, and instructors in the real estate field
- providing examination for qualified applicants
- evaluating qualifications of individuals seeking licensure
- advising the Commissioner of Consumer Protection in the promulgation of regulation
- administering the Real Estate Guaranty Fund
- holding hearings on matters within its jurisdiction, and decide upon disciplinary action

Both brokers and salesmen must meet statutory licensing requirements to be eligible for the examination. Candidates for the salesman's examination must first complete an approved principles and practices course of at least 30 hours while a candidate for a broker's license must have at least two years' experience as a licensed salesperson and have completed the following educational requirements:

- an approved course in principles and practices of not less than 30 hours
- an approved course in appraisal of not less than 30 hours

- another approved course of not less than 30 hours, or
- equivalent experience or education as decided by the commission.

Currently, there are 15,681 brokers and 15,275 salesmen engaged in the real estate business in Connecticut. The revenue generated through licensure of brokers and salesmen, as well as other permits issued through the commission, totaled \$2,941,890. The commission expended \$272,534 during that same fiscal year.

The following is a summary of the committee's analysis and recommendations:

I. Existence and Location

The Legislative Program Review and Investigations Committee determined that the Real Estate Commission contributes valuable expertise, which is not otherwise available, to the department. In addition, the existence of the commission ensures the separation of the investigative function of the staff from the formal hearing conducted by the commission. Therefore, the Legislative Program Review and Investigations Committee recommends that *the Real Estate Commission be continued within the Department of Consumer Protection.*

II. Commission Membership

Several aspects of the Real Estate Commission's membership were reviewed and found to be in conflict with the model recommended by the Legislative Program Review and Investigations Committee in its 1980 General Sunset Report. To bring the commission in line with the model adopted by the General Assembly under P.A. 80-484, the Legislative Program Review and Investigations Committee recommends *the Real Estate Commission be expanded to seven members, with four industry representatives, including at least one broker and one salesman, and three public members.* The committee also recommends that *there be no experience requirement for membership.*

III. Level of Regulation

Because the statute specifies that a salesman must work on behalf of a broker, the committee reviewed whether licensure of salesmen was necessary or whether a less restrictive level of regulation would be more appropriate.

The committee concluded that the supervision exercised by the broker over the salesman is minimal. Therefore, the Legislative Program Review and Investigations Committee recommends that *the current licensure requirements be maintained for salesmen.*

IV. Educational Requirements

The Legislative Program Review and Investigations Committee reviewed Connecticut's prelicensing educational requirements to determine whether they pose an unnecessary restriction to entry. After analyzing the requirements, the committee determined that the courses do not place unreasonable demands on potential licensees but rather provide candidates with the knowledge to competently practice real estate. Therefore, the committee recommends that *the current educational requirements for both brokers and salesmen be maintained.*

V. Operating Procedures

Committee staff observed a number of commission meetings where decisions were made without requiring a formal vote; hence, no official vote was recorded in the minutes. The Legislative Program Review and Investigations Committee determined that these procedures needed modification and therefore recommends that *the Real Estate Commission take formal votes on all matters requiring a decision, and that the votes be recorded in the minutes.*

VI. Scope of Regulation

The committee found that the major purpose of the Real Estate Commission is to set standards for the profession and to hold formal disciplinary hearings. Therefore, the Legislative Program Review and Investigations Committee recommends that *the Real Estate Commission's functions be limited to licensing and regulating brokers and salesmen, with other areas--interstate land sales, mobile home parks, real property securities and syndications--coming under the jurisdiction of the department, with the commission serving as an appeals board.*

The Legislative Program Review and Investigations Committee also focused on the commission's approval of schools, courses, and instructors. The committee reasoned that since the standards for instructors are placed in regulation, it is unnecessary for the commission to approve individual instructors, since individual schools could approve their own instructors.

Consequently, the Legislative Program Review and Investigations Committee recommends that *the Real Estate Commission approve only schools and courses, not individual instructors.*

VII. Criteria for Licensing Out-of-State Applicants

The committee's analysis of the reciprocity issue concluded that the overriding consideration in licensing, whether the applicant is from out-of-state or not, should be competence and not whether the other state grants similar privileges to Connecticut.

Therefore, the committee recommends that the Real Estate Commission adopt the following criteria for applicants licensed in other states.

If an applicant is licensed in another state, the department shall issue a license to the applicant upon evidence that:

- 1) *the applicant is a currently practicing, competent broker or salesman;*
- 2) *the applicant currently holds a valid license in another state;*
- 3) *no disciplinary proceeding or unresolved complaint is pending anywhere at the time the license is to be issued by this state;*
- 4) *the licensure requirements in the other states are substantially similar to or higher than those required by this state;*
- 5) *the applicant has submitted a fee determined by the department;*
- 6) *the applicant has taken the Connecticut portion of the real estate examination.*

VIII. Staff - Outside Teaching Activities

Staff to the commission initially receive and review applications for school, course, and instructor approval. Also, a number of commission staff were privy to the development of questions for the Connecticut section of the ETS examination. The committee determined that this situation poses a potential for conflict of interest; therefore, it recommends that *the staff to the Real Estate Commission be statutorily prohibited from teaching courses used as prerequisites for licensure.*

IX. Examination Passing Score

Currently, the Real Estate Commission has the authority to change the examination passing score without public notice. The Legislative Program Review and Investigations Committee recommends that *the examination passing score be placed in regulation.* This would require that any change be subject to the Uniform Administrative Procedures Act, necessitating a public hearing and approval by the legislature's Regulations Review Committee.

X. Guaranty Fund

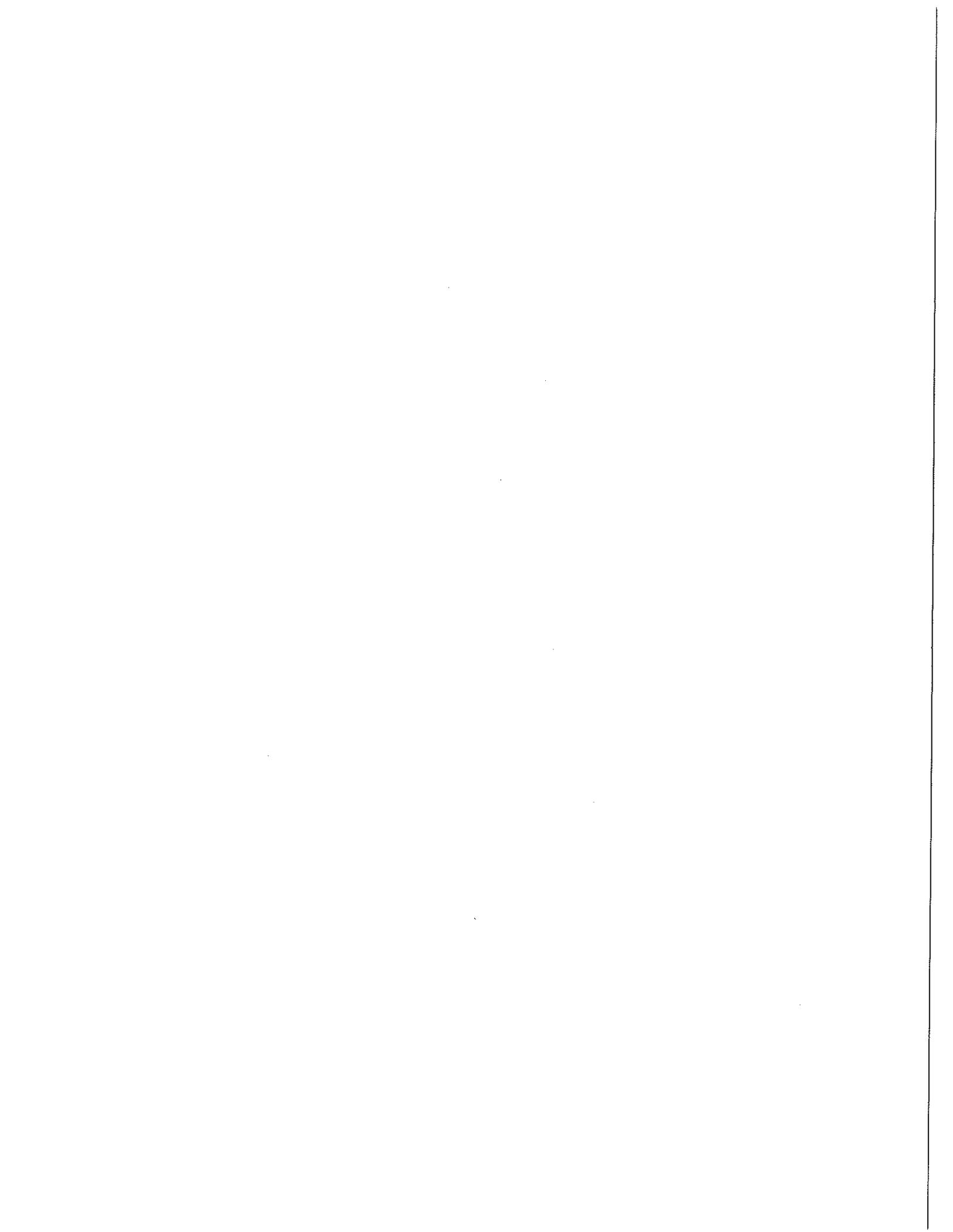
The guaranty fund is a pool of money created through a portion of licensing fees to reimburse consumers who suffer losses due to illegal acts on the part of licensees.

To promote accessibility to the consumer, the Legislative Program Review and Investigations Committee recommends the following changes in the fund:

- a) *the statute be changed so that the aggrieved person, after obtaining a judgement of fraud, and upon notifying the commission, appear before the Real Estate Commission instead of the court, to prove that he/she has made every attempt to recover losses, as required in Sec. 20-324e of the Connecticut General Statutes;*
- b) *the level of the maximum claim be raised from \$10,000 to \$25,000.*

To make the disciplinary sanctions against the violating agent more stringent, the committee recommends that *the violating agent's license be revoked when the judgement of fraud, deceit, misrepresentation, etc., is obtained.*

To be eligible for obtaining a new license, the violating agent must first repay the amount claimed against the guaranty fund, with 4 percent interest. The committee assessed this interest rate as too low and, therefore, recommends that *the interest level on the amount paid from the guaranty fund should be established by the Real Estate Commission, and should reflect current market rates.*



INTRODUCTION

Purpose and Authority for the Sunset Review

Chapter 28 of the Connecticut General Statutes provides for the periodic review of certain governmental entities and programs and for the termination or modification of those which do not significantly benefit the public health, safety, or welfare. This law was enacted in response to a legislative finding that there had been a proliferation of governmental entities and programs without sufficient legislative oversight.

The authority for undertaking the initial review in this oversight process is vested in the Legislative Program Review and Investigations Committee. This committee is charged, under the provisions of section 2c-3 of chapter 28, with conducting a performance audit of each entity or program scheduled for termination. This audit must take into consideration, but is not limited to, the four criteria set forth in section 2c-7. These criteria include: (1) whether termination of the entity or program would significantly endanger the public health, safety, or welfare; (2) whether the public could be adequately protected by another statute, entity, or program or by a less restrictive method of regulation; (3) whether the governmental entity or program produces any direct or indirect increase in the cost of goods or services and, if it does, whether the public benefits attributable to the entity or program outweigh the public burden of the increase in cost; and (4) whether the effective operation of the governmental entity or program is impeded by existing statutes, regulations, or policies, including budgetary and personnel policies.

In addition to the criteria contained in section 2c-7, the Legislative Program Review and Investigations Committee is required, when reviewing regulatory entities or programs, to consider, among other things: (1) the extent to which qualified applicants have been permitted to engage in any profession, occupation, trade, or activity regulated by the entity or program; (2) the extent to which the governmental entity involved has complied with federal and state affirmative action requirements; (3) the extent to which the governmental entity involved has recommended statutory changes which would benefit the public as opposed to the persons regulated; (4) the extent to which the governmental entity involved has encouraged public participation in the formulation of its regulations and policies; and (5) the manner in which the governmental entity involved has processed and resolved public complaints concerning persons subject to review.

In accordance with its legislative mandate, the Legislative Program Review and Investigations Committee reviewed sixteen entities and programs scheduled to terminate July 1, 1982. Contained in this report to the General Assembly is the result of the committee's review of the Real Estate Commission.

Methodology

The Legislative Program Review and Investigations Committee's sunset review was divided into three phases. The initial step focused on collecting quantitative and qualitative data related to each entity's background, purpose, powers, duties, costs, and accomplishments. Several methods were used by committee members and staff to obtain this information. These include: (1) a review of statutes, transcripts of legislative hearings, entity records (including minutes, complaint files, test results and reports), and data and statutes of other states; (2) staff observations of numerous meetings held by each entity between January and August of 1981; (3) surveys of persons connected with each entity; (4) formal and informal interviews of selected individuals serving on, staffing, affected by, or knowledgeable about each entity; and (5) testimony received at public hearings.

During the second phase, the staff organized the information into descriptive packages and presented them to the committee. The presentations took place in public sessions designed to prepare committee members for the hearings, identify options for exploration, and alert entity officials to the issues the committee would pursue at the hearings. Seven public hearings concluded this phase.

The final step of the review involved committee members and staff following up on and clarifying issues raised at briefings and public hearings. During this period, the staff prepared decision papers and presented recommendations to the committee. The committee, in public sessions, then debated and voted upon recommendations for the continuation, termination or modification of each entity.

BACKGROUND

Legislative History

Connecticut began regulating the real estate industry, through licensure of brokers and salesmen, in 1953 with enactment of P.A. 410. At this time, 39 states had already regulated the business. The Connecticut General Assembly moved to enact this legislation after hearing testimony from those involved in the industry that unscrupulous and unethical agents were engaging in the practice of real estate.

The legislature assigned the regulation of the industry and the licensing of agents to the state Insurance Department to avoid incurring the substantial administrative costs of establishing a separate regulatory agency. This act also stated that after October 1, 1953, any person engaged in the business of real estate would be required to apply to the state Insurance Commissioner for a real estate license and be required to take an exam as prescribed by the commissioner. The legislation further required each agent to post a bond with the Insurance Commissioner (\$2500 for brokers, \$1000 for salesmen) as a form of public protection.

The licensing and regulation remained virtually unchanged until 1967, when a number of major modifications were made.

First, the legislature created a separate Real Estate Commission, after considerable concern was expressed by the real estate industry that it was not given adequate attention by the Insurance Department. Although the establishment of a separate commission necessitated an increase in the cost of regulation, the legislature was convinced that the real estate industry needed the authority to police itself.

The Real Estate Commission was to be appointed by the governor and consist of five members, four of them licensed brokers with ten years' experience. The legislation further required that the commission meet at least quarterly.

Also passed during that 1967 legislative session was P.A. 445 establishing a prerequisite for licensure as a broker. The applicant had to show that he qualified for licensure by meeting one of the following requirements:

- a) one year as a salesman under the supervision of a licensed broker and completion of an approved principles and practices course of not less than 24 hours;

- b) completion of an approved principles and practices course of not less than 24 hours and a high school diploma;
- c) completion of an approved principles and practices course of not less than 24 hours, and completion of other approved course work totaling another 24 hours;
- d) two consecutive years as a salesman under the supervision of a licensed broker; or
- e) equivalent education or experience as determined by the commission.

Two years after the establishment of the separate commission, the law requiring the posting of surety bonds by agents was repealed and a guaranty fund was created for recovery of consumer losses due to fraud, embezzlement, or otherwise unlawfully obtained funds. The commission's regulatory role was expanded considerably over the next few years with the interstate land sales being added through P.A. 69-12 and real property securities in 1971, by P.A. 71-8.

A year later the licensure and regulation of mobile home parks was mandated as a commission responsibility by P.A. 72-186, and in 1973, the commission also began regulating the real estate syndicate securities, through passage of P.A. 73-593.

The eligibility requirements for licensure were upgraded again in 1973 (P.A. 73-163), requiring an approved principles and practices course of not less than 30 hours for a salesman. In addition, to be eligible to sit for the broker's exam, the applicant had to have two years' experience as a salesman under the supervision of a licensed broker and meet the following educational requirements:

- an approved 30 hour principles and practices course;
- an approved 30 hour course in appraisal; and
- an additional 30 hours of course work as prescribed by the commission.

The regulation of the industry and the real estate commission itself remained relatively unchanged until 1977, when the executive reorganization act significantly altered the commission. The act placed the Real Estate Commission under the Department of Consumer Protection and changed the commission's membership

by requiring two public members instead of one. Since reorganization, there have been only a couple of changes to the industry. First, the legislature established a real estate intern program through P.A. 79-74, allowing a person enrolled in such a program through an accredited school to an exemption from the licensing requirements, as long as the student is under the direct supervision of a licensed broker.

In 1980, through P.A. 80-99, the General Assembly passed what could be termed "consumer legislation," requiring that written agreements relating to the compensation of the broker should be in boldface type, stating that the amount of commission is negotiable.

Nature of the Profession

The practice of real estate is defined in the Connecticut General Statutes as follows:

"Engaging in the real estate business" means acting for another and for a fee, commission or other valuable consideration in the listing for sale, selling, exchanging, buying or renting, or offering or attempting to negotiate a sale, exchange, purchase or rental of, an estate or interest in real estate, or collecting upon, or offering or attempting to negotiate, a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate, and said term includes engaging in the business, for a fee, in connection with any contract whereby any person undertakes to promote the sale of real estate through the listing of such property in a publication issued primarily for such purpose or for referral of information concerning properties to licensed real estate brokers or both.¹

Basically, the real estate business is divided into two levels of practice, the broker and the salesman, which are similarly defined in all fifty states. Connecticut's definitions of these levels are again outlined in statute:

"Real estate broker" means any person, partnership, association or corporation which, for

¹ General Statutes of Connecticut, Section 20-311(c).

another and for a fee, commission or other valuable consideration, lists for sale, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale, exchange, purchase or rental of, an estate or interest in real estate, or collects or offers or attempts to collect rent for the use of real estate, or negotiates or offers or attempts to negotiate a loan secured or to be secured by a mortgage or other encumbrance upon or transfer of real estate,...[or] in connection with any contract whereby he undertakes to promote the sale of real estate through the listing of such property with a referral service, or in a publication issued primarily for such purpose or for referral of information concerning properties to licensed real estate brokers or both.²

"Real estate salesman" means a person affiliated with any real estate broker as an independent contractor or employed by a real estate broker... provided employees of any real estate broker whose principal occupation is clerical work in an office, or janitors or custodians engaged principally in that occupation, shall not be deemed to be real estate salesmen within the terms of this chapter.³

The scope of this licensing law is clearly very broad. Anyone involved in any activity related to the sale, rental, exchange or purchase of real property, conducted for a fee is covered by the licensing law.

The salesman, under Connecticut law must work on "behalf" of a broker, with whom he is registered, and "under no circumstances can a salesperson accept a listing or perform any brokerage operations on his or her own or for another broker."⁴

The Connecticut law also clearly states that the broker is liable for any action brought against a salesman, whether

² General Statutes of Connecticut, Section 20-311(a).

³ General Statutes of Connecticut, Section 20-311(b).

⁴ Michael L. Galonska, Modern Real Estate Practice, (Chicago: Real Estate Education Co., 1977), p. S5-3.

the salesman is an employee or an independent contractor.

Connecticut, as does other states, sets forth statutory grounds for the suspension or revocation of a license. In Connecticut, if a licensee is found guilty of any of the following, it would be cause for disciplinary action:

- making any material misrepresentation;
- making any false promise of a character likely to influence, persuade or induce;
- acting for more than one party in a transaction without the knowledge of all parties for whom he acts;
- representing or attempting to represent a real estate broker other than his employer, without the express knowledge and consent of his employer;
- failing, within a reasonable time, to account for or remit any moneys coming into his possession which belong to others;
- entering into an exclusive listing contract which contains a fixed termination date if such contract also provides for an automatic continuation of the period of such listing beyond such date;
- failing to deliver immediately a copy of any instrument to any party or parties executing the same, where such instrument has been prepared by such licensee or under his supervision and where such instrument relates to the employment of the licensee or to any matters pertaining to the consummation of a lease, or the purchase, sale or exchange of real property or any other type of real estate transaction in which he may participate as a broker or a salesman;
- conviction in a court of competent jurisdiction of this or any other state of forgery, embezzlement, obtaining money under false pretenses, larceny, extortion, conspiracy to defraud, or other like offense or offenses.

- collecting compensation in advance of services to be performed and failing, upon demand of his principal or the commission, to render an accounting of the use of such money;
- commingling funds of others with his own, or failing to keep such funds of others in an escrow or trustee account;
- any act or conduct which constitutes dishonest, fraudulent or improper dealings; and/or
- a violation of any provision of this chapter [ch. 392] or of any regulation issued under this chapter.⁵

Aside from the statutory grounds for suspension or revocation listed above, Connecticut real estate practice is also governed by a number of regulations concerning the conduct of real estate brokers and salesmen. These requirements comprise the listing agreements and what they must include, the advertising of a broker's services, the marketing of the property, commissions, and general ethical conduct.

Structure

The Connecticut Real Estate Commission is currently composed of five members, three of whom are brokers with ten years' experience, and two public members. The real estate commission is located within the Department of Consumer Protection.

The commission has a staff of 16 which are assigned to one of the following units--investigative, licensing, education, interstate land sales, mobile home, and real property securities.

The investigative division is responsible for two major areas, the examination of the management and operating procedures of brokers' offices to determine compliance with all laws and regulations, and the investigation of complaints registered against licensees.

The educational division qualifies and monitors schools, courses, instructors, as well as advertising in accordance with regulations and commission guidelines.

The licensing unit has jurisdiction over reviewing and processing license applications for both brokers and salesmen, while the interstate land sales division is responsible for processing all filings of out-of-state developments that have

⁵ General Statutes of Connecticut, Sec. 20-320,

not been approved with the Federal Office of Interstate Land Sales.

The final two divisions under the Real Estate Commission--the mobile home park unit, and the real property security unit--are respectively responsible for the licensing and regulation of all mobile home parks in the state and the administration of both the real property securities and the real estate syndicate securities laws, which generally apply to any security which has real estate as an underlying asset.

Purpose, Powers, and Duties

The Real Estate Commission's major purpose is to oversee the practice of real estate in Connecticut. To carry out this major purpose, the Real Estate Commission is charged with the following statutory powers and duties:

- To issue licenses and permits in the following areas:
 - real estate brokers and salesmen (C.G.S. Sec. 20-314)
 - mobile home parks (C.G.S. Sec. 21-67)
 - interstate land sales (C.G.S. Sec. 20-329a-20-329n)
 - real property securities (C.G.S. Sec. 20-329o - 20-329bb)
 - real estate syndications (C.G.S. Sec. 47-91 - 47-115)
- To approve schools, courses and instructors in the real estate field (C.G.S. Sec. 20-314a)
- To provide examination(s) for qualified applicants (C.G.S. Sec. 20-314(c))
- To evaluate the qualifications and individuals seeking licensure (C.G.S. Sec. 20-314(c))
- To advise the Commissioner of Consumer Protection on promulgation of regulations (C.G.S. Sec. 19-171f(d))
- To approve applications for the student intern program (C.G.S. Sec. 20-314(c))

- To maintain, and make payments from the Real Estate Guaranty Fund, established to reimburse upon court order, persons who suffer financial losses due to fraudulent activities by either real estate salesmen or brokers (C.G.S. Sec. 20-324a - 20-324j)
- To hold hearings on matters within its jurisdiction, and decide upon disciplinary action (C.G.S. Sec. 20-320 - Sec. 20-324)

Fiscal Information

The Real Estate Commission does not have its own budget, but rather it is controlled by the Department of Consumer Protection.

However, below is an outline of the total revenue realized through the real estate licensing activities during fiscal year 1980:

Salesmen licenses.....	\$1,196,875.00
Brokers licenses.....	1,604,800.00
Application fees.....	60,985.00
Out-of-state-land-sale fees.....	33,650.00
Transfer fees.....	9,615.00
Mobile homes: application.....	43.00
Mobile homes: licenses	
temporary permits.....	29,253.00
Real property syndications.....	6,255.60
Real property dealers licenses.....	320.00
Miscellaneous.....	<u>100.00</u>
Total.....	\$2,941,890.00

Table I indicates the expenditure levels of the Real Estate Commission for FY 1980 and estimated FY 1981.

Table I. Expenditures - Real Estate Commission.

	FY 1980	Estimated FY 1981
Board Expenses	\$ 1,933	\$ 1,601
Staff Expenses	209,845	196,575
Other Expenses	41,545	42,067
Administrative Exp.	<u>19,211</u>	<u>32,130</u>
Total Expenses	\$272,534	272,373

Source: Department of Consumer Protection

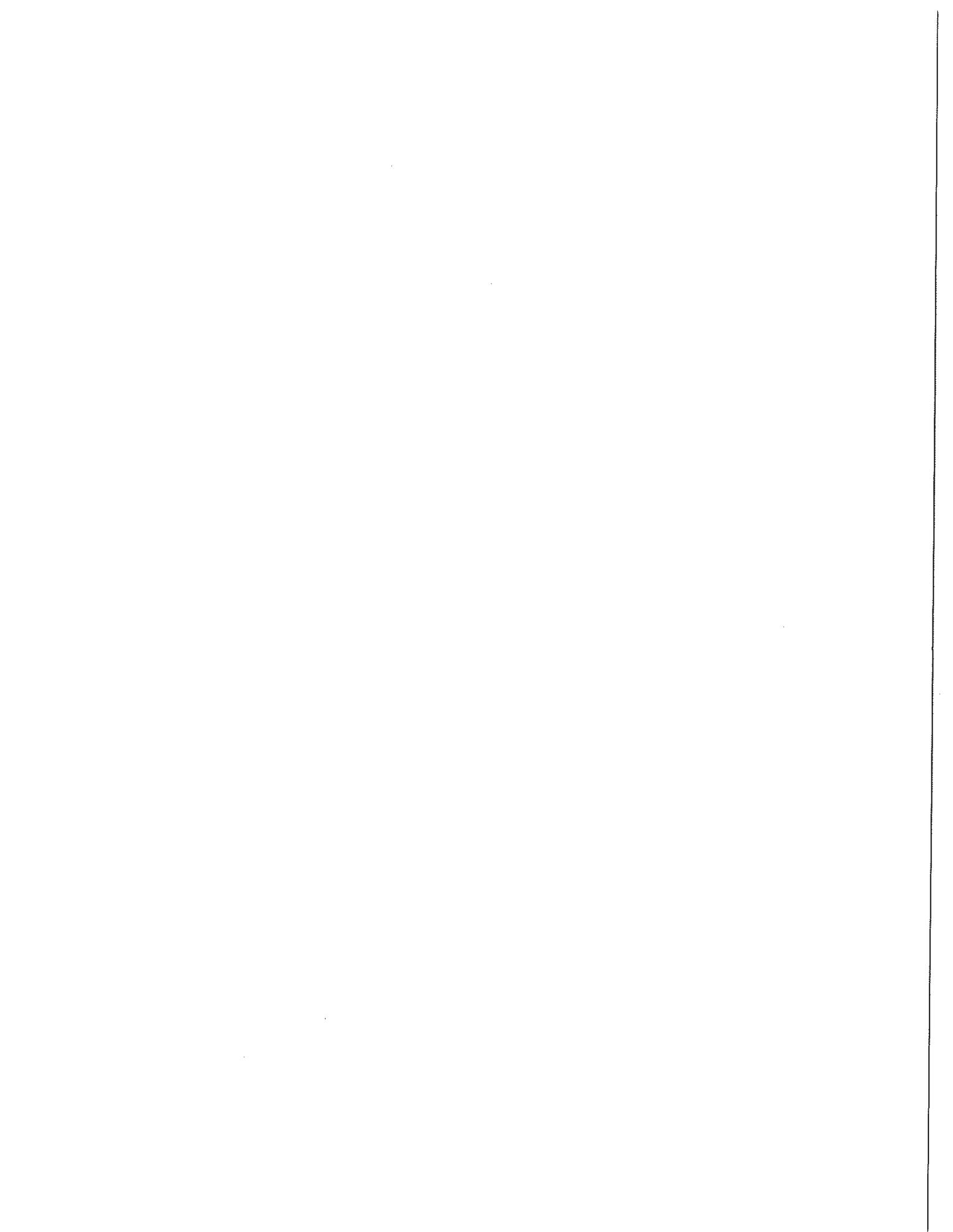
The individual fee schedule for salesmen and brokers is shown in Table II.

Table II. Fee Schedule

	<u>Application*</u>	<u>Initial License</u>	<u>Annual Renewal</u>
Broker	\$15.00	\$150.00	\$100.00
Salesman	10.00	75.00	75.00

* Does not include examination fee.

Source: Department of Consumer Protection



ACTIVITIES

The Real Estate Commission meets monthly at the commission offices in Hartford. The average meeting lasts between five and six hours, and the average attendance is 3.5 members.

While some of the regulatory activities require direct commission involvement, most do not. For example, the procedure for licensing does not usually involve the commission itself, but rather the staff first reviews the application, and if all prerequisites for licensure are met, the applicant is given approval to sit for the exam. However, if one of the licensing requirements is not met, the applicant may request a waiver, which then must be approved by the commission itself. It has been the commission's policy to disallow substitution of education for experience or vice versa, under this waiver provision. Based on an examination of the 1980 minutes, the commission reviewed an average of 18 waiver requests per meeting, and of those, 62 percent were approved.

Table III below shows a breakdown of total licenses issued in 1980, indicating an almost even split between brokers and salesmen.

Table III. Licenses Issued - Calendar Year 1980

	<u>Initial</u>	<u>Renewal</u>	<u>Total</u>
Salesman	3,452	11,823	15,275
Broker	903	14,778	15,681

Source: Annual commission staff report submitted to Connecticut Real Estate Commission, February 1981

In addition to licensing brokers and salesmen, the commission issued the following operating licenses and permits during calendar year 1980:

Interstate land sales	131
Mobile home parks	235
Syndications	27

The other major activity of the commission is the handling of complaints. In the calendar year 1980, there were 414

complaints registered from the following sources:

Public	-	380
Licensees	-	15
Commission	-	19
Total		<u>414</u>

Upon investigation, 369 of these were found to be valid, with seven being brought to a full formal hearing. This number is low compared with other states (see Appendix E); however, it is the Department of Consumer Protection's policy to resolve complaints at the earliest stage possible, rather than investigate them with an eye to preparing for a formal hearing. (See Figure I for a diagram of the complaint procedure)

A running tabulation of complaints handled during FY 1981 is:

Total	-	357
Closed	-	198
Open	-	159

These complaints break down into the following categories:

DEALINGS (C.G.S. Sec. 20-320-(11) - involves brokers and salesmen whose practice is not in conformity with general standards and it usually denotes a pattern (e.g. failing to include pertinent information in the offering). (174)⁶

MISREPRESENTATION (C.G.S. 20-320(1) - knowing and failing to submit information to a consumer such as physical conditions of the property, inflating sales prices. (40)

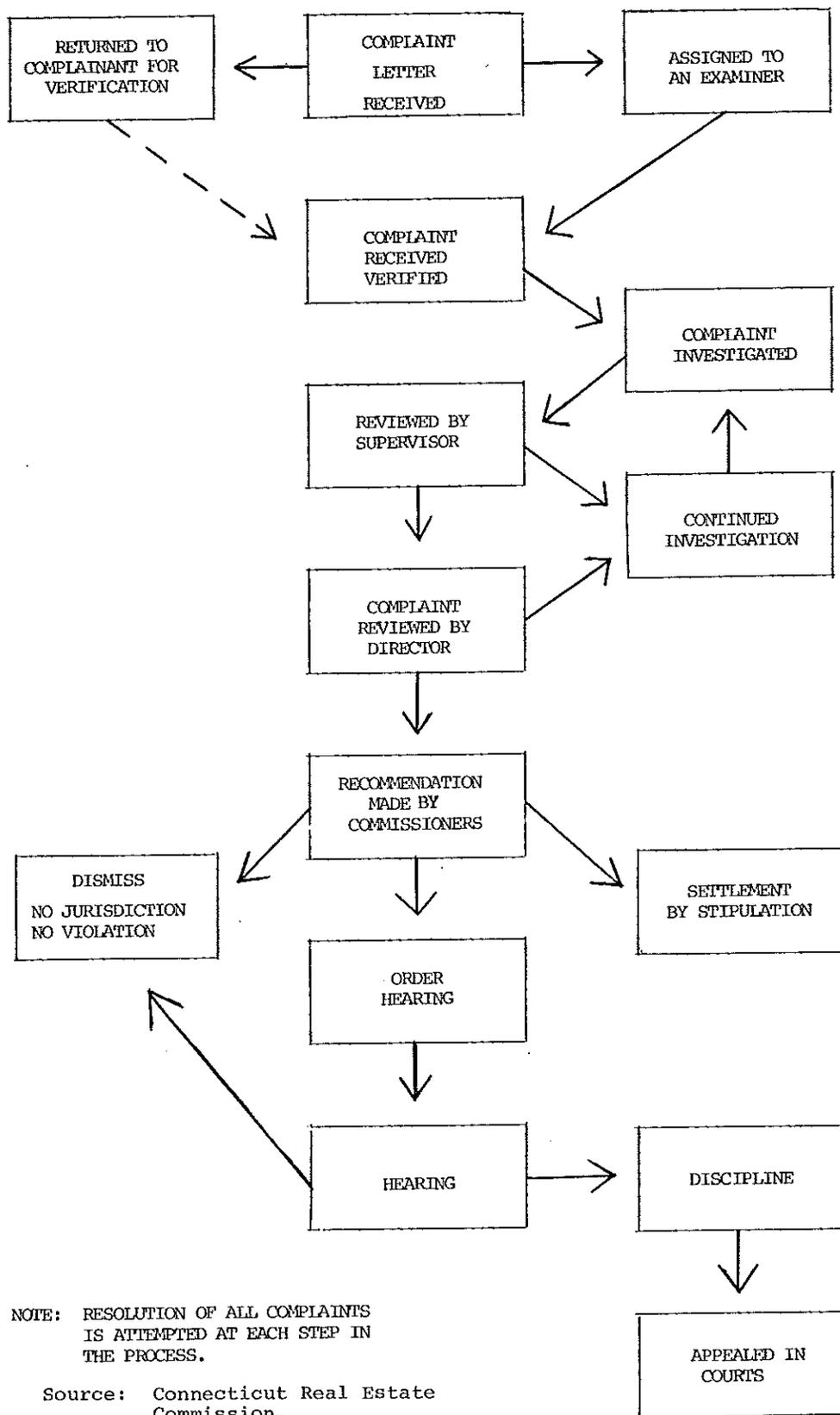
FAILURE TO REMIT (C.G.S. 20-320 (5) - refusing to return deposits to buyers or turning over deposits to sellers. (71)

MOBILE HOME PARKS (C.G.S. 21-71) - failure to insure resale rights and physical conditions of the park.⁷ (39)

⁶ The number following each complaint category indicates the number of occurrences during FY 1981.

⁷ Source: Connecticut Real Estate Commission.

Figure I. Real Estate Commission Complaint Procedure.



NOTE: RESOLUTION OF ALL COMPLAINTS IS ATTEMPTED AT EACH STEP IN THE PROCESS.

Source: Connecticut Real Estate Commission.

As can be seen in Figure I, the commission itself does not get involved in the resolution of complaints, unless the staff is unable to reach a solution. However, once a complaint does reach the formal hearing stage, it demands intense involvement by the commission, with some hearings being held over for more than one day. The commission has access to a hearing room, and the proceedings are recorded by a court reporter. The executive director of the commission serves as the prosecutor and the commission acts as the jury in these hearings. The commission then decides on the facts of the case and on appropriate disciplinary action.

Another category where the commission has direct involvement is in the educational area. One of the staff assigned to the educational division briefs the commission on the school, course, or instructor in question and the commission then votes to accept or reject it. The commission also takes a direct role, along with the Connecticut Real Estate and Urban Economic Studies program of the University of Connecticut, in planning an annual training seminar for real estate instructors.

The commission, until recently, also had direct involvement in the development of the exams for both brokers and salesmen. However, early in 1981, the commission contracted with a national organization, Educational Testing Service (ETS), to develop the examination for both brokers and salesmen.

The exam is a two-part test, including a uniform section evaluating the candidates' knowledge of general principles at the broker or salesman level, and a Connecticut portion geared to testing the applicant's grasp of the state's laws and regulations. While the Real Estate Commission processes the application for licensing, the applicant pays an additional examination fee of \$13.00 directly to ETS for the cost of administering and evaluating the exam.

The first ETS exam was given in February 1981 with the pass rate thus far being much lower than pre-ETS. The results of a recent exam showed a combined pass-rate of 40 percent, compared with an average combined pass-rate in 1979 of 66 percent.

Finally, the commission is also involved in sponsoring certain legislation relating to the real estate industry, and staff usually appraises the commission of the status of legislation affecting the real estate industry at its monthly meetings.

ANALYSIS AND RECOMMENDATIONS

During the course of the committee's nine month review, the Real Estate Commission, as well as its operating procedures and regulatory power, was examined. The following matters are analyzed in this section, as well as the committee's recommendations with accompanying rationale:

- existence and location of the commission
- membership of the commission
- level of regulation for salesmen
- educational requirements for both brokers and salesmen
- operating procedures of the commission
- scope of regulation of the commission
- criteria for licensing out-of-state applicants
- outside teaching activities of the commission staff
- examination passing score, and
- guaranty fund

Existence and Location of the Commission

At its October 7, 1981, meeting, the Legislative Program Review and Investigations Committee voted to *continue the Real Estate Commission within the Department of Consumer Protection.*

In reaching this decision, the committee examined the commission and regulation of the real estate industry in light of the sunset criteria.

The committee heard testimony that while the public's health or safety per se is not jeopardized in the case of a real estate transaction, the degree of economic harm that a consumer could suffer is significant. When a person buys or sells a property, he or she relies on the state, through regulations, to ensure that the person conducting the transaction is knowledgeable and competent.

Upon deciding that regulation of the industry was indeed necessary, the committee examined whether another state entity or

program could perform the functions now carried out by the Real Estate Commission. The possibility of the Department of Consumer Protection taking over the total regulation of the real estate industry was discussed, but the committee voted to retain the commission for a number of reasons.

The commission, first of all, provides a valuable checks and balances system. It lessens the opportunity for influence or politics to play a part in regulatory decisions. For example, in such cases as waiver requests, it is extremely beneficial to have the vote of a five-person citizen board rather than to allow staff the authority to grant waiver requests.

There is also the separation of the investigative or staff function from the formal hearing and disciplinary sanctions stage, as conducted by the commission itself. To merge both these functions into a staff role would eliminate a valuable checks and balances system.

Second, the commission has a certain amount of expertise in the area, since the majority of its members are employed in the business.

The committee was also influenced by the responses to the questionnaire that was sent to a random sample of brokers and salesmen in Connecticut. In response to the question, "are you satisfied with the commission's performance ...", only 10 percent of the respondents expressed dissatisfaction with the commission's performance of its duties.⁸

However, despite testimony from both the commission and the Connecticut Association of Realtors that the commission should be separated from the Department of Consumer Protection, the Legislative Program Review and Investigations Committee was not convinced that the commission needed autonomy to be effective.

The association's testimony stated that since the commission was placed under the Department of Consumer Protection, both the commission's activity level and the percentage of licensing fees expended on regulating the industry have declined. However, Table IV shows that the expenditure levels as a portion of revenues have, in fact, not declined.

⁸ See Appendix E , Question 4, for a complete breakdown of responses.

Table IV. Real Estate Commission - Expenditure and Revenue.

<u>Fiscal Year</u>	<u>Funds Available</u>	<u>Expenditure</u>	<u>Personnel</u>	<u>Revenue</u>	<u>Expenditure as a % of Revenue⁹</u>
1971	\$134,000	\$131,300	14	\$ 151,800	86%
1972	148,300	145,100	14	3,419,900	4%
1973	170,700	162,200	14	2,005,800	8%
1974	234,900	192,100	27	4,344,000	4%
1975	308,800	221,700	27	2,620,500	8%
1976	264,431	221,200	18	3,278,300	7%
1977	248,800	224,800	20	2,532,300	9%
1978	274,300	270,500	19	2,769,900	10%
1979	309,000	273,800	21	2,980,400	9%
1980	NA	272,500	17	2,866,300	10%

Source: Taken from report submitted to LPR&IC by the Connecticut Association of Realtors.

The argument that the activity of the commission has declined since reorganization is not proven by the figures in Table V.

The analysis of the output of the Real Estate Commission shows that there has been no significant diminution of activity. For example, Table V indicates that in many pre-reorganization years, the Real Estate Commission held no formal disciplinary hearings at all.

Finally, the Legislative Program Review and Investigations Committee contends that keeping the Real Estate Commission within the Department of Consumer Protection strikes a desirable

⁹ Percentages were not part of the Connecticut Association of Realtors' report.

Table V. Performance Indicators of the Real Estate Commission.¹⁰

Fiscal Year	Schools Approved	Written Exams	Licenses Issued	Inquiries & Complaints	Hearings	Land Sales Authorized	Mobile Home ¹¹ Parks Licensed	Real Property of Security Dealers Authorized
1971	NA	3,457	21,731	2,743	NA	131	0	0
1972	NA	4,625	18,963	5,201	NA	189	0	0
1973	38	5,136	26,481	7,494	NA	208	176	19
1974	40	9,738	24,080	5,297	NA	230	202	30
1975	41	2,042	26,374	6,500	NA	292	210	25
1976	41	4,449	25,652	6,600	NA	219	229	22
1977	42	5,694	28,032	8,004	24	144	234	10
1978	45	4,890	30,898	8,779	24	131	240	13
1979	52	5,297	31,216	6,530	23	117	236	25
1980	45	4,974	28,900	6,650	19	111	225	33

¹⁰ Source: Statistics taken from report submitted to LPR&IC from the Connecticut Association of Realtors.

¹¹ Activity Commenced in 1972-73.

balance between protecting the public and promoting professionalism within the industry.

In light of these facts, the Legislative Program Review and Investigations Committee, while acknowledging the necessity of continued regulation and the retention of the commission, was not convinced that there was any public benefit in making the Real Estate Commission independent.

Commission Membership

In examining the membership issue, the committee discussed the model act it adopted in its 1980 sunset report, concerning the uniform board/commission provisions.¹² In that model the committee recommended that all boards include representation from each occupation or area of practice regulated. That model also removed the experience requirement for members because the committee judged it to be arbitrary.

To be consistent with this model, the committee decided that real estate salesmen should be represented as well as brokers. The committee also concluded that in light of the number of licensees in the industry, the current five member commission might be too small, and chose to expand the commission.

To address these matters, the Legislative Program Review and Investigations Committee recommends that the *Real Estate Commission be expanded to seven members comprised of the following: four industry representatives, with at least one salesman and one broker, and three public members.* The committee further recommends that *there be no experience requirement for industry representatives.*¹³

Level of Regulation for Salesmen

In view of the statutory requirement that a salesman must work on behalf of a broker, the committee closely reviewed whether salesmen should be licensed or whether a lower level of regulation could be adopted without jeopardizing public welfare.

¹² Sunset Review, General Report, Vol. I, January 1, 1980, pp. 20-22.

¹³ See Appendix A for further recommendations that concern all boards within the Department of Consumer Protection under this current sunset review.

Through staff interviews and public hearing testimony, the committee heard repeatedly that the consumer must be assured that anyone who engages in the real estate business has met a minimal level of competence, and licensure is the only level of regulation that can assure this.

In making its decision, the committee also considered that 94 percent of the real estate agents who responded to the questionnaire agreed that licensing salesmen is necessary to protect the public.

Furthermore, although Connecticut statutes clearly state that a salesman must work for a broker and that the broker is liable for the salesman's actions, the committee concluded that in most cases, the broker's supervision of the salesman is minimal and that in conducting the areas of practice allowed him by law, the salesman should still be required to show a minimum level of competence by passing an exam before being licensed.

Therefore, the Legislative Program Review and Investigations Committee recommends that *licensure be maintained as the level of regulation for salesmen.*

Educational Requirements

The practice of real estate is regulated in all fifty states, with every state licensing both brokers and salesmen, although the educational requirements for licensure vary considerably. Connecticut's requirements place it halfway down the national list, with 25 states demanding more stringent licensing requirements for salesmen than Connecticut, and 15 states requiring more stringent criteria for licensure as a broker. Connecticut and Massachusetts, however, have the most stringent licensing requirements in New England.

The committee examined this issue in light of the question --- "can the public be adequately protected by...a less restrictive method of regulation?"¹⁴ to determine whether these requirements impose an unnecessary restriction to entry.

In this case, the committee was persuaded that Connecticut did not impose unrealistic educational prerequisites on candidates, but rather, the courses taught a minimum level of knowledge that one should have before entering the profession. At the

¹⁴ General Statutes of Connecticut, Sec. 2c-7(b).

public hearing held on August 21, 1981, Carroll Dunham of the Connecticut Association of Realtors stated that because "it's [real estate] the only profession, or quasi-profession, we have where you don't need a high school education,"¹⁵ there should be a retention of the current educational requirements. Further, in response to a questionnaire sent to a random sample of brokers and salesmen in the state, 32 of the 34 respondents felt the licensing requirements did not unduly restrict entry.

In addition, the costs of the prelicensing requirements cannot be labeled prohibitive. Based on estimates from the Connecticut Association of Realtors, the average course costs \$130, including educational materials. The salesman, to qualify for the examination then pays only \$130, while a broker's educational requirements cost \$390.¹⁶

The Legislative Program Review and Investigations Committee therefore recommends *that the current education requirements for both brokers and salesmen be retained.*

Operating Procedures

The staff of the Legislative Program Review and Investigations Committee attended meetings of the Real Estate Commission from February through July of 1981. At each of these meetings, the Real Estate Commission made decisions on such matters as waiver requests without putting the question to a formal vote. Consequently, no formal record of the vote appears in the minutes.

This kind of operating procedure is detrimental to good decision-making and does not give an adequate accounting of the commission's activities for public scrutiny.

Therefore, the Legislative Program Review and Investigations Committee recommends *that the Real Estate Commission take formal votes on all matters requiring a decision, and that the votes be recorded in the minutes.*¹⁷

¹⁵ Carroll Dunham, Public hearing testimony, August 21, 1981, P. 101.

¹⁶ These educational requirements do not include the application fee or the examination fee paid directly to ETS.

¹⁷ See Appendix A for further recommendations concerning operating procedures.

Scope of Regulation

While the Real Estate Commission was an independent body from 1967 to 1979, a wide variety of regulatory responsibilities were assigned to it. However, after reorganization placed the commission under the Department of Consumer Protection, lines of responsibility between the department and commission were somewhat blurred.

For example, the commission is still statutorily responsible for receiving and approving applications for mobile home park licenses, as well as the inspection of mobile home parks. The commission's involvement in this type of regulation should be discontinued for the following reasons.

First, the commission has no expertise in these areas, and therefore, can provide no outside assistance that is not already available through the staff.

Second, the type of ongoing regulation, required in such areas as the mobile home parks, belongs within the department so that monitoring can be done without calling in the commission for compliance reports.¹⁸

Finally, this type of activity diverts the commission's attention from its major purpose of setting standards for the profession, adjudicating at formal hearings and imposing sanctions.

Therefore, the committee recommends that *the Real Estate Commission's powers and duties be limited to the licensing and regulating of brokers and salesmen, as well as approval of schools and courses. The other areas of real estate regulation--interstate land sales, mobile home parks, and real property syndications--would be the responsibility of the Department of Consumer Protection, with the commission serving as an appeals board.*

This would mean that the commission would serve as an administrative appeals mechanism in above cases if a license were denied, suspended or revoked (or in the case of the mobile home parks - a fine levied) through the Uniform Administrative Procedures Act.

¹⁸ Michael Flaminio, Real Estate Commissioner, testified at public hearing of August 21, 1981 that the commission was frequently called for such activity, p. 80.

The Legislative Program Review and Investigations Committee also questioned the commission's role in approving the instructors who teach real estate courses. While this power is given in regulation rather than in statute, the committee's research of other boards' and commissions' authority showed that only the barbers' board had a similar responsibility. In addition, the committee stated that since the Real Estate Commission sets minimum standards for instructors and does approve schools and courses, it seemed officious to also approve individual instructors.

In light of these facts, the Legislative Program Review and Investigations Committee recommends that, while the standards for individual instructors remain in regulation, *the Real Estate Commission limit its educational approval power to schools and courses only, and allow schools to hire their own instructors.*

Criteria for Licensing Out-of-State Applicants

The Legislative Program Review and Investigations Committee examined the procedure for licensing applicants from out-of-state, better known as reciprocity, for a number of boards under current sunset review. The committee determined that the major consideration for any type of licensure, whether the applicant be from out-of-state or not, should be competence and not whether that state grants the same privileges to Connecticut.

Further, the Legislative Program Review and Investigations Committee adopted certain reciprocity criteria in its 1980 sunset report and the committee reiterates these same requirements in this review. *If an applicant is licensed in another state, the department shall issue a license to the applicant upon evidence that:*

- 1) *the applicant is a currently practicing, competent broker or salesman;*
- 2) *the applicant currently holds a valid license in another state;*
- 3) *no disciplinary proceeding or unresolved complaint is pending anywhere at the time the license is to be issued by this state;*
- 4) *the licensure requirements in the other states are substantially similar to or higher than those required by this state;*
- 5) *the applicant has submitted a fee determined by the department;*
- 6) *the applicant has taken the Connecticut portion of the real estate examination.*

Staff-Outside Teaching Activities

The staff to the Real Estate Commission has been involved in the initial review of documents concerning schools, courses, and instructors. A number of the staff were also privy to the development of the Connecticut portion of the national examination for licensing of brokers and salesmen.

Because of these staff roles, there is a potential for conflict if staff is allowed to teach courses that are prerequisites for licensure. Therefore, the Legislative Program Review and Investigations Committee recommends that *the staff to the Real Estate Commission be statutorily prohibited from teaching courses used as prerequisites for licensure.*

Examination Passing Score

Historically the Real Estate Commission has had the authority to set and alter the examination passing score. While no evidence of abuse of this authority surfaced during this review, the committee determined that this issue is important enough to warrant outside comment.

The Legislative Program Review and Investigations Committee therefore recommends *that the examination passing score be placed in regulation.*

This recommendation would require that the Real Estate Commission follow all the provisions of the state's Uniform Administrative Procedures Act when seeking to change the examination passing score. This would mean that any change in the passing score would require a public hearing and approval by the legislature's Regulation Review Committee.

The recommendation should prevent the commission from facing unnecessary pressure to raise the passing score because of the numbers in the profession.

Guaranty Fund

Recovery Procedure. The real estate guaranty fund was established in 1969 as a means of reimbursing consumers who suffered financial losses due to illegal acts on the part of a real estate licensee.

Connecticut's recovery procedure is set out in statute and requires that the following steps be adhered to in order to recover losses from the fund:

- aggrieved person commences civil action, simultaneously notifying the commission that a claim may be made against the fund;
- aggrieved person recovers a valid judgement against licensee;
- aggrieved person applies to court for an order directing payment from fund for amount unpaid upon judgement (after ten days' written notice to commission);
- aggrieved person must prove at court hearing that he/she is not the spouse of the debtor and that he/she has made every attempt to obtain the amount of the judgement from the licensee;
- court orders commission to make payment from the fund of whatever sum it finds payable on the claim (\$10,000 limit).

The Legislative Program Review and Investigations Committee, after examining the procedure, acknowledged that the system was indeed cumbersome and costly, requiring the consumer to undergo two separate court proceedings. This may well be the reason that since the fund's inception in 1969, only \$17,171 has been recovered by consumers.

The committee expressed a desire to move toward a less restrictive system that would not involve the two-step court proceedings. The committee examined two alternatives--one stating that after it was determined that fraud, misrepresentation, etc., had occurred, the recovery fund would automatically pay the court-awarded damages and place the onus on the commission to recover the funds from the broker or salesman; the other changing the second step to an administrative procedure rather than a judicial one, while still placing the onus on the consumer to prove that he has tried to recover losses on his own.

The committee chose the second option and recommended that *the statute be changed so that the aggrieved person, after obtaining a judgement of fraud, and upon notifying the commission, appear before the Real Estate Commission instead of the court to prove that he/she has made every attempt to recover losses, as required in Section 20-324e of the Connecticut General Statutes.*

Level of Individual Claim. The committee also was concerned that the ceiling placed on each individual claim may not be high enough. When the fund was established in 1969, \$10,000 was a

substantial sum to pay out on an individual claim. However, the individual amounts allowed by law have not been changed since then, even though the amounts of money involved in real estate transactions have grown significantly.

Therefore, in order to keep pace with the magnitude of real estate transactions, the Legislative Program Review and Investigations Committee recommends that *the level of the maximum individual claim be raised from \$10,000 to \$25,000.*

Revocation Procedure. The Legislative Program Review and Investigations Committee examined the current revocation procedure in relation to payments made from the guaranty fund.

The current statutory requirement demands the automatic revocation of a license upon payment from the fund. The former licensee is not eligible to receive a new license until he has repaid in full the amount paid out of the recovery fund.

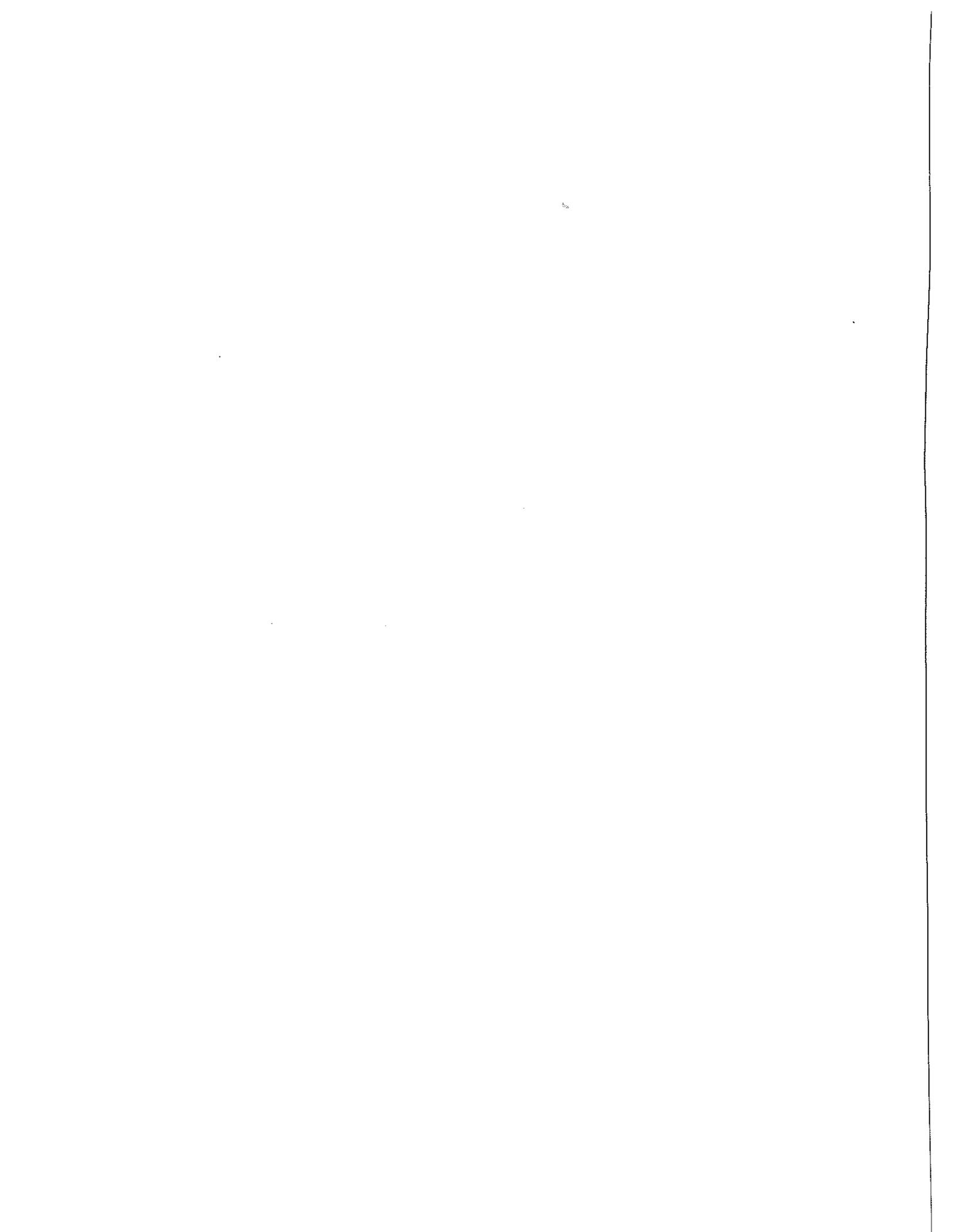
The Legislative Program Review and Investigations Committee wanted to see a system implemented that would require revocation of a license before the payment is made. The committee acknowledged that the act prompting revocation is the illegal act and not the payment of the claim. Therefore, the committee recommends that *the violating agent's license be revoked when the judgement of fraud, deceit, misrepresentation, etc. is obtained.* The revocation procedure would be subject to the Uniform Administrative Procedures Act requirements for notification and a hearing.

Level of Interest Rate. Finally, in the examination of the real estate guaranty fund, the Legislative Program Review and Investigations Committee recognized that the level of interest charged on repayments to the fund at 4 percent is low. This is not at all realistic given interest rates being charged in today's market. Further, the committee was reluctant to place in statute the interest rate to be charged since interest rates currently fluctuate so rapidly.

Therefore, the Legislative Program Review and Investigations Committee recommends that *the interest level on the amount paid from the guaranty fund should be established by the Real Estate Commission and should reflect current market rates.*

APPENDICES

- A. Department of Consumer Protection - General Provisions
 - B. Summary Sheet - Real Estate Commission
 - C. Composite Picture of a Commission Meeting
 - D. Survey of Real Estate Commission Members
 - E. Survey of Random Sample of Real Estate Agents in Connecticut
 - F. Interstate Comparison of Educational and Experience Requirements
 - G. Legislative Changes
 - H. Interstate Comparison of Investigative Statistics
-



APPENDIX A

General Provisions for Boards and Commissions within the Department of Consumer Protection

While reviewing the entities within the Department of Consumer Protection, the Legislative Program Review and Investigations Committee discovered a number of procedural problems common to all boards and commissions. Rather than address them individually, the committee chose to develop a single set of standards and recommend they be applied uniformly to all boards and commissions in the Department of Consumer Protection.

I. Meetings and Quorum

EACH BOARD AND COMMISSION SHALL MEET AT LEAST ONCE IN EACH QUARTER OF A CALENDAR YEAR AND AT SUCH OTHER TIMES AS THE CHAIRPERSON DEEMS NECESSARY OR AT THE REQUEST OF A MAJORITY OF THE BOARD OR COMMISSION MEMBERS. A MAJORITY OF THE MEMBERS SHALL CONSTITUTE A QUORUM. ANY MEMBER WHO FAILS TO ATTEND THREE CONSECUTIVE MEETINGS OR WHO FAILS TO ATTEND FIFTY PERCENT OF ALL MEETINGS DURING ANY CALENDAR YEAR SHALL BE DEEMED RESIGNED FROM OFFICE.

Commentary: The intent of this provision is the automatic elimination from boards and commissions of those members who habitually fail to attend meetings. It is consistent with what the committee recommended and the General Assembly adopted (P.A. 80-484) with respect to licensing boards in the Department of Health Services.

II. Terms of Office

MEMBERS OF THE BOARDS AND COMMISSIONS UNDER THE DEPARTMENT OF CONSUMER PROTECTION SHALL BE PROHIBITED FROM SERVING MORE THAN TWO CONSECUTIVE FULL TERMS.

Commentary: In some cases members of the boards and commissions have served since the entity's inception. The committee's recommendation would prevent this practice from continuing, thereby insuring the introduction of a fresh perspective to the boards and commissions.

III. Compensation

MEMBERS SHALL NOT BE COMPENSATED FOR THEIR SERVICES BUT SHALL BE REIMBURSED FOR NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

Commentary: Currently there is no consistent policy for compensation of board and commission members. For example, pharmacy commissioners receive a flat rate (\$1,500 chairman, \$500 regular members), members of the occupational licensing boards are entitled to \$48.00 per day plus expenses, and real estate commissioners receive only expenses. This provision would establish a uniform compensation system for members of boards and commissions within the department and would save the state approximately \$25,000.

IV. Grounds for Disciplinary Action

1. KNOWINGLY ENGAGING IN FRAUD OR MATERIAL DECEPTION IN ORDER TO OBTAIN A LICENSE UNDER THIS CHAPTER OR DOING SO IN ORDER TO AID SOMEONE ELSE IN OBTAINING A LICENSE.
2. PERFORMING WORK BEYOND THE SCOPE OF THE LICENSE ISSUED BY THE BOARD OR COMMISSION.
3. ILLEGAL USE OR TRANSFER OF LICENSE ISSUED BY THE BOARD OR COMMISSION.
4. PERFORMING GROSSLY INCOMPETENT OR NEGLIGENT WORK.
5. KNOWINGLY MAKING FALSE, MISLEADING, OR DECEPTIVE REPRESENTATIONS TO THE PUBLIC REGARDING THE WORK TO BE PERFORMED OR COVERED BY THE GOVERNING CHAPTER.
6. VIOLATING ANY PROVISION OF THE GOVERNING CHAPTER OR ANY RULES AND REGULATIONS ESTABLISHED THEREUNDER.

Commentary: The grounds identified above are limited to actions which are intended to deceive a governmental authority or practices which directly endanger the public's health, safety or welfare. In general, they either restate, clarify, or unify provisions outlined in the existing statutes and make them applicable to all boards and commissions in the Department of Consumer Protection. The list eliminates vague and difficult-to-enforce grounds such as immoral or unethical conduct. It also eliminates grounds for disciplinary action which are not directly related to a practitioner's competence, including conviction of a felony and drug addiction.

The committee did not intend adoption of the above to preclude grounds unique to a particular profession or occupation from being retained or added to the appropriate chapter.

V. Receiving and Processing Complaints

THE DEPARTMENT OF CONSUMER PROTECTION SHALL RECEIVE COMPLAINTS CONCERNING THE WORK AND PRACTICES OF PERSONS WHOM IT LICENSES. THE DEPARTMENT SHALL DISTRIBUTE MONTHLY A LIST OF ALL COMPLAINTS RECEIVED WITHIN THE PREVIOUS MONTH TO THE CHAIRPERSON OF THE APPROPRIATE BOARD.

THE DEPARTMENT OF CONSUMER PROTECTION SHALL SCREEN ALL COMPLAINTS AND DISMISS ANY IN WHICH THE ALLEGATION, IF SUBSTANTIATED, WOULD NOT CONSTITUTE A VIOLATION OF ANY STATUTE OR REGULATION. NOTICE OF ALL SUCH DISMISSALS SHALL BE DISTRIBUTED MONTHLY TO THE CHAIRPERSON OF THE APPROPRIATE BOARD.

THE DEPARTMENT OF CONSUMER PROTECTION SHALL INVESTIGATE ANY COMPLAINT IN WHICH THE ALLEGATION, IF SUBSTANTIATED, WOULD CONSTITUTE A VIOLATION OF A STATUTE OR REGULATION UNDER ITS JURISDICTION. IN CONDUCTING THE INVESTIGATION, THE COMMISSIONER MAY SEEK THE ASSISTANCE OF A MEMBER OF THE APPROPRIATE BOARD, AN EMPLOYEE OF ANY STATE AGENCY WITH EXPERTISE IN THE AREA, OR, AS A LAST RESORT, A PERSON FROM OUTSIDE STATE SERVICE LICENSED TO PERFORM THE WORK INVOLVED IN THE COMPLAINT. ANY BOARD MEMBER INVOLVED IN AN INVESTIGATION SHALL NOT PARTICIPATE IN ANY FURTHER DISCIPLINARY PROCEEDINGS.

THE COMMISSIONER OF THE DEPARTMENT OF CONSUMER PROTECTION MAY DISMISS A COMPLAINT FOLLOWING AN INVESTIGATION IF IT HAS BEEN DETERMINED THAT THERE IS NO PROBABLE CAUSE. NOTICE OF ANY DISMISSAL SHALL BE GIVEN ONLY AFTER APPROVAL BY THE CHAIRPERSON OF THE APPROPRIATE BOARD OR COMMISSION. THE COMMISSIONER MAY AUTHORIZE A SETTLEMENT PROVIDED THE SETTLEMENT IS APPROVED BY THE COMPLAINANT, THE LICENSE HOLDER, AND THE BOARD OR COMMISSION. THE COMMISSIONER MAY BRING A COMPLAINT BEFORE THE APPROPRIATE BOARD FOR A FORMAL HEARING IF IT HAS BEEN DETERMINED THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT THE OFFENSE ALLEGED IN THE COMPLAINT HAS BEEN COMMITTED AND THAT THE LICENSE HOLDER NAMED IN THE COMPLAINT WAS RESPONSIBLE. ALL DISPOSITIONS AND FINAL DECISIONS RENDERED BY THE DEPARTMENT OF CONSUMER PROTECTION AFTER AN INVESTIGATION INTO A COMPLAINT HAS BEGUN SHALL BE FORWARDED TO THE CHAIRPERSON OF THE APPROPRIATE BOARD ON A MONTHLY BASIS.

Commentary: The procedure described above would provide a uniform and impartial system for handling complaints. The reporting requirements would reduce the number of complaints which languish within the department without the knowledge of the boards. This procedure would enable the boards to monitor complaints and pressure the department to pursue each one to a final decision.

In turn, the system would limit the practice by some boards of directly conducting investigations by holding informal hearings or asking a license holder to appear for questioning at a regular board meeting.

VI. Disciplinary Sanctions

1. REVOKE A LICENSE.
2. SUSPEND A LICENSE.
3. IMPOSE A FINE NOT TO EXCEED FIVE HUNDRED DOLLARS FOR EACH VIOLATION.
4. ISSUE A LETTER OF REPRIMAND TO THE PRACTITIONER AND SEND A COPY TO THE COMPLAINANT AND ALL STATE AND LOCAL OFFICIALS DEEMED APPROPRIATE BY THE COMMISSIONER.
5. PLACE A LICENSE HOLDER ON PROBATIONARY STATUS, AND IMPOSE ANY OR ALL OF THE FOLLOWING SANCTIONS:
 - A. REPORT REGULARLY TO THE BOARD UPON THE MATTERS WHICH ARE THE BASIS OF THE PROBATION.
 - B. LIMIT PRACTICE TO THOSE AREAS PRESCRIBED BY THE BOARD.
 - C. CONTINUE OR RENEW EDUCATION UNTIL A SATISFACTORY DEGREE OF SKILL HAS BEEN ATTAINED IN THOSE AREAS WHICH ARE THE BASIS OF THE PROBATION.
6. SUSPEND SENTENCES AND FINES IN WHOLE OR IN PART.

Commentary: The sanctions outlined above would expand the alternatives available to the boards. Currently, their only options are either to suspend or revoke a license or to seek court imposed penalties. While the existing statute is vague with respect to the boards' authority to impose fines, this specifically gives them that power. The committee concluded that this authority, along with the addition of the official reprimand and probation options and the ability to impose a suspended sentence, would encourage boards and commissions to take action in those cases where license suspension or revocation seems too severe.

VII. Definitions

THE FOLLOWING DEFINITIONS APPLY TO THOSE BOARDS AND COMMISSIONS WITHIN THE DEPARTMENT OF CONSUMER PROTECTION WHICH ARE

LISTED UNDER SECTION 2c-2(c).

"CERTIFICATE" INCLUDES THE WHOLE OR PART OF ANY DEPARTMENT OF CONSUMER PROTECTION PERMIT WHICH THE DEPARTMENT IS AUTHORIZED BY THE GENERAL STATUTES TO ISSUE AND WHICH FURTHER: (A) AUTHORIZES PRACTICE OF THE PROFESSION BY CERTIFIED PERSONS BUT DOES NOT PROHIBIT THE PRACTICE OF THE PROFESSION BY OTHERS, NOT CERTIFIED; (B) PROHIBITS A PERSON FROM FALSELY REPRESENTING THAT HE IS CERTIFIED TO PRACTICE THE PROFESSION UNLESS THE PERSON HOLDS A CERTIFICATE ISSUED BY THE DEPARTMENT; (C) REQUIRES AS A CONDITION OF CERTIFICATION THAT A PERSON SUBMIT SPECIFIED CREDENTIALS TO THE DEPARTMENT WHICH ATTEST TO QUALIFICATIONS TO PRACTICE THE PROFESSION.

"LICENSE" INCLUDES THE WHOLE OR PART OF ANY DEPARTMENT OF CONSUMER PROTECTION PERMIT, APPROVAL, OR SIMILAR FORM OF PERMISSION REQUIRED BY THE GENERAL STATUTES AND WHICH FURTHER REQUIRES: (A) PRACTICE OF THE PROFESSION BY LICENSED PERSONS ONLY; (B) DEMONSTRATION OF COMPETENCE TO PRACTICE THROUGH AN EXAMINATION OR OTHER MEANS AND MEETING CERTAIN MINIMUM STANDARDS; (C) ENFORCEMENT OF STANDARDS BY THE DEPARTMENT OR REGULATORY BOARD OR COMMISSION.

"REGISTRATION" INCLUDES THE WHOLE OR PART OF ANY PERMIT WHICH THE DEPARTMENT IS AUTHORIZED BY GENERAL STATUTES TO ISSUE AND WHICH: (A) REQUIRES PERSONS TO PLACE THEIR NAME ON A LIST MAINTAINED BY THE DEPARTMENT BEFORE THEY CAN ENGAGE IN THE PRACTICE OF A SPECIFIED PROFESSION OR OCCUPATION; (B) DOES NOT REQUIRE A PERSON TO DEMONSTRATE COMPETENCE THROUGH AN EXAM OR OTHER MEANS; (C) ALLOWS THE COMMISSIONER TO SUSPEND OR REVOKE FOR CAUSE ANY REGISTRATION.

Commentary: Except for registration, the above definitions are consistent with those recommended by the committee and adopted by the General Assembly during the first sunset review. The definition of registration is slightly different in that it contains a provision whereby the department can take disciplinary action against a registered individual.

VIII. Renewals

THE DEPARTMENT OF CONSUMER PROTECTION SHALL PROPOSE TO THE GENERAL ASSEMBLY BY JANUARY 1, 1983 A LICENSE RENEWAL SYSTEM FOR ALL BOARDS AND COMMISSIONS WITHIN THE DEPARTMENT THAT DISTRIBUTES THE ADMINISTRATIVE WORKLOAD AND REVENUE EVENLY THROUGHOUT THE YEAR.

Commentary: At present an independent renewal schedule exists for each board and commission within the Department of Consumer

Protection. As a result, neither the workload nor the revenue generated is evenly distributed. For example, the department staff working with the occupational licensing boards is so busy with renewals during the month of October in odd numbered years that it nearly ceases to perform all other activities. Correspondingly, the revenue generated ranges from approximately 1.4 million dollars in odd numbered years to about \$100,000 in even years.

On the basis of this situation, the committee saw a clear need to develop a standardized license renewal system covering all boards and commissions. However, the committee believes the department, rather than the legislature, may be best suited to develop such a plan and should be given the opportunity to do so.

APPENDIX B

Sunset 1982

Summary Sheet

ENTITY: Real Estate Commission (C.G.S., Ch. 392, 412 and Ch. 826)

ESTABLISHED: 1967 P.A. 460

TYPE: Regulatory and Licensing

ORGANIZATIONAL LOCATION: Department of Consumer Protection

PURPOSE: To oversee the practice of real estate in Connecticut

POWERS AND DUTIES:

- To issue licenses and permits in the following areas:
 - real estate brokers and salesmen
 - mobile home parks
 - interstate land sales
 - real property securities
 - real property syndications
- To approve schools, courses and instructors in the real estate field
- To provide examination(s) for qualified applicants
- To evaluate the qualifications of individuals seeking licensure
- To advise the Commissioner of Consumer Protection on promulgation of regulation
- To approve applications for student intern program
- To maintain and make payments from, the Real Estate Guaranty Fund, established to reimburse upon court order, persons aggrieved by a licensed real estate salesman or broker
- To hold hearings on matters within its jurisdiction, and decide upon disciplinary action

REQUIREMENTS FOR LICENSURE:

- Salesman:
- Completion of an approved course in real estate principles and practices of not less than 30 hours; or
 - Equivalent experience or education as determined by the commission

- Broker:
- At least two years active engagement as a licensed real estate salesman under supervision of a licensed real estate broker

Completion of the following approved courses:

- 30 hours of real estate principles and practices
- 30 hours of real estate appraisal
- 30 hours of another real estate course as prescribed by the commission; or
- Equivalent experience or education as determined by the commission.

COMPOSITION: Five members - - Three real estate brokers
Two public members

APPOINTING AUTHORITY: Governor

STAFF: 16

BUDGET:

	<u>FY-1980</u>	Actual 1st 8 mos. <u>FY-1981</u>	Estimated <u>FY-1981</u>
Board Exp.	\$ 1,933	\$ 1,271	\$ 2,000
Staff Exp.	209,845	140,278	210,425
O&E	41,545	15,934	46,000
Adm. Exp.	19,211	25,603	36,314
Total Exp.	<u>\$272,534</u>	<u>183,086</u>	<u>\$294,739</u>

REVENUE: FY-1980

Salesmen licenses.....	\$1,196,875.00
Brokers licenses.....	1,604,800.00
Application fees	60,985.00
Out-of-state-land-sale fees.....	33,650.00
Transfer fees.....	63,160.00
Mobile homes: application.....	43.00
Mobile homes: licenses temporary permits.....	29,253.00
Real property syndications.....	6,255.00
Real property dealers licenses.....	320.00
Miscellaneous.....	100.00
Total	<u>\$3,005,056.60</u>

Statistics - 1980

Number of Meetings: 13

Average Attendance: 3.5

Licenses and Permits Issued During Calendar Year 1980:

	<u>Initial</u>	<u>Renewal</u>	<u>Total</u>
Salesman	3,452	11,823	15,275
Broker	903	14,778	15,681
Interstate land sales			131
Mobile home parks			235
Syndications			27

Complaints: 7/1/80 - 7/1/81

Complaints Total	- 357
Closed	- 198
Open	- 159

Types of Complaints:

DEALINGS (20320(11) - 174⁷ - involves brokers and salesmen whose practice is not in conformity with general standards and it usually denotes a pattern, i.e. failing to include pertinent information in the offering.

MISREPRESENTATION (20-320(1) - 40 - knowing and failing to submit information to a consumer such as physical conditions of the property, inflating sales prices that are unrealistic.

FAILURE TO REMIT \$ (20-320(5) - 71 - refusing to return deposits to buyers or turning over deposits to sellers.

MOBILE HOME PARKS - 39 - failure to insure resale rights and physical conditions of the park.

COMMISSION DISPUTES (20-311f) - 36 - where more than one broker or salesman claims to be the procuring cause.

MISCELLANEOUS - 48 - claims against the Real Estate Guaranty Fund, failure to conform to the listing regulation requirements, deceptive advertising, engaging in the business without a license, failing to be properly licensed.

APPENDIX C

Composite Picture Real Estate Commission Meeting

The Real Estate Commission meets monthly at the commission's offices at 90 Washington Street, Hartford, Connecticut.

The meetings usually begin at 9:15 and average attendance is 3.5 members. Meeting times vary depending on whether a formal hearing is scheduled or not. If a formal hearing is held, the meeting could last for five or six hours, whereas it usually adjourns after about three or four hours if a hearing is not held.

The usual order of business is for the commission to first approve the minutes of the preceding meeting.

The executive secretary then usually goes over the agenda citing any hearings, requests for appeal on licensing decisions, and any other matters coming before the commission that day.

If there are any personal appeals on approval of licensing--where a person has been denied a waiver to sit for an examination--they are usually taken as the next order of business. These "appeals" usually take about fifteen minutes. The applicant explains to the commission why he/she feels his background and education qualify him to sit for the exam. The commission then questions the applicant, and makes a decision after the interview has ended.

If no formal hearing is held, the commission then goes on to prerequisite #2s, which is the commission's term for licensure waiver requests. Based on a review of 1980 minutes, the commission reviewed an average of 18 P. R. #2s per meeting. Of those applications, the commission approved sixty-two percent. The commission takes no real formal vote on these P. R. #2s, but after a briefing on the applicant's background, by either the executive director or another staff member, the commission then agrees to approve or reject.

The commission then goes on to approval of instructors and courses. One of the commission staff members reports on the application, curriculum and background, and voices an opinion of whether it meets the commission's standards or not. The commission again agrees to approve or reject, but not by a formal recorded vote.

If a hearing is scheduled before the commission on a real estate licensing matter, the commission holds its proceedings in a hearing room available at 90 Washington Street. The parties involved are usually represented by legal counsel, and all

proceedings are recorded by a court stenographer. The executive director serves somewhat as a prosecutor in these proceedings, with the commission hearing the evidence and sitting in judgement.

The commission then makes its decision on the case in executive session, and notifies the licensee/defendant of what, if any, disciplinary action it has decided to take.

At this point in the meetings, the executive director or assistant executive director usually briefs the commission on complaints that staff have been unable to resolve. The commission then decides how it will proceed on each of these complaints, and if a formal hearing is scheduled, it is done at this time.¹

Other matters that have become before the commission have been:

- meetings with the assistant attorney general on cases which are being appealed in court;
- meeting with staff of the Connecticut Real Estate and Urban Economic Studies of UConn to discuss the annual seminar for real estate instructors; and
- legislative updates on bills affecting real estate.

After completion of the business outlined on its agenda, the commission sets its next meeting date, and then adjourns.

SUNSET 1982

APPENDIX D

Real Estate Commission
Survey of Commission Members

The following questionnaire has been designed to elicit information regarding the Real Estate Commission and the regulation of the real estate industry in the state. Please read all the directions before answering each question to ensure the validity of the responses.

1. Approximately how long have you been a member of the Real Estate Commission?

Average 7 Years 7 Months

2. On a scale of 1 = High Priority to 4 = Low Priority, please rate the following functions as to their importance for continuing the commission. Please rate every function; if you feel the commission is not involved in a particular activity, please indicate by choosing number five (5).

<u>High Priority</u>		<u>Low Priority</u>		<u>Not Involved</u>	
4	0	0	0	0	To approve schools, courses, and instructors in the real estate field
3	1	0	0	0	To evaluate the qualifications of individuals seeking licensure
2	1	1	0	0	To advise the Commission of Consumer Protection on promulgation of regulations.
0	1	0	1	2	To approve applicants for student intern program
1	1	0	0	2	To maintain, and make payments from, the Real Estate Guaranty Fund, established to reimburse, upon court order, persons aggrieved by a licensed real estate salesman or broker
3	1	0	0	0	To issue licenses/permits to qualified applicants in various areas of real estate
4	0	0	0	0	To conduct hearings and decide on disciplinary action for offending licensee
3	0	0	0	0	Other (please specify) <u>To approve out-of-state land sales (1); Syndications, land sales, agency audits, education, professional group relations</u> <u>To maintain a careful accounting of all funds handled by the commission (1).</u>

3. Approximately what percentage of time would you say the Real Estate Commission spends on the following activities. (Please account for 100% of the commission's time.)

- 9% Approving schools, courses and instructors in the real estate field
- 14% Evaluating qualifications of individuals seeking licensure
- 2% Advising the Commissioner of Consumer Protection on promulgation of regulations
- 2% Approving applications for student intern program
- 2% Maintaining, and making payments from, the Real Estate Guaranty Fund, established to reimburse upon court order, persons aggrieved by a licensed real estate salesman or broker
- 54% Conducting hearings and deciding on disciplinary action for offending licensee
- 10% Issuing licenses/permits to qualified applicants in various area of real estate practice
- 7% Other (please specify) Other matters (1); Legislative bill discussions, staff operations, CREUES, Formulation of opinions (1); Interstate land sales, mobile homes (1).

4. Do you think the effective operation of the Real Estate Commission is impeded by any statute, regulation, policy or procedure?

3 Yes 1 No

4a. If yes to question 4, what do you think is the major impediment; if you choose more than one, please rank in order of severity (e.g., 1 = most severe, 2 = less severe, etc., etc.).

<u>1st Most Severe</u>	<u>2nd Most Severe</u>	<u>3rd Most Sev.</u>	
			Poor statutory definition of role and functions the commission is supposed to perform.
1	<u>1</u>		Organizational location within the Department of Consumer Protection.
2	<u>1</u>		Lack of staff and funding for commission to carry out its mandate.
1			Statutory mandate is too extensive for a volunteer committee
			Lack of participation on the part of some committee members
		<u>1</u>	Other (please specify) <u>Lack of authority, recognition friction with Consumer Protection Management - Reorganization</u>

5. Do you think the present licensing requirements: (Please circle either Yes or No)
- | <u>Yes</u> | <u>No</u> | |
|------------|-----------|---|
| 0 | 4 | Unduly restrict the number of persons entering the industry |
| 0 | 4 | Allow unqualified persons to enter the industry |
| 3 | 1 | Protect consumers against incompetent persons |
| 3 | 1 | Protect consumers against unethical persons |

6. On a scale of 1 = strongly agree to 4 = strongly disagree, how do you feel about the following statements: (Please circle the most appropriate number; if you don't know, please circle number 5.)

<u>Strongly Agree</u>			<u>Strongly Disagree</u>	<u>Don't Know</u>	
1	2	3	4	5	
4	0	0	0	0	The licensing of real estate <u>brokers</u> is necessary to protect the public
4	0	0	0	0	The licensing of <u>salesmen</u> is necessary to protect the public
0	0	0	3	1	Salesmen should not be licensed. Instead, brokers should establish qualifications and selection procedures for their salespersons
4	0	0	0	0	State regulation of real estate industry is necessary
2	1	0	1	0	There should be a continuing education requirement for both brokers and salesmen as a prerequisite for continued licensure
1	0	1	2	0	Brokers and salesmen should be periodically re-examined as a requirement for renewal of license
2	2	0	0	0	Brokers should be responsible for actions of salespersons
2	1	1	0	0	The <u>broker's</u> examination provides an adequate appraisal of skills necessary to ensure competency

2	1	1	0	0	The <u>salesman's</u> examination provides an adequate appraisal of skills necessary to ensure competency
2	1	1	0	0	Branch managers should hold a broker's license

7. Are you, as a commission member, satisfied with the staff's performance of the following functions? (Please circle either Yes or No.)

<u>Yes</u>	<u>No</u>	
3	1	Processing and renewal of licenses
2	2	Investigating complaints against unethical/incompetent persons
2	2	Enforcing real estate laws
2	2	Monitoring of schools, courses and instructors
3	1	Regulating interstate land sales
<u>Other (please specify) Reason for dissatisfaction is due to lack of staff (1). Commission staff supervisors cannot be responsive to commissioners because of directions from Consumer Protection management.</u>		

8. On a scale of 1 = very effective to 4 = not effective, please rate the Real Estate Commission's performance of the following functions. If you feel the commission is not involved, please indicate by choosing number 5.

<u>Very Effective</u>		<u>Not Effective</u>		<u>Not Involved</u>	
2	2	0	0	0	Approving schools, courses and instructors in the real estate field
3	0	1	0	0	Evaluating qualifications of individuals seeking licensure
1	1	2	0	0	Advising the Commissioner of Consumer Protection on promulgation of regulations
1	1	0	1	1	Approving applications for student intern program

150 Distributed
 34 Responded
 15 Returned - Undeliverable

APPENDIX E

SUNSET 1982

Review of the Real Estate Commission
 Survey of Real Estate Agents

The following questionnaire has been designed to elicit information regarding the Real Estate Commission and regulation of the real estate industry in the state. Please read all the directions before answering each question to ensure the validity of the responses.

Please feel free to make additional comment either on a specific question, or on the commission's activities in general.

1. Please check whether you are a real estate broker or salesman.

24 Broker 10 Salesman

2a. If you checked broker in question 1, did you think the broker's examination provided an adequate appraisal of skills necessary to ensure competency?

17 Yes 7 No

2b. If you checked salesman in question 1, did you think the salesman's examination provided an adequate appraisal of skills necessary to ensure competency?

9 Yes 1 No

3. Do you think the present licensing requirements: (Please circle either Yes or No)

No
Answer

Yes No

2	0	32	Unduly restrict the number of persons entering the industry
2	16	16	Allow unqualified persons to enter the industry
1	13	20	Protect consumers against incompetent persons
1	11	22	Protect consumers against unethical persons

No Answer	4. Are you satisfied with the commission's performance in: (Please circle either yes or no)		
	Yes	No	
0	33	1	Processing your license and renewal application
6	24	4	Investigating complaints against unethical/incompetent persons
6	25	3	Enforcing the real estate laws
0	26	8	Ensuring licensing examinations are adequate
3	24	7	Providing an adequate number of examination sites and dates
7	23	4	Conducting hearings and disciplining agents found to be in violation of law
11	23	0	Maintaining, and making payments from, the Real Estate Guaranty Fund, established to reimburse, upon court order persons aggrieved by a licensed real estate salesman or broker
3	27	4	Issuing licenses/permits to qualified applicants in various areas of real estate industry
1	17	16	Keeping licensees up-to-date with changes in real estate law and regulations
3	26	5	Approving schools, courses and instructors in the real estate field

5. On a scale of 1 = strongly agree to 4 = strongly disagree, how do you feel about the following statements: (If you don't know, please circle number 5.)

	Strongly Agree		3	Strongly Disagree		Don't Know	
	1	2		4	5		
30	2	0	1	1	1	The licensing of real estate <u>brokers</u> is necessary to protect the public	
29	3	0	0	2	2	The licensing of <u>salesmen</u> is necessary to protect the public	
1	0	0	33	1	1	Salesmen should not be licensed. Instead, brokers should establish qualifications and selection procedures for their salespersons	

	<u>Strongly Agree</u>		<u>Strongly Disagree</u>	<u>Don't Know</u>	
27	2	2	2	1	State regulation of the real estate industry is necessary
12	1	5	14	2	There should be a continuing education requirement for both brokers and salesmen as a prerequisite for continued licensure
5	3	6	20	0	Brokers and salesmen should be periodically re-examined as a requirement for renewal of licensure
20	2	2	9	1	Branch managers should hold a broker's license
22	3	3	6	0	Brokers should be responsible for actions of salespersons

6. A number of the Real Estate Commission's functions are listed below on the right. We would like to know if you as a real estate agent are aware that these functions are affected by any of the problems listed in the key below. You may circle as many numbers to the left of each function as you feel appropriate. If you choose number 6, please give the specifics on the two lines provided below each function. If you are not aware of any of the problems, please indicate by circling number 7.

Key: 1 = Takes too long
 2 = Commission exceeds its authority
 3 = Commission ignores its responsibility
 4 = Commission's decision-making too arbitrary
 5 = Commission should have no role
 6 = Other, please specify
 7 = No problem

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	Routine examination of real estate offices
1	0	0	0	0	3	26	

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	Licensing agents through reciprocity
0	1	2	1	1	2	22	Too easy (1)

<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	Holding formal hearings
3	0	1	2	0	1	21	Workload exceeds the commission's capabilities (1)

1	2	3	4	5	6	7
2	0	3	1	0	4	24

Restricting industry to competent/scrupulous persons

Commission should upgrade requirements (1); Important function - This should be main function if commission is to exist (1) Requirements are too broad (1)

1	2	3	4	5	6	7
2	0	6	1	0	0	25

Approving and monitoring of schools, courses, instructors

Some instructors should not be allowed to teach (1); Too many instructors don't know what they're doing - I learned 99% from the book, not the instructor (1).

1	2	3	4	5	6	7
2	1	3	0	3	1	24

Monitoring of course advertisement

Commission should keep a close watch on courses offered in real estate

1	2	3	4	5	6	7
1	1	1	1	5	1	24

Licensing and regulation of mobile home parks

Don't know this aspect (1)

1	2	3	4	5	6	7
2	1	1	0	3	1	26

Regulation of real property security dealers and real estate syndicate securities

Don't know this aspect (1)

1	2	3	4	5	6	7
2	0	2	0	0	1	29

Issuing licenses to out-of-state land developers

Commission should continue to perform this function

1	2	3	4	5	6	7
0	0	1	0	0	7	0

Other (please specify) Continuing education is a must. After two years, a salesperson should take brokers exam or reexamine to renew license (1); No experience with work done by commission other than yearly license billing - which is high, compared to other professions (1); Real estate commission should be independent and not under Department of Consumer Protection (1); Fairfield County is still a step-child to Hartford - why can't exams be held closer for those in real estate industry (1); Commission should investigate why we are paying so much to belong to a real estate board in addition to our licenses. They are doing a good job but they should stop spending our money and making board into country club at our expense; I'm trying to make ends meet (1);

Commission should provide a published list of other states that have reciprocity agreements with Connecticut that will honor a Connecticut license (1).

Study materials for new brokers and salespeople are much too general (1).

I think the real estate commission does a good job on the whole. It's a large industry, involving many people and many situations. It's hard to be perfect (1).

APPENDIX F

EDUCATION EXPERIENCE & APPLICATION REQUIREMENTS

1981 NARELLO INTERSTATE REPORT	EDUCATION AND EXPERIENCE REQUIREMENTS						LONG RANGE PROFES- SIONAL- IZATION PLAN	APPLICATION REQUIREMENTS			
	PRELICENSING EDUCATION	SALESPERSON'S CONTINUING EDUCATION	EXPERIENCE REQUIRED FOR BROKER'S LICENSE	PRELICENSING EDUCATION	BROKER'S CONTINUING EDUCATION			PHOTO	FINGER- PRINT	CREDIT REPORT	BOND AMOUNT
ALABAMA	45 cl hrs	None	2 yrs full time	45 cl hrs or 15 sem hrs if app. has less than 2 yrs experience	None	NO	X			B&S 2.5M or pay into Recovery Fd.	
ALASKA	None	None	2 yrs	None	None	NO					
ALBERTA	None	None	1 yr in city over 15,000; none in smaller city	None	None	NO				Br. 10M to 100M	
ARIZONA	45 hrs	12 hrs per year	3 years	90 hrs	12 hrs per year	NO	X			Br. 5M	
ARKANSAS	30 hr course must be comp. in 1st yr	None	2 years	90 or 30 hrs	None	NO					
BRITISH COLUMBIA	137 cl hrs	36 hrs first yr	2 yrs as sales.	194 cl hrs	None	NO			X	Br. 10-100M	
CALIFORNIA	None	45 hrs every 4 yr	2 yrs	18 sem hrs	45 hrs every 4 yr	YES		X			
COLORADO	48 cl hrs	None	2 yrs active lic	96 cl hrs	None	NO		X			
CONNECTICUT	30 cl hrs	None	2 yrs active lic	90 cl hrs	None	NO					
DELAWARE	75 cl hrs	None	5 yrs	30 cl hrs	None	NO			Broker		
DISTRICT OF COL.	None	None	None	None	None	NO	Non-Res.				
FLORIDA	51 cl hrs	14 hrs every 2 yr	1 yr	48 cl hrs	14 hrs every 2 yr	YES	X			B 2.5M; S 1M	
GEORGIA	24 cl hrs or 5 qtr hrs	80 hrs 1st 2 yrs, then 6 every 2 yr	3 yrs active lic	60 cl hrs or 15 qtr hrs	6 hrs every 2 yr	NO	X				
GUAM	None	None	2 yrs full time	None	None	NO	X				
HAWAII	30 hrs	None	2 yrs	40 hrs	None	NO	X				
IDAHO	45 hrs	None	2 yrs act lic or may accept ed or allied ind exp	90 hrs	None	NO		X			

E D U C A T I O N E X P E R I E N C E & A P P L I C A T I O N R E Q U I R E M E N T S

1981 INTERSTATE REPORT	EDUCATION AND EXPERIENCE REQUIREMENTS						LONG RANGE PROFES- SIONAL- IZATION PLAN	APPLICATION REQUIREMENTS		
	PRELICENSING EDUCATION	SALESPERSON'S CONTINUING EDUCATION	EXPERIENCE REQUIRED FOR BROKER'S LICENSE	PRELICENSING EDUCATION	BROKER'S CONTINUING EDUCATION			PHOTO	FINGER- PRINT	CREDIT REPORT
ILLINOIS	30 hrs	None	1 yr as sales.	90 hrs	None	None	NO	X		
INDIANA	40 hrs	None	None	64 hrs	None	None	NO			
IOWA	30 hrs	7 hrs annual	1 yr	None	7 hrs annual	7 hrs annual	NO	X		
KANSAS	None	60 hrs	2 yrs	None	90 hrs	90 hrs	YES			
KENTUCKY	96 hrs	None	2 yrs - 1 yr if Assoc. deg. in R.E. or bac. deg. w/maj in R.E.	336 hrs	None	None	YES	X	X	
LOUISIANA	50 hrs	15 hrs every 2 yrs	2 hrs as sales.	120 hrs	15 hrs every 2 yrs	15 hrs every 2 yrs	NO	X	X	
MAINE	None	12 hrs	1 yr	90 hrs	12 hrs	12 hrs	NO	X		
MARYLAND	45 c1 hrs or 3 sem hrs	12 hrs	3 yrs	135 c1 hrs or 9 sem hrs	12 hrs	12 hrs	YES		X	
MASSACHUSETTS	24 hrs	None	1 yr	30 hrs	None	None	YES			B 1M
MICHIGAN	None unless fail 1st time; then 30 hrs	None	3 yrs	90 hrs	None	None	NO	X		
MINNESOTA	30 hrs pre-licen. 60 hrs w/in 1st yr of licensure	45 hrs every 3 yrs	2 yrs	90 hrs	45 hrs every 3 yrs	45 hrs every 3 yrs	NO			
MISSISSIPPI	6 sem hrs	None	1 yr	12 sem hrs	None	None	NO	X	X	
MISSOURI	40 hrs	None	Must be sales.	40 hrs	None	None	NO			
MONTANA	None	None	2 yrs sales.	None	None	None	NO	X	X	B 10M; S 10M
NEBRASKA	60 hrs	None	2 yrs sales. & 120 hrs ed	120 hrs w/2 yrs exp.; 180 hrs w/no exp.	None	None	NO	X	X	

E D U C A T I O N E X P E R I E N C E & A P P L I C A T I O N R E Q U I R E M E N T S

1981 NARELLO INTERSTATE REPORT	EDUCATION AND EXPERIENCE REQUIREMENTS						LONG RANGE PROFES- SIONAL- IZATION PLAN	APPLICATION REQUIREMENTS		
	PRELICENSING EDUCATION	SALESPERSON'S CONTINUING EDUCATION	EXPERIENCE REQUIRED FOR BROKER'S LICENSE	PRELICENSING EDUCATION	BROKER'S CONTINUING EDUCATION	CONTINUING EDUCATION		PHOTO	FINGER- PRINT	CREDIT REPORT
NEVADA	90 hrs	20 hrs 1st 2 yrs; 10 hrs every 2 yrs	2 yrs act	24 coll lev crdts.	20 hrs 1st 2 yrs; 10 hrs every 2 yrs	YES	X			
NEW BRUNSWICK	None	None	2 yrs - may be waived w/equiv. exp	None	None	NO				B 10M; S 5M
NEW HAMPSHIRE	None	None	1 full yr or 2000 hrs part-time	None	None	NO				
NEW JERSEY	45 hrs	None	2 yrs imm. before app.	90 hrs	None	NO	X			
NEW MEXICO	60 hrs	None	None	180 hrs	None	NO	X		X	
NEW YORK	45 hrs	45 hrs	Yes	90 hrs	Yes	YES	X			
NORTH CAROLINA	30 hrs of equiv. exp.	None	2 yrs as sales. or 60 hrs ed	60 hrs or equiv. exp	None	NO	X		X	
NORTH DAKOTA	30 c1 hrs w/in 1st yr of licensure	None	2 yrs	90 hrs	None	NO				
OHIO (1980)	60 hrs	None	30 consum. trans. & 2 yrs as sales.	60 hrs	None	YES	X			
OKLAHOMA	45 hrs 7/1/81 30 hrs	21 hrs every 3 yrs eff 7/1/84	1 yr	45 hrs 7/1/81 30 hrs	21 hrs every 3 yrs eff 7/1/84	NO	X			
OREGON	90 hrs	24 - 2 yr lic	3 yrs	150 hrs	24 - 2 yr lic	YES				
PENNSYLVANIA	60	None	3 yrs	240	None	YES	B			
QUEBEC	None	None	2 yrs as sales. w/in 5 yrs preced app	None	None	NO	X		X	B 5M; S 1M
RHODE ISLAND (1980)	None	None	1 yr as sales.	90 hrs	None	NO				
SASKATCHEWAN	None	None	2 yrs as sales.	None	None	NO				

E D U C A T I O N E X P E R I E N C E & A P P L I C A T I O N R E Q U I R E M E N T S

1981 NARELLO INTERSTATE REPORT	E D U C A T I O N A N D E X P E R I E N C E R E Q U I R E M E N T S						A P P L I C A T I O N R E Q U I R E M E N T S				
	E D U C A T I O N A N D E X P E R I E N C E R E Q U I R E M E N T S						L O N G R A N G E P R O F E S - S I O N A L - I Z A T I O N P L A N	P H O T O	F I N G E R - P R I N T	C R E D I T R E P O R T	B O N D A M O U N T
	P R E L I C E N S I N G E D U C A T I O N	S A L E S P E R S O N ' S C O N T I N U I N G E D U C A T I O N	E X P E R I E N C E R E Q U I R E D F O R B R O K E R ' S L I C E N S E	P R E L I C E N S I N G E D U C A T I O N	B R O K E R ' S C O N T I N U I N G E D U C A T I O N						
SOUTH CAROLINA	30 hrs or 1 yr lic in another state	None	None	60 hrs or 2 yrs exp	None	NO	X		X		
SOUTH DAKOTA	30 hrs	24 - per 2 yrs	2 yrs	90 hrs	24 - per 2 yrs	NO	X		X		
TENNESSEE	3 hrs	3 hrs	2 yrs	6 or 90 GRI	3 hrs	NO	X			B 10M; S 2.5M	
TEXAS	315	None	2 yrs	540	None	YES	X				
UTAH	90 hrs	None	3 yrs full time lic or equiv	150 hrs	None	YES			Broker		
VERMONT	None	None	1 yr as sales.	None	None	NO	X				
VIRGINIA	45 hrs	None	3 yrs	135 hrs	None	YES				Non Resid. B 1M; S 1M	
VIRGIN ISLANDS	None	None	2 yrs	45 hrs or 2 yrs exp	None	NO					
WASHINGTON	30 hrs prior to 2nd renewal	None	2 yrs in last 5 yrs	90 hrs prior to taking exam	None	NO		X	X		
WEST VIRGINIA	90 hrs	None	2 yrs	180 hrs	None	NO				Non Resid. B 2M; S 2M	
WISCONSIN	30 hrs w/in 2 yrs of licensure	10 per 2 yrs	None	60 hrs	10 per 2 yrs	YES	X				
WYOMING	None	None	2 yrs as act sales or deg in R.E.	None	None	NO	X	X	X	B 1M; S 1M	

APPENDIX G

Legislative Changes

- Amend Section 20-311a of the Connecticut General Statutes to reflect:
 - the seven member commission
 - the representation of both brokers and salesmen
 - the elimination of the experience requirement for members.
- Amend Section 20-311b adding subsection (e) statutorily requiring the commission to take formal votes on all matters requiring a decision, and that the votes be recorded in the minutes.
- Amend the following sections of the Connecticut General Statutes to add department to the list of definitions, department meaning the Department of Consumer Protection:

Sections: 20-329(a), 21-64, and 47-91.
- Amend the following sections of the Connecticut General Statutes to reflect clarification of authority between the department and the commission:

Sections 20-329c, 20-329d, 20-329e, 20-329f,
20-329g, 20-329s, 20-329t(a), 20-329v(a),
20-329v(b), 20-329w(a), 20-329x(a), 21-66,
21-67(a), 21-67(b), 21-67(c), 21-71, 21-73,
21-78, 21-79, 47-92(b)(13), 47-92(c),
47-92(d), 47-93, 47-94, 47-95(a), 47-95(b),
47-99(a), 47-99(b), 47-101(c), 47-102, 47-103(a)
47-104, 47-105(a), 47-105(b), 47-107(a),
47-107(b), 47-108, 47-109, 47-111, 47-112
- Amend the following sections of the Connecticut General Statutes to reflect the right of the aggrieved person to administratively appeal department decisions to the commission:

Sections 20-329l, 20-329u, 20-329w(b), 20-329aa, 21-72.
- Amend Section 20-317 of the Connecticut General Statutes to incorporate the recommended reciprocity criteria.
- Add a section to chapter 392 of the Connecticut General Statutes prohibiting staff assigned to the Real Estate Commission from teaching courses used as prerequisites for licensure.
- Amend Section 20-324e to reflect the recommended changes in the Real Estate Guaranty Fund.

I N V E S T I G A T I V E S T A T I S T I C S

APPENDIX H

1981 NARELLO INTERSTATE REPORT	STAFF		COMPLAINTS										ACTIONS TAKEN AFTER CHARGES BROUGHT							BY CON- FORM- SENT HEAR.
	# INVESTI- GATORS	# AUDI- TORS	SOURCE			COMPLAINTS INVESTIGATED				ACTIONS TAKEN AFTER CHARGES BROUGHT			TOTAL	BY CON- FORM- SENT HEAR.						
			PUBLIC LIC.	COMM.	OTHER	TOTAL	NO VIOL.	PROB. VIOL.	TOTAL	DSML.	REFMD.	SUSP.			REV.	FINES	OTHER			
ALABAMA	2	0	-	-	-	579	233	150	383	57	8	9	2	36	3	115	0	115		
ALASKA	6	0	-	-	-	130	50	20	70	-	-	-	1	-	-	-	0	1		
ALBERTA	12	4	-	-	-	568	NO RECORD			2	17	2	-	-	-	21	0	12		
ARIZONA	11	5	-	-	-	1,425	1380	45	1,425	3	N/A	20	22	20	-	45	5	40		
ARKANSAS	4	4	-	-	-	334	263	71	334	25	8	25	10	0	3	71	0	71		
BRITISH COLUMBIA	2	1	-	-	-	76	48	28	76	4	9	9	5	N/A	-	23	N/L	13		
CALIFORNIA	59	16	4105	1648	1538	7,291	6226	1075	7,291	76	-	51	221	-	600	48	-	-		
COLORADO	10	4	1242	20	-	1,297	1092	93	1,185	13	43	22	5	5	5	80	29	3		
CONNECTICUT	4	0	380	15	-	414	45	369	414	1	0	3	1	2	7	7	0	7		
DELAWARE	3	0	42	-	-	42	28	14	42	0	4	0	1	0	5	5	36	6		
DISTRICT OF COL.	0	0	28	2	1	31	22	9	31	0	0	0	0	0	0	0	0	0		
FLORIDA	100	3	-	-	-	3,000	2200	150	2,350	1209	21	39	15	1	-	1,285	-	-		
GEORGIA	7	0	362	97	416	974	501	510	1,011	10	41	21	12	N/A	18	102	61	41		
GUAM	1	0	0	4	0	4	1	3	4	0	0	0	0	0	0	0	0	0		
HAWAII	17	0	190	26	8	224	123	101	224	1	2	2	0	0	0	5	40	0		
IDAHO	2	3	177	20	36	233	208	26	234	0	13	3	2	4	8	26	15	4		
ILLINOIS	14	0	1700	150	125	1,439	536	1975	9	0	0	0	0	0	0	0	80	65		
INDIANA	4	0	-	-	-	662	291	128	419	-	-	-	-	-	-	N/R	N/R	N/R		
IOWA	0	2	-	-	-	331	327	4	331	-	-	2	-	-	3	5	1	4		
KANSAS	1	2	-	-	-	283	-	-	283	3	0	1	2	-	-	6	0	6		
KENTUCKY	5	0	18	6	8	32	203	20	223	19	1	1	2	9	0	32	6	21		
LOUISIANA	6	1	-	-	-	359	259	100	359	16	4	16	3	0	3	42	0	42		

INVESTIGATIVE STATISTICS

INTERSTATE REPORT	STAFF	COMPLAINTS										ACTIONS TAKEN AFTER CHARGES BROUGHT									
		# INVESTI- GATORS	# AUDI- TORS	PUBLIC LIC.	COMM. OTHER	SOURCE	TOTAL	NO VIOL.	PROB. VIOL.	TOTAL	DSM'L.	REPM'D.	SUSP.	REV.	FINES	OTHER	TOTAL	BY CON- SENT	BY FORM. HEAR.		
1981 NARELIO	MAINE	2	1	-	-	-	99	72	27	99	1	9	2	1	4	11	27	3	5		
	MARYLAND	0	4	500	15	12	527	65	201	266	62	17	20	8	15	120	242	0	ALL		
	MASSACHUSETTS	9	0	684	20	8	776	265	489	754	18	14	21	8	0	0	61	0	61		
	MICHIGAN	15	1	-	-	-	1,123	450	673	1,123	N/A	N/A	N/A	N/A	N/A	N/A	N/A	56	32		
	MINNESOTA	8	1	-	-	-	4,000	421	26	447	0	1	15	4	0	3	23	17	6		
	MISSISSIPPI	3	0	-	-	-	135	96	39	135	1	26	7	5	0	0	39	N/R	N/R		
	MISSOURI	1	0	-	-	-	N/R	-	-	N/R	-	11	12	13	N/A	0	N/R	N/R	N/R		
	MONTANA	2	1	-	-	-	143	-	-	143	-	11	12	13	N/A	0	36	-	-		
	NEBRASKA	1	3	50	4	19	73	43	27	73	43	5	15	0	-	7	7	0	33		
	NEVADA	6	2	285	7	8	300	180	120	300	2	0	4	3	0	0	9	0	9		
	NEW BRUNSWICK	0	0	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0	0	0	
	NEW HAMPSHIRE	1	0	70	2	6	78	59	19	78	59	3	3	3	0	10	79	N/R	N/R		
	NEW JERSEY	15	0	1200	400	25	1,675	35	75	110	2	0	2	8	22	5	37	6	16		
	NEW MEXICO	2	0	210	144	10	364	36	30	66	2	2	3	2	0	0	9	1	9		
	NEW YORK	60	0	6680	-	-	6,680	-	-	-	141	23	216	55	180	-	615	-	458		
	NORTH CAROLINA	3	1	N/R	N/R	21	159	93	14	52;107 pend.	93	5	1	2	-	6	107	5	11		
	NORTH DAKOTA	1	1	12	2	2	16	9	7	16	0	2	5	0	0	0	7	0	7		
	OKLAHOMA	1	0	126	0	9	135	115	20	135	6	6	8	3	0	0	23	0	0		
	OHIO	NO REPORT SUBMITTED																			
	OREGON	7	5	353	54	146	553	331	222	553	145	30	34	13	0	0	222	194	15		
PENNSYLVANIA	39	0	466	1	61	528	270	190	460	270	0	5	6	0	1	12	4	8			
QUEBEC	7	0	167	-	-	167	-	-	104	-	141	5	3	5	71	225	0	0			

I N V E S T I G A T I V E S T A T I S T I C S

1981 NARELLIO INTERSTATE REPORT	STAFF	COMPLAINTS					ACTIONS TAKEN AFTER CHARGES BROUGHT													
		# INVESTI- GATORS	# AUDI- TORS	PUBLIC LIC.	COMM.	OTHER	TOTAL	NO VIOL.	PROB. VIOL.	TOTAL	DSMT.	REPM.	SUSP.	REV.	FINES	OTHER	TOTAL	BY CON- SENT	BY FORM. HEAR.	
		NO REPORT SUBMITTED																		
RHODE ISLAND		3	0	46	0	N/A	0	46	0	46	0	0	0	0	0	0	0	0	N/R	N/R
SASKATCHEWAN		3	0	112	10	12	0	134	102	32	134	0	2	1	10	0	0	0	0	13
SOUTH CAROLINA		1	1	31	1	3	0	35	22	13	35	2	2	3	3	6	6	6	6	3
SOUTH DAKOTA		5	1	169	-	-	-	169	66	-	66	66	1	2	2	0	98	98	N/R	N/R
TENNESSEE		15	0	-	-	-	-	915	-	-	929	7	4	19	15	N/A	N/A	N/A	45	38
TEXAS		2	1	410	41	27	26	504	172	332	504	3	24	8	2	0	2	2	27	15
UTAH		1	0	50	10	3	-	63	25	28	53	0	20	8	2	0	0	0	30	8
VERMONT		19	1	-	-	-	-	274	182	11	193								N/R	N/R
VIRGINIA		7	7	10	-	-	-	10	-	10	10								N/R	N/R
VIRGIN ISLANDS		4	7	NO RECORD				665	NO RECORD	10	665								17	N/R
WASHINGTON		1	1	19	-	-	-	19	15	4	19	1	3	-	-	-	-	-	4	4
WEST VIRGINIA		3	3	27	4	0	0	31	0	23	23	2	2	0	0	0	0	0	19	11
WISCONSIN		3	0	27	4	0	0	31	0	23	23	2	2	0	0	0	0	0	22	5
WYOMING		3	0	27	4	0	0	31	0	23	23	2	2	0	0	0	0	0	22	1