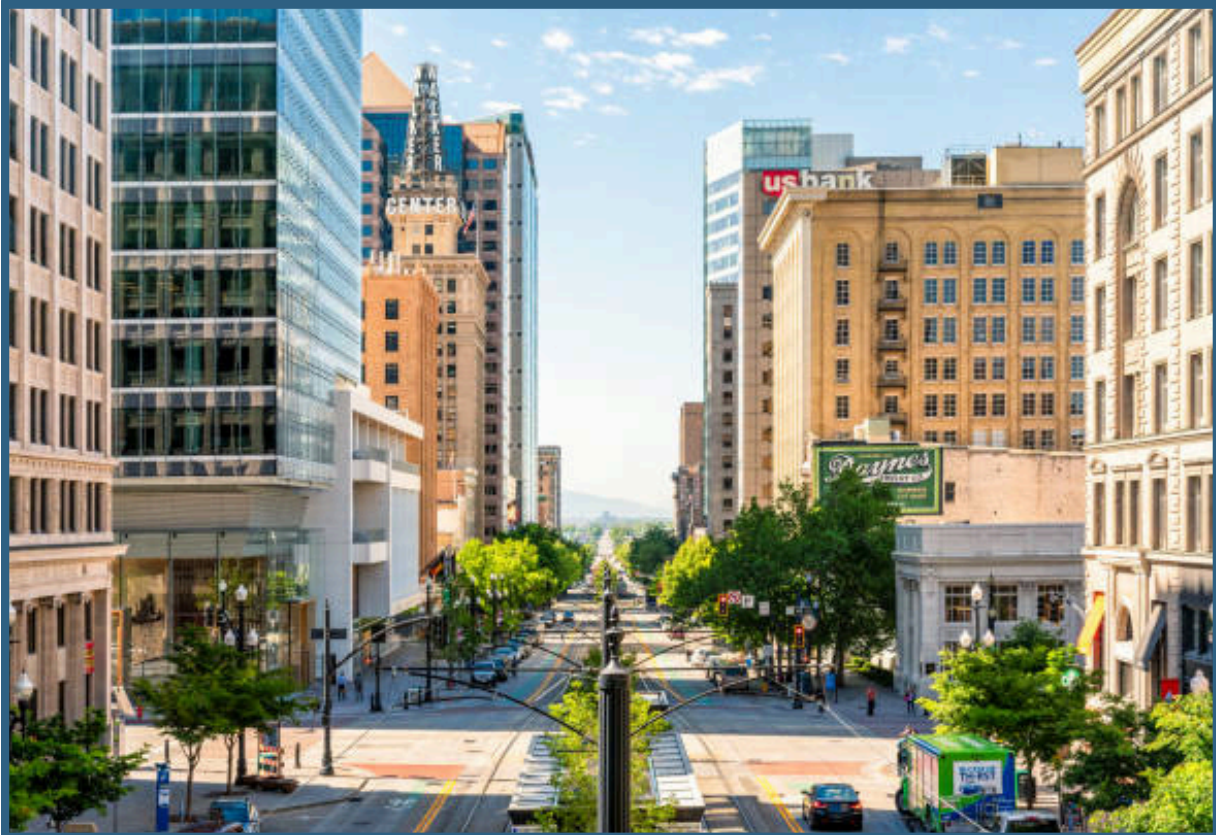




# NEWSLETTER

A PUBLICATION FOR UTAH'S REAL ESTATE,  
APPRAISAL, & MORTGAGE PROFESSIONALS



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# The Case of the "Magic" Math: A Tale of CE Credit Gone Wrong

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In the world of professional licensing, we've all heard the phrase, "If it sounds too good to be true, it probably is." Usually, that refers to a suspiciously cheap listing or a "guaranteed" lead. But recently, the "too good to be true" bug bit the world of Continuing Education (CE), and the results were a masterclass in non-compliance.

It started with a forwarded advertisement: an invitation to an Open House, complete with a free lunch and a staggering **9 hours of CE credit completed in just 2 hours**. Now, I'm no mathematician, but according to our Division regulations—specifically **61-2f-203(1)(d)(v)**, which requires 50 minutes of seat time for every one hour of credit—this wasn't just "efficient" timing. It was a temporal impossibility.

## The "Inspector" and the 9-Hour Mirage

Curiosity (and a healthy dose of regulatory skepticism) led me to investigate. A quick search of our records revealed that neither the hosting agent nor their brokerage was an approved provider. I decided to attend, half-expecting a "Canceled" sign on the door due to the sheer illegality of the offer.

Instead, I found:

- **The Setting:** A standard open house with a buffet I didn't dare touch.
- **The Pitch:** A gentleman dressed as an inspector claimed he had special approval from "the board" to grant 9 hours of credit for a 2-hour talk.
- **The Content:** A presentation on Home Inspections. (Pro tip: If you are ever trapped in a room for a legitimate 9-hour lecture on crawl space moisture, you'll wish for the sweet release of a 2-hour scam.)

## Flags and "Smishing" Hazards

The red flags didn't just wave; they caught fire during the wrap-up. After a 90-minute presentation, attendees were told to text their personal information to a random number. We were instructed to wait for an email, click a link, and use a pre-populated, universal password to set up an account.

In the cybersecurity world, this is a textbook setup for a "smishing" (SMS phishing) scam designed to harvest identities or install malware. Furthermore, the presenter claimed credits would take at least 2-3 weeks to report—a direct violation of **R162-2f-206c(2)(k)(iii)(A-E)**, which dictates timely reporting of course completion.

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# The Case of the "Magic" Math: A Tale of CE Credit Gone Wrong

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## The Mystery Continues

Upon returning to the office, the "sleuthing" turned into a ghost hunt:

1. **Fake Presence:** The inspection company's website listed false operating locations.
2. **Pseudonyms:** The names of the individuals involved appeared to be aliases.
3. **Zero Records:** The Division has no record of this company as a provider, no record of the educator, and—shocker—no record of a 9-hour inspection course even existing in our approved catalog.

## The Verdict: No Credit, High Risk

To be perfectly clear: **No licensees in attendance will receive these 9 hours of CE.** There is no approved provider to submit them, and no legal mechanism to grant 450 minutes of credit for 90 minutes of pizza and PowerPoint.

While the presentation was free, the potential cost is high. I have already frozen my credit as a precaution, and I urge anyone who provided their data to do the same.

## A Note to Our Licensees

Our licensees are among the best in the state—knowledgeable, kind, and professional. But cutting corners on education is a slippery slope. If you're willing to bypass the rules for a few credits, what other professional standards might slide?

The Lessons Learned:

- **Verify Before You Buy (or Attend):** Check the Division website to ensure a provider and course are "Approved."
- **Respect the Clock:** If the math doesn't add up (9 hours in 2), the credits won't either.
- **Protect Your Data:** Never click suspicious links or use "pre-set" passwords from unverified sources.

We take pride in the classes we approve because we want you to actually learn something that protects your clients and your license. Let's keep the "education" in Continuing Education.

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## Co-listing vs. Sub-agency

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The division has been asked about co-listing properties between agents from different brokerages: Can Agent A with ABC Realty co-list a property with Agent X at XYZ Real Estate, who already holds the listing?

The short answer is no. This is because only one brokerage can have an Exclusive Broker Agreement, as stipulated in 61-2f-308 (1)(d): "Exclusive brokerage agreement" means a brokerage agreement that gives the principal broker the sole right to act as the agent or representative of the client for the purchase, sale, lease, or exchange of real estate, an option on real estate, or an improvement on real estate.

The Broker Agreement authorizes the broker and their affiliated licensees to represent the seller in the real estate transaction. A listing brokerage office can have co-listing agents only when both agents are affiliated with the same listing brokerage and broker.

A nonaffiliated licensee acting as a co-listing agent (i.e., not affiliated with the listing brokerage) would violate several Statutes:

- **61-2f-401(1)(d)**: making a false representation or promise through an agent, sales agent, advertising, or otherwise;
- **61-2f-401(3)(b)**: representing or attempting to represent a principal broker other than the principal broker with whom the person is affiliated;



The co-listing nonaffiliated licensee would be advertising and attempting to represent a principal broker other than the broker they are affiliated with, as they are not affiliated with the listing broker.

### Let's discuss sub-agency.

Sub-agency occurs when a listing broker is approached by a nonaffiliated licensee who wants to help the broker sell a property. To establish sub-agency, we must review administrative rule R162-2f-41a(12). If the licensee desires to act as a sub-agent for showing property owned by a seller who is under contract with another brokerage, before showing the seller's property, the licensee must:

- (a) notify the listing brokerage that sub-agency is requested; and
  - (b) enter into a written agreement with the listing brokerage with which the seller has contracted:
    - (i) consenting to the sub-agency; and
    - (ii) defining the scope of the agency;
  - (c) obtain from the listing brokerage any available information about the property; and
  - (d) uphold the same fiduciary duties outlined in Subsection (1).
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## Co-listing vs. Sub-agency

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Once a written sub-agency agreement exists between the Listing Broker and the nonaffiliated licensee who requested the sub-agency, the unaffiliated licensee can help market the property for the seller. Remember that the sub-agent must disclose that they are marketing the property courtesy of the listing broker (to avoid misrepresenting that they hold the listing) and include the sub-agent's own brokerage name to comply with the Division's rules.

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## Caravan is coming!

Caravan will take place at eight different locations throughout the state. We are excited to bring Caravan to you again this year!

Join Division Director Leigh Viелlette, Chief Investigator Bryn Kaelin, and Licensing and Education Manager Laurel North to discuss current issues and topics impacting the real estate, mortgage, and appraisal industries.

Caravan will start in May. Check our website for updates!

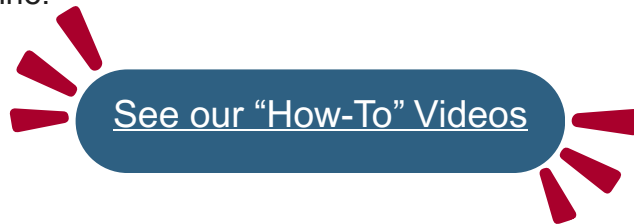
[Visit our Caravan page](#)



## New “How-To” Video Library for MyLicense One

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The Utah Division of Real Estate continues to expand its digital resources with a new library of **step-by-step “How-To” videos** designed to help licensees quickly complete common tasks online.



These videos provide clear guidance for real estate professionals using the Division’s systems, helping reduce confusion and streamline routine processes. Each video is paired with written instructions so users can choose the format that works best for them.

### Topics Covered in the How-To Videos

The current video series includes guidance on several essential processes:

- **Creating a UtahID Account** – Learn how to set up a UtahID account to access the Division’s online services.
- **Linking Your License** – Instructions on connecting your professional license to your online profile.
- **Looking Up Continuing Education (CE)** – Steps for verifying completed continuing education credits.
- **Inactivating Your Sales Agent License** – How to properly place a license on inactive status.
- **Affiliation Changes for Sales Agents** – Guidance for sales agents changing brokerage affiliations.
- **Printing a Copy of Your License** – Quick instructions for accessing and printing your license online.
- **Principal Broker Tasks to Manage Company Roster**
  - Accepting incoming affiliation requests
  - Acknowledging outgoing affiliation requests

As the Division continues to enhance its online services, additional instructional videos are expected to be added to the library over time. By providing quick visual demonstrations, the Division aims to reduce support requests and empower licensees to resolve routine issues.

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# From Stone Tablets to 3.6: Evolution is Calling

Written By: Bryn Kaelin

There is a date looming on our calendars, circled in red and impossible to ignore: November 2nd, 2026.

It's the "Mandatory" date for the new UAD 3.6. To some, it feels like another hurdle; to others, it's the next logical step. But before we dive into the technical weeds of 3.6, let's take a second to look back at how far we've actually come. If you think a software update is stressful, remember where the appraiser's journey began.

- The Lithic Phase: In the beginning, there was no cloud storage or desktop reviews. It was "permanent ink" that required a literal chisel and heavy lifting. If you made a typo, you didn't hit backspace—you started over on a new slab.
- The Dark Ages: Remember carrying rolls of film and praying the flash worked? We spent our afternoons sprinting to 1-hour photo labs just to get a report in the mail by Friday's post.
- The Manual Era: We fought with 100-foot metal tapes that had a mind of their own and mastered the "art" of sketching on graph paper in the pouring rain, only to spend the evening deciphering washed-out notes.
- The High-Tech Pivot: Suddenly, lasers replaced tapes and tablets replaced clipboards. Many of us dragged our feet during this shift, yet today, we can't imagine living without them.

Today, we aren't just measuring walls; we are in the Intelligence Era. With 360-degree analysis and AI tools doing the heavy lifting, our industry has been searching for a bridge between simply "checking the boxes" and providing true clarity.

After attending several UAD classes and tinkering with the program myself, I am hopeful that UAD 3.6 is that bridge. It isn't just a data update; it's a shift in how we communicate value.

## A Note On Our Responsibility

While the tech is astounding, we must remain the pilots in the cockpit. As we integrate these new tools, we have to stay mindful:

It is the appraiser's responsibility, not the software's, to determine if AI or automated tools are appropriate and reliable for the scope of work.

A valuation is never just a line on a page or a data point in a database. What we do affects the economy at large. We must "zoom out" to ensure our conclusions make sense for every party involved.





## From Stone Tablets to 3.6: Evolution is Calling

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### The Road Ahead

November 2nd is coming. Let's stop looking at it as a deadline and start seeing it as the end of the "manual" mindset and the beginning of a clearer, more data-rich future.

We've survived the chisel, the film rolls, and the tangled tapes. We are ready for 3.6. This is our opportunity to provide the full story to intended users—connecting the dots between our data and our analysis to provide ironclad assignment results.

Evolution is calling. Are you ready to pick up?

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### Your Legacy, Their Future: The Appraiser Mentorship Program is Live

Between Appraisers, there are centuries of market intuition, regulatory mastery, and hard-earned wisdom. Appraisers have spent years decoding complex properties and navigating shifting markets—but wisdom shouldn't retire when you do.

The Appraiser Mentorship Program is officially open, and we are looking for the architects of the next generation. We aren't just seeking supervisors; we're looking for leaders who want to turn a successful career into a lasting legacy.

### The Demand is Here

Our first wave of mentees is already sharing glowing feedback, but the real surprise has been the scale of the response. We are seeing a massive surge of interest from aspiring appraisers waiting for their turn to learn from the best.

We have the demand; now we need the leaders.

### Why Join as a Mentor?

This isn't just a volunteer effort—it is a paid opportunity to elevate the industry and define what excellence looks like for years to come. By stepping forward, you:

- Pay it forward to a profession that thrives on experience.
- Influence the standards of future practitioners.
- Earn competitive compensation for your expertise and time.

### Ready to Lead?

The next generation of appraisers is waiting for your guidance. If you're ready to share your expertise and help us shape the future of the industry, we want to hear from you.

For more information and to apply: [Mentorship Application and Information](#)

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## Bridging the Gap: Introducing the New Find a Supervisor Tool

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For years, one of the most significant barriers for aspiring appraisers in our state has been the "Supervisor Search." Historically, finding a Certified Appraiser willing to take on a trainee relied almost entirely on word-of-mouth and personal networking. This often left talented, motivated individuals with no clear path into the profession.

The Division of Real Estate is proud to announce a major step forward: the launch of the Find a Supervisor tool.

### A New Resource for Trainees

This new digital directory is designed to eliminate the guesswork for potential appraiser trainees. Instead of cold-calling, aspiring professionals can now access a centralized, real-time list of qualified supervisors who have expressed interest in mentoring the next generation of appraisers.

Search Directly: To go straight to the database, use the [Find a Trainee Supervisor tool](#).



[Find a Trainee Supervisor Tool](#)

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### A Call to Action for Certified Appraisers

To make this tool a success, we need the support of our experienced professionals. We are currently looking for **Certified General** and **Certified Residential** appraisers who are willing to share their expertise and help strengthen our industry.

If you are interested in becoming a supervisor, [we invite you to complete our eligibility survey](#). This brief survey will help determine if you meet the state requirements to take on a trainee and will allow your name to be included in our new search tool.

[Take the Eligibility Survey](#)



## Mortgage Servicers: Is a License Required in Utah?

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In Utah, mortgage servicing is regulated primarily by the Department of Financial Institutions (DFI) under the Financial Institution Mortgage Financing Regulation Act (Title 70D).

Entities that service residential first-mortgage loans are generally required to file a **Residential First Mortgage Notification (RFMN)** in the Nationwide Multistate Licensing System (NMLS), which functions as the licensing/registration vehicle for mortgage servicers and other mortgage entities. While often referred to as a "license" in conversation, it is legally a notification and registration.

### Utah Mortgage Servicer Licensing/Notification

- **Scope of RFMN:**

- This notification authorizes:
  - Servicing residential first mortgage loans.
  - Third-party servicing and modifications.
  - Certain lending/brokering activities for affiliates of depository institutions.

**Who is Exempt?** Not every entity needs to register. Exceptions include federally insured depository institutions and their wholly owned subsidiaries. Additionally, individuals already licensed with the Utah Division of Real Estate (DRE) may be exempt if their activities are already covered under Title 61.

**Regulatory Distinction:** It is vital to distinguish between the DFI and the DRE.

- **DFI (Title 70D):** Focuses on servicers and wholesale lenders.
- **DRE (Title 61-2c):** Focuses on mortgage loan originators (MLOs) and brokers.

### Points to Know

- **If you're servicing residential first mortgages** in Utah (even if out of state), one generally must register with DFI via the RFMN in the NMLS.
- **This is effectively the notification requirement for servicers** — it isn't called a "mortgage entity license" in the traditional broker/lender sense, but it is a required state authorization to conduct mortgage servicing activities in Utah.
- **Failure to register** may result in conducting unlicensed mortgage servicing activity under Utah law, which is prohibited unless an exemption applies.

**Key Compliance Note:** Registration must be active before conducting business. Failure to register can lead to administrative penalties and may impact the enforceability of servicing actions. Companies should also evaluate if their third-party collection activities require a separate Utah Collection Agency registration.

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## A Milestone for Modernization: Key Takeaways from the Record-Breaking 2026 NMLS Conference

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This February, the Division of Real Estate joined a record-breaking delegation of over **900 state regulators and industry leaders** in Orlando for the largest NMLS Annual Conference & Training to date. The record attendance underscores a pivotal moment for our industry as the Nationwide Multistate Licensing System (NMLS) moves through a multi-year digital transformation.

In his opening remarks, CSBS Board Chair Tony Salazar emphasized that we are entering a new era of financial supervision driven by digital innovation. As your state regulator, our priority is ensuring our licensees are prepared for these shifts.

### The Spring 2026 Release: Phase 3 of NMLS Connect

A main focus of the conference was the upcoming **Spring 2026 Release**, scheduled for **April 18, 2026**. This marks "Phase 3" of the NMLS modernization project, bringing more core functions into the modernized **NMLS Connect** interface.

Key updates for our licensees include:

- **Holistic Disclosure Overhaul:** For the first time since the system's inception, disclosure questions have been overhauled to clarify terminology and definitions. Notable changes include a shift to a **10-year lookback period** for several categories, such as bankruptcy and foreclosure history, moving away from open-ended "have you ever" questions.
- **New "Handshake" Workflow:** Sponsorship will now feature an initial "handshake" between companies and MLOs. Once a company creates a relationship, the MU4 employment record is pre-populated, and the MLO simply needs to attest to the record to sync it with **Consumer Access**.
- **Individual Task Management:** "Phase 3" introduces a clear "ball is in your court" system. Whenever an action is required—such as a request for information or an attestation—a **Task** will be created on your personalized dashboard to track it from start to finish.

# A Milestone for Modernization: Key Takeaways from the Record-Breaking 2026 NMLS Conference

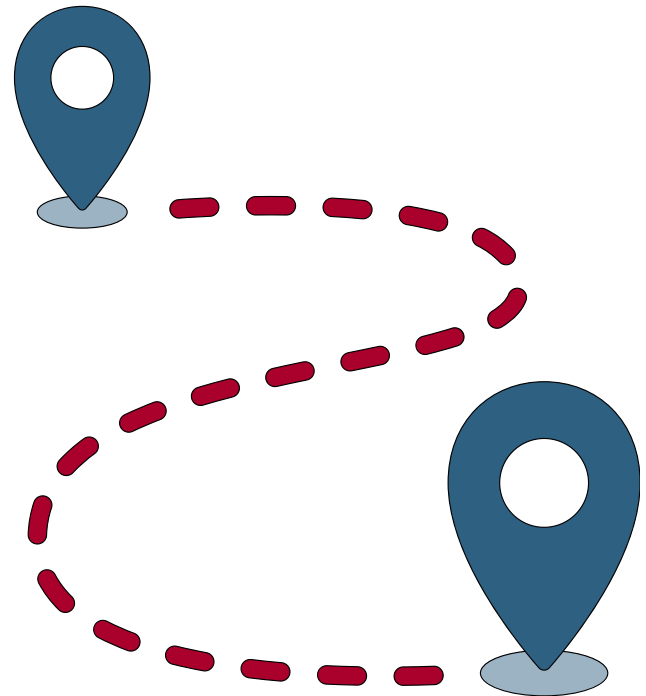
## Measuring Success

The transition is already yielding measurable improvements. Data shared at the conference showed that "Phase 1" enhancements reduced call center hold times from an average of **28 minutes in 2024 to just 5.6 minutes in 2025**. Furthermore, calls related to password resets dropped by **99.3%** thanks to the new self-service login and account consolidation features.

## Looking Ahead: The Modernization Roadmap

While the April 18 release is the immediate priority, the NMLS has provided a clear roadmap for the remainder of the year and into 2027:

- **August 31, 2026:** This is the final due date for all required form updates. We strongly recommend that companies begin planning now, as all **MU2 individual controllers** must be updated to the new form version before certain company-level filings can be submitted.
- **Late 2026:** Licensees can expect further improvements to task management and internal communications within the system.
- **2027 (Phase 4):** The final phase of modernization is tentatively scheduled for the second half of 2027, which will bring a redesigned **Company and Branch licensing experience**, including embedded checklists and guided MU1/MU3 filing workflows.



## Stay Informed!

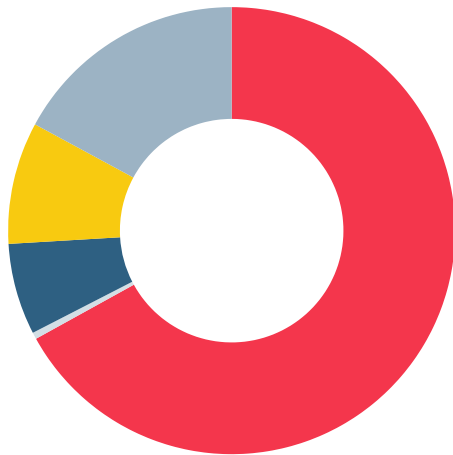
To stay informed on these updates, we encourage all licensees to follow the newly launched [NMLS LinkedIn page](#) for the latest news on system enhancements and policy changes.



# Licensing Stats: January - March 2026

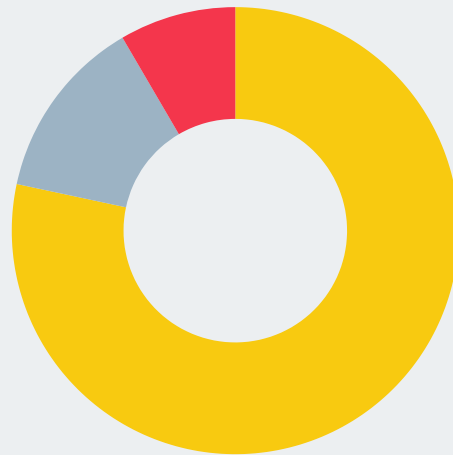
## Real Estate Licensing

- Sales Agents: 18,494
- Branch Brokers: 133
- Associate Brokers: 1,825
- Principal Brokers: 2,439
- Inactive Licenses: 4,726



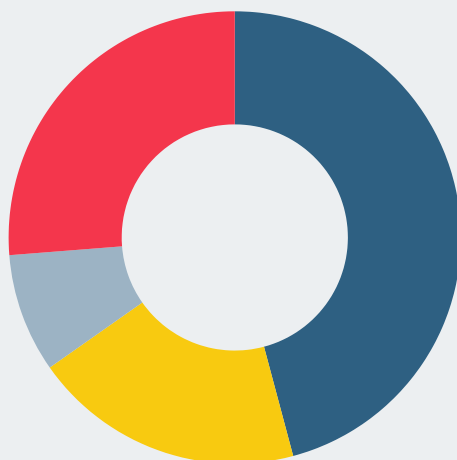
## Real Estate Licensing Companies & Branches

- Real Estate Companies: 2,410
- Branch Offices: 407
- Property Management Companies: 259



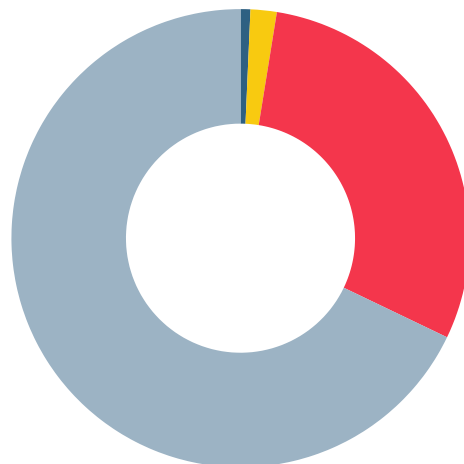
## Real Estate Enforcement

- Total Open Cases: 248
- Complaints Received: 105
- Cases Closed: 142
- Cases Pending w/Utah AG's Office: 46



## Real Estate Education & Examination

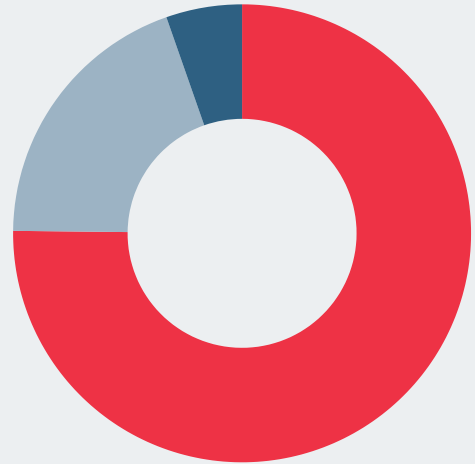
- Pre-license Schools: 12
- Pre-license Instructors: 32
- Continuing Education (CE) Providers: 1,175
- CE Instructors: 512



# Licensing Stats: January - March 2026

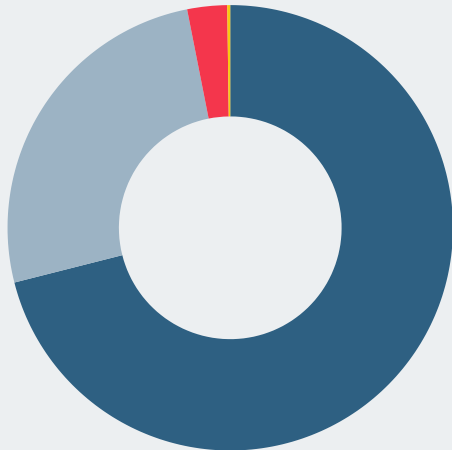
## Mortgage Licensing

- Mortgage Loan Originators: 5,762
- Lending Managers: 1,492
- Inactive Individuals: 411



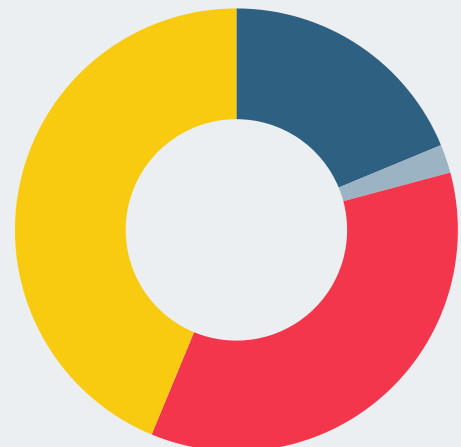
## Mortgage Companies & Education

- Mortgage Companies: 984
- Branch Offices: 358
- Inactive Entities: 40
- Pre-license Schools: 3

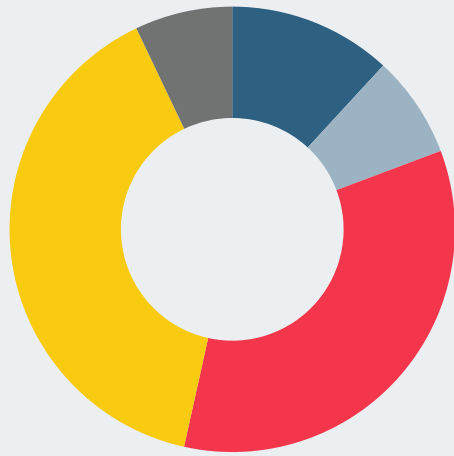


## Mortgage Enforcement

- Total Open Cases: 21
- Complaints Received: 9
- Cases Closed: 17
- Cases Pending w/Utah AG's Office: 1



# Licensing Stats: January - March 2026

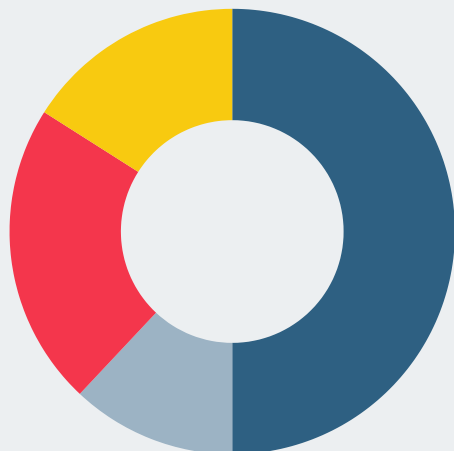
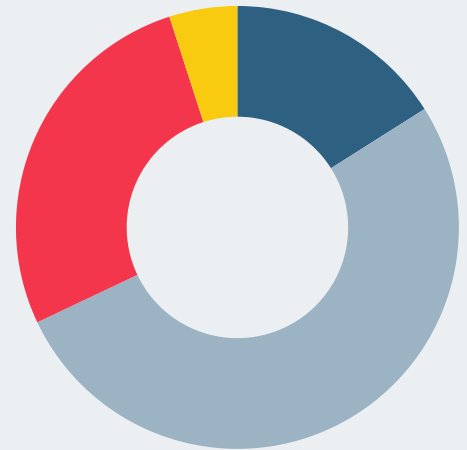


## Appraisal Licensing

- Licensed Appraisers: 174
- Appraisal Trainees: 109
- Certified General Appraisers: 502
- Certified Residential Appraisers: 579
- Appraisal Management Companies: 104

## Appraisal Education

- Pre-license Schools: 9
- Pre-license Instructors: 29
- Continuing Education (CE) Providers: 49
- CE Instructors: 94



## Appraisal Enforcement

- Total Open Cases: 25
- Complaints Received: 6
- Cases Closed: 11
- Cases Pending w/Utah AG's Office: 8

# Rule Developments Since Dec. 1, 2025

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To view and comment on any proposed or amended rules during the public comment period, please **visit the Utah State Bulletin**.

## **Appraisal Management Company Rules**

There are no proposed rule amendments under consideration for the AMC Administrative Rule at this time.

### **Appraisal**

At this time, there are no proposed rule amendments under consideration for the Real Estate Appraiser Licensing and Certification Administrative Rules the "Appraiser Rule". Utah law provides that every five years administrative rules must be reviewed and continued. Otherwise, the rules expire. On January 6, 2026, the Division continued the Appraiser Rule for five more years.

### **Mortgage**

The Division has filed a proposed amendment to the Utah Residential Mortgage Practicing and Licensing Rule. The proposed amendment would reduce the Utah specific prelicense education for a mortgage loan originator license from 15 hours to five hours. The proposed amendment was published and open for public comment through March 17, 2026. This proposed rule may become effective on or after March 24, 2026, and after the Division considers any public comment received during the public comment period.

### **Real Estate**

The Real Estate Rules Committee is working on a new administrative rule to recommend to the Real Estate Commission. The proposed rule will specifically address the licensing and practices of the new property manager license that is expected to be available on January 1, 2027. The new rule is in the process of being drafted and will be presented to the Real Estate Commission for their consideration. This is an ongoing process, and the Real Estate Rules Committee continues to meet to consider various aspects of the proposed new rule.

## **Timeshare and Camp Resort**

There are no proposed rule amendments under consideration for the Timeshare and Camp Resort Rule at this time.



# Licensing & Disciplinary Actions

Please note that Utah law allows 30 days for appeal of an order. Some of the actions below might be subject to this appeal right or currently under appeal.

To view a copy of an order referenced in this article, please email your request to [realestate@utah.gov](mailto:realestate@utah.gov), and include the full name of the person you are inquiring about.

## APPRAISAL/AMC

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
<p>HARWARD, KYLE B Certified Residential Appraiser Farmington, Utah Docket # AP-25-5091 DRE Case # 135938</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>Mr. Harward admits that on one appraisal, he relied on a previous appraisal of a property by another appraiser without adequately collecting, verifying, and analyzing his own market data. On other appraisals, he disregarded comparables that were more similar and closer to a subject, failed to support his determination of the condition of a subject, failed to address other discrepancies, and his appraisals contained other errors. Mr. Harward's conduct violated several Uniform Standards of Professional Appraisal Practice and Rules.</p>	<p>8 hours of mentorship training with a mentor approved by the Division. If he fails to comply with the terms of the stipulation, his license will be suspended.</p>
<p>WATTS, JOHN MICHAEL Certified Residential Appraiser Taylorsville, Utah Docket # AP-2025-146 DRE Case # 156644</p> <p><b>EFFECTIVE DATE</b> Dec. 2025</p>	<p>Mr. Watts admitted that he lacked the necessary competency for an appraisal report of a property that was outside the scope of his license (an improved residential property in a manufacturing zone). He admits that his conduct in delivering the report was in violation of Utah law and the Uniform Standards of Professional Appraisal Practice, including violation of the scope of work rule and the competency rule, and standards related to general development requirements, problem identification, market analysis, highest and best use, approaches to value, and content of a real property appraisal report.</p>	<p>8 hours of mentorship training with a mentor approved by the Division. If he fails to comply with the terms of the stipulation, his license will be suspended.</p>

## APPRAISAL/AMC

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
HUNT, ROBERT D. Certified Residential Appraiser Park City, Utah Docket # AP-2025-132 DRE Case # 143488 & 156613  <b>EFFECTIVE DATE</b> Feb. 2026	Mr. Hunt admitted to multiple violations related to two appraisal assignments, including using inappropriate comparables and reports with discrepancies regarding external site influences. He admits that his reports contained violations of Utah statutes and Uniform Standards of Professional Appraisal Practice Rules, including conduct (bias), competency, general development requirements, approaches to value, and content of appraisal report.	8 hours of mentorship training with a mentor approved by the Division.  If he fails to comply with the terms of the stipulation, his license will be suspended.

## MORTGAGE

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
AMY BLOXHAM Mortgage Loan Originator Bluffdale, Utah Docket # RE-25-5090 DRE Case # MG-22-137185  <b>EFFECTIVE DATE</b> Dec. 2025	Ms. Bloxham admitted that she participated in a complex strategy to help borrowers obtain down payment and closing costs through loans disguised as gifted funds. She represented that numerous borrowers had supposedly received gifts enabling them to qualify for a mortgage loan when the purported gift funds were part of the borrowed funds from loans used to purchase solar panels at an inflated price. The solar panel company returned a portion of the purchase price to the buyer. The purchase price of the solar panels was financed at 100% of the inflated purchase price with a portion of the borrowed funds returned to the buyer. This resulted in a debt that was a separate obligation of the borrowers. The funds returned to the buyer were deceptively presented in the mortgage application as gift funds. The strategy enabled the borrowers to qualify for a mortgage loan they otherwise may not have qualified for. Ms. Bloxham provided the gift fund letters to the borrowers. Ms. Bloxham's conduct in these loan transactions violated Utah law	\$10,000 civil penalty. Mortgage loan originator license revoked.

**REAL ESTATE**

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
<p>ARMKNECHT, CARL Principal Broker Salt Lake City, Utah Docket # RE-2026-012 DRE Case # 159126</p> <p><b>EFFECTIVE DATE</b> Feb. 2026</p>	<p>Mr. Armknecht admitted that his company failed to deliver the security deposit to the property owner within 30 days of the termination of a property management agreement and failed to exercise active and reasonable supervision of his unlicensed employee who he trusted to timely return the deposit to the owner. The security deposit was eventually delivered to the owner. Mr. Armknecht admits that his conduct is in violation of Utah law and administrative rules.</p>	<p>\$3,000 civil penalty. Three hours of continuing education in addition to the continuing education required for next license renewal.</p>
<p>KEMMERER, JAMES, BURR AND TEMPKIN unlicensed Overland Park, Kansas Docket # RE-2025-169 DRE Case # 155070 &amp; 156748</p> <p><b>EFFECTIVE DATE</b> Feb. 2026</p>	<p>Mr. Kemmerer is the principal broker for Burr and Temkin South Inc. (“BurrTemkin”), a real estate company located in Kansas. BurrTemkin was previously registered in Utah as a real estate brokerage. However, their registration expired in 2010. Mr. Kemmerer has never been licensed in Utah. Mr. Kemmerer and BurrTemkin admitted that they violated Utah law when they advertised property for lease in Salt Lake City on loopnet.com. The advertisement referred interested parties to the website of burrtemkin.com. The website identified Mr. Kemmerer as the principal broker and included details about the Utah property, including size, features, and instructions to call for pricing. Advertising property for lease in Utah without a license is a violation of Utah law.</p>	<p>Mr. Kemmerer and BurrTemkin agreed to cease and desist from engaging in the practice of real estate in Utah until they obtain a license or registration. In addition, they agreed to pay a civil penalty of \$5,000.</p>

**REAL ESTATE**

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<p>DEAMER, MARVIN J Principal Broker Ogden, Utah Docket # RE-2025-015 DRE Case # 140287</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>Mr. Deamer acknowledges that an agent affiliated with him was identified in a limited agency agreement as the representative of the seller and that he, Mr. Deamer, would represent the buyer of a home that was to be constructed. They executed a limited agency agreement with the seller, but Mr. Deamer failed to obtain a separate written buyer-agency agreement with the buyers. Although Mr. Deamer was identified as the seller's representative, the affiliated agent communicated directly with the buyers about the material terms of the transaction and contract modifications. The buyers completed the purchase of their home but remained uncertain as to who was acting as their agent and advocating on their behalf. Mr. Deamer admits that he did not obtain a written agency agreement with the buyers that defined the scope of his representation of them. In addition, he admits that he failed to exercise active and reasonable supervision of the affiliated agent. These actions violate Utah administrative rules.</p>	<p>\$5,000 civil penalty. Three hours of continuing education in addition to the continuing education required for next license renewal.</p>
<p>GUTIERREZ, ANDREW Associate Broker Draper, Utah. Docket # RE-2025-176 DRE Case # 150111</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>Mr. Gutierrez resolved complaints related to five separate property transactions. In these transactions, Mr. Gutierrez participated in the transactions through entities that he owned without disclosing that he was an active licensee. Although in some of the listings the property was described as "Agent Owned", other listings failed to disclose that he was a principal in the transactions. Mr. Gutierrez admits that his actions are in violation of Utah administrative rules.</p>	<p>\$10,000 civil penalty.</p>

## REAL ESTATE

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
<p>HANSEN, BLAKE F. Sales Agent South Jordan, Utah Docket # RE-2025-045 DRE Case # 148963, 150166, 153121, &amp; 153187</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>The Real Estate Commission and the Director of the Division found that Mr. Hansen committed 20 violations of Utah law and administrative rules when he:</p> <ol style="list-style-type: none"><li>1. failed to respond to the Division's subpoena, withheld evidence, and failed to produce documents or records;</li><li>2. made intentional and substantial misrepresentations regarding a loan and liens that were to have been secured by real property in multiple transactions;</li><li>3. engaged in dishonest dealings;</li><li>4. prepared or caused to be prepared false documents;</li><li>5. breached his fiduciary duty by failing to deposit earnest money and failing to provide proof of earnest money deposit;</li><li>6. advertised property in a false and deceptive manner;</li><li>7. used forged documents in multiple real estate transactions.</li></ol>	<p>Mr. Hansen was issued a civil penalty of \$5,000 per violation for each of 20 violations, for a total penalty of \$100,000. In addition, his real estate sales agent license, including all residual rights, was revoked.</p>
<p>THEOBALD, TYLER R. Sales Agent Salem, Utah. Docket # RE-2026-010 DRE Case # 157343</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>Mr. Theobald admits that he violated Utah administrative rules when he represented a client as both a real estate sales agent and a mortgage loan originator in the same transaction.</p>	<p>\$3,000 civil penalty. Three hours of continuing education in addition to the continuing education required for next license renewal.</p>

## REAL ESTATE

NAME	ALLEGATIONS / VIOLATIONS	DISCIPLINE / SETTLEMENT
<p>MORTENSEN, NEAL JAMES Sales Agent Taylorsville, Utah Docket # RE-25-5093 DRE Case # 158439</p> <p><b>EFFECTIVE DATE</b> Jan. 2026</p>	<p>Mr. Mortensen admitted that he altered a license history document from the North Carolina Real Estate Commission in an attempt to qualify for a Utah real estate broker license through reciprocity. In addition, the Division determined that Mr. Mortensen had previously provided North Carolina an altered Utah license history indicating that his Utah real estate sales agent license was active and would expire in 2026. Division records indicate that his Utah license expired in 2022 on inactive status. Counsel for Mr. Mortensen indicated that his client had used a virtual assistant to prepare the documents submitted to the Division, and the misinformation may have been the result of miscommunication or misunderstanding. However, he did not provide the name of the virtual assistant, refused an interview with the Division, and admits that he is responsible for ensuring the documents he submitted to the Division were accurate. Mr. Mortensen admits that his conduct violated Utah law.</p>	<p>He agreed to pay a civil penalty of \$5,000, that his residual rights to reinstate his license be revoked, and that he is prohibited from reapplying for a Utah real estate license for 10 years.</p>
<p>BRIAN CRAIG WILLIAMS Sales Agent South Jordan, Utah Docket # RE-2026-018 DRE Case # 159510</p> <p><b>EFFECTIVE DATE</b> Feb. 2026</p>	<p>Mr. Williams admits that he destroyed a file shortly after the transaction failed, without keeping the file for three years. The file was not available to the Division for inspection when it was requested. Mr. Williams was not sure of which documents were in the destroyed file, including uncertainty as to whether he had a written agency agreement. Mr. Williams' failure to preserve the file and make it available to the Division is a violation of Utah law and administrative rules.</p>	<p>\$3,000 civil penalty. Three hours of continuing education in addition to the continuing education required for next license renewal.</p>

## TIMESHARE

There were no disciplinary actions in the Timeshare industry for the first quarter.

## Staff Spotlight: William Nieves

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William Nieves is a dedicated Investigator with the Utah Division of Real Estate, bringing a unique perspective shaped by 38 years of experience in law enforcement, private investigations, and real estate leadership. Before joining the Division, he served as the Director of a national commercial brokerage and owned his own real estate brokerage where he served as the Principal Broker. This background provides him with a firsthand understanding of the complexities of agency, large-scale commercial transactions, and brokerage supervision.



Previously, William served as a K-9 Officer with the Middlesex Township Police Department and as a Detective with the Cumberland County Drug Task Force in Pennsylvania. An expert in discipline and tactical focus, he holds an 8th Degree Black Belt in American Kenpo and previously owned a Private Investigation Agency. Today, he leverages this comprehensive background to ensure that Utah's real estate statutes and administrative rules are upheld with professional integrity. Outside of his professional life, William is an avid bodybuilder and Harley-Davidson enthusiast who enjoys spending quality time with his wife, Sarai, and their five furry and one feathered babies.

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## Welcome Our New Senior Education Coordinator, Regina Duncan!

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Regina is a familiar face, joining us from the licensing team, and is now processing education applications & education renewals. Please feel free to reach out to her directly at [Reginaduncan@utah.gov](mailto:Reginaduncan@utah.gov) with any questions regarding the education course and instructor applications, as well as the education course and instructor renewal process.

You may now submit the following applications directly to Regina via email:

- Continuing Education course applications
- Continuing Education course renewals
- Continuing Education & Pre-Licensing Instructor renewals
- Pre-Licensing School applications
- Pre-Licensing School renewals

### Important Note on Other Submissions:

Please continue to submit **initial Pre-Licensing Instructor** and **initial CE Instructor** applications either by mail or in person to ensure data security.

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# Division Calendar

Please note that calendar dates are subject to change

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DATE	EVENT	TIME
April 8, Wednesday	Mortgage Commission Meeting	9 a.m. to 1 p.m.
April 22, Wednesday	Real Estate Commission Meeting	9 a.m. to 1 p.m.
April 29, Wednesday	Appraiser Board Meeting	9 a.m. to 1 p.m.
May 20, Wednesday	Real Estate Commission Meeting	9 a.m. to 1 p.m.
May 25, Monday	Memorial Day	Division Office Closed
May 27, Wednesday	Appraiser Board Meeting	9 a.m. to 1 p.m.
June 10, Wednesday	Real Estate Commission Meeting	9 a.m. to 1 p.m.
June 15, Monday	Juneteenth National Freedom Day	Division Office Closed
June 24, Wednesday	Appraiser Board Meeting	9 a.m. to 1 p.m.
July 3, Friday	Independence Day	Division Office Closed
July 8, Wednesday	Mortgage Commission Meeting	9 a.m. to 1 p.m.

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C R E D I T S

# NEWSLETTER

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2025 Published by

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feedback!



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