



# THE DIVISION OF REAL ESTATE REVIEW

# IDFPR

Quarterly Newsletter

Illinois Department of Financial and Professional Regulation



WINTER 2022-2023

## 2022 YEAR IN REVIEW

Page 4

ALSO INSIDE:

ONLINE RENEWAL  
PROCESS UPDATES

Page 6

LICENSING ACTS  
UPDATES

Page 16

# CONTENTS

<b>LETTER FROM THE DIRECTOR</b>	<b>3</b>
<b>DIVISION OF REAL ESTATE YEAR IN REVIEW</b>	<b>4</b>
<b>ONLINE RENEWAL PROCESS UPDATES</b>	<b>6</b>
<b>VIRTUAL OFFICE REGISTRATIONS</b>	<b>7</b>
<b>APPRAISAL NEWS: RECONSIDERATIONS OF VALUE</b>	<b>8</b>
<b>ILLINOIS REALTORS® FALL BUSINESS MEETINGS AND GALA</b>	<b>9</b>
<b>DIVISION OF REAL ESTATE EVENTS</b>	<b>10</b>
<b>NEW HIRES</b>	<b>13</b>
<b>NEW PROSECUTORS</b>	<b>14</b>
<b>REAL ESTATE LICENSING AND DISCIPLINARY ACT UPDATES</b>	<b>15</b>
<b>REAL ESTATE APPRAISER LICENSING ACT UPDATES</b>	<b>16</b>
<b>CAM LICENSING AND DISCIPLINARY ACT UPDATES</b>	<b>17</b>
<b>HOME INSPECTOR LICENSE ACT UPDATES</b>	<b>19</b>
<b>AUCTION LICENSING ACT UPDATES</b>	<b>21</b>

# LETTER FROM THE DIRECTOR

Greetings Everyone,

As another year has come to a close, this is a time to reflect on the past year and celebrate all the accomplishments that have been achieved. As I reflect on this past year, it is plain to see just how hard the Division of Real Estate (“DRE”) worked to meet and exceed the goals we set out to accomplish for 2022. Some of those accomplishments include a comprehensive review of administrative rules for three DRE licensing acts, a total revamp of our complaint intake forms, external publications outlining complaint intake and enforcement guidelines, the creation of a video FAQ library, virtual office implementation, internal staff trainings, and PSI exams and process reviews, just to name a few.



The Division of Real Estate has also been extremely busy with events over the past year. Our team participated in eight events, in Illinois and nationally. These events have been valuable learning and collaborating opportunities and it has been great to connect in-person again. We were also able to utilize the second year Appraisal Subcommittee grant monies for travel, training, equipment, and expert witnesses. DRE has just been awarded our third-year grant funds in which we will focus on outreach events to promote diversity in the appraisal profession.

I would like to personally thank the entire DRE team for their contribution in accomplishing these goals and would particularly like to thank Deputy Director Ericka Johnson for keeping us on track! 2023 looks to be another busy year for the Division of Real Estate, so stay tuned!

Always remember to take time to celebrate life.

Sincerely,

A handwritten signature in blue ink that reads "Laurie Murphy". The signature is fluid and cursive.

Laurie Murphy  
Director, Division of Real Estate

# Illinois Department of Financial and Professional Regulation



## DIVISION OF REAL ESTATE 2022 YEAR IN REVIEW

### PROJECT HIGHLIGHTS



FIRST STATE TO RECOGNIZE  
AND REGISTER VIRTUAL  
OFFICES



ILLINOIS PARTICIPATED IN THE  
PSI NATIONAL BROKER EXAM  
REVIEW FOR THE FIRST TIME IN  
OVER 10 YEARS



INVESTIGATOR TRAININGS ON  
APPRAISALS, FAIR HOUSING,  
AND ACTS CHANGES



COMPLAINT INTAKE  
FORMS REVAMPED



BEGAN A COMPREHENSIVE  
OVERHAUL AND DRAFTING OF  
THE ADMINISTRATIVE RULES FOR  
CAM, HOME INSPECTION, AND  
APPRAISAL



AWARDED THIRD YEAR  
APPRAISAL SUBCOMMITTEE  
GRANT



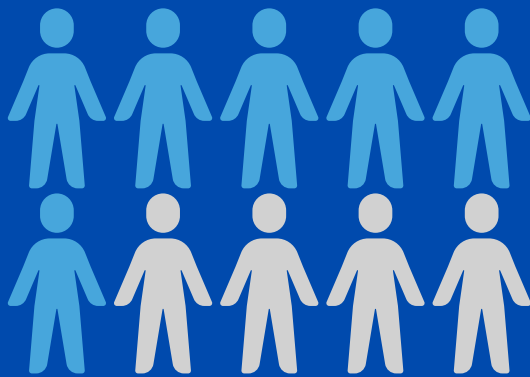
PUBLISHED TWO NEW  
CONSUMER BROCHURES



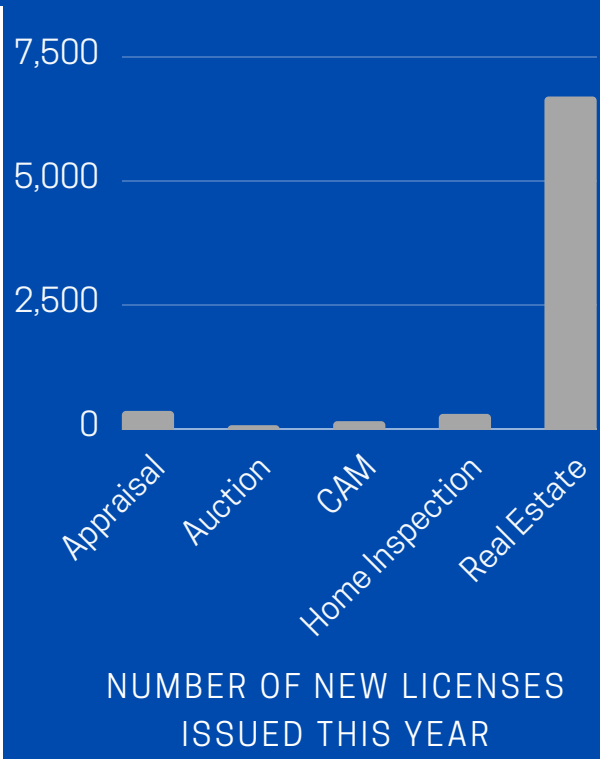
STARTED BUILDING A  
VIDEO LIBRARY FOR DRE  
FREQUENTLY ASKED QUESTIONS

8,740

## MILES TRAVELED FOR DIVISION OF REAL ESTATE INDUSTRY EVENTS

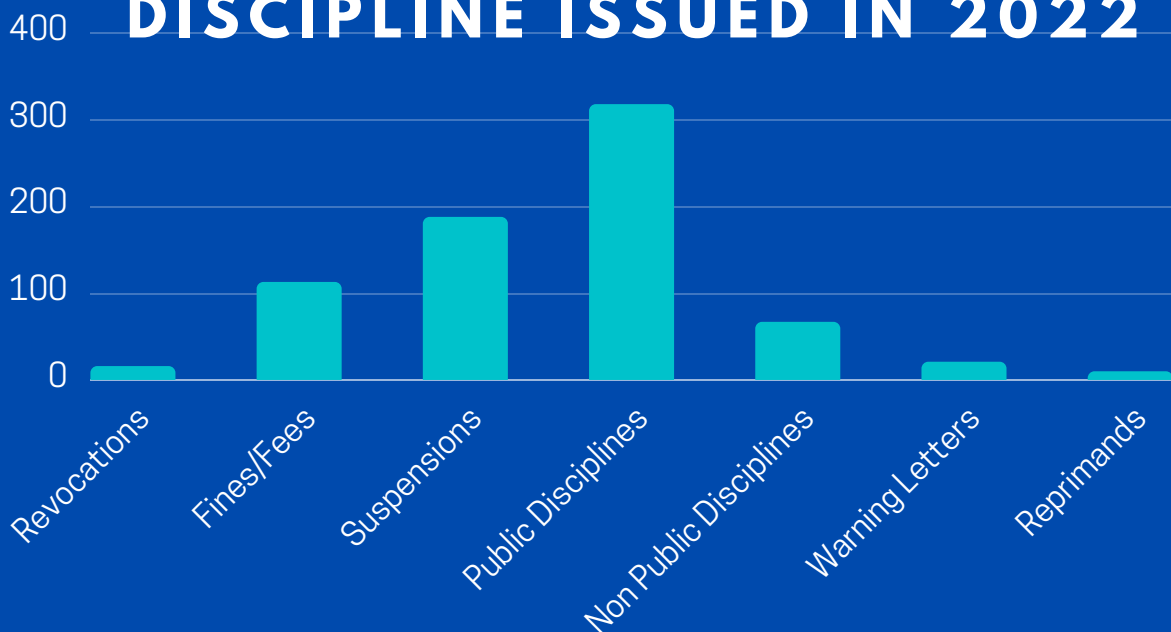


IN 2022, 60% OF DRE BOARD MEMBERS WERE PERSONS OF COLOR OR WOMEN



NUMBER OF NEW LICENSES ISSUED THIS YEAR

## DISCIPLINE ISSUED IN 2022



# ONLINE RENEWAL PROCESS UPDATES

**Jeremy Reed**  
Chief of Real Estate Licensing and Education



In 2022, the Division of Real Estate (“DRE”) launched a new online renewal process for real estate professionals. The renewal system replaces several methods used in previous several renewal cycles, including licensees being asked to mail in or log into a specific website to renew their licenses. This online system was added to the already established online licensing application portal. This update helps licensees because they no longer must visit a separate website or mail their renewal with a paper check.

Please note, all renewing licensees have approximately 30 days after their license expires to renew online (if applicable). After those 30 days are up, the process transitions to a paper form and paper check process. These late renewals must include the required late fee in order to be accepted.

The DRE team has been working hard to assist every emailer, caller, and those sending faxes to help make this new process a success. DRE would like to remind everyone to keep track of your login credentials. Since its inception, more than 7,000 online applications have been submitted. All other professions will be transitioned to a new platform over the coming year.

Additionally, DRE continues to champion a technical fix that will reactivate the email notification system. Understanding the urgency, DRE has partnered with our IT teams to make the correction and enable our users to receive email notifications and alerts when pending action is required for supervision required transactions such as transfers, join requests, and terminations.

## Renewal Deadlines!

- Licensed Real Estate Managing Broker  
4/30/2023
- Licensed Real Estate Pre-License Instructor  
6/30/2023
- Licensed Real Estate Pre-License Course  
6/30/2023
- Licensed Real Estate Education Provider  
6/30/2023
- Licensed Real Estate CE Instructor  
6/30/2023
- Licensed Real Estate CE Course  
6/30/2023



## VIRTUAL OFFICE REGISTRATIONS

In Spring 2022, DRE began accepting Virtual Office registrations. This marked the first time that a regulatory agency provided a virtual option for conducting real estate brokerage operations.

While blazing a path into the future, the initial rounds of applications highlighted the fact that being virtual involves much more than just creating a website. DRE is seeking a single integrated solution that encompasses all aspects of a real estate brokerage. As Director Murphy explained during several speaking engagements, "...the Virtual Office should mirror a bricks and mortar office, in that all activities happen in a single space."

In a commitment to remaining flexible and responsive to this new venture, DRE has updated the application and has published an FAQ document and video to help applicants fulfill the requirements for making real estate virtual offices a reality. Since the launch, DRE has issued 17 licenses to date. For more information, click the following links:

[DRE Virtual Office Application](#)

[Virtual Offices F.A.Q.](#)

[Video: What is a Virtual Office?](#)

[How to Register a Virtual Office](#)

The biggest challenge DRE has seen for applicants is fulfilling the requirement to have an integrated system in place. That means all tools required to run the complete operation must be housed within a single platform and accessible via an online system. Although third party platforms may meet the requirements for a virtual office, the Division cannot make vendor-specific recommendations. In addition, a virtual office requires the applicant to have an *active* sponsoring broker license.

# APPRAISAL NEWS: RECONSIDERATIONS OF VALUE

**Brian Weaver**  
Real Estate Appraiser Coordinator



When someone isn't happy with an appraiser's opinion of value, particularly in mortgage transactions, the next step is a Reconsideration of Value ("ROV"). While sometimes items may be omitted or valuable features were overlooked, an ROV allows for the appraiser to revisit the report before being finalized at underwriting.

For those who perform appraisal assignments for the Veterans Administration, they have their own system for ROVs known as the Tidewater Initiative. In Tidewater, new data is submitted to the appraiser in the form of MLS sheets and a brief explanation as to why it should be considered, but there is no guarantee that the opinion of value will be changed.

Most of the ROVs that DRE sees from appraisal management companies include only an address of a property that may or may not be a closed sale. Appraisal management companies must provide more than just an address of a property. Even in FHA work, the Department of Housing and Urban Development requires that underwriters must provide appraisers with all relevant data.

As a reminder, the topic of ROVs is covered in the Appraisal Management Company Registration Act, which is modeled after the Tidewater Initiative.  
(225 ILCS 459/160)

**Sec. 160. Business practice provisions; standards of practice.**

*(c) In the event of a value dispute or a requested reconsideration of value, the appraisal management company shall deliver all information that supports an increase or decrease in value to the appraiser. This information may include, but is not limited to, additional comparable sales.*



# ILLINOIS REALTORS® FALL BUSINESS MEETINGS AND GALA

On September 20, 2022, Director Laurie Murphy, Deputy Director Ericka Johnson, and Chief of Boards and Complaints for Real Estate and Community Association Management Monica Gutierrez attended the Broker Engagement Forum at the Illinois REALTORS® Fall Business Meetings in Oakbrook. Director Murphy presented to the group and provided statistics about the growth of the real estate profession, including that the number of leasing agent licensees has increased 14% since the same time in 2021, the number of managing broker licensees has increased three percent, and the number of broker licensees has increased four percent.

The Director also shared about her and the Deputy Director's recent Fall trip to Nashville to attend the Association of Real Estate License Law Officials ("ARELLO") conference and what the key takeaways were. The duo participated in conversations regarding the emergence of cryptocurrency in real estate transactions and the rise of multi-year listing agreements across the county that have had the unfortunate effect of harming consumers. Director Murphy also provided updates about how DRE is working to reduce licensing times and case backlogs, produce various publications to assist licenses, and introduce a new IT infrastructure, which was very well received.

Later that evening the Director, the Deputy Director, and Chief Gutierrez were joined by DRE's Deputy General Counsel Gabriela Nicolau and Chief of Prosecutions Geetu Naik for the Inauguration Gala of the new Illinois REALTORS® President for 2023, Michael Gobber. Several IDFPR Real Estate Administration and Disciplinary Board members were also present for the enjoyable evening.



# DRE LEADERSHIP AMONG NATIONAL LEADERS

The Association of Real Estate License Law Officials (“ARELLO”) held its annual conference in Nashville, Tennessee in Fall 2022. IDFPD Secretary Mario Treto, Jr., Director Laurie Murphy, and Deputy Director Ericka Johnson attended along with almost 300 other real estate regulators, board members, and administrators from the United States and Canada. Hot topics at the conference included the emergence of cryptocurrency in real estate transactions and the rise of multi-year listing agreements and their damaging effects to consumers.

Secretary Treto was voted Vice President of District 3 (Illinois, Colorado, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, Saskatchewan, and South Dakota). In addition, Director Murphy serves as chair of the Examination Accreditation Committee, and Deputy Director Johnson serves on the Fair Housing Committee.



# FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS



Chief of Real Estate Prosecutions Geetu Naik and Deputy General Counsel Gabriela Nicolau attended the Federation of Associations of Regulatory Boards (“FARB”) regulatory law seminar September 29-October 1 in Virginia, where various topics impacting regulatory agencies all over the country were discussed. Topics included the various types of regulatory agency models, diversity, equity, and inclusion, the powers and limitations of the Licensing Boards as to licensed professionals, and witness preparation for administrative hearings. In addition, IDFPD General Counsel Dina Torrisi Martin presented “Emerging from the Pandemic: Current State of Telehealth,” a presentation that focused on the current state of telehealth practice and how medical boards are addressing its expanded use.

# APPRAISAL DIVERSITY INITIATIVE EVENT



DRE Deputy Director Ericka Johnson presented during an Appraiser Diversity Initiative (“ADI”) workshop at The Chicago Urban League on November 10, where she spoke about the path to becoming an appraiser. DRE Appraisal Coordinator Brian Weaver also attended the event. The Appraiser Diversity Initiative, led by the Appraisal Institute, Fannie Mae, Freddie Mac, and The National Urban League, is a nationwide program designed to attract new applicants into the appraisal profession and also promote diversity in the profession.

DRE is excited to begin diversity, equity, and inclusion work within the appraisal profession. We are looking to hold workshops in every corner of Illinois in 2023 similar to this one and we need your help. If you want to be a guest on an appraiser Q&A panel or if you know of a location in your area we can present at, please send us a message at [FPR.DRE.Events@illinois.gov](mailto:FPR.DRE.Events@illinois.gov). We welcome all opportunities to work with professional organizations to help ensure qualified professionals are able to obtain their licenses in Illinois!

## MEETING WITH THE SAFER FOUNDATION

On November 15, 2022, IDFPR Secretary Mario Treto, Jr. and members of the Department’s leadership team met with Kevin Brown, Senior Director of External Affairs & Community Partnerships at the Safer Foundation to discuss innovative ways to reduce barriers to entry and increase equity for individuals seeking reentry after incarceration. Since it was founded in 1972, the SAFER Foundation has worked at local, state, and national levels to offer support and opportunity to justice-involved individuals, and now serves more than 5,300 individuals annually.

Learn more about the SAFER Foundation by visiting [SAFERFoundation.org](http://SAFERFoundation.org).



## NATIONAL ASSOCIATION OF REALTORS®



IDFPR Secretary Mario Treto, Jr., DRE Director Laurie Murphy, and Deputy DRE Director Ericka Johnson met with Charlie Lee, Senior Counsel and Director of Legal Affairs at the National Association of REALTORS® (“NAR”) on November 1, 2022. They discussed current trends and issues, and how NAR can collaborate with IDFPR to better serve its members through education and resources.

# ASSOCIATION OF APPRAISER REGULATORY OFFICIALS

DRE Director Laurie Murphy and Deputy Director Ericka Johnson attended the Association of Appraiser Regulatory Officials (“AARO”) Fall conference in Washington, D.C. on October 13-17, 2022. As first-time attendees, Director Murphy and Deputy Director Johnson took advantage of the numerous breakout sessions on topics such as appraisal investigations, appraisal bias, and building appraiser diversity, appraiser education and professionalism, and much more.

Director Murphy and Deputy Director Johnson were able to meet with the federal policy managers from the Appraisal Subcommittee (who regulate the Division’s appraisal program), as well as members of the Appraisal Foundation. They both look forward to exploring ways to broaden experience for new appraisers and to continue outreach efforts toward a new generation of appraisers.



# IDFPR LEADERSHIP ATTENDS ANNUAL GALA

IDFPR Secretary Mario Treto, Jr. and DRE Director Laurie Murphy were among the Guests of Honor at the Association of South Asian Real Estate Professionals’ (“ASARP”) annual gala in November!

The annual gala celebrates the end of the year for the non-for-profit, which helps real estate professionals of South Asian descent on increasing productivity and professionalism. Other Guests of Honor included U.S. Congressman Raja Krishnamoorthi, the Hon. Amit Kumar (Consular General of India), and Samir Aurora (President of the National Association of Realtors India).



## Events in January and February 2023

- Association of Real Estate License Law Officials (ARELLO) Conference
  - o 1/9-11/2023 in Henderson, NV
- Illinois REALTORS® (IR) Winter Business Meeting
  - o 1/23-26/2023 in Bloomington, IL
- Association of Real Estate License Law Officials (ARELLO) Conference
  - o 1/9-11/2023 in Henderson, NV
- Illinois State Auctioneers Association (ISAA) Conference
  - o 2/23-26/2023 in Bloomington, IL
- Mainstreet Organization of REALTORS® Affordable Housing Summit
  - o 2/1/2023 in Orland Park, IL
- National Auctioneer License Law Officials Association Winter Meeting
  - o 2/15/2023 (virtual)

# NEW ADDITION TO THE DRE TEAM!

**Jennifer Rossiter Moreno**



The Division of Real Estate would like to welcome Jennifer Rossiter Moreno to the team! Jennifer started in October and serves as Operations Manager for the Division of Real Estate of the Illinois Department of Financial and Professional Regulation. In this capacity, Rossiter Moreno manages and coordinates executive level projects and events on behalf of the Division and assists the Director with internal operations. Prior to joining IDFPR, Rossiter Moreno was the Operations Manager for the Lukins Home Network Team with Compass Real Estate. Her vision and passion for growing the business through people has earned her the reputation as an exceptional communicator, reliable team member, and consummate leader. She's held a Real Estate Broker license since 2018.

Rossiter Moreno grew up working in and around the Chicagoland area as a professional singer, actress and dancer. She moved to the west coast, earned her Bachelor of Fine Arts degree, and started her own company training future performers. This is where her love of recruiting and coaching began. Rossiter Moreno earned the reputation as an energetic game changer and transitioned into her next venture as a well-respected and innovative talent agent in Los Angeles for over a decade. Jennifer was instrumental in creating and strengthening work environments and compensation for actors, dancers, and choreographers in film, television, and on stage. Eventually, she moved back home to Chicago to raise her family and during the process of purchasing her first home her interest and subsequent career in real estate began. A career in real estate was a natural fit for her recruitment, training, and support skill set.

Rossiter Moreno looks forward to having a positive impact on the Division of Real Estate in her new role.

# NEW PROSECUTORS

In an effort to increase Division efficiencies, the Division of Real Estate has hired two new prosecutors.



## Elliot Dubin

Attorney Elliot Dubin received his bachelor's degree in Hotel Administration from the University of Nevada, Las Vegas and graduated cum laude from the Northern Illinois University College of Law. He started teaching as a graduate assistant while in law school, and continued teaching after obtaining his Juris Doctor degree and Illinois law license. Dubin practiced law in Illinois as a solo practitioner before joining the faculty at the University of North Texas, where he primarily taught hospitality law and human resources. After moving to Connecticut and becoming licensed there, Dubin joined a local law firm where he focused on criminal defense and, to a lesser extent, small claims and probate matters. When the COVID-19 pandemic began, Dubin started his own law firm focusing on real estate and, specifically, refinancing and reverse mortgage transactions. After moving back to Illinois, he joined a mid-sized downtown Chicago law firm focusing on insurance defense for both workers' compensation and insurance subrogation. After some time in private practice, Dubin wanted to return to the public sector, and that is when he joined IDFPR. When Dubin is not in the office, he enjoys spending time with his one-year-old daughter and his lovely wife. He loves to travel and hopes to begin doing so again soon.



## Sheilah O'Grady-Krajniak

Attorney Sheilah O'Grady-Krajniak graduated summa cum laude in 2002 from Loyola University Chicago with a BS in Psychology, and is a 2006 graduate of the Chicago-Kent College of Law, where she was an Honors Scholar. She then worked for 15 years in the Cook County State's Attorney's Office in a variety of positions. For the past three years, O'Grady-Krajniak worked in the Mental Health Division doing hearings for involuntary commitment and treatment. She lives in the southwest suburbs with her family, and can frequently be found both backstage and onstage with the local community theater.



# LICENSING ACTS 2022 UPDATES PRINTABLES

## REAL ESTATE LICENSE ACT OF 2000 UPDATES

The Real Estate License Act of 2000 was updated by the 2022 Spring Omnibus bill with amendments effective as of May 27, 2022.

Here are some highlights:

- Clarifies which criminal history records may not be considered in connection with the Department's review of an applicant's criminal history. (225 ILCS 454/5-25)
- Includes a new provision for the reporting of convictions to the Department by an applicant or licensee within 30 days of the occurrence. (225 ILCS 454/5-25)
- Adds new language regarding renewals and issuance of licenses, specifically states that an unpaid fine or fee may prevent a licensee from renewing or an applicant from being licensed. (225 ILCS 454/5-50)
- Simplified the definition of "licensee" to mean any person licensed under this Act. (225 ILCS 454/1-10)
- Adds language to the dual agency section that a licensee shall not serve as a dual agent in any transaction when the licensee, or an entity in which the licensee has or will have any ownership interest, is a party to the transaction. (225 ILCS 454/15-45)

# REAL ESTATE APPRAISER LICENSING ACT OF 2002 UPDATES

The Real Estate Appraiser Licensing Act was updated with amendments effective as of January 1 and May 27, 2022.



Here are some highlights:

- Requires that licensees and applicants provide an address of record and an email address of record to the Department. (225 ILCS 458/1-12)
- Clarifies that a designated street “address of record” with the Department may not be a post office box. (225 ILCS 458/1-10)
- Revises the definition of Appraisal Management Company to conform with the federal definition on panel size. (225 ILCS 458/1-10)
- Adds language to the definition of “appraiser” as one who appraises “competently and in a manner that is independent, impartial, and objective.” (225 ILCS 458/1-10)
- Adds a definition for:
  - “Appraiser panel”
  - “Automated valuation model”
  - “Email address of record”
  - “Evaluation”
  - “Hybrid entity”(225 ILCS 458/1-10)
- Clarifies which criminal history records may not be considered in connection with the Department’s review of an applicant’s criminal history. (225 ILCS 458/5-22)
- Provides for a continuing education non-disciplinary citation, or “ticket”, process in lieu of continuing education violations going directly to Enforcement for the filing of a formal complaint. (225 ILCS 458/15-10.1)
- Includes a new provision for the reporting of convictions to the Department by an applicant or licensee within 30 days of the occurrence. (225 ILCS 458/5-22)
- Adds new language regarding renewals and issuance of licenses, specifically states that an unpaid fine or fee may prevent a licensee from renewing or an applicant from being licensed. (225 ILCS 458/5-25)
- Incorporates language regarding the process for placing a license in “inactive status” and the process for resuming “active status.” (225 ILCS 458/5-26)
- Mandates disciplinary action after a legal finding or final order that a licensee had discriminated while engaged in licensed activity. (225 ILCS 458/15-11)
- Adds as grounds for discipline the development of valuation conclusions based on sexual orientation, pregnancy, order of protection status, and military status. (225 ILCS 458/15-10)
- Updates notice requirement for Department to inform supervising appraiser(s) of record of formal complaints against their trainee appraiser(s). (225 ILCS 458/15-15)



# COMMUNITY ASSOCIATION MANAGER LICENSING AND DISCIPLINARY ACT UPDATES

The Community Association Manager Licensing and Disciplinary Act was updated with amendments effective as of January 1 and May 27, 2022.



Here are some highlights:

- Requires that licensees and applicants provide an address of record and an email address of record to the Department. (225 ILCS 427/12)
- Clarifies that a designated street “address of record” with the Department may not be a post office box. (225 ILCS 427/10)
- Updates the definition of “community association manager” and adds a definition of “designated community association manager.” (225 ILCS 427/10)
- Now includes qualifications for licensure as a CAM firm, including requiring a designated community association manager who will manage and supervise everyone working for the firm. (225 ILCS 427/41 and 225 ILCS 427/50)
- Updates the requirements relating to fidelity insurance. (225 ILCS 427/55)
- Adds new language regarding renewals and issuance of licenses, specifically states that an unpaid fine or fee may prevent a licensee from renewing or an applicant from being licensed. (225 ILCS 427/60)
- Incorporates language regarding the process for placing a license in “inactive status” and the process for resuming to “active status.” (225 ILCS 427/60)

*(continued on page 18)*

- Adds new disciplinary provisions for:
  - Operating a CAM firm without a licensed DCAM
  - Failing to meet the requirements for acting as a DCAM
  - Failing to disclose to an association compensation received from a third party with or related to a transaction made on behalf of the association.
  - Failing to disclose to an association, that a CAM has greater than a 1% ownership interest or receives or may receive dividends or profit sharing from a third-party referral. Does not include a publicly held or traded company. (225 ILCS 427/85)
- Adds as grounds for discipline, giving differential treatment based on ancestry, age, order of protection status, marital status, physical or mental disability, military status, unfavorable discharge from military status, sexual orientation, or pregnancy. (225 ILCS 427/85)
- Adds a statute of limitations for the filing of a complaint with the Department within 5 years after a violation occurs, or within 5 years from the date when circumstances last existed giving rise to a continuing violation. (225 ILCS 427/161)
- Mandates disciplinary action after a legal finding or final order that a licensee had discriminated while engaged in licensed activity. (225 ILCS 427/86).
- Provides for a continuing education non-disciplinary citation, or “ticket”, process in lieu of continuing education violations going directly to Enforcement for the filing of a formal complaint. (225 ILCS 427/85.1)
- Updates the notice requirements that the Department may inform the DCAM of record of a pending investigation against one of its CAMs, and that final disciplinary orders will be sent to the DCAM of record and may be sent to the board of managers for the association that directly employs the CAM. (225 ILCS 427/95)
- Clarifies which criminal history records may not be considered in connection with the Department’s review of an applicant’s criminal history. (225 ILCS 427/40)
- Includes a new provision for the reporting of convictions to the Department by an applicant or licensee within 30 days of the occurrence. (225 ILCS 427/40)

# HOME INSPECTOR LICENSE ACT UPDATES

The Home Inspector License Act was updated with amendments effective as of January 1 and May 27, 2022.



Here are some highlights :

- Requires that licensees and applicants provide an address of record and an email address of record to the Department. (225 ILCS 441/1-12)
- Clarifies that a designated street “address of record” with the Department may not be a post office box. (225 ILCS 441/1-10)
- Updates the definition of “home inspector” to include an “entity.” (225 ILCS 441/1-10)
- Exempts sole proprietors or sole owners who are the only licensed home inspector from having to license their business as well. (225 ILCS 441/5-5)
- Adds requirement for a licensed “managing home inspector” for entities. (225 ILCS 441/5-12)
- Requires that Home Inspectors now carry general liability insurance for at least \$100,000 in coverage. (225 ILCS 441/5-50)
- Clarifies which criminal history records may not be considered in connection with the Department’s review of an applicant’s criminal history. (225 ILCS 441/5-10)
- Includes a new provision for the reporting of convictions to the Department by an applicant or licensee within 30 days of the occurrence. (225 ILCS 441/5-10)
- Adds as grounds for discipline the development of home inspection opinions or conclusions based on military status, unfavorable discharge from military status, sexual orientation, order of protection status, or pregnancy. (225 ILCS 441/15-10)
- Creates new disciplinary provisions for:

*Failing to include in the home inspection report the following:*

- License numbers of the Home Inspectors and the expiration of those licenses.
- Names of all persons who conducted the home inspection and prepared any subsequent written evaluation.

*Engaging in any of the following prohibitive practices:*

- Advertising or operating a home inspection entity without a licensed home inspector responsible for all inspections. (continued on page 20)

*(continued from page 19)*

- Advertising a misrepresentation of fact or falsehoods regarding the licensee's professional achievements, skill, or qualifications.
- Advertising that only makes a partial disclosure of facts related to pricing or services.
- Advertising claims that the State or any political subdivision endorse the home inspection report or its contents.
- Disclosing inspection results or client information without the client's written consent.
- A home inspector shall not deliver a home inspection report to any person other than the client without the client's written consent.
- Providing fees, gifts, waivers of liability, or other forms of compensation to persons licensed under any real estate professional licensing act in this State as consideration or inducement for the referral of business. (225 ILCS 441/15-10)
- Mandates disciplinary action after a legal finding or final order that a licensee had discriminated while engaged in licensed activity. (225 ILCS 441/15-11)
- Adds new language regarding renewals and issuance of licenses, specifically states that an unpaid fine or fee may prevent a licensee from renewing or an applicant from being licensed. (225 ILCS 441/5-16 and 5-17)
- Provides for a continuing education non-disciplinary citation, or "ticket", process in lieu of continuing education violations going directly to Enforcement for the filing of a formal complaint. (225 ILCS 441/15-10.1)

# AUCTION LICENSING ACT UPDATES

The Auction Licensing Act was updated by the 2022 Spring Omnibus bill with amendments effective as of May 27, 2022.



Here are some highlights:

- Clarifies which criminal history records may not be considered in connection with the Department's review of an applicant's criminal history. (225 ILCS 407/10-5)
- Includes a new provision for the reporting of convictions to the Department by an applicant or licensee within 30 days of the occurrence. (225 ILCS 407/10-5)
- Adds new language regarding renewals and issuance of licenses, specifically states that an unpaid fine or fee may prevent a licensee from renewing or an applicant from being licensed. (225 ILCS 407/10-30)
- Mandates disciplinary action after a legal finding or final order that a licensee had discriminated while engaged in licensed activity.(225 ILCS 407/20-16)
- Provides for a continuing education non-disciplinary citation, or "ticket," process in lieu of continuing education violations going directly to Enforcement for the filing of a formal complaint. (225 ILCS 407/20-15.1)

## CONTACT US

### Licensing and Testing

320 West Washington Street  
3rd Floor  
Springfield, Illinois 62786

[FPR.RealEstate@illinois.gov](mailto:FPR.RealEstate@illinois.gov)

### General Assistance:

1-888-473-4858

### Enforcement, Complaints, and Investigations

555 West Monroe Street  
5th Floor  
Chicago, Illinois 60661

### Complaint Intake Unit:

[FPR.REcomplaint@illinois.gov](mailto:FPR.REcomplaint@illinois.gov)

### TTY Line:

866-325-4949

**Check out our DRE FAQ  
playlist on YouTube [here!](#)**

<https://idfpr.illinois.gov/DRE.asp>

