



Montana Department of LABOR & INDUSTRY

Board of Realty Regulation Disciplinary Sanction Matrix

VIOLATIONS				
	<i>Violation Type</i>	<i>Salesperson</i>	<i>Broker</i>	<i>Property Manager</i>
A	Minor	\$250+ 4 hours CE in relevant category	\$250+ 4 hours CE in relevant category	\$250+ 4 hours CE in relevant category
(a)	Failing to have written agency disclosures/written management agreement	Agency/Contract	Agency/Contract	Contract
(b)	Violating lead paint disclosure or Megan's law disclosure requirement (no injury)	No CE required	No CE required	No CE required
(c)	Failing to document, in writing, changes to the terms and provisions of an agreement	Agency/Ethics	Agency/Ethics	n/a
(d)	Failing to get all signatures in writing on documents	Agency/Ethics	Agency/Ethics	n/a
(e)	Failing to keep all records of managed property for 8-year minimum	No CE required	No CE required	No CE required
(f)	Use of the term "realtor" by a person not authorized to do so or using another trade name or insignia of membership in a real estate organization of which the licensee is not a member	Ethics	Ethics	Ethics
(g)	Failing to provide change of address	No CE	No CE	No CE

B	Moderate	\$500 + 4 hours CE in relevant category or categories	\$500 + 4 hours CE in relevant category or categories	\$500 + 4 hours CE in relevant category or categories
(h)	Failing to respond to a request from the Board	No CE required	No CE required	No CE required
(i)	Aiding and abetting unlicensed practice	Ethics	Ethics/Supervision	Ethics
(j)	Failing to adequately supervise a salesperson in the course of the practice of real estate/property management	n/a	Ethics/Supervision	n/a

COMMENTARY

(1) The intent of the matrix is to address numerous and recurrent technical violations in a consistent and efficient manner. Prosecutors and adjudication panel members are cautioned against deviation from the guidelines in all cases except when the conduct in the matrix is accompanied by other conduct which constitutes an imminent threat to the public health, safety, or welfare.

(2) All second offenses are to be referred to the screening panel for possible disciplinary action.

(3) Cases with serious mitigating or aggravating factors will be referred to the screening panel.