Retention and Classification Report

Agency: Department of Commerce. Division of Real Estate (845)

160 East 300 South
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Records Officer: _____

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AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82563 3
TITLE: Change forms
DATES: 1986-
ARRANGEMENT: Chronological by date
ANNUAL ACCUMULATION: 24.00 cubic feet.
DESCRIPTION:

These records contain notifications by a license holder of a change of information on his/her status, employer, or other license information. This form is then used as a data entry form to enter the changes into the computer data system. Information includes the new and old: name, address, social security number, company name, principal broker, and licensee's agent.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: For records beginning in 1986 through 2010. Retain in Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 10 years and then delete.

APPRAISAL:

These records have administrative, and/or legal value(s).

These records have legal value pursuant to UCA 61-2g-306 (2011); UCA 61-2f-301 (2011); and UCA 57-19a-303.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82563
TITLE: Change forms

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82571 3
TITLE: Deposit report
DATES: 1982-
ARRANGEMENT: Chronological
DESCRIPTION:

These records include financial information as to funds received by the Division on a daily basis.

RETENTION:

Retain for 2 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Computer data files: Retain in Office for 1 day and then print and erase.

Paper: Retain in Office for 2 years and then destroy.

APPRAISAL:

These records have administrative value(s).

This information is printed daily. Once printed, the on-line information can be deleted.

PRIMARY DESIGNATION:

Public

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82570 3
TITLE: Evaluation forms
DATES: 2010-
ARRANGEMENT: Alphabetical by course, school, or instructor's name
DESCRIPTION:

These records are evaluations forms completed by individuals who take education from the Division of Real Estate-certified schools and instructors. Information includes school, instructor, and course names; course certification number; and student comments as to the value and effectiveness of the educational experience. Prospective licensees must attend one of these schools as part of the licensing process. Information in the records may include the school identification number, the school name and address, and the name of the contact person.

RETENTION:

Retain until resolution of issue

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: For records beginning in 2010 and continuing to the present. Retain in Office until administrative need ends or until any student complaint is resolved and then destroy.

APPRAISAL:

These records have administrative value(s).

This information is useful only as long as it is current.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82570
TITLE: Evaluation forms

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Protected.	UCA 63G-2-305(9)(a)
Private.	63G-2-302(2)(d)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 9353 3
TITLE: Hearing case files
DATES: 1937-
ARRANGEMENT: Alphabetical by name.
ANNUAL ACCUMULATION: 3.00 cubic feet.
DESCRIPTION:

These records document charges filed against licensees resulting in hearings conducted by the Department of Commerce, Division of Real Estate, and the Appraiser Board, Real Estate Commission, or the Mortgage Commission. Information includes pleadings, exhibits, arguments, subpoenas, witness testimonies, evidence, documentation, and resolutions. Information concerning the terms of denied, granted, or conditionally granted licenses or registration, as well as resulting orders may be included. Hearing case files may also be included in Real Estate Commission meeting minutes (series 9350).

RETENTION:

Permanent. Retain for 10 year(s) after case is closed

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule Administrative hearing records, GRS-1655.

AUTHORIZED: 11-06-2018

FORMAT MANAGEMENT:

Paper: Retain in Office for 1 year after case is closed and then transfer to State Records Center. Retain in State Records Center for 9 years and then transfer to State Archives.

APPRAISAL:

These records have historical value(s).

The records in this series document actions of the division relative to hearings.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 9353
TITLE: Hearing case files

(continued)

PRIMARY DESIGNATION:

Private — Utah Code 63G-2-302(1)(b) and (2)(d)(2019)

SECONDARY DESIGNATION(S):

Protected. — Utah Code 63G-2-305(9)(a) and (d)(2019)
Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 02/2019.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 18281 3
TITLE: Initial application for license, certification, or registration
DATES: 1997-
ARRANGEMENT: Alphabetical by name
ANNUAL ACCUMULATION: 12.00 cubic feet.
DESCRIPTION:

These files document the complete records for registering, licensing, and certifying appraisers and appraiser trainees, real estate entities and professionals, mortgage entities and professionals, appraisal management companies, timeshare developers and sales persons, and the schools, instructors, and courses through which these professionals obtain required education in Utah. Appraisers are registered, licensed, or certified as per UCA 61-2g et seq. (2011); real estate entities are registered as per Utah Administrative Code R162-2f-205 et seq.; real estate professionals are licensed as per UCA 61-2f et seq. (2010); mortgage entities and professionals are licensed as per UCA 61-2c et seq. (2010); appraisal management companies are registered as per UCA 61-2e et seq. (2010); timeshare developers and sales persons are registered as per UCA 57-19a et seq. (2011); and schools, instructors, and courses are certified under Utah Administrative Code R162 et seq. Records include application forms, verification of identity, verification of legal presence, examination results, disclosure questionnaires, sample appraisals, criminal history, and records of adverse administrative actions taken in other jurisdictions. Information in the records includes name, birth date, gender, address(es), phone number(s), Social Security number, employment history, driver license number, and professional license history.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1997

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 18281
TITLE: Initial application for license, certification, or registration

(continued)

FORMAT MANAGEMENT:

Paper: For records prior to and including 2010. Retain in Office until entered into database and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

Computer data files: For records beginning in 2011 and continuing to the present. Retain in Office for 10 years and then delete.

APPRAISAL:

These records have administrative value(s).

This disposition is based on the administrative needs expressed by the agency.

PRIMARY DESIGNATION:

Public UCA 63G-2-301(2008)

SECONDARY DESIGNATION(S):

Private. UCA 63G-2-302(1)(b)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 83960 3
TITLE: Investigative files (action taken)
DATES: 1985-
ARRANGEMENT: Numerical by case number
ANNUAL ACCUMULATION: 10.00 cubic feet.
DESCRIPTION:

Investigations of complaints filed against real estate licensees where action was taken as a result of an investigation. All public information related to disciplinary action is transferred to the Hearing case files, series 9353.

RETENTION:

Retain for 20 year(s) after case is closed

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 08/1996

FORMAT MANAGEMENT:

Paper: Retain in Office until case is closed and then transfer to State Records Center provided all appeals have been completed. Retain in State Records Center for 20 years and then destroy.

Computer data files: Retain in Office for 20 years after case is closed and all action completed and then delete.

APPRAISAL:

These records have administrative value(s).

This disposition is based on the needs expressed by the agency.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 83960
TITLE: Investigative files (action taken)

(continued)

PRIMARY DESIGNATION:

Protected	UCA 63G-2-305(9)

SECONDARY DESIGNATION(S):

Public.	UCA 63G-2-301 (2008)
Private.	UCA 63G-2-302(1)(b)
Controlled.	UCA 63G-2-304

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 83959 3
TITLE: Investigative files (no action)
DATES: 1970-
ARRANGEMENT: Numerical by case number
ANNUAL ACCUMULATION: 5.00 cubic feet.
DESCRIPTION:

These records document complaints filed against real estate licensees and in which no action was taken after an investigation. Information includes license number, case number, notes, social security number, case summary, original complaint letter, complaint intake sheet, license status notice, respondent's answer, interview notes, and investigative reports.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 03/1992

FORMAT MANAGEMENT:

Paper: For records beginning in 1970 and continuing to the present. Retain in Office until case is closed and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 10 years and then delete.

APPRAISAL:

These records have administrative, and/or legal value(s).

UCA 76-1-302 (1990)), specifies that misdemeanor violations shall be commenced within two years after its commission and violations of infractions shall be commenced within one year of commission. UCA 76-1-301 (1990)), specifies that prosecution may be commenced at any time for falsifying public records.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 83959
TITLE: Investigative files (no action)

(continued)

PRIMARY DESIGNATION:

Protected	UCA 63G-2-305((9)(a)

SECONDARY DESIGNATION(S):

Private.	UCA 63G-2-302(2)(b)
Public.	UCA 63G-2-301(3)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 81179 3
TITLE: License history files
DATES: 1921-
ARRANGEMENT: Alphabetical by name thereunder chronological
ANNUAL ACCUMULATION: 12.00 cubic feet.
DESCRIPTION:

These records detail individual licensees' activities. They are used as a reference tool by the staff to provide background information for those licensees who move out of the state and attempt to secure licenses in other states. Information includes a licensee's name, address, history of employment, type of license, and dates of licensure.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: For records beginning in 1921 through 2005. Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 9 years and then destroy.

Paper: For records beginning in 2006 and continuing to the present. Retain in Office until scanned into database system and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 10 years and then delete.

Microfilm master: Retain in Archives for 10 years and then destroy.

Microfilm duplicate: Retain in Archives for 10 years and then

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 81179
TITLE: License history files

(continued)

destroy.

APPRAISAL:

These records have administrative value(s).

This record is used by the staff to provide background information on licensees in case the licensee wishes to become licensed in another state. Information more than thirty years old would not have enough value to warrant retention.

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Private. UCA 63G-2-302(1)(b)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 84487 3
TITLE: License related correspondence
DATES: 1993-2009. 2010-
ARRANGEMENT: Chronological
DESCRIPTION:

These records contain communications between the division and the individuals and entities that are licensed, registered, or certified by the Division of Real Estate. Information includes requests for information, letters of correction, and responses to written inquiries and complaints to the extent that the communications are not part of an application or enforcement proceeding. Before 2010, these records were kept on paper and transferred to the Archives. These records also contain packets compiled for commissioners and policy and program correspondence.

RETENTION:

Permanent. Retain for 10 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

These records are in Archives' permanent custody.

FORMAT MANAGEMENT:

Paper: For records beginning in 1993 and continuing to the present. Retain in Office for 3 months and then transfer to State Records Center. Retain in State Records Center for 10 years and then transfer to State Archives.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 10 years and then delete.

APPRAISAL:

These records have administrative, and/or historical value(s).

These records have evidentiary value as unique information about agency functions, policies, procedures, or programs.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 84487
TITLE: License related correspondence

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Protected. UCA 63G-2-305(9)(b) and (c)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82574 3
TITLE: Notices
DATES: 1982-
ARRANGEMENT: Alphabetical by name, thereunder chronological
DESCRIPTION:

These records contain information that an individual who is registered, licensed, or certified by the division of Real Estate is required to provide if the individual files for bankruptcy; resolves a criminal prosecution through conviction, plea in abeyance, or diversion agreement; or suffers an adverse licensing action in another jurisdiction. This requirement is imposed by statute as follows: appraisal, UCA 61-2g-306 (2011); mortgage, UCA 61-2c-205 (2011); real estate, UCA 61-2f-301 (2011); and timeshare, UCA 57-19a-303.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Computer data files: Retain in Office for 10 years and then delete.

APPRAISAL:

These records have administrative, and/or legal value(s).

The records have legal value and retention is imposed by statute as follows: appraisal, UCA 61-2g-306 (2011); mortgage, UCA 61-2c-205 (2011); real estate, UCA 61-2f-301 (2011); and timeshare, UCA 57-19a-303.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82574
TITLE: Notices

(continued)

PRIMARY DESIGNATION:

Private UCA 63G-2-302(1)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82587 3
TITLE: Orders
DATES: 1983-
ARRANGEMENT: Alphabetical by name
DESCRIPTION:

These records document the decisions and orders resulting from hearings conducted by the Department of Commerce, Division of Real Estate, including Commissions or Boards. Information includes final agency orders, original charges filed against licensees, and substantiation or basis for resolution.

RETENTION:

Permanent. Retain for 20 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: For records beginning in 1983 and continuing to the present. Retain in Office for 2 years and then transfer to State Archives with authority to weed.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 20 years and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have administrative, and/or historical value(s).

This information has potential research value, as it would document the development of Commission decisions and the impact of public input on those decisions. For administrative ease, all records of public hearings should be transferred to the State Archives. Later the Archives staff can weed out records of little value.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82587
TITLE: Orders

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82589 3
TITLE: Real estate commission members' travel records
DATES: 1983-
ARRANGEMENT: Chronological
DESCRIPTION:

These are claims for reimbursement filed by members of the Mortgage Commission, Real Estate Commission, and Appraisal Board for expenses incurred through their serving on the board. Reimbursement is authorized as follows: for the Mortgage Commission, UCA 61-2c-104(6); for the Real Estate Commission, UCA 61-2f-103(5); for the Appraisal Board, UCA 61-2g-204(7). The information recorded includes the date of the meeting, the low org number, the social security number of the members, their addresses, the actual miles traveled, the amount of reimbursement, and the signatures of the board members.

RETENTION:

Retain for 4 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: Retain in Office for 4 years and then destroy.

APPRAISAL:

These records have administrative, and/or fiscal value(s).

This retention is to allow for any potential audit of these records.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82589
TITLE: Real estate commission members' travel records

(continued)

PRIMARY DESIGNATION:

Public

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 9355 3
TITLE: Recovery fund files
DATES: 1979-
ARRANGEMENT: None
DESCRIPTION:

These are case files pertaining to the Real Estate Recovery Fund Act, wherein if someone sustains damages due to the practice of a licensed real estate agent upon a judicial decision that person can be awarded up to $10,000. The case files include court orders and orders to pay

RETENTION:

Permanent. Retain for 4 year(s)

DISPOSITION:

Transfer to Archives.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series is authorized by Archives general schedule Administrative hearing records, GRS-1655.

AUTHORIZED: 11-06-2018

FORMAT MANAGEMENT:

Paper: Retain in Office for 1 year and then transfer to State Records Center. Retain in State Records Center for 3 years and then transfer to State Archives with authority to weed.

APPRAISAL:

These records have fiscal, and/or historical value(s).

Records in this series document agency history and functions.

PRIMARY DESIGNATION:

Public

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 9355
TITLE: Recovery fund files

(continued)

SECONDARY DESIGNATION(S):

Private
Controlled

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 6684 3
TITLE: Renewal applications
DATES: 1986-
ARRANGEMENT: Alphabetical by name thereunder chronological by date
ANNUAL ACCUMULATION: 24.00 cubic feet.
DESCRIPTION:

These records document the complete process of renewing the registration, license, or certification of appraisers, appraiser trainees, real estate professionals, mortgage entities, mortgage professionals, appraisal management companies, timeshare developers, and sales persons. They also document the schools, instructors, and courses through which these professionals obtain required continuing professional education in Utah. Records include application forms; verification of identity; verification of legal presence; disclosure questionnaires, records of criminal activity, and adverse administrative actions occurring since the last date of registration, licensure, or certification.
Information in the records includes name, birth date, gender, address(es), telephone number(s), Social Security number, driver license number, and employment information.

RETENTION:

Retain for 10 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 06/1987

FORMAT MANAGEMENT:

Paper: For records beginning in 1986 through 2005. Retain in Office for 6 months and then transfer to State Records Center. Retain in State Records Center for 114 months and then destroy.

Paper: For records beginning in 2006 through 2010. Retain in

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 6684
TITLE: Renewal applications

(continued)

Office until scanned and quality checked and then transfer to State Records Center. Retain in State Records Center for 10 years and then destroy.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 10 years and then delete.

Microfilm master: Retain in Archives for 10 years and then destroy.

Microfilm duplicate: Retain in Archives for 10 years and then destroy.

APPRAISAL:

These records have administrative, and/or legal value(s).

The record is kept as required by an interstate agreement to provide background information on real estate agents and brokers who move their place of business from one state to another. The agreement calls for providing information for the preceding ten years.

PRIMARY DESIGNATION:

Private UCA 63G-2-302(1)(f),and (2)(d)

SECONDARY DESIGNATION(S):

Protected. UCA 63G-2-305(9)

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82560 3
TITLE: Responses to records requests
DATES: 1985-
ARRANGEMENT: Chronological thereunder alphabetical by surname
DESCRIPTION:

These records document the responses to records requests from the division. Information includes correspondence, copies of records provided, log of denied records, procedures to appeal, telephone numbers, e-mail addresses, and other personally identifying private information. May also include licensee name, license number, business and mailing address, license history, license type, dates license was active, dates license was inactive, examination date, any disciplinary actions taken.

RETENTION:

Retain for 5 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 12/1992

FORMAT MANAGEMENT:

Paper: Retain in Office for 5 years and then destroy.

Computer data files: For records beginning in 2010 and continuing to the present. Retain in Office for 5 years and then delete.

APPRAISAL:

These records have administrative value(s).

This disposition is based on the needs expressed by the agency.

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 82560
TITLE: Responses to records requests

(continued)

PRIMARY DESIGNATION:

Public

SECONDARY DESIGNATION(S):

Private.	UCA 63G-2-302(2)(d)
Protected.	UCA 63G-2-305

AGENCY: Department of Commerce. Division of Real Estate

SERIES: 7297 4
TITLE: Subdivision and timeshares registration case files
DATES: 2010-
ARRANGEMENT: Numerical by registration number.
DESCRIPTION:

This record includes original applications, attached exhibitions, submitted public offering statements, correspondence, orders of registration, and maps.

RETENTION:

Retain for 7 year(s)

DISPOSITION:

Destroy.

RETENTION AND DISPOSITION AUTHORIZATION:

Retention and disposition for this series were specifically approved by the State Records Committee.

APPROVED: 04/1985

FORMAT MANAGEMENT:

Paper: Retain in Office until administrative use ends and then transfer to State Records Center. Retain in State Records Center for 7 years and then destroy.

APPRAISAL:

These records have administrative value(s).

This disposition is based on the needs expressed by the agency.

PRIMARY DESIGNATION:

Public

REVIEW AND UPDATE STATUS:

This report was reviewed and updated on 12/2015.