

## SECTION .0600 – REAL ESTATE COMMISSION HEARINGS

### 21 NCAC 58A .0601 COMPLAINTS/INQUIRIES/MOTIONS/OTHER PLEADINGS

- (a) Any individual may file a complaint against a broker at any time. A complaint shall:
- (1) be in writing;
  - (2) identify the respondent broker or firm; and
  - (3) apprise the Commission of the facts which form the basis of the complaint.
- (b) A complaint may be amended by submitting the revised complaint in writing to the Commission.
- (c) When investigating a complaint, the scope of the Commission's investigation shall not be limited only to matters alleged in the complaint.
- (d) All answers, motions, or other pleadings relating to contested cases before the Commission shall be:
- (1) in writing or made during the hearing as a matter of record; and
  - (2) apprise the Commission of the matters it alleges or answers.
- (e) During the course of an investigation, any broker that receives a Letter of Inquiry from the Commission shall submit a written response within 14 days of receipt. The Commission, through its legal counsel or other staff, may send a broker a Letter of Inquiry requesting a response. The Letter of Inquiry, or attachments thereto, shall set forth the subject matter being investigated. The response shall include:
- (1) a disclosure of all requested information; and
  - (2) copies of all requested documents.
- (f) Persons who make complaints are not parties to contested cases, but may be witnesses.

*History Note: Authority G.S. 93A-3(c); 93A-6(a); 150B-38(h);  
Eff. February 1, 1976;  
Readopted Eff. September 30, 1977;  
Amended Eff. July 1, 2000; August 1, 1998; May 1, 1992; February 1, 1989; November 1, 1987;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1,  
2018;  
Amended Eff. July 1, 2019.*