STATE OF SOUTH DAKOTA
SOUTH DAKOTA REAL ESTATE COMMISSION

In the matter of

COMPLAINT

Respondent(s)

____________Do Not Write Above This Line____________

INFORMATION

The South Dakota Real Estate Commission regulates real estate licensees. If a licensee violates the statutes or rules established for licensees, the commission may take disciplinary action against that licensee. The South Dakota Real Estate Commission does not provide private legal advice or services either to licensees or to the public.

INSTRUCTIONS

PLEASE TYPE OR PRINT CLEARLY IN PEN OR INK. Complete all applicable sections of this form accurately to the best of your knowledge and information. Provide all information which you know or can discover with reasonable investigation. Please return completed form to the South Dakota Real Estate Commission, 221 West Capitol, Suite 101, Pierre, SD 57501.

1. Complainant(s)

Name(s): _____________________________________________

Address: ___________________________________________

City, State, Zip Code: ______________________________________

Telephone: (home) _________________________________ (work) ____________________________

Email Address (if more information is needed):______________________________________________
2. Information about licensees named in the complaint
   a. Name: ___________________________________________________________________________

   License type, if known (check one)       Broker __________      Salesperson __________

   Other (please list) ___________________________________________________________________

   Firm Name: _________________________________________________________________________

   Address: ___________________________________________________________________________

   City, State, Zip: ___________________________________________________________________

   Telephone Number: ___________________________________________________________________

   b. Name: ___________________________________________________________________________

   License type, if known (check one)       Broker __________      Salesperson __________

   Other (please list) ___________________________________________________________________

   Firm Name: _________________________________________________________________________

   Address: ___________________________________________________________________________

   City, State, Zip: ___________________________________________________________________

   Telephone Number: ___________________________________________________________________

3. General information about complaint
   a. Type of real estate transaction (check one)

   Sale/Purchase __________              Lease __________               Appraisal __________

   Other (describe) ______________________________________________________________________

   Date(s) of transaction(s): _______________________________________________________________

   b. Have you contacted the persons complained about and attempted to resolve this matter?

      Yes __________          No __________

      Persons and dates contacted are:

      ___________________________________________________________________________________

      ___________________________________________________________________________________

      Results: ____________________________________________________________________________

      ___________________________________________________________________________________
4. Have you retained an attorney to assist in resolving this or a related matter? Yes ______ No ______

Attorney’s Name: ________________________________________________________________

Attorney’s Address: ______________________________________________________________

Telephone Number: ______________________________________________________________

May we contact your attorney about this matter? Yes ______ No_______  (If you have answered “yes,”
please notify your attorney that you have done so.)

5. List the names of all other agencies and associations with whom you have or intend to file a complaint.

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

6. Have you gone to court if the complaint involves the same or related matters which are the subject of a
   civil lawsuit? Yes _______ No _______    If “yes,” has it been completed? Yes _______    No _______

7. Have other complaints about this or related matters been filed with the Commission? (Check one)

   Yes _______    No _______    Don’t know ______

If yes, give details: ________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________
8. Persons who were witness to the complained-about transaction(s) or who otherwise are likely to have first hand knowledge about the transaction(s):

Name _______________________________        Name _______________________________
Address _______________________________
_____________________________________
_____________________________________
Telephone _____________________________        Telephone _____________________________
Present at transaction _______                                     Present at transaction _______
Saw documents _______                                              Saw documents _______
Other ________________________________        Other ________________________________
_____________________________________
_____________________________________

Name _______________________________        Name _______________________________
Address _______________________________
_____________________________________
_____________________________________
Telephone _____________________________        Telephone _____________________________
Present at transaction _______                                     Present at transaction _______
Saw documents _______                                              Saw documents _______
Other ________________________________        Other ________________________________
_____________________________________
_____________________________________

9. On separate sheets of paper, detail in concise terms the facts giving rise to your complaint. It is important that you explain what occurred as completely as possible so that the commission and its representatives can have a full understanding of the nature of your complaint. Be specific as to date, time and places. Attach clear copies of ALL documents and papers which relate to the acts or occurrences complained of even though they may only indirectly relate to your complaint.

10. A copy of your complaint will be served on the licensee(s) being complained against and an answer to the complaint is required to be filed 20 days after service. A copy of the answer will be mailed to you after its receipt by the Real Estate Commission.
11. The Commission may not enforce, interpret, modify, rescind or cancel listing agreements, purchase and sale agreements or any other contract, order the return of earnest money or security deposits, award damages, settle real estate commission fee disputes or otherwise settle claims.

12. The Commission holds its meetings in various locations across the State of South Dakota; however, the majority of the meetings are held in Pierre. If you are unwilling to testify or fail to appear if requested, the Commission may dismiss the complaint.

Are you willing to appear under oath as a witness and be cross-examined concerning the allegations made in the complaint? Yes _______ No _______

Dated this ______________ day of ______________________________, _______.

I declare and affirm under the penalties of perjury that this complaint has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

______________________________________              ______________________________________
Complainant                                                                          Complainant

COMMISSION ACTION ON COMPLAINT

When the complaint and answer have been received, commission staff will conduct an investigation. The Real Estate Commission will review the complaint and determine appropriate action. You will be notified of any action or proposed action by the commission. Thank you.