

Washington State Department of Personnel  
Class Specification

**REAL ESTATE INVESTIGATOR**

427W

**Abolished Effective May 15, 2009**

**Definition:**

Investigates violations of the State laws and regulations governing activities of real estate brokers and salespersons, and escrow agents and officers. The majority of these investigations involves complex cases.

**Distinguishing Characteristics:**

Investigators in this classification work independently in the investigation of complaints of incompetence, fraud, conspiracy, unfair business practices and other violations of relevant laws administered by the Director of Licensing. They obtain evidence and prepare documented reports for use in administrative hearings, civil and criminal cases involving real estate and escrow licenses.

NOTE: For the purpose of this specification, complex cases are defined as follows: property management, stock, lender and security schemes, investment syndicates and creative financing schemes.

NOTE: For the purpose of this specification, the term "investigates" refers to the gathering of facts and developing of evidence for the purpose of substantiating allegations of fraud, misconduct, unfair business practices or other claims under State jurisdiction, and includes:

1. Responsibility for developing the complete case from the original complaint or allegation through preparation for presentation in court or administrative hearing as required.

AND

2. The use of the full range of investigative duties as necessary to complete assigned cases. This includes:
  - researching records and developing case files;
  - gathering and preserving documentary evidence;
  - obtaining and serving subpoenas to compel the attendance of witnesses or the production of records;
  - obtaining statements of facts, depositions, or confessions;



- conducting field surveillance;
- obtaining and coordinating the service of search warrants;
- advising parties of their constitutional rights;
- writing investigative reports, establishing proof of facts and evidence sufficient to be used in a court or administrative hearing;
- reviewing the case with private attorneys, assistant attorney general or prosecuting attorney;
- presenting completed investigation to a county prosecutor or U.S. Attorney's Office;
- testifying in court or other proceedings as necessary.

**Typical Work:**

Independently conducts complex civil or criminal investigations of Real Estate brokers and salespersons, escrow agents and officers, and unlicensed activities;

Reviews initial complaints and determines jurisdiction; interviews and questions witnesses to establish-facts; gathers analyses and preserves evidence to determine conclusions of law; prepares detailed and comprehensive reports for civil and/or criminal action;

Analyzes and evaluates financial, technical and other reports to determine the suitability of the applicant to obtain a license or registration;

Conducts conferences and interviews with private and corporate attorneys, CPA's, management officials, private investors, private developers and other interested parties who are experts in these fields for the purpose of obtaining interpretation of cases;

Recommends and assists in drafting cease and desist orders, subpoenas, stop orders, license revocation orders, license denial orders and license suspension orders which have an immediate injunctive effect; assists the Attorney General and/or county prosecutor in preparing for hearings and court proceedings that are requested as a result of the issuance of these orders;

Coordinates investigative efforts with other staff, county, other states and federal enforcement agencies;

Develops real estate program recommendations for review by administrative personnel; maintains integrity and confidentiality of investigations to prevent premature disclosures which might prove to be unfounded, creating a situation which would destroy citizenry confidence in the firm or individual under investigation, thereby exposing the State to potential liability;

Conducts discreet observation to include the use of photographic equipment;

Testifies in court and administrative hearings as necessary;

Performs other duties as required.

**Knowledge and Abilities:**

Knowledge of: laws, rules and procedures governing real estate in the State of Washington; methods, principles, standards and techniques of criminal and civil investigations; interviewing techniques; rules of evidence; chain of custody of evidence; search and seizure; Miranda Warning; techniques in investigative report writing including customs and standards of real estate brokerage, insurance laws, types of financing, operation of mortgage companies, title companies, familiarity with zoning laws and building requirements.

Ability to: exercise objective and mature judgment; gather, preserve, and analyze and present accurately relevant and pertinent testimony and evidence in administrative hearings and/or criminal trials; audit and prepare report of status of real estate brokers' and escrow, agents' trust accounts; analyze and organize documentary evidence; write complete and concise reports, and draw valid conclusions; develop and maintain effective, cordial personal relationships with licensees and public; operate in the field with minimum supervision, exercising good judgment and producing effective results.

**Legal Requirement(s):**

There may be instances where individual positions must have additional licenses or certification. It is the employer's responsibility to ensure the appropriate licenses/certifications are obtained for each position.

**Desirable Qualifications:**

A Bachelor's degree involving major study in business, law, public administration, real estate or closely allied field and four years of experience directly allied to real estate activities involving public accounting, auditing, business or financial management.

OR

Two years' experience as a Real Estate Auditor.

Additional qualifying experience or experience in maintaining real estate records and closing real estate transactions as a real estate broker or escrow officer may substitute, year for year, for two years of the education requirement.

**Class Specification History:**

New class Effective October 12, 1979

Revised January 11, 1985 Revises definition, distinguishing characteristics and minimum qualifications

New class code: (formerly 47580) effective July 1, 2007

Abolished; adopted May 14, 2009, effective May 15, 2009.