

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission
Rule No. 790-X-1-11
Rule Title: Course Content for Continuing Education.
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Vaughn T Poe

Date February 18, 2022

REC'D & FILED (DATE FILED)
FEB 18 2022 (STAMP)
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LEGISLATIVE SVC AGENCY

ALABAMA REAL ESTATE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Commission

RULE NO. & TITLE: Rule 790-X-1-.11
Course Content for Continuing Education

INTENDED ACTION: Amend Rule

SUBSTANCE OF PROPOSED ACTION: A 3-hour Qualifying Broker CE course will be required for all associate and qualifying brokers beginning with the next license period. This course must be taken in addition to the mandatory Risk Management course. All associate and qualifying brokers must have the 3-hour Risk Management course, the 3-hour Qualifying Broker course, and 9 hours of elective CE courses to renew a license on active status in 2024. A copy of the proposed rule amendment may be found on the Commission's website, www.arec.alabama.gov.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments can be presented at the public hearing scheduled at 9:00 a.m. on March 24, 2022 during the regularly scheduled Commission Meeting to be held at the Alabama Real Estate Commission located at 1201 Carmichael Way, Montgomery, Alabama. Additionally, written comments may be addressed to Vaughn Poe, Executive Director, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106. Written comments must be received in the Commission office no later than 4:30 p.m. on April 8, 2022.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
April 8, 2022

CONTACT PERSON AT AGENCY: Barbi Lee, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106. (334) 242-5544.

Vaughn T Poe

Vaughn T. Poe
Executive Director

Rule 790-X-1-.11. Course Content For Continuing Education.

(1) To meet continuing education requirements, ~~licensees~~ salespersons shall complete fifteen (15) clock hours each license period as set out below:

(a) Three (3) clock hours in the Commission-approved Risk Management course.

(b) Twelve (12) clock hours in Commission-approved courses.

(2) Effective October 1, 2022, to meet continuing education requirements, associate brokers and qualifying brokers shall complete fifteen (15) clock hours each license period as set out below:

(a) Three (3) clock hours in the Commission-approved Risk Management course.

(b) Three (3) clock hours in the Commission-approved Qualifying Broker course.

(c) Nine (9) clock hours in Commission-approved courses.

~~(2)~~ (3) The curriculum for continuing education courses offered for elective credit shall consist of subjects which are "core" real estate and which will assist the licensee in fulfilling the Commission's statutory duty of protecting the public. Some examples of acceptable subject matter are License Law, RECAD (Real Estate Consumer's Agency and Disclosure Act), real estate ethics, real estate financing, appraisal and valuation, fair housing, truth-in-lending, agency relationships, agency disclosure, liability of real estate agents, writing contracts, handling escrow funds, environmental issues, negotiating techniques, listing and buyer presentations, writing and presenting offers, showing property, sales skills, communication skills, marketing, certain financial calculator courses, computer courses which are real estate specific and how to utilize technology in the practice of real estate. Examples of unacceptable subject matter are motivational courses, personal development courses, sales meetings, in-house training and orientation courses. All course topics and content are subject to approval by the Commission.

Author: Alabama Real Estate Commission

Statutory Authority: Code of Ala. 1975, §§ 34-27-6; 34-27-8; 34-27-35.

History: Filed August 27, 1986. **Ed Note:** Former Rule No 790-X-1-.09 entitled "Instructor Qualifications" was amended and moved to become Rule No 790-X-1-.07. **Amended:** Filed May 17, 1988; August 15, 1988; January 31, 1989; January 30, 1990; September 13, 1990. Emergency rule filed October 1, 1990. **Amended:** Filed December 6, 1990; October 22, 1991; December 9, 1992. **Amended:** Filed August 25, 1993; effective September 29, 1993. **Amended:** Filed January 18, 1994; effective February 22, 1994. **Amended:** Filed August 17, 2016; effective October 1, 2016. **Amended:** Filed August 12, 2020; effective October 15, 2020. **Amended:** Filed _____, effective _____.