

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission

Rule No. 790-X-2-03

Rule Title: Issuance Of Temporary And Original Salesperson Licenses

 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 *Patricia Anderson*

Date June 18, 2018

(DATE FILED)
(STAMP)

ALABAMA REAL ESTATE COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Real Estate Commission

RULE NO. & TITLE: Rule 790-X-2-.03
Issuance Of Temporary And Original Salesperson Licenses

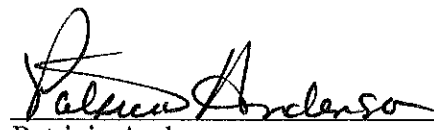
INTENDED ACTION: Amend Rule

SUBSTANCE OF PROPOSED ACTION: The proposed amendment inserts “salesperson” to be consistent and contains grammatical corrections. A copy of the proposed rule 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 July 26, 2018 at the Alabama Real Estate Commission located at 1201 Carmichael Way, Montgomery, Alabama. Additionally, written comments may be addressed to Patricia Anderson, 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 August 3, 2018.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
August 3, 2018

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



Patricia Anderson
Executive Director

(1) A person shall be required to have a temporary salesperson license issued prior to ~~taking~~ beginning a post license course and ~~earning~~ to earn post license credit. The license holder shall provide the temporary license number to the instructor before he/she will be allowed to begin the post license course.

(2) The expiration date on a temporary salesperson license shall be six months from the first day of the month following its issuance, i.e.; the expiration date shall be midnight on the last day of the last month of the six month period. After that, the license shall be valid, although inactive, for another six months as prescribed by statute. After this one year period, the inactive temporary salesperson license shall lapse if the holder fails to complete the 30-clock hour post license course, submit a completed original salesperson application and fee, and have the original (permanent) license issued. The inactive temporary salesperson license shall lapse at midnight on the last day of the last month of the one-year period.

(3) A temporary salesperson license may be on active status only during the six months following its issuance. During the remaining six months in which the temporary salesperson license holder has to complete the post license course, the temporary salesperson license ~~may~~ shall only be on inactive status. The license may be activated with the issuance of the original (permanent) license.

(4) A temporary salesperson license holder may transfer a license via the regular transfer procedures anytime during the first six months after the issuance of the temporary salesperson license.

(5) The application for the original (permanent) salesperson license shall be received ~~in~~ by the Commission ~~office~~ on or before the date the temporary salesperson license would lapse. Therefore, the original salesperson license application, appropriate fees and proof of completion of the post license course shall be received ~~in~~ by the Commission ~~office~~ on or before midnight on the last day of the month which is one year from the first day of the month following the issuance of the temporary salesperson license.

Author: Alabama Real Estate Commission

Statutory Authority: Code of Ala. 1975, §§34-27-6; 34-27-8; 34-27-33.

History: Filed September 30, 1982. **Amended:** Filed August 15, 1985; August 7, 1992. **Repealed:** October 21, 1992. **New Rule:** Filed August 25, 1993; effective September 29, 1993; **Amended:** Filed December 21, 1994; effective January 25, 1995. **Amended:** Filed September 18, 2001; effective October 23, 2001. **Amended:** Filed May 27, 2009; effective July 1, 2009. **Amended:** Filed _____; Effective _____.