

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission

Rule No. 790-X-2-14

Rule Title: Evidence of Transfer

 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-.14
Evidence of Transfer

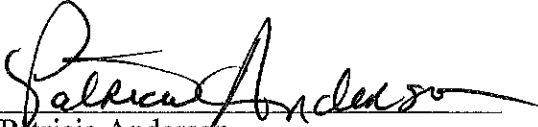
INTENDED ACTION: Repeal Rule

SUBSTANCE OF PROPOSED ACTION: This rule is in conflict with the statute; therefore, it is being repealed. 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) Any license(s) subject to any type of transfer may be mailed by certified or registered mail, return receipt requested, to the Commission office, together with the required form(s), license certificate(s), and fee(s).

(2) The certified or registered mail paid receipt shall be retained by the sender and will serve as evidence of new license(s) issued by the Commission. The effective date of the transfer shall be the date of mailing as shown by the mail receipt, provided all necessary forms and fees were submitted, completed, and paid.

(3) In cases where all necessary forms and fees are not submitted, completed, and paid within ten (10) days of the commission's receiving of the mailing, the attempted transfer shall be null and void and the Commission shall return all submitted forms and fees to the sender as soon as practicable, together with notice to the licensees involved that the attempted transfer was not completed.

(4) In cases where an attempted transfer is not completed, the qualifying broker under whose authority any licensee acts shall be responsible for those actions.

(5) Routinely mailed transfers are not governed by this rule.

Author: Charles R. Sowell

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

History: Filed June 19, 1989. (Ed. Note: Previous rule (same title) filed September 30, 1982). **Repealed:** Filed October 7, 1985. **Repealed:** Filed _____; Effective _____.