



CR 87-106

State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Tommy G. Thompson
Governor

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Marlene A. Cummings
Secretary

1400 E. WASHINGTON AVENUE
P.O. Box 8935
MADISON, WISCONSIN 53708
608 266-2112

CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF REGULATION AND LICENSING)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Marlene A. Cummings, Secretary, of the Department of Regulation and Licensing, and custodian of the official records of the Department, do hereby certify that the rules relating to a transition policy for real estate broker and salesperson applicants were duly approved and adopted by this Department on November 16, 1987.

I further certify that said copy has been compared by me with the original on file in this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin, this 16th day of November, A.D. 1987.

Marlene A. Cummings, Secretary
Department of Regulation & Licensing

MAC:PRP:dms
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1-1-88

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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF RULEMAKING : ORDER OF
PROCEEDINGS BEFORE THE DEPARTMENT : THE DEPARTMENT OF REGULATION
OF REGULATION AND LICENSING : AND LICENSING ADOPTING RULES

ORDER

The Department of Regulation and Licensing adopts an order to create s. RL 12.04, relating to a transition policy for real estate broker and salesperson applicants.

Analysis prepared by the department of regulation and licensing.

ANALYSIS

Statutory authority: ss. 227.11(2), 452.07(1), Stats.

Statute interpreted: s. 452.09, Stats.

Educational and experience requirements for a real estate broker's license and the educational requirements for a real estate salesperson's license have been amended by 1985 Wisconsin Act 305, which became effective on June 1, 1987. This rule allows applicants for a real estate broker's or salesperson's license who completed one or both parts of the examination prior to June 1, 1987, to complete the educational requirements for a license which were in effect prior to June 1, 1987. Applicants qualifying under this section who fail to meet the transition requirements prior to June 1, 1988 shall meet the requirements which apply to new applicants under s. 452.09, Stats.

The proposed rule would make permanent the existing emergency rule which became effective June 16, 1987. The emergency rule was needed to provide a fair transition so that those applicants who have earned examination or education credit toward a license have a reasonable opportunity to complete the examination process and coursework they started in 1986 and do not have to begin again immediately as new applicants with loss of all credit earned.

TEXT OF RULE

SECTION 1. RL 12.04 is created to read:

RL 12.04(1) BROKER APPLICANTS WHO SUCCESSFULLY COMPLETED ONE OR BOTH EXAMINATION PARTS PRIOR TO JUNE 1, 1987. An applicant for a license as a real estate broker who successfully completed one or both parts of the examination prior to June 1, 1987 may be issued a license upon passing both parts of the examination and submitting to the department by June 1, 1988, evidence of attendance at 60 hours of an educational program as required by s. RL 25.02(3), which was effective through May 31, 1987. Applicants under this subsection are not required to meet the experience requirement described in s. RL 12.015(2), which became effective June 1, 1987.

(2) SALESPERSON APPLICANTS WHO SUCCESSFULLY COMPLETED ONE OR BOTH EXAMINATION PARTS PRIOR TO JUNE 1, 1987. An applicant for a real estate salesperson license who successfully completed one or both parts of the examination prior to June 1, 1987, may be issued a license as a real estate salesperson upon passing both parts of the examination and by submitting to the department prior to June 1, 1988, evidence of attendance at 30 hours of an educational program as required by s. RL 25.02(3)(b) and (c), which was effective through May 31, 1987. An applicant for a salesperson's license who was granted a license prior to June 1, 1987 shall submit to the department evidence of attendance at 30 hours of educational programs set forth in s. RL 25.02(3)(b) and (c) no later than two years after the last day of December following the date of licensure.

(3) EFFECT OF FAILING TO MEET TRANSITION REQUIREMENTS PRIOR TO JUNE 1, 1988. An applicant who fails to meet the transition requirements set forth in subs. (1) or (2) prior to June 1, 1988 shall meet the requirements which apply to new applicants under s. 452.09, Stats.

(4) APPLICANTS WHO HAVE NOT SUCCESSFULLY COMPLETED ANY PART OF THE EXAMINATION BETWEEN JUNE 1, 1986 AND MAY 31, 1987. An applicant for a license as a real estate broker or salesperson who has not successfully completed either part of the examination between June 1, 1986 and May 31, 1987 shall meet the requirements which apply to new applicants under s. 452.09, Stats.

EFFECTIVE DATE: This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22(2), Stats.

Dated: 11/16/87

Agency: Marlene A. Cummings

Marlene A. Cummings, Secretary
Department of Regulation and Licensing

PRP:rb
ADMCTR-C
11/16/87