

Chapter REB 2

APPLICATIONS

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History: Chapter REB 2 as it existed on April 30, 1972 was repealed and a new chapter REB 2 was created, Register, April, 1972, No. 196, effective May 1, 1972.

REB 2.01 Location of office. The general offices of the board shall be located at Milwaukee, Wisconsin.

History: Cr. Register, April, 1972, No. 196, eff. 5-1-72.

REB 2.02 Applications. (1) **GENERAL.** (a) *Forms.* Applications for licenses and accompanying documents required by the provisions of chapter 452, Wis. Stats., and the rules of the board shall be made on forms provided by the board and shall be delivered through the mails or otherwise to the board's office.

(b) *Employes prohibited.* Employes of the board are prohibited from preparing any license application, or any part thereof for any applicant. This rule shall not prohibit the taking of acknowledgments in proper cases.

(c) *Complete answers.* No application shall be processed until all questions appearing on the application are fully completed and affirmed or verified.

(d) *Verification.* 1. Individuals or partnerships. All applications for licenses shall be affirmed or verified by the applicant.

2. Corporations. Applications for a license made by a corporation must be verified by the president, except that in the event the president is unable to act and the vice-president has been authorized in his stead, the board may accept the application verified by the vice-president.

(e) *Fees prepaid.* No action shall be taken on any application until the prescribed fees are paid and deposited at the office of the board.

(f) *Previously licensed brokers and salesmen.* No action shall be taken on any new application of an applicant who has previously been licensed by the board, until such applicant furnishes sufficient proof to the board that said applicant has not acted as a salesman or broker since the expiration of his license. The board may in its discretion waive this requirement.

(2) **NEW APPLICATIONS.** (a) *Non-resident brokers and salesmen.*
 1. General. No application for a real estate broker's or salesmen's license from any non-resident will be processed prior to receipt by this office of an irrevocable consent to be sued as specified in section 452.14, Wis. Stats.

2. Real estate. New applications for a real estate broker's license from any non-resident of Wisconsin who is a resident of a state

which has a real estate license law shall not be acted upon until such applicant presents proof that he is licensed and maintains an active place of business in the state of his residence or maintains an active place of business in the State of Wisconsin. A mailing address shall not constitute a place of business, for the purpose of this section.

(b) *Minors.* No action shall be taken on any new application for a broker's or salesmen's license received from any applicant unless said applicant is a person of the age of 21 years or over.

History: Cr. Register, April, 1972, No. 196, eff. 5-1-72.

REB 2.03 Examinations. (1) **WRITTEN EXAMINATIONS.** Each applicant for a broker's or salesmen's license shall be required to read and write a comprehensive examination in English, testing his competency to transact the business of a real estate broker or salesman. The examination shall be in conformity with section 452.05, Wis. Stats., as applicable.

(2) **COMPETENCY.** The grade of 75 or above may be evidence of competency and a grade below 75 shall be proof of incompetency. In addition to a grade of 75, the board may, in its discretion, require further supplemental proof of competency. In all cases, the grade below 75 received on the written examination shall be controlling on the question of incompetency and cannot be supplemented by other proof.

(3) **TRUSTWORTHINESS.** In addition to the written examination, applicants for brokers' or salesmen's licenses may be required to answer oral interrogatories relating to their general background and experience, insofar as they bear on the applicant's trustworthiness.

(4) **FAILURE TO PASS.** (a) *General.* No applicant previously denied a broker's or a salesman's license by reason of a determination by the board of incompetency in accordance with section (2) above shall be permitted to apply for or rewrite a similar examination until the expiration of 90 days from the date of the order of denial of said board. Except that if on the first examination taken the applicant is a salesman and the applicant received a grade of 50 or above or if the applicant is a broker and the applicant received a grade of 60 or above and a written request is made for a waiver of the 90 day waiting period the 90 day waiting period may be waived. However, under no circumstances will more than one waiver be given to any applicant.

(b) *Broker.* Nothing herein shall prevent a broker applicant from applying for and writing an examination for the position of salesman.

(c) *Salesman.* An applicant who has been denied a salesman's license by reason of incompetency shall not be permitted to write examination for a broker's license until after the expiration of 90 days from the date of the order of denial of said board of his salesman's license.

(5) **WRITTEN EXAMINATIONS WAIVED.** (a) *Change of salesman's status.* Any salesman who wishes to transfer his employment from one licensed broker to another must, prior thereto, submit in addition to his present salesman's license card, a transfer application accompanied by the usual fee and in addition, thereto, at the dis-