Report From Agency

STATE OF WISCONSIN
REAL ESTATE EXAMINING BOARD

IN THE MATTER OF RULEMAKING PROCEEDINGS BEFORE THE REAL ESTATE EXAMINING BOARD	**:** **:** **:** **:** **:**	**REPORT TO THE LEGISLATURE** **CR 13-100**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No forms were created or repealed in these proposed rules.

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

In response to Executive Order 61, the Real Estate Examining Board reviewed their rules, chapters REEB 1 to 26, and identified two areas that either no longer reflected contemporary industry practices or had sunset by state statutes.

As provided through statutory authority, s. 452.12 (6) (a), Stats., an individual may apply for a registration as an apprentice under a supervisory broker. In this review, it was determined that such process in ch. REEB 22, relating to apprentices, is no longer followed in practice. Real estate brokers have the opportunity to train future license applicants as unlicensed professionals and do so in a less formal mentoring role within the guidelines of the duties of a supervising broker. The Board, therefore, chose to eliminate this chapter in its entirety.

Regarding the review of ch. REEB 26, inactive licenses, it was found that although a process was in place for recognizing inactive licenses, the agency had only received one application in the past 18 months and that license has since expired. In addition, s.

452.12 (6) (a), Stats., provided for applications for inactive licenses, this section sunset on October 31, 1995. The Board, therefore, chose to eliminate this chapter in its entirety.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Real Estate Examining Board held a public hearing on February 20, 2014. No one testified at the hearing, or submitted written comments.

The following individual submitted a registration in support of the rule:

Cori Lamont
Wisconsin Realtors Association
4801 Forest Run Road
Madison WI 53.4

The Real Estate Examining Board made no modifications to its rule-making proposal prompted by public comment.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules were not submitted to the Small Business Regulatory Review Board.

These rules will not have a significant economic impact on a substantial number of small businesses.