

Chapter RL 19

BRANCH OFFICE

RL 19.01 Branch office

History: Chapter REB 10 as it existed on April 30, 1972 was repealed and a new chapter REB 10 was created, Register, April, 1972, No. 196, effective May 1, 1972. Renumbered to be chapter RL 19, effective March 1, 1983.

RL 19.01 Branch office. (1) **DEFINITION.** If a broker maintains more than one office, then one office shall be designated as the main office and each additional office shall constitute a branch office. If a real estate broker uses his or her home telephone number in advertising he or she is not required to indicate that it is a home telephone number, nor is he required to have a branch office license for said home. If a real estate broker maintains a regular office, his or her home shall not be considered a branch office.

(2) **WHAT CONSTITUTES.** If a salesperson performs any of the acts as outlined in s. 452.01, Stats., from his or her home or any place other than the main office, then said home or other place shall constitute a branch office if:

(a) The salesperson does not report in person at least 4 times per week and spend at least 95% of his or her office time at the broker's office; or

(b) The salesperson or broker advertises property for sale listing the salesperson's home address or telephone number (except if item (a) above is applicable); or

(c) The salesperson maintains a sign on the outside of his or her residence indicating that he or she is engaged in the real estate business; or

(d) The salesperson's residence is located more than 40 miles from the broker's office.

(e) A temporary structure established for the sale of subdivisions which structure is located within 40 miles of the broker's main office shall not constitute a branch office.

(3) **SUPERVISION.** Each branch office shall be under the direct full time supervision of a licensed real estate broker who is also a licensed salesperson of employer licensee.

(4) **RESIDENCE.** The broker-salesperson who manages a branch office shall reside in the county in which the branch office is located.

(5) **EMPLOYER-BROKER RESPONSIBILITY.** The employer-broker shall be responsible for the acts and conduct of all employes of the branch office including the broker-salesperson who is supervisor of the branch office.

(6) **CHAIN OF RESPONSIBILITY.** The employes of the branch office shall be directly answerable to the supervising broker-salesperson, who shall, in turn, be directly answerable to the employing broker.

RL 19

(7) **NOTIFICATION TO DEPARTMENT.** The employing broker shall at all times notify the department of the location and address of each branch office which he or she operates and the name of the broker-salesperson who supervises said office.

(8) **NOTIFICATION TO DEPARTMENT OF CHANGE.** It shall be the responsibility of the broker-employer to notify the department in writing of any change of address of a branch office or change of supervisor of said office, within 10 days after said change.

(9) **NOTIFICATION TO DEPARTMENT OF SALESPERSONS.** The broker-employer shall notify the department in writing of the names of all salespersons who work out of a branch office.

(10) **ADDITIONAL OFFICE.** Every additional office or place of business other than the principal place of business of a broker, shall be licensed only with the approval of the department and only after the broker has given satisfactory proof that this additional office shall be under the supervision of a duly authorized broker-salesperson employe.

(11) **APPLICATION.** The broker desiring to open a branch office shall file with the department an application for branch office license on forms to be furnished by the department.

(12) **POSTING LICENSE.** The broker shall post in said branch office, in a conspicuous place available to the public, the aforementioned branch office license.

(13) **BRANCH OFFICE RULES.** The broker shall place in a conspicuous place available to the employes, a statement of the rules under which said branch office and its employes shall operate.

(14) **SALESPERSON.** Transfer, termination and replacement of salesperson shall be in the name of and handled by the employing broker.

(15) **SIGNS.** The branch office shall display the conspicuous signs within and without the establishment as required by s. 100.18 (5), Stats.

(16) **VIOLATIONS.** Failure of the broker to follow the rules set forth in this section shall constitute grounds for revocation or suspension of his or her license under s. 452.14 (3), Stats.

History: Cr. Register, April, 1972, No. 196, eff. 5-1-72; renum. from REB 10.01 and am. Register, February, 1983, No. 326, eff. 3-1-83.