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**EXPERIENCE REQUIREMENTS FOR BROKERS LICENSE SUBCOMMITTEE  
REAL ESTATE EXAMINING BOARD  
TELECONFERENCE**

**Room 121C, 1400 East Washington Avenue, Madison  
Contact: Brittany Lewin (608) 266-2112  
April 18, 2014**

*The following agenda describes the issues that the Subcommittee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the subcommittee.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1)**

**B. Legislative and Administrative Rule Matters – Discussion and Consideration**

- 1) Rule Revision Draft Chs. REEB12 & 25 (2-9)

**C. Credentialing Matters – Broker Experience Forms – Discussion and Consideration**

**D. Experience Requirements for Brokers License – Discussion and Consideration**

**E. Public Comments**

**ADJOURNMENT**

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Jean MacCubbin, Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>20140411</b>																					
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>																					
3) Name of Board, Committee, Council, Sections:  <b>Real Estate Broker Exp. Subcomm</b>																							
4) Meeting Date:  <b>20140418</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>LEG_ADMIN MATTERS</b> <b>1. Discuss and Consider Rule Revision Draft Chs. REEB 12 &amp; 25</b>																					
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input type="checkbox"/> No	9) Name of Case Advisor(s), if required:																					
10) Describe the issue and action that should be addressed:  1. Chs. REEB 12 & 25 Discuss and Consider Rule Revision Draft—specifically pre-application and continuing education items  Attachments: Approved Scope, chs. REEB 12 & 25 rule revisions, Utah form																							
11) <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"></td> <td style="width: 20%; text-align: center;">Authorization</td> <td style="width: 20%;"></td> <td style="width: 20%;"></td> </tr> <tr> <td>Jean MacCubbin</td> <td></td> <td>20140411</td> <td>Date</td> </tr> <tr> <td>Signature of person making this request</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Supervisor (if required)</td> <td></td> <td></td> <td>Date</td> </tr> <tr> <td>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td></td> <td></td> <td>Date</td> </tr> </table>					Authorization			Jean MacCubbin		20140411	Date	Signature of person making this request				Supervisor (if required)			Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)			Date
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# STATEMENT OF SCOPE

## Department of Safety and Professional Services

Rule No.: REEB 12 and 25

Relating to: Applications and Education

Rule Type: Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

N/A

**2. Detailed description of the objective of the proposed rule:**

With the exception of renumbering these chapters to reflect the Department of Safety and Professional Services and the Real Estate Examining Board (the Board), these chapters have had only minor revisions dating back to 1998 and 1999, respectively.

The Board seeks to update, clarify, correct or repeal provisions relating to original, renewal and examination applications; documentation of applications; internal processing of applications and examinations including, but not limited to, parts of original and renewal examinations; and the handling of expired licenses. In addition the Board seeks to update, clarify, correct, or repeal provisions relating to definitions; educational program content, continuing education and requirements for real estate brokers and real estate salespersons; means by which education is presented; and requirements for out-of-state applicants and licensees. Other changes reflect sections repealed by various recently enacted Wis. Acts.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The proposed changes will serve to clarify, correct, or repeal certain current provisions to recognize contemporary technologies. The alternative is having provisions not reflecting current practices and technologies.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), requires all examining boards to "...promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 227.11 (2) (a), Stats., authorizes all agencies to promulgate rules interpreting the statutes it enforces or administers, when deemed necessary to effectuate the purpose of such statutes.

Section 452.07 (1), Stats., obligates the Real Estate Examining Board to "...promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice."

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

The staff time needed to develop the rules is expected to be about 450 hours, depending on the complexity. This includes coordinating the rule-making process with the Board's meeting schedule, conducting research, drafting and processing the proposed rules through public hearings, legislative review, and adoption. There are no other resources necessary to develop the rules.

**6. List with description of all entities that may be affected by the proposed rule:**

These rules may have a minimal affect on any professional organization, approved course provider or instructor, or approved school of learning providing pre-application or continuing education for applicants or licensees.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

An Internet-based search of the U.S. Code and the code of federal regulations (CFR) for applications and education relating to the licensing of real estate brokers and real estate salespersons did not reveal any existing or proposed regulations at the federal level.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

Any anticipated cost of complying with the proposed rule is deemed minimal to none.

**Contact Person:** Jean MacCubbin, Program Manager, Division of Policy Development, Department of Safety and Professional Services; P.O. Box 8935; Madison WI 53708; phone: 608.266.0955 or contact Through Relay; email: [jean.maccubbin@wisconsin.gov](mailto:jean.maccubbin@wisconsin.gov).



Board Chairperson or Authorized Signature

4-18-12  
Date Submitted

*File: REEB 12 and 25 Scope final*



# BROKER EXPERIENCE DOCUMENTATION FORM

State of Utah  
Department of Commerce  
Division of Real Estate

Please complete (type or neatly print), sign (notarized) and submit this form and transaction logs as part of your Broker application.

**\*\*QUALIFIED APPLICANTS MUST HAVE AT LEAST 3 YEARS ACTIVE AND LICENSED REAL ESTATE EXPERIENCE AND 60 EXPERIENCE POINTS WITHIN THE 5 YEARS PROCEEDING APPLICATION\*\***

At least 45 points must be accumulated from Tables I and/or II		Points
Total Points from Table I		
Total Points from Table II		
A maximum of 15 points may be accumulated from Table III		
Real Estate Attorney	1 pt/month	
Certified Public Accountant	1 pt/month	
Mortgage Loan Officer	1 pt/month	
Licensed Escrow Officer	1 pt/month	
Licensed Title Agent	1 pt/month	
Licensed/Certified Appraiser	1 pt/month	
Licensed General Contractor	1 pt/month	
Bank Officer in Real Estate Loans	1 pt/month	
Certified Real Estate Pre-license Instructor	1 pt/month	
<b>TOTAL POINTS ACCUMULATED (must equal a minimum of 60 points)</b>		

**Table I – Real Estate Transactions**

Residential		Commercial	
A. One Unit Dwelling	2.5 points	F. Hotel or Motel	10 points
B. Two to Four Unit Dwelling	5 points	G. Industrial or Warehouse	10 points
C. Apartments, 5 Units or More	10 points	H. Office Building	10 points
D. Improved Lot	2 points	I. Retail Building	10 points
E. Vacant Land/Subdivision	10 points	J. Commercial Leasing	5 points

**Table II – Property Management**

Residential		Commercial	
A. Each Unit Managed	0.25 pt/month	B. Each Contract or Property	1 pt/month

I hereby certify that the information provided with this application, including the attached education and experience logs, is true and correct. I attest that I have read and will comply with all Utah statutes and rules governing real estate practice.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

State of \_\_\_\_\_ County of \_\_\_\_\_ Appeared before me this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, who deposes and says that the

information listed above is true to the best of his/her knowledge. (Notary) \_\_\_\_\_

## TEXT OF RULE

SECTION 1. REEB 12.01 (1) (b) and (c) 2. (Note) are amended to read:

**REEB 12.01 Applications.** (1) (b) *Action on completed applications.* Action on completed applications. The board shall review and make a determination on an original application for a license within 60 business days after a completed application is received by the department. An application is completed shall be considered complete when all materials necessary to make a determination on the application and all materials requested by the board have been received.

(c) 2. **Note:** Applications, including Form #809, are available upon request to the department ~~offices located at the Wisconsin Department of Safety and Professional Services, Division of Professional Credential Processing~~ 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935 or download from the department webpage: <http://dsps.wi.gov/>.

SECTION 2. REEB 12.015 (2) (title) and (intro.) are amended to read:

**REEB 12.015 (2) BROKER'S EDUCATION ELIGIBILITY REQUIREMENT.** An qualified applicant for examination to obtain an original real estate broker's license shall complete the education requirements specified in s. REEB 25.02 (1) and shall either hold a Wisconsin real estate salesperson's license, practiced as a licensed salesperson under the direct supervision of a licensed broker for at least 2 years within the last 4 years preceding the date of the applicant's application, met the experience eligibility requirements in s. REEB 12.015 (3) to (5), or shall have passed the salesperson's examination pursuant to s. REEB 12.02.

SECTION 3. REEB 12.015 (3), (4), (5) and (6) and Table 12.015-1 are created to read:

**REEB 12.015 (3) BROKER'S EXPERIENCE ELIGIBILITY REQUIREMENTS.** **After July 1, 2014,** a qualified applicant for examination to obtain an original real estate broker's license shall provide evidence of completion of the experience requirements specified in Table 12.015 and shall meet any of the following:

(a) Provide satisfactory evidence to the board that the applicant has practiced as a real estate salesperson under the direct supervision of a licensed broker for at least 2 years within the last 4 years preceding the date of application for a broker's license, excluding any time spent as an apprentice.

**Note:** Chapter REEB 22, Apprentices, was repealed effective July 1, 2014.

(b) Provide evidence satisfactory to the board that the applicant has a license to practice law in this state and has experience related to real estate.

(c) Provide evidence satisfactory to the board that the applicant holds a contractor certification under s. 101.654, Stats., and has experience related to real estate sales.

**Note:** For requirements for contractor certification, see ch. SPS 305, subch. III.

(d) Except as provided in a reciprocal agreement under s. 452.05 (3), Stats., an applicant who is a non-resident of this state and who provides evidence satisfactory to the board that the applicant has held a license real estate broker under the laws of another state for at least 2 years within the last 4 years preceding the date of application.

HERE

(e) The board may waive requirements under pars. (a) to (d) on any applicant based on any of the following:

2013 Act 133 broker exp. requirements, 452.09 (4) (e)

- 1.
- 2.

**Table 12.015**  
**Experience Requirements to Obtain a Real Estate Broker License**  
**For Other than Licensed Salespersons**

Categories of Experience	Applicable Points
Completed closed transactions	40 <b>minimum</b>
1. Residential <sup>a</sup>	5 each
2. Commercial <sup>b</sup>	10 each
3. Property management (residential, commercial)	--
a) property <b>management contract</b> <sup>c</sup>	0.5 point per month per unit
b) time share	1 point per unit sold

<sup>a</sup> Residential includes: single family dwelling units, 2 to 4 unit dwellings, improved lots, and vacant lots.

<sup>b</sup> Commercial includes: business opportunities, vacant land, hotel/motel, industrial or warehouse office, farms, retail buildings, and commercial listings.

<sup>c</sup> **Property management contract includes: residential units, single dwelling units, commercial tenant spaces.**

(4) OTHER EXPERIENCE ELIGIBILITY REQUIREMENTS. The experience eligibility requirements for a broker's license as specified in par. (3) may be substituted when the applicant submits evidence satisfactory to the board that any of the following apply:

(a) An applicant is licensed to practice law in the state and has experience related to the practice of real estate.

(b) An applicant holds a current certificate of financial responsibility under s. 101.654, Stats., and has experience related to real estate sales.

(c) An applicant is a non-resident, has been a licensed broker in another state for at least 2 years within the last 4 years preceding the application for a broker's license and the state where the license is held, the board has entered into reciprocal agreements with officials of other states or territories of the United States for licensing brokers and salespersons and grant licenses to applicants who are licensed as brokers or salespersons in those states or territories according to the terms of the reciprocal agreements, as specified in s. 452.05 (3).

(5) EVIDENCE OF EXPERIENCE. Applicants for a real estate broker's license under subs. (3) shall **provide** satisfactory evidence to the board, **when requested**, that the experience as a license salesperson qualifies the applicant for a total of at least 40 points based on the point system as specified in Table 12.015-1.

(a) Satisfactory evidence **shall be available to the supervising broker to verify at the time of application or renewal.**

(b) Satisfactory evidence **shall be maintained for no less than 5 years and made available to the board upon request.**

(c) Satisfactory evidence **may include corresponding documentation such as transaction logs.**

**Note:** The board-approved form #809 **includes an area to record such experience and** is available upon request to the department offices located at the Wisconsin Department of Safety and Professional Services, Division of Professional Credential Processing 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935 or download from the department webpage: <http://dsps.wi.gov/>.

(6) WAIVER OF EXPERIENCE ELIGIBILITY REQUIREMENTS. The board may waive the experience requirements in pars. (3) and (4) based on established standards. These standards may include any of the following:

(a)

(b)

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