



VIRTUAL/TELECONFERENCE
COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
July 7, 2022

The following agenda describes the issues that the Council 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 Council.

AGENDA

10:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-2)**
- B. Approval of the Minutes of May 5, 2022 (3)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns
- D. Introductions, Announcements and Recognition
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Council Updates
 - 2) Council Member – Term Expiration Dates
 - a. Blakely, Robert – 7/1/2020
 - b. Blood, Anne M. – 7/1/2023
 - c. Lauer, Elizabeth A.
 - d. Zimmerman, Kathy S. – 7/1/2020
- F. Education and Examination Matters – Discussion and Consideration (4)**
 - 1) 2021-2022 Real Estate Continuing Education (CE) Curriculum **(5-11)**
 - 2) 2023-2024 Real Estate Continuing Education (CE) Curriculum **(12-18)**
- G. Discussion and Consideration of Items Received After Preparation of the Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Administrative Matters
 - 5) Education and Examination Matters
 - 6) Liaison Reports
 - 7) Council Liaison Training and Appointment of Mentors
 - 8) Informational Items
- H. Public Comments**

ADJOURNMENT

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED
WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS
MEETING MINUTES
MAY 5, 2022**

PRESENT: Robert Blakely, Anne Blood, Elizabeth Lauer, Kathy Zimmermann

STAFF: Adam Barr, Executive Director; Joseph Ricker, Legal Counsel; Katlin Schwartz, Bureau Assistant; and other Department Staff

CALL TO ORDER

Robert Blakely, Chairperson, called the meeting to order at 10:01 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Kathy Zimmermann moved, seconded by Elizabeth Lauer, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 22, 2022

MOTION: Kathy Zimmermann moved, seconded by Elizabeth Lauer, to approve the Minutes of March 22, 2022 as published. Motion carried unanimously.

ADJOURNMENT

MOTION: Elizabeth Lauer moved, seconded by Kathy Zimmermann, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:15 a.m.

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Adam Barr, Executive Director		2) Date when request submitted: 6/24/2022	
Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting			
3) Name of Board, Committee, Council, Sections: Real Estate Curriculum and Examinations Council			
4) Meeting Date: 7/7/2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Education and Examination Matters – Discussion and Consideration - 2021-2022 Real Estate Continuing Education (CE) Curriculum - 2023-2024 Real Estate Continuing Education (CE) Curriculum	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable:	
10) Describe the issue and action that should be addressed: The council will review the updated submission they requested of Wisconsin Realtors Association and make a recommendation to the Real Estate Examining Board.			
11) Authorization			
<i>Adam Barr</i>		6/28/2022	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

2021-2022 Continuing Education Curriculum

Under the 2021-2022 continuing education:

- Licensees are required to complete 18 hours of continuing education.
- Licensees are required to complete six approved courses.
- Each approved course will be comprised of several topics.
 - Each topic will include 50 minutes of instruction.
 - A licensee must complete three, 50-minute topics within one course to complete the course.
- For Courses 1-4, a licensee must complete one mandatory topic and choose two topics from the approved list.
- For Courses 5-6, a licensee must complete three topics selected from the approved list of eight topics.
- Example: To complete Course 1 Wisconsin Listing Contracts, a licensee must complete the mandatory course topic as indicated below and then select two from the remaining approved topics:
 - **Protected Buyers, Exclusions, and Extension of the Listing (50 minutes) MANDATORY**
 - Modifying the Listing Contract (50 minutes)
 - Commission, Cooperation, and Offers of Compensation (50 minutes)
 - Marketing (50 minutes)
 - Agency (50 minutes)
- In summary the six courses include:
 - Course 1 Wisconsin Listing Contracts
 - Course 2 Wisconsin Offers to Purchase
 - Course 3 Wisconsin New Development
 - Course 4 Wisconsin Risk Reduction through Professionalism (Satisfies NAR Ethics Requirements)
 - Course 5 Wisconsin Real Estate Law and Practice
 - Course 6 Wisconsin Real Estate Transactions
- A certificate of completion cannot be issued by an approved provider for a course until all three hours are completed and the examination is passed.
- All three hours for any one course must be completed through the same approved provider.
- Approved providers must incorporate forms into courses with the current mandatory use date and all content references to statutes and rules must be current.

1. COURSE 1 - WISCONSIN LISTING CONTRACTS

- a. **Protected Buyers, Exclusions, and Extension of the Listing (50 minutes) (Mandatory)**
 - i. Exclusions (relevant WB Listing Contract, e.g., lines 159-166 of the WB-1, Wis. Stat. § 106.50)
 - ii. Protected buyers (relevant WB Listing Contract, e.g., lines 205-219 of the WB-1)
 - iii. Extension of the Listing (relevant WB Listing Contract, e.g., lines 220-224 of the WB-1)
- b. **Modifying the Listing Contract (50 minutes)**
 - i. Exclusive right to sell, exclusive agency, one-party, and open listings (Wis. Stat. § 452.40, Wis. Admin. Code § REEB 16.02, Wis. Admin. Code § REEB 16.06)
 - ii. Termination of listing (relevant WB Listing Contract, e.g., lines 263-271 of the WB-1)
 - iii. Amending the listing contract (WB-42 Amendment to Listing Contract)
- c. **Commission, Cooperation, and Offers of Compensation (50 minutes)**
 - i. Commission (Wis. Stat. § 240.10, relevant WB Listing Contract, e.g., lines of 27-51 of the WB-1)
 - ii. Offers of compensation (relevant WB Listing Contract, e.g., lines of 52-53 of the WB-1)
 - iii. Cooperation (Wis. Admin. Code § REEB 24.13, relevant WB Listing Contract, e.g., lines 151-158 of the WB-1)
- d. **Marketing (50 minutes)**
 - i. Advertising by licensees (Wis. Stat. § 452.136, Wis. Stat. § 106.50)
 - ii. Marketing (relevant WB Listing Contract, e.g., lines 18-26 of the WB-1)
 - iii. Seller cooperation with marketing efforts (relevant WB Listing Contract, e.g., lines 246-252 of the WB-1)
 - iv. Open house and showing responsibilities (Wis. Stat § 106.50, relevant WB Listing Contract, e.g., lines 253-262 of the WB-1)
 - v. Term of the contract (relevant WB Listing Contract, e.g., lines 311-313 of the WB-1)
- e. **Agency (50 minutes)**
 - i. Duties to all parties (Wis. Stat. § 452.133(1), relevant WB Listing Contract, e.g., lines 68-80 of the WB-1)
 - ii. Duties to clients (Wis. Stat. § 452.133(2), relevant WB Listing Contract, e.g., lines 81-94 of the WB-1)
 - iii. Multiple representation (relevant WB Listing Contract, e.g., lines 95-124 of the WB-1)
 - iv. Subagency (relevant WB Listing Contract, e.g., lines 125-129 of the WB-1)
 - v. Confidentiality (relevant WB Listing Contract, e.g., lines 135-150 of the WB-1)

2. COURSE 2 - WISCONSIN OFFERS TO PURCHASE

- a. **Financing Commitment and Appraisal Contingencies (50 minutes) (Mandatory)**
 - i. Financing commitment contingency (relevant WB Offer, e.g., lines 248-287 of the WB-11)
 - ii. Seller financing; when permitted/prohibited by mortgage “due on sale” clause (relevant WB Offer, e.g., lines 288-295 of the WB-11)
 - iii. Offer not contingent on financing (relevant WB Offer, e.g., lines 296-307)
 - iv. Appraisal contingency (relevant WB Offer, e.g., lines 308-327 of the WB-11)
- b. **Inspection and Testing (50 minutes)**
 - i. Inspections and tests (relevant WB Offer, e.g., lines 178-192 of the WB-11)
 - ii. Inspection and testing contingencies (relevant WB Offer, e.g., lines 193-246 of the WB-11)
 - iii. Notices and amendments (WB-41 Notice Relating to Offer to Purchase, WB-40 Amendment to Offer to Purchase)
 - iv. The buyer’s inspection report (Wis. Stat. § 709.035, Wis. Stat. Ch. 440 subch. XI)
- c. **Multiple Offers (50 minutes)**
 - i. WB-44 Counter-Offer (Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice)
 - ii. WB-46 Multiple Counter-Proposal (Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice)
 - iii. Escalation clauses (Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice)
 - iv. Confidentiality of offers (Wis. Admin. Code § REEB 24.12)
- d. **Closing of Buyer's Property and Secondary Offer Contingencies (50 minutes)**
 - i. Closing of buyer’s property contingency (relevant WB Offer, e.g., lines 328-334 of the WB-11)
 - ii. Bump clause (relevant WB Offer, e.g., lines 335-347 of the WB-11)
 - iii. Secondary offer (relevant WB Offer, e.g., lines 348-354 of the WB-11)
 - iv. Multiple offers (WB-44 Counter-Offer, WB-46 Multiple Counter-Proposal)
- e. **Drafting Right: Avoid Mistakes that Can Threaten Your Transaction (50 minutes)**
 - i. Authority to draft the offer (Wis. Stat. § 452.40, Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice)
 - ii. Agency (Wis. Stat. § 452.40, Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice, relevant WB Offer, e.g., lines 1-2 of the WB-11)
 - iii. Included and not included in the purchase (Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice, relevant WB Offer, e.g., lines 11-38 of the WB-11)
 - iv. Dates and deadlines (Wis. Admin. Code Ch. REEB 16 Approved Forms and Legal Advice, relevant WB Offer, e.g., lines 438-444 of the WB-11)

3. COURSE 3 - WISCONSIN NEW DEVELOPMENTS
 - a. **Technology Tools for Your Wisconsin Transactions (50 minutes) (Mandatory)**
 - i. Electronic earnest money (Wis. Admin. Code Ch. REEB 18, relevant WB Offer to Purchase, e.g., lines 58-59 of the WB-11)
 - ii. Remote online notarization (Wis. Stat. Ch. 140)
 - iii. Virtual tours (relevant WB Listing Contract, e.g., lines 253-262 of the WB-1)
 - iv. Surveillance (Wis. Stat § 995.60)
 - b. Wisconsin Approved Forms- New and Revised (50 minutes)
 - i. WB-11 Residential Offer to Purchase
 - ii. WB-13 Vacant Land Offer to Purchase
 - iii. WB-14 Residential Condominium Offer to Purchase
 - c. Wisconsin Real Estate Case Law (50 minutes)
 - i. Relevant case law related to licensing law, if available
 - ii. Relevant case law related to land use, if available
 - iii. Relevant case law related to general real estate, if available
 - d. Wisconsin Real Estate Statutes and Administrative Code – New and Revised (50 minutes)
 - e. Federal Legal Real Estate Issues Update (50 minutes)

4. COURSE 4 - WISCONSIN RISK REDUCTION THROUGH PROFESSIONALISM*
- a. **Fair Housing (50 minutes) (Mandatory)**
 - i. Health concerns (Wis. Stat. § 106.50, NAR Code of Ethics Preamble, NAR Code of Ethics Article 10)
 - ii. Steering (Wis. Stat. § 106.50, NAR Code of Ethics Preamble, NAR Code of Ethics Article 10)
 - iii. Prohibited actions under state and federal law (Wis. Stat. § 106.50, 42 U.S.C. Ch. 45: Fair Housing, NAR Code of Ethics Preamble, NAR Professional Standards Enforcement Process, NAR Code of Ethics Article 10)
 - b. **Management and Supervision (50 minutes)**
 - i. Responsibilities of firms and licensees (Wis. Stat. § 452.132, NAR Code of Ethics Article 1)
 - ii. Sexual harassment (Wis. Stat. §§ 111.31 – 111.325, Wis. Stat. § 111.36, Wis. Admin. Code Ch. DWD 218)
 - iii. Association with firm; independent practice (Wis. Stat. § 452.30)
 - iv. Unlicensed personal assistants (Wis. Stat. § 452.34, NAR Code of Ethics Preamble)
 - v. Independent contractor relationship (Wis. Stat. § 452.38)
 - c. **Disclosures by Licensees (50 minutes)**
 - i. Disclosures, investigations and inspections by brokers and salespersons (Wis. Stat. § 452.23, Wis. Admin. Code § REEB 24.07, NAR Code of Ethics Article 2)
 - ii. Disclosure duty, immunity for providing notice about the sex offender registry (Wis. Stat. § 452.24)
 - iii. Disclosure of side agreements (Wis. Admin. Code § REEB 24.07, NAR Code of Ethics Article 9)
 - iv. Disclosure of agency (Wis. Admin. Code § REEB 24.07, NAR Code of Ethics Preamble)
 - d. **Competent Practice (50 minutes)**
 - i. Engaging assistance (Wis. Admin. Code § REEB 24.03, NAR Code of Ethics Article 11)
 - ii. Represented parties (Wis. Admin. Code § REEB 24.13, NAR Code of Ethics Article 16)
 - iii. Requests for information (Wis. Admin. Code § REEB 24.13, NAR Code of Ethics Article 3)
 - iv. Incentives and contests (Wis. Stat. § 452.19, NAR Code of Ethics Article 12)
 - e. **Risk Reduction (50 minutes)**
 - i. Prohibited conduct (Wis. Stat. § 452.133, Wis. Admin. Code § REEB 24.05, NAR Code of Ethics Preamble, NAR Code of Ethics Article 5)
 - ii. Changes in common law duties and liabilities of brokers and parties (Wis. Stat. § 452.139)
 - iii. Actions concerning licensees (Wis. Stat. § 452.142, NAR Professional Standards Enforcement Process)
 - iv. Criminal convictions and disclosures (Wis. Stat. § 452.25)
 - v. Hold harmless provisions in agency agreements and offers (relevant WB Listing Contract, e.g., lines 303-308 of the WB-1, relevant WB Offer to Purchase, e.g., lines 543-551 of the WB-11)

* Satisfies NAR Ethics Requirements

5. COURSE 5 –WISCONSIN REAL ESTATE LAW AND PRACTICE
 - a. Independent Contractors (*50 minutes*)
 - i. Independent contractor vs employee (Wis. Stat. Ch. 103, Wis. Stat. § 452.38, 26 U.S.C. § 3508)
 - ii. Independent contractor agreement (Wis. Stat. § 452.38)
 - b. Financing (*50 minutes*)
 - i. Contingencies (relevant WB Offer to Purchase, e.g., lines 247-307 of the WB-11)
 - ii. Seller financing; when permitted/prohibited by mortgage “due on sale” clause (Wis. Admin. Code § REEB 16.03, relevant WB Offer to Purchase, e.g., lines 288-295 of the WB-11)
 - iii. Loan programs (e.g. FHA, VA, conventional)
 - c. Trust Funds and Trust Accounts (*50 minutes*)
 - i. Trust funds: client funds and non-client funds (Wis. Stat. § 452.01, Wis. Stat. § 452.13, Wis. Admin. Code Ch. REEB 18)
 - ii. Types of trust accounts (Wis. Stat. § 452.13, Wis. Admin. Code Ch. REEB 18)
 - iii. Record keeping (Wis. Stat. § 452.13, Wis. Admin. Code Ch. REEB 18)
 - iv. Compliance with trust account rules (Wis. Stat. § 452.13, Wis. Admin. Code Ch. REEB 18)
 - d. Seller Disclosure (*50 minutes*)
 - i. Disclosure by Owners of Real Estate (Wis. Stat. Ch. 709)
 - ii. Real estate condition report/vacant land disclosure report (Wis. Stat. § 709.03-033)
 - iii. Amending reports, disclosure of material adverse facts (Wis. Stat. § 709.035, Wis. Stat. § 452.133)
 - iv. When reports are required, exemptions, waiver, seller’s refusal to complete a report (Wis. Stat. Ch. 709)
 - e. 1031 Exchanges (*50 minutes*)
 - i. Qualifying properties (26 U.S.C. § 1031)
 - ii. Overview of process (26 U.S.C. § 1031)
 - iii. Basic tax principals (26 U.S.C. § 1031)
 - iv. Types of exchanges (26 U.S.C. § 1031)
 - v. WB-35 Simultaneous Exchange Agreement
 - f. Landlord Tenant Law (*50 minutes*)
 - i. Termination and notices (Wis. Stat. §§ 704.16-704.21)
 - ii. Security deposits (Wis. Stat. § 704.28)
 - iii. Rental agreements and leases (Wis. Stat. §§ 704.02-704.03, Wis. Stat. § 704.44)
 - iv. Listing contracts and buyer agency/tenant representation agreement (WB-37 Residential Listing Contract – Exclusive Right to Rent, WB-36 Buyer Agency/Tenant Representation Agreement, WB-38 Commercial Buyer Agency/Tenant Representation)
 - v. Applicability of ATCP 134 to residential rentals (Wis. Admin. Code Ch. ATCP 134)
 - g. Emerging Issues in Wisconsin (*50 minutes*)
 - i. Applicable Wisconsin statutes and Administrative Code
 - ii. Best practices for agents
 - h. Wisconsin Condominium Listing (*50 minutes*)
 - i. WB-4 Residential Condominium Listing Contract (Wis. Admin. Code Ch. REEB 16)
 - ii. Condominium ownership (Wis. Stat. Ch. 703)
 - iii. Condominium disclosure documents including the executive summary, small condominiums (Wis. Stat. § 703.02(14m), Wis. Stat. § 703.33, Wis. Stat. § 703.205, Wis. Stat. § 703.365, relevant WB Listing, e.g., lines 217-254 of the WB-4)
 - iv. Additional fees for condominium transfer (Wis. Stat. § 703.205, Wis. Stat. § 703.335, Wis. Stat. § 703.33, relevant WB Offer, e.g., lines 46-51 of the WB-14)

6. COURSE 6 - WISCONSIN REAL ESTATE TRANSACTIONS
 - a. Working with representatives (*50 minutes*)
 - i. Power of attorney (Wis. Stat. Ch. 244, Wis. Stat. § 240.10, Wis. Stat. § 243.05)
 - ii. Trusts (Wis. Stat. Ch. 701, Wis. Stat. § 240.10)
 - iii. Estates (Wis. Stat. Ch. 860, Wis. Stat. § 240.10, relevant WB Offer, e.g., lines 507-509 of the WB-11)
 - iv. Business entities (Wis. Stat. Chs. 178-181, Wis. Stat. Ch. 183, Wis. Stat. § 240.10)
 - b. Options and Rights of First Refusal (*50 minutes*)
 - i. WB-24 Option to Purchase
 - ii. Rights of First Refusal
 - c. Buyer Agency/Tenant Representation (*50 minutes*)
 - i. WB-36 Buyer Agency/Tenant Representation Agreement
 - ii. WB-38 Commercial Buyer Agency/Tenant Representation Agreement
 - iii. WB-47 Amendment to Buyer Agency/Tenant Representation Agreement
 - d. Vacant Land Transactions in Wisconsin (*50 minutes*)
 - i. WB-3 Vacant Land Listing Contract – Exclusive Right to Sell
 - ii. WB-13 Vacant Land Offer to Purchase
 - e. Wisconsin Condominium Offer to Purchase (*50 minutes*)
 - i. WB-14 Residential Condominium Offer to Purchase
 - ii. Financing for condominium transactions including but not limited to conventional, FHA and VA, barriers to financing (relevant WB Offer, e.g., lines 379-418 and 543-557 of the WB-14)
 - iii. Condominium disclosure documents (Wis. Stat. § 703.33, relevant WB Offer, e.g., lines 107-175 of the WB-14)
 - iv. Fees related to condominium transfer (Wis. Stat. § 703.20, Wis. Stat. § 703.335 relevant WB Offer, e.g., lines 46-51 of the WB-14)
 - v. Condominiums with 12 or fewer units (Wis. Stat. 703.365)
 - f. Short Sale and Foreclosure Basics (*50 minutes*)
 - i. Listing short sale properties (Wis. Stat. § 452.133, Wis. Admin. Code Ch. REEB 16)
 - ii. Lender approval/addenda (Wis. Stat. § 452.133, Wis. Admin. Code Ch. REEB 16)
 - iii. Secondary offers (Relevant WB Offer, e.g., lines 348-354 of the WB-11)
 - iv. Foreclosures (Wis. Stat. Ch. 846, Wis. Stat. § 452.133)
 - g. Environmental Matters (*50 minutes*)
 - i. Lead based paint (42 U.S.C. § 4852d, 40 CFR Part 745, Wis. Stat. Ch. 254, Wis. Admin. Code Ch. DHS 163)
 - ii. Water (Wis. Admin. Code Ch. NR 809, Wis. Admin. Code Ch. NR 812, Wis. Admin. Code Ch. ATPC 30)
 - iii. Drafting contingencies for inspection and testing (Wis. Admin. Code Ch. REEB 16, Wis. Admin. Code § REEB 24.03)
 - iv. Underground storage tanks (Wis. Stat. Ch. 168, subch. II, Wis. Admin. Code Ch. ATPC 93)
 - v. Asbestos (Wis. Stat. Ch. 254, Wis. Admin. Code Ch. DHS 159)
 - h. Cooperation with Out-of-State Licensees (*50 minutes*)
 - i. Referral Fees (Wis. Stat. § 452.19)
 - ii. WB-28 Cooperative Agreement (Wis. Stat. § 452.137)
 - iii. WB-29 Commercial Cooperative Agreement (Wis. Stat. § 452.137)

2023-2024 Continuing Education Curriculum

Under the 2023-2024 continuing education:

- Licensees are required to complete 18 hours of continuing education.
- Each approved hour will be 50 minutes of instruction.
- Each approved hour will be followed by a 5 question exam.
- Each licensee must complete 12 hours of mandatory content and 6 hours of elective content.
 - All licensees will complete the same 12 hours of mandatory education.
 - For the electives, a licensee can complete the six pre-approved electives, or another elective submitted by a provider that meets the elective requirements.
 - Electives must:
 - Be specific to Wisconsin real estate.
 - Include instruction on Wisconsin forms, Wisconsin law, Wisconsin Administrative Code or a combination of these topics.
 - Elective topics must be instructional in nature with a goal of increasing or maintaining a Wisconsin licensee's competence to practice real estate.
 - Designation Courses approved by the National Association of REALTORS® may be used to satisfy elective hours. For example, a 3-hour Designation Course may be used to satisfy 3 elective hours.
- A licensee will receive a certificate of completion for each hour of education successfully completed.
- Approved providers that incorporate WB forms into continuing education must use the current version of the WB form and all content references to statutes and rules must be current.
- Approved providers may offer hours of instruction in blocks such as a 3-hour block, a 6-hour block, or some other configuration followed by an exam comprised of 5 questions for each hour of instruction provided.

Mandatory Hours

1. Wisconsin Agency Law

- a. Agency relationships (Wis. Stat. § 452.134)
- b. A licensee's duties to all parties and duties to clients (Wis. Stat. § 452.133)
- c. Creation and termination of agency (relevant WB agency agreement, e.g., WB-1 Residential Listing Contract – Exclusive Right to Sell)

2. Wisconsin Department of Safety and Professional Services Disciplinary Actions*

- a. Disciplinary proceedings (Wis. Stat. Ch. 440, Wis. Admin. Code Ch. SPS 2)
- b. Case studies: discipline issued to Wisconsin real estate licensees (<https://dsps.wi.gov/Pages/SelfService/OrdersDisciplinaryActions.aspx>)
- c. Pathways to Professionalism: courtesy and etiquette for Wisconsin licensees (<https://www.nar.realtor/code-of-ethics-and-arbitration-manual/pathways-to-professionalism>, Preamble to the Code of Ethics (<https://www.nar.realtor/about-nar/governing-documents/code-of-ethics/2022-code-of-ethics-standards-of-practice#preamble>))

3. Commissions in Wisconsin Agency Agreements, Offers of Compensation and Antitrust*

- a. Accurately representing fees charged to consumers (Relevant WB agency agreement, e.g., lines 27-53 of the WB-1 Residential Listing Contract – Exclusive Right to Sell, lines 33-52 of the WB-36 Buyer Agency/Tenant Representation Agreement, Article 12 NAR Code of Ethics)
- b. Antitrust (15 USC §§ 1-7, as applicable, Article 12 Code of Ethics)
- c. Referral fees (Wis. Stat. § 452.19, Wis. Stat. § 452.133(3)(a), Wis. Stat. § 452.14(3)(f))

4. The Inspection Contingency in the Wisconsin Offers to Purchase

- a. Inspection contingency (relevant WB offer to purchase, e.g., lines 193-226 of the WB-11 Residential Offer to Purchase)
- b. Notices and amendments (WB-41 Notice Relating to Offer to Purchase, WB-40 Amendment to Offer to Purchase)
- c. Inspection report (Wis. Stat. § 440.975)

5. Wisconsin Legislative Updates Related to Real Estate

- a. New or revised statutes
- b. New or revised administrative code
- c. Repealed statutes or administrative code, if any

Upon approval by the DSPS, Wisconsin REALTOR® & Government Day will satisfy Wisconsin Legislative Updates Related to Real Estate.

6. Wisconsin Real Estate Case Law Update

- a. Relevant case law related to licensing law, if available
- b. Relevant case law related to land use, if available
- c. Relevant case law related to general real estate, if available

7. Advertising for Wisconsin Real Estate Licensees*

- a. Inclusion of firm's name (Wis. Stat. § 452.136, Article 12 NAR Code of Ethics)
- b. Term of the contract (relevant WB listing contract, e.g., lines 311-313 of the WB-1 Residential Listing Contract – Exclusive Right to Sell, Article 12 NAR Code of Ethics)
- c. Marketing (relevant WB listing contract, e.g., lines 18-26 of the WB-1 Residential Listing Contract – Exclusive Right to Sell, Article 12 NAR Code of Ethics)

8. Default, Earnest Money, and WB-45 Cancellation Agreement and Mutual Release

- a. Present options, not legal advice (Wis. Stat. § 452.40, relevant WB offer to purchase, e.g., lines 487-506 of the WB-11 Residential Offer to Purchase)
- b. Disbursement of earnest money held by a firm (Wis. Admin. Code § REEB 18.09, relevant WB offer to purchase, e.g., lines 67-77 of the WB-11 Residential Offer to Purchase)
- c. WB-45 Cancellation Agreement and Mutual Release

9. Financing Commitment and Appraisal Contingencies in the Wisconsin Offers to Purchase

- a. Financing commitment contingency, **loan commitments** (relevant WB offer to purchase, e.g., lines 247-287 of the WB-11 Residential Offer to Purchase) and **current financing trends, if applicable.**
- b. Offer not contingent on financing (relevant WB offer to purchase, e.g., lines 296-307 of the WB-11 Residential Offer to Purchase)
- c. Appraisal contingency (relevant WB offer to purchase, e.g., lines 308-327 of the WB-11 Residential Offer to Purchase)

10. Fair Housing in Wisconsin Transactions*

- a. Protected classes (Wis. Stat. § 106.50, Article 10 NAR Code of Ethics)
- b. Prohibited practices (Wis. Stat. § 106.50, Article 10 NAR Code of Ethics)
- c. Implicit bias (<https://www.nar.realtor/fair-housing>)

11. Agent-to-Agent Relationships*

- a. Cooperation, access to property or offer presentation (Wis. Admin. Code § REEB 24.13, relevant WB listing contract, e.g., lines 151-158 of the WB-1 Residential Listing Contract – Exclusive Right to Sell, Article 15 NAR Code of Ethics)
- b. Responding to and **confidentiality of offers** (Wis. Admin. Code § REEB 24.13, Article 15 Code of Ethics)
- c. **Open House and Showing Responsibilities (relevant WB listing contract, e.g., lines 253-262 of the WB-1 Residential Listing Contract – Exclusive Right to Sell)**

12. Seller and Licensee Disclosure in Wisconsin Transactions

- a. Seller disclosure (Wis. Stat. Ch. 709)
- b. Licensee disclosure (Wis. Stat. § 452.23)
- c. Exceptions (Wis. Stat. § 452.23, Wis. Stat. § 452.24)

Elective Hours

1. Short Sales and Foreclosures in Wisconsin (Optional pre-approved curriculum content for providers to use when creating topic content)

- a. Listing short sale properties (Wis. Stat. § 452.133, Wis. Admin. Code Ch. REEB 16)
- b. Lender approval and addenda (Wis. Stat. § 452.133, Wis. Admin. Code Ch. REEB 16)
- c. Foreclosures (Wis. Stat. Ch. 846, Wis. Stat. § 452.133)

2. Changing a Property's Use in Wisconsin (Optional pre-approved curriculum content for providers to use when creating topic content)

- a. Proposed use contingencies (relevant WB offer to purchase, e.g., lines 244-281 of the WB-13 Vacant Land Offer to Purchase)
- b. Government programs (relevant WB offer to purchase, e.g., lines 182-243 of the WB-13 Vacant Land Offer to Purchase)
- c. Other property considerations such as waterfront, conversion fees, or nonconforming uses (e.g., Wis. Admin. Code § NR 115, Wis. Admin. Code. Ch. Tax 18)

3. Other Wisconsin Approved Forms (Optional pre-approved curriculum content for providers to use when creating topic content)

- a. WB-44 Counter-Offer
- b. WB-46 Multiple Counter-Proposal
- c. Addenda (Wis. Admin. Code Ch. REEB 16)

4. Closing of Buyer's Property Contingency, Secondary Offer, and Bump Clause in the Wisconsin Offers to Purchase (Optional pre-approved curriculum content for providers to use when creating topic content)

- a. Closing of buyer's property contingency (relevant WB offer to purchase, e.g., lines 328-334 of the WB-11 Residential Offer to Purchase)
- b. Bump clause (relevant WB offer to purchase, e.g., lines 335-347 of the WB-11 Residential Offer to Purchase)
- c. Secondary offer (relevant WB offer to purchase, e.g., lines 348-354 of the WB-11 Residential Offer to Purchase)

- 5. Drafting Contracts in Wisconsin Real Estate Transactions (Optional pre-approved curriculum content for providers to use when creating topic content)**
 - a. Contingency drafting 101 (relevant WB offer to purchase, e.g., 543-551 of the WB-11 Residential Offer to Purchase, line 573 of the WB-11 Residential Offer to Purchase)
 - b. Personal property and real property (relevant WB offer to purchase, e.g., lines 11-38 of the WB-11 Residential Offer to Purchase, WB-25 Bill of Sale)
 - c. Dates, deadlines and **agency relationship of the drafter** (relevant WB offer to purchase e.g., lines 1-2 and 432-444 of the WB-11 Residential Offer to Purchase)

- 6. Risk Reduction for Wisconsin Licensees (Optional pre-approved curriculum content for providers to use when creating topic content)**
 - a. As-is sales (Wis. Stat. § 452.133, Wis. Admin. Code § REEB 24. 07)
 - b. Disclosure of compensation and interest, **licensee incentives** (Wis. Admin. Code § REEB 24.05)
 - c. Waiving or not including contingencies in contracts (Wis. Stat. § 452.133)

Other electives may be submitted for approval to the DSPS. Electives must be Wisconsin specific and must include instruction on Wisconsin forms, Wisconsin law, Wisconsin administrative code or a combination of these topics.

Routine sales meetings held by a Wisconsin firm or other routine instruction such as marketing strategies, how to use software for completing forms, manage contacts, or using a multiple listing service shall not qualify for elective credit.

*Includes National Association of REALTORS® (NAR) Code of Ethics training.

Application Information

Currently the application lists the six courses preceded by a check box the provider uses to indicate for which course the provider is seeking approval.

One possible way to modify the application for the 2023-2024 biennium would be to use the following format.

Mandatory Hours

- Wisconsin Agency Law
- Wisconsin Department of Safety and Professional Services Disciplinary Actions
- Commissions in Wisconsin Agency Agreements, Offers of Compensation and Antitrust
- The Inspection Contingency in the Wisconsin Offers to Purchase
- Wisconsin Legislative Updates Related to Real Estate (Wisconsin REALTOR® & Government Day may be submitted for approval for this course).
- Wisconsin Real Estate Case Law Update
- Advertising for Wisconsin Real Estate Licensees
- Default, Earnest Money, and WB-45 Cancellation Agreement and Mutual Release
- Financing Commitment and Appraisal Contingencies in the Wisconsin Offers to Purchase
- Fair Housing in Wisconsin Transactions
- Agent-to-Agent Relationships
- Seller and Licensee Disclosure in Wisconsin Transactions

Elective Hours

- Short Sales and Foreclosures in Wisconsin
- Changing a Property's Use in Wisconsin
- Other Wisconsin Approved Forms
- Closing of Buyer's Property Contingency, Secondary Offer, and Bump Clause in the Wisconsin Offers to Purchase
- Drafting Contracts in Wisconsin Real Estate Transactions
- Risk Reduction for Wisconsin Licensees

_____ [Insert Title]*

*To be approved as an Elective Hour, each hour of content must include 50 minutes of instruction and a 5 question exam for each hour of content. Elective Hours must be Wisconsin specific and include instruction on Wisconsin forms, Wisconsin law, Wisconsin administrative code or a combination of these topics.

NOTE: Routine sales meetings held by a Wisconsin firm or other routine instruction such as marketing strategies, or how to use software for completing forms, managing contacts, or using a multiple listing service shall not qualify for elective credit.

Designation Courses recognized by the National Association of REALTORS® may be submitted for approval for Elective Hours.

3-hour Designation Course for three Elective Hours

6-hour Designation Course for six Elective Hours

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