



COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS
Room 121A, 1400 East Washington Avenue, Madison
Contact: Erin Karow (608) 266-2112
April 4, 2018

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)**
- B) Approval of the Minutes of August 18, 2016 (2)**
- C) Administrative Matters**
 - 1) Department Updates
 - 2) Board and Staff Updates
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Delegates
 - 5) August 2018 Council Meeting Schedule
- D) Education and Examination Matters – Discussion and Consideration**
 - 1) 2019-2020 Proposed Suggestions for the Continuing Education (CE) Curriculum **(3-9)**
- E) Discussion and Consideration of Items Received After Preparation of the Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Election of Officers
 - 3) Appointment of Liaison(s)
 - 4) Administrative Matters
 - 5) Education and Examination Matters
 - 6) Informational Items
- F) Public Comments**

ADJOURNMENT

NEXT SCHEDULED MEETING: MAY 22, 2018

**COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS
MEETING MINUTES
AUGUST 18, 2016**

PRESENT: Robert Blakely, Marie Hetzer, Kathyne Kuhl (arrived at 11:23 a.m.), Robert Larson, Kathy Zimmermann

EXCUSED: Casey Clickner

STAFF: Brittany Lewin, Executive Director; Kimberly Wood, Bureau Assistant

CALL TO ORDER

Marie Hetzer, Council Chair, called the meeting to order at 11:16 a.m. A quorum of four (4) members was confirmed.

ADOPTION OF AGENDA

MOTION: Robert Blakely moved, seconded by Kathy Zimmermann, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MARCH 24, 2016

MOTION: Robert Larson moved, seconded by Kathy Zimmermann, to approve the Minutes of March 24, 2016 as published. Motion carried unanimously.

(Kathyne Kuhl joined the meeting at 11:23 a.m.)

EDUCATION AND EXAMINATION MATTERS

2017-2018 Revised Suggestions for the Curriculum and Examinations Council

MOTION: Kathyne Kuhl moved, seconded by Robert Larson, to delegate authority to Marie Hetzer to work with DSPPS staff to incorporate revisions and recommendations to the 2017-2018 Continuing Education Curriculum reviewed at today's meeting, and report the final recommendation to the Real Estate Examining Board. Motion carried unanimously.

ADJOURNMENT

MOTION: Robert Blakely moved, seconded by Kathyne Kuhl, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:41 a.m.

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

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Kimberly Wood, Program Assistant Supervisor-Adv. On behalf of Erin Karow, Executive Director		2) Date When Request Submitted: 3/28/2018 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: Council on Real Estate Curriculum and Examinations			
4) Meeting Date: 4/4/2018	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 2019-2020 Proposed Suggestions for the 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Review and discuss the proposed 2019-2020 continuing education curriculum prepared for the Council on Real Estate Curriculum and Examinations meeting on April 4, 2018 by the Wisconsin REALTORS® Association.			
11) Authorization			
Kimberly Wood		3/28/2018	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 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.			

Proposed 2019-2020 Continuing Education Curriculum

Licensees must complete 18 hours of continuing education during each biennium through six approved courses. **A licensee must complete three of the available topics for each course.**

1. Course 1 Wisconsin Listing Contracts
 - a. Agency (50 minutes)
 - i. Pre-agency (Wis. Stat. § 452.134(1)) and Subagency (Wis. Stat. § 452.134(1), relevant WB Listing Contract, e.g. lines 125-134)
 - ii. Multiple representation (Wis. Stat. § 452.134, relevant WB Listing Contract, e.g. lines 95-111 of the WB-1)
 - iii. Disclosure of duties (Wis. Stat. § 452.135, relevant WB Listing Contract, e.g. lines 67-94)
 - b. Advertising by Licensees (50 minutes)
 - i. False advertising (Wis. Stat. § 452.136(2)), Advertised price (Wis. Stat. § 452.136(4))
 - ii. Disclosure of name (Wis. Stat. § 452.136(2))
 - iii. Advertising without agency agreement prohibited (Wis. Stat. § 452.136(3))
 - c. Fees and Commission (50 minutes)
 - i. Commission (Relevant WB Listing Contract, e.g. lines 27-51 of the WB-1)
 - ii. Fees and commissions (Wis. Stat. § 452.19)
 - iii. Actions for commissions (Wis. Stat. 452.20)
 - d. Real Estate Condition Report and Defects (50 minutes)
 - i. Real estate condition report (Wis. Stat. § 709.03)
 - ii. Amendments to report (Wis. Stat. § 709.035) and Right to rescind (Wis. Stat. § 709.05)
 - iii. Seller representation regarding defects (Relevant WB Listing Contract, e.g. lines 241-245 of the WB-1)
 - e. Real Property and Personal Property (50 minutes)
 - i. Negotiating for the sale of personal property (Wis. Stat. § 452.133(3)(d)) and WB-25 Bill of Sale ((Wis. Admin. Code § REEB 16.03)
 - ii. Included/not included (Relevant WB Listing Contract, e.g. lines 6-16 of the WB-1)
 - iii. Fixtures (Relevant WB Listing Contract, e.g. lines 181-194 of the WB-1)

2. Course 2 Wisconsin Offers to Purchase

- a. Inspection Contingency (50 minutes)
 - i. Inspections and Tests (Relevant WB Offer, e.g. lines 395-409 of the WB-11)
 - ii. Inspectors and testers (Relevant WB Offer, e.g. lines 410-433 of the WB-11)
 - iii. Notices and amendments (WB-41 Notice Relating to Offer to Purchase, WB-40 Amendment to Offer to Purchase)
- b. Special Assessments and Closing Prorations (50 minutes)
 - i. Payment for special assessments (Relevant WB Offer, e.g. lines 360-368 of the WB-11)
 - ii. Closing prorations (Relevant WB Offer, e.g., lines 118-139 of the WB-11)
 - iii. Disclosure of existing or pending special assessments (Wis. Stat. 709.03, Wis. Admin. Code § REEB 24.07)
- c. Financing and Appraisal Contingencies (50 minutes)
 - i. Buyer's loan commitment (Relevant WB Offer, e.g., lines 216-246 of the WB-11)
 - ii. Seller termination and financing unavailable (Relevant WB Offer, e.g., lines 247-256 of the WB-11)
 - iii. Appraisal contingency (Relevant WB Offer, e.g., lines 264-271 of the WB-11)
- d. Closing of Buyer's Property and Secondary Offers (50 minutes)
 - i. Closing of buyer's property contingency including bump clause (Relevant WB Offer, e.g., lines 304-311 of the WB-11)
 - ii. Secondary offer (Relevant WB Offer, e.g., lines 312-317 of the WB-11)
 - iii. Multiple offers (WB-44 Counter-offer, WB-46 Multiple Counter Proposal)
- e. Default, Earnest Money , WB-45 (50 minutes)
 - i. Default (Relevant WB Offer, e.g., lines 278-297 of the WB-11)
 - ii. Earnest money (Relevant WB Offer, e.g., lines 369-394 of the WB-11; Wis. Admin. Ch. REEB 18)
 - iii. WB-45 Cancellation Agreement and Mutual Release

3. Course 3 Wisconsin New Developments
 - a. Wisconsin Statutes and Administrative Code (*50 minutes*)
 - b. Wisconsin Cases (*50 minutes*)
 - c. Wisconsin State-Approved Forms (*50 minutes*)
 - d. Wisconsin Department of Safety and Professional Services Complaint and Discipline Process (*50 minutes*)
 - e. Federal Legal Real Estate Issues Update (*50 minutes*)

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4. Course 4 Wisconsin Real Estate Ethics
 - a. Assistance Animals and Fair Housing (50 minutes)
 - i. Reasonable accommodations (Wis. Stat. § 106.50, Article 10, 42 U.S. C. § 3604)
 - ii. Undue burden (Wis. Stat. § 106.50, Article 10, 42 U.S. C. § 3604)
 - iii. Process to request a reasonable accommodation (Wis. Stat. § 106.50, Article 10, 42 U.S. C. § 3604, Wis. Stat. Ch. 704)
 - b. Agent-to-agent relationships (50 minutes)
 - i. Open house and showing responsibilities (Wis. Admin. Code § REEB 24.13, Article 15, Article 3, relevant WB Listing Contract, e.g. lines 253-262)
 - ii. Professional negotiations (Wis. Admin. Code § REEB 24.13, Article 3)
 - iii. Investigations and discipline of licensees (Wis. Stat. § 452.14)
 - c. Dispute Resolution (50 minutes)
 - i. Ombudsman (National Association of REALTORS policy statement #59)
 - ii. Mediation (Article 17)
 - iii. Arbitration (Article 17)
 - d. Security (50 minutes) specific references to be added
 - i. Guard against hacking (Wis. Stat. § 452.133)
 - ii. Password protection (Wis. Stat. § 452.133)
 - iii. Social media presence (Wis. Stat. § 452.133)
 - iv. Protecting databases (Wis. Stat. § 452.133)
 - e. Misrepresentation/concealment (50 minutes)
 - i. Material adverse facts (Wis. Stat. § 452.133, Wis. Admin. Code § REEB 24.07, Article 2)
 - ii. Reliance on third party inspections and investigations (Wis. Admin. Code § REEB 24.07)
 - iii. Fraudulent misrepresentation (Wis. Stat. § 100.18, Article 12)

5. Course 5 Agency Relationships with Parties in Wisconsin
 - a. Wisconsin Condominium Listing (50 minutes)
 - i. WB-4 Residential Condominium Listing Contract – Exclusive Right to Sell (Wis. Admin. Code Ch. REEB 16)
 - ii. Condominium ownership (Wis. Stat. Ch. 703)
 - iii. Condominium disclosure documents (Wis. Stat. §703.33)
 - b. Wisconsin Commercial Listing (50 minutes)
 - i. WB-5 Commercial Listing Contract – Exclusive Right to Sell (Wis. Admin. Code Ch. REEB 16)
 - ii. Valuation of commercial property (Wis. Stat. § 70.32(1))
 - c. Short sale and Foreclosure Basics (50 minutes)
 - i. Listing short sale properties
 - ii. Lender approval and related addenda
 - iii. Secondary offers
 - iv. Foreclosures (Wis. Stat. Ch. 846)
 - d. Competency (50 minutes)
 - i. Shall not provide services which the licensee is not competent to provide unless the licensee engages assistances of someone who is competent (Wis. Admin. Code Ch. REEB 24.03(2)(a))
 - ii. Shall protect the public against fraud, misrepresentation and unethical practices (Wis. Admin. Code Ch. REEB 24.03(2)(b))
 - iii. Shall be knowledgeable regarding laws, public policies and current market conditions (Wis. Admin. Code Ch. REEB 24.03(2)(c))
 - e. Waterfront property (50 minutes)
 - i. Zoning of shorelands on navigable waters (Wis. Stat. § 59.692)
 - ii. Wisconsin's Shoreland Protection Program (Wis. Admin. Code. Ch. 115)
 - iii. Lake districts and lake associations
 - f. Cooperation with Out-of-State Licensees (50 minutes)
 - i. Referral Fees (Wis. Stat. § 452.19(1))
 - ii. WB-28 Cooperative Agreement (Wis. Stat. § 452.137(2)(ag))
 - iii. WB-29 Commercial Cooperative Agreement (Wis. Stat. § 452.137(2)(am))
 - g. Role of the Wisconsin Home Inspector (50 minutes) specific references to be added
 - i. Mandatory inspection
 - ii. Optional
 - iii. Prohibited
 - iv. Inspection report, including use of the term defect

6. Course 6 Negotiations in Wisconsin Transactions
 - a. Wisconsin Vacant Land Listing and Offer to Purchase (*50 minutes*)
 - i. Contingencies (WB-13 Vacant Land Offer to Purchase, Wis. Admin. Code Ch. REEB 16)
 - ii. Financing (WB-13 Vacant Land Offer to Purchase, (Wis. Admin. Code Ch. REEB 16)
 - iii. WB-3 Vacant Land Listing Contract Exclusive Right to Sell (Wis. Admin. Code Ch. REEB 16)
 - iv. Vacant land disclosure report (Wis. Stat. § 709.033)
 - b. Wisconsin Condominium Offer to Purchase (*50 minutes*)
 - i. WB-14 Residential Condominium Offer to Purchase (Wis. Admin. Code Ch. REEB 16)
 - ii. Financing for condominium transactions
 - iii. Fees related to condominium transfer (Wis. Stat. §703.20, Wis. Stat. § 703.335)
 - c. Wisconsin Commercial Offer to Purchase (*50 minutes*)
 - i. WB-15 Commercial Offer to Purchase (Wis. Admin. Code Ch. REEB 16)
 - ii. Additional Provisions and Addendum (Wis. Admin. Code REEB § 24.03)
 - d. Risk Management (*50 minutes*)
 - i. Contract Drafting (Wis. Stat. 452.133, Wis. Admin. Code Ch. REEB 16)
 - ii. Supervision (Wis. Stat. § 452.132)
 - iii. Independent Practice (Wis. Stat. 452.30)
 - e. Negotiation Tools (*50 minutes*)
 - i. WB-44 Counter-Offer (Wis. Admin. Code Ch. REEB 16)
 - ii. WB-46 Multiple Counter-Proposal (Wis. Admin. Code Ch. REEB)
 - iii. Escalation clauses (Wis. Admin. Code § REEB 16.05)
 - f. Land use and Zoning (*50 minutes*)
 - i. Substandard lots (Wis. Stat. § 66.10015)
 - ii. Conditional use permits (Wis. Stat. § 59.69, Wis. Stat. § 60.61, Wis. Stat. § 62.23)
 - iii. Vested rights (Wis. Stat. § 66.10015(2)(b))
 - iv. Variances (Wis. Stat. Ch. 59)
 - g. Delivery and Binding Acceptance (*50 minutes*) specific references to be added
 - i. Forms of Delivery in the WB offer to purchase (Personal delivery/ U.S. Mail, commercial delivery, fax, email)
 - ii. Acceptance/Binding Acceptance
 - iii. Deadlines