



VIRTUAL/TELECONFERENCE
COUNCIL ON REAL ESTATE CURRICULUM AND EXAMINATIONS
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
March 13, 2024

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 July 7, 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) 2024 Meeting Dates **(4)**
 - 3) Annual Policy Review **(5-6)**
 - 4) Election of Officers **(7)**
 - 5) Council Member – Term Expiration Dates
 - a. Blakely, Robert – 7/1/2020
 - b. Blood, Anne M. – 7/1/2027
 - c. Lauer, Elizabeth A.
 - d. Zimmermann, Kathy S. – 7/1/2020
- F. Education and Examination Matters – Discussion and Consideration (8)**
 - 1) 2023-2024 Real Estate Continuing Education (CE) Curriculum **(9-13)**
- 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://dps.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
JULY 7, 2022**

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

STAFF: Adam Barr, Executive Director; Kimberly Wood, Program Assistant
Supervisor-Adv.; and other Department Staff

CALL TO ORDER

Robert Blakely, Chairperson, called the meeting to order at 10:00 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES OF MAY 5, 2022

MOTION: Anne Blood moved, seconded by Kathy Zimmermann, to approve the Minutes of May 5, 2022 as published. Motion carried unanimously.

EDUCATION AND EXAMINATION MATTERS

2023-2024 Real Estate Continuing Education (CE) Curriculum

MOTION: Anne Blood moved, seconded by Kathy Zimmermann, to recommend the Real Estate Examining Board adopt the proposed 2023-2024 Continuing Education Curriculum with revisions discussed in today's meeting. Motion carried unanimously.

MOTION: Kathy Zimmermann moved, seconded by Anne Blood, to designate Elizabeth Lauer to report revisions and recommendations to the Real Estate Examining Board. Motion carried unanimously.

ADJOURNMENT

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

The meeting adjourned at 10:15 a.m.

REAL ESTATE CURRICULUM AND EXAMINATIONS
2024 Meeting Dates

Meeting Date		<i>Start time</i>	Agenda item deadline
Wednesday, March 13, 2024	Virtual	<i>9:00 AM</i>	3/1/2024
Wednesday, May 22, 2024	Virtual	<i>9:00 AM</i>	5/10/2024
Wednesday, August 14, 2024	Virtual	<i>9:00 AM</i>	8/2/2024

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/14/2023	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2024	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed:			
<p>Please be advised of the following Policy Items:</p> <ol style="list-style-type: none"> 1. In-Person Meeting Policy: Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings. <ul style="list-style-type: none"> • 4-5 Meetings per year = 1 in-person opportunity • 6-8 Meetings per year = 2 in-person opportunities • 12 Meetings per year = 4 in-person opportunities 2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. Timely notification is appreciated as a quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. 3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law. 4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. Register to set up an account in the Cornerstone LearnCenter portal or Log in to an existing account. 5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting) 6. Travel Voucher Submissions: Please submit all Mileage Reimbursement claims for travel to in-person meetings to DSPS within 30 days of the close of each month in which expenses are incurred. 7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: the member must leave home before 6:00 am to attend a meeting by the scheduled start time. <ol style="list-style-type: none"> a. If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPS staff will cancel or modify reservations as appropriate. 8. Inclement Weather Policy: In the event of inclement weather, the DSPS may change a meeting from an in-person venue to hosted as virtual/teleconference only. 			
11)	Authorization		
<i>Brenda Taylor</i>	<i>12/14/2023</i>		
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 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 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
 - Public Hearings (relating to Administrative Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

Council on Real Estate Curriculum and Examinations

Elections as of 12/31/2022

ELECTION RESULTS	
Chairperson	Robert Blakely
Vice Chairperson	Kathy Zimmermann
Secretary	Elizabeth Lauer

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Pete Schramm, Licensing Examination Specialist		2) Date when request submitted: 3/1/2024 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Council on Real Estate Curriculum and Examinations			
4) Meeting Date: 3/13/2024	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 2023-2024 RE Continuing Education Outlines	
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 type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Here are the course outlines for the 2021-2022 Real Estate Continuing Education Courses for reference			
11) Authorization			
Pete Schramm		3/1/2024	
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.			

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 **by a pre-approved provider of all mandatory courses for the 2023-2024 biennium**. 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.

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