

STATEMENT OF SCOPE

REAL ESTATE EXAMINING BOARD

Rule No.: REEB 12

Relating to: Application Requirements

Rule Type: Permanent

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

N/A

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

The objective of the proposed rule is to create waiver provisions related to experience requirements established in s. 452.09 (4) (a) to (d), Stats. The Board will consider rulemaking for that purpose and for making other updates deemed necessary.

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:

Section 452.09 (4) (a) to (d), Stats., covers experience requirements for real estate broker license applicants. Section 452.09 (4) (e), Stats., allows the Board to set standards by rulemaking to waive any requirement in (a) to (d). Wisconsin Administrative Code chapter REEB 12 contains more details on real estate broker and salesperson license application requirements, and this is where the code changes will be made.

The alternative to making these updates is that opportunities for licensing of brokers will continue not to afford applicants the chance to establish equivalent or similar experience through a waiver process.

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

Section 452.07 (1), Stats.: "The board shall promulgate rules for the guidance of the real estate profession..."

Section 452.09 (4) (e), Stats.: "The board may waive any requirement under par. (a), (b), (c), or (d) for any applicant based on standards established by the board by rule."

Section 15.08 (5) (b), Stats., states that each examining board "[s]hall 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., states that an agency "may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation."

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

Approximately 80 hours.

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

Real estate brokers and salespersons licensed in Wisconsin and those looking to enter the profession.

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:

None.

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

None to minimal. This rule is not likely to have a significant economic impact on small businesses.

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Approved for publication:



Authorized Signature

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Date Submitted

Approved for implementation:

Authorized Signature

Date Submitted