

**Clearinghouse Rule 10-136**

STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING

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IN THE MATTER OF RULE-MAKING: : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : DEPARTMENT OF REGULATION  
DEPARTMENT OF REGULATION : AND LICENSING ADOPTING RULES  
AND LICENSING : (CLEARINGHOUSE RULE 10- )  
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PROPOSED ORDER

An order of the Department of Regulation and Licensing to repeal the Note following RL 24.02 (3), 24.02 (8) and (17), 24.025, 24.05 (3) (title), 24.07 (8) (a) 4., and the Note following 25.02 (2) (g) 7. b.; to renumber and amend RL 24.05 (1) and (3); to amend RL 24.02 (2), (3), (4), (5) and (13), 24.05 (title) and (1) (title), (2) and (5) (b), 24.07 (8) (a) 2. (intro.), 3., (b) (title), 1., 2., (c) (title) and (c), 24.09, 24.13 (title), (1), (2) (title), (b), (3) (title), (a), (4) (title), (4), (5) and the Note following (5), 24.16, 24.17 (1) and 25.02 (2) (intro.) and (g) 7. b.; to repeal and recreate RL 24.05 (4), 24.07 (8) (a) 1., (d) and (e); and to create RL 24.02 (19), 24.07 (8) (a) 1g. and 1r., and 24.17 (5), relating to definitions, duties of brokers, broker disclosure requirements, written proposals, ethical requirements, and educational requirements.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

**Statutes interpreted:**

Sections 452.01, 452.133, 452.134, 452.135, 452.139 and 452.14, Stats.

**Statutory authority:**

Sections 227.11 (2), 452.04 (2) and 452.07, Stats.

**Explanation of agency authority:**

The Department of Regulation and Licensing is granted the authority under s. 452.07, Stats., to promulgate rules to define professional conduct and unethical practices and to establish guidance for the real estate profession.

**Related statute or rule:**

There are no other statutes or rules other than those listed above.

**Plain language analysis:**

This proposed rule-making order clarifies the rules relating to the ability to retain records in an electronic format, updates and clarifies the rules to reflect statutory changes and clarifies licensees' duties. This rule-making also proposes to update the rules for conduct and ethical practices for real estate licensees, and creates discipline for licensees who do not respond to information requests from the board or department. This encourages the submission of requested information during an investigation.

SECTION 1 clarifies the definition of "agency agreement" by removing the statutory reference and adding a definition that encompasses any written agreement where a client authorizes a broker to provide brokerage services. Additionally, the statutory reference included in "brokerage service" is amended to encompass the entire statutory definition of "broker."

SECTION 2 repeals a note at the end of a section because the statutory reference no longer exists in the rules.

SECTION 3 amends the definition of "builder" to encompass any contract to build with or without a buyer. It removes speculation and contact homes from the definition of "builder" because these definitions are repealed. Additionally, "buyer's broker" is clarified by including the defined term of "agency agreement."

SECTION 4 repeals the definition of "contract home" because it is no longer included in the rules.

SECTION 5 amends the definition of "party" by referencing "transaction" which is defined in the rules.

SECTION 6 repeals the definition of "speculation home" because it is no longer included in the rules.

SECTION 7 creates a definition for "written proposal," which is used in the amended language of the rules and includes a broad range of documents used in the transactions, including notices, offers, counteroffers, and amendments.

SECTION 8 repeals a provision about a licensee's duties to clients because the amended rules include licensee duties to clients.

SECTION 9 amends the title to "disclosure of compensation and interests" to clarify the content of the rules. The SECTION is amended to read "compensation" to clarify the content of the SECTION.

SECTION 10 extends the licensee's ability to accept a fee or compensation to the licensee's principal broker as well as the client.

SECTION 11 removes the requirement for a licensee to obtain prior written consent before engaging in a transaction on his or her own behalf.

SECTION 12 removes the title of a provision because the provision is moved to a prior section.

SECTION 13 renumbers a provision and adds a writing requirement for licensees to disclose compensation they received, or interest they have, when referring clients to another person or entity. It also clarifies the statutory authority by referencing the exemption in a separate sentence.

SECTION 14 repeals and recreates a provision to emphasize the need for prior written consent from a client when a licensee discloses any compensation received, or incentives, from a listing broker. This clarifies the standards for licensees.

SECTION 15 includes a writing requirement to disclosures in this subsection to clarify standards for licensees.

SECTION 16 repeals and recreates a provision to clarify the required statutory disclosure form and the written consent requirements for parties to transactions of one to 4 dwelling units. The rule also creates the ethical requirements that a broker not negotiate on behalf of a non-client.

SECTION 17 adds two standards for brokers in providing services to clients: the first does not allow the broker to negotiate for a client without the statutory required disclosure form; and the second requires the client in a transaction for a one to 4 family dwelling to sign an acknowledgement that they received a statutory disclosure form statement.

SECTION 18 changes “another licensee” to “listing broker.” It also specifies that any change in the licensee’s representation comply with the statutory disclosure requirements of initial disclosure, clarifying the duties of the licensee.

SECTION 19 amends the rule to encompass “agency agreements” instead of “listing contracts,” and refers to “brokers” instead of “listing brokers.” Therefore, the broker has the duty to explain to their clients the responsibilities of buyer’s and seller’s agents and subagents before entering into this agreement. These disclosure requirements protect the client.

This SECTION also amends “listing broker” requirements to encompass any “broker” or broker’s salesperson. It imposes the requirement that they receive authorization before acting as a subagent.

Finally, this SECTION amends specific contracts to encompass “written documents,” a definition of which is included in the amended rules. It clarifies the duty of the licensee to include whom they represent in the written agreement.

SECTION 21 repeals two sections and recreates them to clarify the requirements for listing brokers and licensees.

The first section recreates a provision to require a listing broker to include the statutory disclosure requirements and clarify when a disclosure form is required by splitting the section into four parts: (1) a disclosure form is required for a listing broker when the negotiations are conducted directly with the buyer; (2) a broker is required to provide a disclosure form if negotiations are conducted directly with the seller; (3) a subagent is required to provide a disclosure form to a customer with whom they are working, but not to the principle broker; and (3) a broker does not need to require a broker disclosure form to their subagent's customer.

The second section recreates a provision to include the statutory disclosure requirements and clarify license requirements when negotiating terms of a lease and entering into listings for lease or property management contracts.

SECTION 22 amends a provision to expand the licensee's ethical requirements by forbidding them to mislead in three additional areas: "rented, purchased, or optioned" real estate. It also expands "listing contract" to an "agency agreement," an amended definition of which is included in the proposed rules.

SECTION 23 amends five provisions. The first four are amended to include "written proposals" in lieu of "offers." "Written proposal" is defined in the proposed amendments. In addition to the "written proposals" proposed amendments, the terminology in these five sections was amended for clarification.

The first section changes the terminology to "other party," so a written proposal should not be used if it would be contrary to instructions of the other party. The second section changes the terminology so the licensee should promptly present written proposals to the licensee's client or customer. The third section changes the terminology so that the objective and unbiased manner of presentation should be to the licensee's clients and customers. The fourth section broadens the terminology of "buyer" to "clients and customers" and "written proposal" to that a licensee must inform their clients and customers after any action on a written proposal. The fifth section is amended to add "lease or negotiate." This requirement means a licensee must negotiate with the broker who has an exclusive right to sell, lease or negotiate in these areas. Finally, the Note at the end of this section is updated to reflect the correct form, WB-36.

SECTION 24 amends a provision to allow rules of the department to be "readily available" instead of maintained on file, expanding the way in which rules can be maintained.

SECTION 25 amends a provision requiring a licensee to report offenses. The requirements remove an exemption for certain motor vehicle offenses, and require a licensee to send information about their crime to the department within 48 hours.

SECTION 26 creates a provision requiring the licensees to respond to departmental requests for information within 30 days to encourage compliance with requests.

SECTION 27 amends a provision relating to the educational programs for applicants for licenses. The number of hours a program would be if it were in a classroom was amended from a minimum of 36 hours to a minimum of 72 hours. The second section updates a reference to a rule.

**Summary of, and comparison with, existing or proposed federal regulation:**

None.

**Comparison with rules in adjacent states:**

**Illinois:**

Conduct and Ethical Practices for Real Estate Licensees: (bureau director) Subparts De, E, and F of Section 1450 of the Illinois Real Estate License Act cover the conduct and ethical practices for real estate licensees.

<http://www.ilga.gov/commission/jcar/admincode/068/06801450sections.html>

Broker Pre-License Education: Section 1450.60 Educational Requirements to Obtain a Broker's or Salesperson's License: 120 credit hours of instruction in approved courses or a baccalaureate degree including courses involving real estate or related material are required for broker applicants.

<http://www.ilga.gov/commission/jcar/admincode/068/068014500/C00600R.html>

**Iowa:**

Conduct and Ethical Practices for Real Estate Licensees: The various regulations of professional and business conduct are found in section 193E of the Iowa Administrative rules, chapters 6, 8, 10, 15 and 19.

<http://www.state.ia.us.government/com/prof/sales/PDFs/193EMarch2010/pdf>

Broker Pre-License Education: 54315(8) and 193E-sub rule 16.3(1), an applicant for licensure as a real estate broker shall complete at least 72 classroom hours of commission-approved real estate education within 24 months prior to taking the broker examination. This education shall be in addition to the required salesperson pre-license course (60 hours). [http://www.legis.state.ia.us/ACO/IAChtml/193e.htm#rule\\_193e\\_4\\_1](http://www.legis.state.ia.us/ACO/IAChtml/193e.htm#rule_193e_4_1)

**Michigan:**

Conduct and Ethical Practice for Real Estate Licensees: The various regulations of professional practice and conduct are found in Administrative Rules for Real Estate Brokers and Salespersons, Occupational Code, Article 25, Parts 3 and 4.

[http://www.michigan.gov/documents/dleg/rebook\\_217577\\_7.pdf](http://www.michigan.gov/documents/dleg/rebook_217577_7.pdf)

Broker Pre-License Education: Rule 203. (1) An applicant for a broker or associate broker license shall have completed 90 clock hours of qualifying pre-licensure education of which 9 clock hours shall be on civil rights law and fair housing law, as defined in section 2504(1) of the code. The broker pre-licensure education shall be completed not more than 36 months before the date of application, unless the applicant has held a license as a salesperson for that intervening period.

[http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin\\_Num=33922101&Dpt=LG&RngHigh=](http://www.state.mi.us/orr/emi/admincode.asp?AdminCode=Single&Admin_Num=33922101&Dpt=LG&RngHigh=)

### **Minnesota:**

Conduct and Ethical Practice for Real Estate Licensees: The regulation of professional conduct is found in section 82.48 of the Minnesota Statutes.

<https://www.revisor.mn.gov/statutes/?year=2006&id=82.48>

Broker Pre-License Education: 82.29 Sub.8(b) An applicant for a broker's license must successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner, of which three hours shall consist of training in state and federal fair housing laws, regulations, and rules. The course must have been completed within 12 months prior to the date of application for the broker's license.

<https://www.revisor.leg.state.mn.us/statutes/?id=82.29>

### **Summary of factual data and analytical methodologies:**

The information received from the states listed in this analysis was obtained directly from a review of the applicable regulations and rules.

### **Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report:**

Data was obtained from the department's credentialing division regarding the number of licensees that would be affected by this regulatory change. As of June 15, 2010, there are 47,823 licensed real estate salespersons and 52,465 licensed real estate brokers. There are 8,539 licensed real estate business entities. The majority of real estate licensees work in small business environments; however, the change in rules regarding professional conduct of licensees will not have a significant impact on their cost of doing business. The rule change seeks to clarify current ethical practices that already exist within the Wisconsin real estate industry.

Section 227.137, Stats., requires an "agency" to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. The Department of Regulation and Licensing is not included as an "agency" in this section.

### **Anticipated costs incurred by private sector:**

The department finds that this rule has no significant fiscal effect on the private sector.

**Fiscal estimate:**

The department estimates that this rule will have costs of \$128 to create forms and update the department's website.

**Effect on small business:**

These proposed rules were reviewed by the department's Small Business Review Advisory Committee and it was determined that the proposed rules will not have a significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [hector.colon@drl.state.wi.us](mailto:hector.colon@drl.state.wi.us), or by calling (608) 266-8608.

**Agency contact person:**

Kris Anderson, Department of Regulation and Licensing, Division of Board Services, 1400 East Washington Avenue, Room 116, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-2385; email at [Kristine1.Anderson@wisconsin.gov](mailto:Kristine1.Anderson@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Kris Anderson, Department of Regulation and Licensing, Division of Board Services, 1400 East Washington Avenue, Room 116, P.O. Box 8935, Madison, WI 53708-8935, or by email to [Kristine1.Anderson@wisconsin.gov](mailto:Kristine1.Anderson@wisconsin.gov). Comments must be received on or before February 22, 2011 to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. RL 24.02 (2) and (3) are amended to read:

RL 24.02 (2) "Agency agreement" means a written agreement between a broker and a client ~~under s. 452.135 (1), Stats~~ in which the client authorizes the broker to provide brokerage services to the client.

(3) "Brokerage service" means any service described under s. 452.01 (2) ~~(a) to (g)~~, Stats., provided by a broker to another person.

SECTION 2. The Note following RL 24.02 (3) is repealed.

SECTION 3. RL 24.02 (4) and (5) are amended to read:

RL 24.02 (4) “Builder” means any person engaged in the business of constructing ~~speculation homes~~ without a buyer under contract or constructing homes under a contract ~~homes~~ with the buyer.

(5) ~~Buyer~~ “Buyer’s broker” means a licensee ~~having an agency relationship who has an agency agreement~~ with a buyer ~~in relation to a particular transaction~~.

SECTION 4. RL 24.02 (8) is repealed.

SECTION 5. RL 24.02 (13) is amended to read:

RL 24.02 (13) “Party” means a person seeking to ~~sell, exchange, buy or rent an interest in real estate, a business or a business opportunity~~. “Party” includes a person ~~who seeks to grant or accept an option to buy, sell or rent an interest in real estate, a business or a business opportunity~~ engage in a transaction.

SECTION 6. RL 24.02 (17) is repealed.

SECTION 7. RL 24.02 (19) is created to read:

RL 24.02 (19) “Written proposal” means any written document provided between parties who are engaged in a transaction including notices, offers, counteroffers and amendments.

SECTION 8. RL 24.025 is repealed.

SECTION 9. RL 24.05 (title) and (1) (title) are amended to read:

**RL 24.05 (title) ~~Self-dealing~~ Disclosure of compensation and interests.** (1) (title) ~~DUAL~~ COMPENSATION.

SECTION 10. RL 24.05 (1) is renumbered RL 24.05 (1) (a) and is amended to read:

RL 24.05 (1) (a) A licensee acting as an agent in a real estate or business opportunity transaction may not accept any fee or compensation related to the transaction from any person, other than the licensee’s client or principal broker, without prior written consent from all parties to the transaction.

SECTION 11. RL 24.05 (2) is amended to read:

RL 24.05 (2) DISCLOSURE OF INTEREST. A licensee acting as an agent in a real estate or business opportunity transaction may not act in the transaction ~~on the licensee’s own behalf~~, on behalf of the licensee’s immediate family or firm, or on behalf of any other organization or business entity in which the licensee has an interest without



the prior written consent of all parties to the transaction. For the purpose of this subsection, a licensee may obtain the written consent in the offer to purchase, option, lease or other transaction contract.

SECTION 12. RL 24.05 (3) (title) is repealed.

SECTION 13. RL 24.05 (3) is renumbered RL 24.05 (1) (b) and is amended to read:

RL 24.05 (1) (b) A licensee acting as an agent in a real estate or business opportunity transaction may not recommend or suggest to a party to the transaction the services of another individual or entity from which the licensee may receive compensation for a referral or in which the licensee has an interest, ~~other than referrals to other licensees for real estate services under s. 452.19, Stats.,~~ unless the licensee, prior to or at the time of the referral, discloses to the party in writing the fact that he or she may receive compensation for the referral or that he or she has an interest in the individual or entity providing the services. This paragraph does not apply when the licensee makes a referral to other licensees for real estate services under s. 452.19, Stats.

SECTION 14. RL 24.05 (4) is repealed and recreated to read:

RL 24.05 (4) DISCLOSURE TO SELLER. A listing broker may not pay any compensation or incentive to a licensee who is acting as the principal buyer in a transaction without prior written consent from the seller.

SECTION 15. RL 24.05 (5) (b) is amended to read:

RL 24.05 (5) (b) The disclosure under this subsection shall be made in writing to the other party in a transaction or to an agent representing the other party.

SECTION 16. RL 24.07 (8) (a) 1. is repealed and recreated to read:

RL 24.07 (8) (a) 1. A broker may not negotiate on behalf of a party who is not the broker's client unless the broker provides to the party a copy of the broker disclosure to customers required under s. 452.135 (1), Stats. If the brokerage services are related to real estate primarily intended for use as a residential property containing one to 4 dwelling units, the broker shall request the party's signed acknowledgement that the party has received a copy of the written disclosure statement.

SECTION 17. RL 24.07 (8) (a) 1g. and 1r. are created to read:

RL 24.07 (8) (a) 1g. A broker may not negotiate on behalf of a client unless the broker gives the client a copy of the broker disclosure required under s. 452.135 (2), Stats.

1r. If a client enters into an agency agreement with a broker to receive brokerage services related to real estate primarily intended for use as a residential property containing one to 4 dwelling units, and the broker disclosure to clients is not incorporated into the agency agreement, the broker shall request the client's signed acknowledgement that the client has received a copy of the written disclosure statement required in s. 452.135 (2), Stats.

SECTION 18. RL 24.07 (8) (a) 2. (intro.) and 3. are amended to read:

RL 24.07 (8) (a) 2. (intro.) Licensees acting as agents of potential buyers of real estate that is used or intended to be used principally for one to 4 family residential purposes, who are negotiating directly with the seller or who are aware that the owner of the real estate has granted ~~another licensee~~ a listing broker the exclusive right to sell, shall notify the seller or the listing broker, as applicable, of the licensee's buyer agency relationship at the earlier of all of the following:

3. ~~A change in a licensee's representation~~ When a licensee's form of representation changes with a client or a customer that makes the initial disclosure that was provided under s. 452.135, Stats., incomplete, misleading or inaccurate requires that, the licensee shall provide the customer or client with a new disclosure be given, as required in s. 452.135, Stats.

SECTION 19. RL 24.07 (8) (a) 4. is repealed.

SECTION 20. RL 24.07 (8) (b) (title), 1., 2., (c) (title) and (c) are amended to read:

RL 24.07 (8) (b) (title) ~~Listing contracts Agency agreements.~~ 1. ~~Listing brokers~~ Brokers or their salespeople shall explain to their clients the responsibilities of seller's agents, buyer's agents and subagents ~~to the seller~~ before entering into ~~a listing contract~~ an agency agreement.

2. No ~~listing~~ broker or ~~listing~~ broker's salesperson may permit other brokers to act as subagents ~~in the sale of a property or business opportunity a transaction~~ unless the ~~listing broker or salesperson has received the seller's authorization~~ broker's client has authorized the use of a subagent in the listing contract agency agreement.

(c) (title) ~~Offers to purchase and option contracts~~ Written documents. Licensees shall ~~reconfirm, state~~ in the offer to purchase ~~or option contract,~~ the lease, the option to purchase or the exchange agreement whom the licensee represents as an agent in a ~~real estate or business opportunity~~ transaction.

SECTION 21. RL 24.07 (8) (d) and (e) are repealed and recreated to read:

RL 24.07 (8) (d) *Subagency arrangements*. 1. A listing broker shall provide a broker disclosure to a customer as required in s. 452.135 (1), Stats., to the buyer if negotiations are being conducted directly with the buyer and not through a buyer's broker.

2. A buyer's broker shall provide a broker disclosure to a customer as required in s. 452.135 (1), Stats., to a seller if negotiations are being conducted directly with the seller and not through the seller's broker.

3. A subagent shall provide a broker disclosure form to a customer with whom they are working but not to the principal broker's client.

4. A broker is not required to provide a broker disclosure form to a customer of their subagents.

(e) *Listings for lease and property management contracts*. 1. A licensee who is entering into listings for lease or property management contracts shall provide to their clients the broker disclosure to clients required in s. 452.135 (2), Stats.

2. A licensee shall provide to prospective tenants a broker disclosure to customer form required in s. 452.135 (1), Stats., when negotiating the terms of a lease on behalf of the client.

SECTION 22. RL 24.09 is amended to read:

**RL 24.09 Securing agency agreements.** Licensees may not mislead a potential client regarding the benefits which might be realized through the use of the licensee's services ~~or. A licensee also may not mislead a potential client regarding the market value of real estate or a business opportunity to be leased, rented, purchased, optioned or sold under a listing contract~~ an agency agreement.

SECTION 23. RL 24.13 (title), (1), (2) (title), (b), (3) (title), (a), (4) (title), (4), (5), and the Note following RL 24.13 (5) are amended to read:

**RL 24.13 (title) Drafting and submission of offers written proposals.** (1) REFUSAL PROHIBITED. Licensees shall not refuse to draft or submit any ~~offer to purchase, exchange agreement or option contract proposal to the owner~~ written proposal unless the terms of the ~~offer, exchange agreement or option~~ written proposal would be contrary to specific instructions of the ~~owner~~ other party.

(2) (title) ~~OFFERS WRITTEN PROPOSALS~~ WITHHOLDING OFFERS WRITTEN PROPOSALS PROHIBITED. (b) Licensees shall ~~promptly present promptly~~ promptly present promptly all ~~offers written proposals~~ written proposals received to the ~~seller or seller's agent for consideration~~ licensee's client or customer. Licensees shall not withhold any ~~offer written proposal~~ written proposal from presentation pending the ~~seller's party's action on an offer~~ a written proposal previously presented.

(3) (title) FAIR PRESENTATION OF OFFERS WRITTEN PROPOSALS. (a) Licensees shall present all written proposals in an objective and unbiased manner to their ~~principals~~ clients and customers. Licensees shall inform their ~~principals~~ clients and customers of the advantages and disadvantages of all submitted written proposals.

(4) (title) NOTIFICATION OF ACTION TO BUYERS ON WRITTEN PROPOSAL. Licensees shall promptly inform ~~prospective buyers~~ their clients and customers whether the ~~seller~~ other party has accepted, rejected or countered their written ~~offer to purchase, and proposal~~. A licensee shall immediately provide a written statement ~~concerning to the other party's broker that includes the date and time when an offer the written proposal was rejected or that an offer had expired without acceptance when such a statement is requested by a prospective buyer, a buyer's agent or a selling broker the other party or the other party's broker.~~

(5) NEGOTIATION THROUGH BROKER. A licensee may not negotiate a sale or lease of real estate directly with a party if the licensee knows that the party has an unexpired written contract in connection with the real estate which grants to another licensee an exclusive right to sell, lease or negotiate. All negotiations shall be conducted with the broker holding the exclusive right to sell, lease or negotiate, and not with the party, except with the consent of the broker or where the absence of the broker, or other similar circumstances, reasonably compels direct negotiation with the party. A listing broker has no duty to investigate whether a buyer has granted a buyer's agent an exclusive right to negotiate.

Note: The Department of Regulation and Licensing's approved form, ~~WB-38~~ WB-36, does not grant the buyer's agent an exclusive right to negotiate.

SECTION 24. RL 24.16 is amended to read:

**RL 24.16 Availability of rules.** Brokers shall ~~maintain a copy of the rules of the department on file~~ have the rules of the department readily available in all offices for the use of all licensees.

SECTION 25. RL 24.17 (1) is amended to read:

**RL 24.17 Miscellaneous requirements.** (1) VIOLATIONS OF LAW. Licensees may not violate, or aid or abet the violation of, any law the circumstances of which substantially relate to the practices of a real estate broker or salesperson. A licensee who has been convicted of a crime, ~~except motor vehicle offenses under chs. 341 to 349, Stats.,~~ shall send to the department within ~~30 days~~ 48 hours after the judgment of conviction a copy of the complaint or other information which describes the nature of the crime and the judgment of conviction in order that the department may determine whether the circumstances of the crime of which the licensee was convicted are substantially related to the practice of a real estate broker or salesperson, pursuant to s. 111.335 (1) (c), Stats.

SECTION 26. RL 24.17 (5) is created to read:

RL 24.17 (5) DUTY TO COOPERATE WITH THE BOARD AND THE DEPARTMENT. Licensees and applicants shall respond to the department and the board regarding any request for information within 30 days of the date of the request.

SECTION 27. RL 25.02 (2) (intro.) and (g) 7. b. are amended to read:

RL 25.02 (2) BROKER'S PRE-LICENSE PROGRAM. (intro.) The educational program for applicants for an original real estate broker's license shall cover all of the following topics and shall be designed so that if the educational program were presented as classroom education, it would be presented in no less than ~~36~~ 72 hours:

(g) 7. b. Office supervision – s. RL ~~17.09~~ 17.08.

SECTION 28. The Note following RL 25.02 (2) (g) 7. b. is repealed.

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(END OF TEXT OF RULE)  
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The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated \_\_\_\_\_ Agency \_\_\_\_\_  
Secretary  
Department of Regulation and Licensing

RL 24, 25 CR10- (Conduct, ethics) Draft to CR 11-18-10