

Report From Agency

STATE OF WISCONSIN
REAL ESTATE EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : REAL ESTATE EXAMINING BOARD
REAL ESTATE EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 15-006)

PROPOSED ORDER

An order of the Real Estate Examining Board to amend REEB 16.06(1)(b) relating to use of approved forms.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: s. 452.05(1)(b)

Statutory authority: ss. 15.08(5)(b) and 452.07(1)

Explanation of agency authority: The Board shall promulgate rules for the guidance of the profession not inconsistent with the laws relating to real estate.

Related statute or rule: N/A

Plain language analysis:

Section 1 inserts the word “not” which was inadvertently omitted in CR 13-073.

Summary of, and comparison with, existing or proposed federal regulation: None
Comparison with rules in adjacent states:

Illinois: Illinois does not have rules related to altering real estate forms.

Iowa: Iowa does not have rules related to altering real estate forms.

Michigan: Michigan does not have rules related to altering real estate forms.

Minnesota: Minnesota does not have rules related to altering real estate forms.

Summary of factual data and analytical methodologies:

This rule simply reinserts a word which was part of the rule prior to CR-13-073 which inadvertently deleted it.

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

This rule was posted for economic comments and the board received none. This is merely a clerical correction to a previous rule.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Eric.Esser@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-2377; email at Sharon.Henes@wisconsin.gov.

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

Comments may be submitted to Sharon Henes, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Board Services, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8935, or by email to Sharon.Henes@wisconsin.gov. Comments must be received at or before the public hearing to be held on February 26, 2015 at 10:15 to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. REEB 16.06(1)(b) is amended to read:

(b) Not reproduce the form in such a manner that optional provisions are omitted and blank lines are filled in without any indication of where the optional provisions and blank lines occur on the board-approved form.

SECTION 2. EFFECTIVE DATE. 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.

(END OF TEXT OF RULE)

This Proposed Order of the Real Estate Examining Board is approved for submission to the Governor and Legislature.

Dated _____

Agency _____

Member of the Board
Real Estate Examining Board