

STATEMENT OF SCOPE

REAL ESTATE EXAMINING BOARD

Rule No.: REEB 24.17

Relating to: Violation of Board Orders

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 is to clarify that it is unprofessional conduct to violate an order of the Real Estate Examining Board.

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:

Existing policy states licensees shall not violate any provisions or terms or conditions of any disciplinary order of the Board. The Board issues other orders, for example issuing a limited license order instead of denying a license to applicants who create safety concerns for the public but could practice safely with some certain limitations in place. The proposed rule would clarify that it is unprofessional conduct to violate any order of the Board.

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

15.08 (5) (b) Each examining board shall promulgate rules for its own guidance and for the guidance of the 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.

452.07 (1) The board shall promulgate rules for the guidance of the real estate profession and define professional conduct and unethical practice.

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

50 hours

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

Real estate licensees

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. The rule is not likely to have a significant economic impact on small businesses.

Contact Person: Sharon Henes, Administrative Rules Coordinator, (608) 261-2377