

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected</p>	<p>2. Date 5/17/2021</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) REEB 24</p>	
<p>4. Subject Relating to conduct and ethical practices of licensees</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected</p>
<p>7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule REEB 24 had not been comprehensively reviewed for current state of practice and statutory changes for several years. This rule project updates the chapter to address these changes.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The rule was posted for 14 days to solicit comments on the potential economic impacts. No comments were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. None.</p>	
<p>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The rule does not have an economic or fiscal impact on specific businesses, business sectors, public utility ratepayers, local governmental units or the State's economy as a whole.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule Implementing this rule will ensure consistency between the statutes and administrative rules that govern the practice of real estate professionals. This will reduce confusion and update the rule to current practices. Alternative to updating this rule would be to maintain current rules, and therefore leave uncorrected the inconsistencies between statutes and rules.</p>	
<p>16. Long Range Implications of Implementing the Rule Implementing this rule will assist license holders and applicants to understand what the governing laws and codes mean for their practice.</p>	
<p>17. Compare With Approaches Being Used by Federal Government None.</p>	
<p>18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota) Illinois: Illinois provides criteria for unprofessional conduct for real estate brokers, salespersons, and other real estate</p>	

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professions as governed under the Illinois Real Estate License Act of 2000 and updated in 2019 under 225 ILCS 454/Art. 20. Further administrative rules outline additional direction for the provisions found under the laws.

<https://www.ilga.gov/commission/jcar/admincode/068/068014500I09000R.html>

Iowa: Iowa provides for unprofessional conduct for real estate brokers and salesperson under IC §543B.

(<https://www.legis.iowa.gov/DOCS/ACO/IC/LINC/Chapter.543b.pdf>.)

Iowa's Administrative Rules 193E.18 further detail disciplinary and investigatory review in matters such as grounds for discipline and sanctions.

<https://www.legis.iowa.gov/law/administrativeRules/rules?agency=193E&chapter=18&pubDate=01-13-2021>

Michigan: Michigan Laws under 299-1980, Section 339.501-339.559 and Michigan Administrative Rule R 339 Article 5 outlines provisions concerning complaints, disciplinary procedures, and other related issues for real estate professions.

Complaints on violations of the occupational codes in Michigan can be filed through the Bureau of Professional Licensing in the Department of Licensing and Regulatory Affairs.

[http://www.legislature.mi.gov/\(S\(1ikbjpybafgho5pahhxyzkcp\)\)/mileg.aspx?page=getObject&objectName=mcl-299-1980-5](http://www.legislature.mi.gov/(S(1ikbjpybafgho5pahhxyzkcp))/mileg.aspx?page=getObject&objectName=mcl-299-1980-5)

Minnesota: Minnesota has adopted standards of conduct for real estate professionals found under s. 82.73, MN Statutes.

<https://www.revisor.mn.gov/statutes/cite/82.73> and disciplinary procedures entitled "Denial, Suspension and Revocation of Licensure" under s. 82.82, Stats. <https://www.revisor.mn.gov/statutes/cite/82.82>

19. Contact Name

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20. Contact Phone Number

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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