

**Rule 61J2-3.020, Post-licensing Education for Active and Inactive
Broker and Salesperson Licensees**

SUMMARY (Inserted for descriptive purposes. The summary is not part of the amended rule.)

Rule 61J2-3.020, Post-licensing Education for Active and Inactive Broker and Salesperson Licensees, was amended effective July 23, 2000. The Commission amended the rule to allow real estate licensees, who fail the post-licensing end of course examination, to retake the examination once prior to requiring them to retake the post-licensing course. (Note: Students may, however, choose to retake the course and in such cases, may take the end-of-course exam.)

CODED TEXT

61J2-3.020 Post-Licensing Education for Active and Inactive Broker and Salesperson Licensees, effective July 23, 2000.

(1) through (7) No change.

(8)(a) Students failing a Commission prescribed post-licensing education end of course examination must wait at least 30 days from the date of the original examination to again take the end of course examination ~~repeat the Commission prescribed or approved course prior to being eligible to again take the end of course examination.~~ Within one year of the original end of course examination, a student may retake the prescribed end of course examination a maximum of one time. Otherwise, students failing the Commission prescribed end of course examination must repeat the Commission prescribed course prior to being eligible to again take the end of course examination. Students retaking the end of course examination must be administered a different form of the end of course examination.

(b) ~~Make-up classes to enable a student to take the prescribed end of course examination, which are due to student or family illness, may not extend more than 30 days beyond the class scheduled end of course examination without approval of the Commission.~~ Make-up classes must be the classes missed by the student and must consist of the original Commission prescribed course material.

(9) through (10) No change.

Specific Authority 475.05, 475.17 FS. Law Implemented 475.04, 475.17, 475.182 FS. History—New 1-1-89, Amended 1-4-90, 6-28-93, Formerly 21V-3.020, Amended 8-2-95, 12-30-97, 2-24-00, _____.

FINAL VERSION

61J2-3.020 Post-licensing Education for Active and Inactive Broker and Salesperson Licensees.

(1) All applicants for licensure who pass a broker or salesperson licensure examination must satisfactorily complete a Commission prescribed or approved post-licensing educational course requirement prior to the first renewal following initial licensure. The post-licensing course or courses must be taken at an accredited college, university, community college, area technical center, at a registered real estate school, or given by a Commission-approved sponsor.

(a) For a salesperson, the post-licensing education course shall consist of one or more Commission-approved courses which total at least 45 classroom hours of 50 minutes each, inclusive of examination, in subjects including, but not limited

to: agency law, property management, appraisal, real estate finance, or economics of real estate management.

(b) For a broker, the post-licensing education courses shall consist of one or more Commission-approved courses which total at least 60 classroom hours of 50 minutes each, inclusive of examination, in subjects including, but not limited to: agency law, advanced appraisal, advanced property management, real estate marketing, business law, advanced real estate investment analysis, advanced legal aspects, general accounting, real estate economics, syndications, commercial brokerage, feasibility analysis, advanced real estate finance, residential brokerage, or real estate brokerage office operations.

(2) Post-licensing education courses shall be training oriented, to the maximum extent possible, and shall build on the academic body of knowledge acquired during the pre-licensing education courses. Development of the skills necessary for licensees to operate effectively and to provide increased public protection shall be emphasized in all courses.

(3) The course content for both broker and salesperson post-licensing education courses shall be directed toward the various real estate specialty areas, that is, brokers or salespersons specializing in residential sales shall be able to take courses directly related to improving their knowledge and skills in that area. Other specialty areas to be considered are commercial sales, property management, business opportunity and business enterprise sales, syndication and counseling. Additional specialty areas also may be considered by the Commission.

(4) (a) A copy of the course shall be submitted to the Commission for evaluation at least 60 days prior to use. The Commission will issue a status report to the course provider at least 30 days after submission of the course. Approval or denial of the course will be based on the extent to which the course content covers the material set forth in the appropriate Commission-approved course syllabus, incorporated herein by reference, effective November 15, 1988 (salesperson courses) and effective November 15, 1988 (broker courses). Examinations must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes. Institutions, schools and sponsors offering Commission approved post-licensing education courses are responsible for keeping the course subject matter current and accurate.

(b) The course syllabus and examinations will be approved for a 2 year period from the date of approval. A course may not be offered after the expiration date except for a course that is begun before the expiration date may be completed even if the completion date is after the examination date.

(5) Satisfactory course completion is demonstrated by achieving a grade of 75% or higher on the course examination. At least 2 forms of the examinations shall be submitted for approval with the detailed course syllabus and shall test the learning objectives contained therein. The Commission approved examination shall be administered by the applicable university, college, community college, area technical center, registered real estate school, or Commission-approved sponsor.

(6) Notice of satisfactory course completion shall only be issued to any student attending a minimum of 90% of the classroom hours for each course.

(7) The institutions, or schools or sponsors offering these Commission prescribed or approved courses shall inform each student of the standards and requirements at the commencement of each course. Notice of the course completion shall be made on a form prescribed by the Commission.

- (8) (a) Students failing a Commission prescribed post-licensing education end of course examination must wait at least 30 days from the date of the original examination to again take the end of course examination. Within one year of the original end of course examination, a student may retake the prescribed end of course examination a maximum of one time. Otherwise, students failing the Commission prescribed end of course examination must repeat the Commission prescribed course prior to being eligible to again take the end of course examination students retaking the end of course examination must be administered a different form of the end of course examination.
- (b) Make-up classes to enable a student to take the prescribed end of course examination due to student or family illness may not extend more than 30 days beyond the class scheduled end of course examination without approval of the Commission. Make-up classes must be the classes missed by the student and must consist of the original Commission prescribed course material.

(9) The Commission may allow an additional 6-month period after the first renewal following initial licensure for brokers and salespersons who cannot, due to individual physical hardship, complete the course or courses within the required time. Individual physical hardship shall be as defined in Rule 61J2-3.013(2), *Florida Administrative Code*. Requests under this rule shall be handled in the same manner as contained in Rule 61J2-3.013(3), *Florida Administrative Code*.

(10) Any licensee who has received a 4-year degree in real estate from an accredited institution of higher education is exempt from the post-license education requirements.