

## 61J2-3.010, LICENSE REACTIVATION EDUCATION FOR BROKERS AND SALES ASSOCIATES

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

Rule 61J2-3.010, License Reactivation Education for Brokers and Sales Associates, was amended effective March 15, 2004. The rule was amended to bring it into compliance with statutory changes. The revised rule replaces the 28-hour reactivation course with two (one for each 2-year license period) 14-hour continuing education courses. This change resulted because the JAPC indicated that the FREC did not have the statutory authority to require the 28-hour reactivation course.

### CODED TEXT

61J2-3.010: License Reactivation Education for Brokers and Sales Associates, effective March 15, 2004

(1) Brokers and ~~sales associates salespersons~~ holding an involuntarily inactive license may only maintain this status for 2 years. The first day of this allowable ~~2-year two-year~~ period is the first day the broker or ~~sales associate salesperson~~ failed to hold a valid and current active or voluntarily inactive license. After the second year, the broker's or ~~sales associate's salesperson's~~ right to request an active or voluntarily inactive license automatically expires.

(2) Brokers and ~~sales associates salespersons~~ wishing to reactivate ~~an involuntary their license as active or voluntarily inactive license~~ within this 2-year period must satisfactorily complete a Commission-prescribed ~~Commission-prescribed~~ educational course of instruction.

(3) ~~A~~ When a licensee may reactivate a license, which has been involuntarily inactive for 12 months or less, ~~the reactivation education requirement may be met~~ by satisfactorily completing the continuing education requirement of Rule 61J2-3.009, F.A.C. A ~~When a license may reactivate a license, which~~ has been involuntarily inactive for more than 12 months but less than 24 months, ~~the requirement shall be met~~ by satisfactorily completing 28 hours of a Commission-prescribed ~~Commission-prescribed classroom hours of the prerequisite~~ education course for licensure as a ~~sales associate salesperson~~ (Course I). The Course I ~~classroom~~ hours must be based on an approved course as set forth in Rule 61J2-3.008, F.A.C. Emphasis shall be placed on the real estate ~~law~~ and license law portions of this course.

(4) ~~When classroom reactivation courses are required,~~ A licensee may demonstrate satisfactory completion for reactivation is demonstrated by achieving a grade of 70% or higher on the Commission-prescribed 25 item end-of-course examination. ~~The School shall test only students who have completed This examination is administered by the applicable university, college, community college, area technical center or real estate school; however, notice of satisfactory completion shall not be issued to any student who has not attended at least 90% of the required classroom hours of instruction.~~

(5) The ~~institution~~ or school offering these Commission-prescribed ~~Commission prescribed~~ courses shall inform each student of the standards and requirements at the commencement of each course and issue a ~~Notice of course completion shall be made~~ as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(6) Students failing the Commission-prescribed ~~Commission-prescribed~~ course examination must wait at least 30 days from the date of the original examination to retake again ~~take the end-of-course end-of-course~~ examination. Within one year of the original end-of-course ~~end-of-course~~ examination, a student may re-take the prescribed end-of-course ~~end-of-course~~ examination a maximum of one time. Otherwise, students failing the Commission-prescribed end-of-course ~~Commission-prescribed end-of-course~~ examination must repeat the Commission-

~~prescribed Commission-prescribed~~ course prior to being eligible to ~~re-take~~ again take the end-of-course examination.

(7) ~~These Commission-prescribed courses may be offered by Accredited~~ universities, colleges, community colleges in this state, area technical centers or by real estate schools registered pursuant to ~~§~~ Section 475.451, Florida Statutes may offer the Commission-prescribed courses. Satisfactory completion of these courses will not entitle any person to reactivate an involuntary inactive license as a real estate broker or sales associate ~~salesperson~~ until such person has met all other requirements of law.

(8) Any active member in good standing with The Florida Bar, who is otherwise qualified under the real estate license Law, is exempt from the reactivation education requirements of this rule. ~~This must be noted on the renewal request by affixing a copy of the licensee's current Bar card.~~

Specific Authority: 475.05 FS. Law Implemented: 475.04, 475.17, 475.182, 475.183, 475.451 FS. History--New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, \_\_\_\_\_.

## **FINAL VERSION**

### **61J2-3.010: License Reactivation Education for Brokers and Sales Associates.**

(1) Brokers and sales associates holding an involuntarily inactive license may only maintain this status for 2 years. The first day of this allowable 2-year period is the first day the broker or sales associate failed to hold a valid and current active or voluntarily inactive license. After the second year, the broker's or sales associate's right to request an active or voluntarily inactive license automatically expires, by operation of law.

(2) Brokers and sales associates wishing to reactivate an involuntary inactive license within this 2-year period must satisfactorily complete a Commission-prescribed educational course of instruction.

(3) A licensee may reactivate a license, which has been involuntarily inactive for 12 months but less than 24 months, by satisfactorily completing a 14-hour Commission-prescribed continuing education course for each 2-year license period.

(4) The school offering these Commission-prescribed courses shall inform each student of the standards and requirements at the commencement of each course and issue a notice of course completion as prescribed by the Commission in Rule 61J2-3.015, Florida Administrative Code.

(5) Accredited universities, colleges, community colleges in this state, area technical centers or by real estate schools registered pursuant to Section 475.451, Florida Statutes, may offer the Commission-prescribed course. Satisfactory completion of these courses will not entitle any person to reactivate an involuntary inactive license as a real estate broker or sales associate until such person has met all other requirements of law.

(6) Any active member in good standing with The Florida Bar, who is otherwise qualified under the real estate license law, is exempt from the reactivation education requirements of this rule.

Specific Authority: 475.05 FS. Law Implemented: 475.04, 475.17, 475.182, 475.183, 475.451 FS. History--New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04.