

19103993D

**HOUSE BILL NO. 2176**

Offered January 9, 2019

Prefiled January 8, 2019

*A BILL to amend and reenact § 54.1-2105 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; powers of Real Estate Board; active duty military spouses; license reciprocity.*

---

 Patron—Convirs-Fowler
 

---



---

 Referred to Committee on General Laws
 

---

**Be it enacted by the General Assembly of Virginia:****1. That § 54.1-2105 of the Code of Virginia is amended and reenacted as follows:****§ 54.1-2105. General powers of Real Estate Board; regulations; educational and experience requirements for licensure.**

A. The Board may do all things necessary and convenient for carrying into effect the provisions of this chapter and may promulgate necessary regulations.

B. The Board shall adopt regulations establishing minimum educational requirements as conditions for licensure. Board regulations relating to initial licensure shall include the following requirements:

1. Every applicant for an initial license as a real estate salesperson shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed a course in the principles of real estate that carried an academic credit of at least four semester hours, but not less than 60 hours of classroom, correspondence, or other distance learning instruction, offered by an accredited institution of higher education, high school offering adult distributive education courses, or other school or educational institution offering an equivalent course.

2. Every applicant for an initial license as a real estate broker shall have:

a. At a minimum, a high school diploma or its equivalent; and

b. Completed not less than 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses offered by an accredited institution of higher education or other school or educational institution offering equivalent courses.

3. Every applicant for a license by reciprocity as a real estate salesperson or real estate broker shall have:

a. Completed a course in the principles of real estate that is comparable in content and duration and scope to that required in subdivision 1 or 12 semester hours of classroom or correspondence or other distance learning instruction in real estate courses that are comparable in content and duration and scope to that required in subdivision 2; and

b. If currently licensed by another state as a real estate salesperson or broker, passed Virginia's examination. *However, notwithstanding the provisions of § 54.1-119, the Board shall issue a real estate license to any applicant (i) whose spouse is the subject of a military transfer to the Commonwealth, (ii) who accompanies such spouse to the Commonwealth, and (iii) who holds a similar license or certification issued by another state, provided that the license or certification is valid and the applicant is in good standing with the regulatory entity that issued the license or certification. Such applicant shall not be required to complete any additional training or examination requirements to be issued a license by the Board.*

C. The Board may waive any requirement under the regulations relating to education or experience when the broker or salesperson is found to have education or experience equivalent to that required. No regulation imposing educational requirements for initial licensure beyond those specified by law shall apply to any person who was licensed prior to July 1, 1975, and who has been continuously licensed since that time, except that licensure as a salesperson prior to such time shall not exempt a salesperson who seeks to be licensed as a broker from the educational requirements established for brokers.

D. The Board shall establish criteria to ensure that prelicensure and broker licensure courses meet the standards of quality deemed by the Board to be necessary to protect the public interests. For correspondence and other distance learning instruction offered by an approved provider, such criteria may include appropriate testing procedures. The Board may establish procedures to ensure the quality of the courses.

Noncollegiate institutions shall not be authorized to grant collegiate semester hours for academic credit.

The specific content of the real estate courses shall be in real estate brokerage, real estate finance, real estate appraisal, real estate law, and such related subjects as are approved by the Board.

INTRODUCED

HB2176

- 59** E. The Board may establish criteria delineating the permitted activities of unlicensed individuals  
**60** employed by real estate licensees or under the supervision of a real estate broker.  
**61** F. The Board may take a disciplinary case against a licensee under advisement, defer a finding in  
**62** such case, and dismiss such action upon terms and conditions set by the Board.