

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-2105 of the Code of Virginia, relating to Real Estate Board; regulations*  
 3 *related to fees charged to a licensee.*

4 [H 1653]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 54.1-2105 of the Code of Virginia is amended and reenacted as follows:**8 **§ 54.1-2105. General powers of Real Estate Board; regulations; educational and experience**  
 9 **requirements for licensure.**10 A. The Board may do all things necessary and convenient for carrying into effect the provisions of this  
 11 chapter and may promulgate necessary regulations.12 B. The Board shall adopt regulations establishing minimum educational requirements as conditions for  
 13 licensure. Board regulations relating to initial licensure shall include the following requirements:

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

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

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

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

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

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

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

26 a. Completed a course in the principles of real estate that is comparable in content and duration and scope  
 27 to that required in subdivision 1 or 12 semester hours of classroom or correspondence or other distance  
 28 learning instruction in real estate courses that are comparable in content and duration and scope to that  
 29 required in subdivision 2; and30 b. If currently licensed by another state as a real estate salesperson or broker, passed Virginia's  
 31 examination.32 C. The Board may waive any requirement under the regulations relating to education or experience when  
 33 the broker or salesperson is found to have education or experience equivalent to that required. No regulation  
 34 imposing educational requirements for initial licensure beyond those specified by law shall apply to any  
 35 person who was licensed prior to July 1, 1975, and who has been continuously licensed since that time,  
 36 except that licensure as a salesperson prior to such time shall not exempt a salesperson who seeks to be  
 37 licensed as a broker from the educational requirements established for brokers.38 D. The Board shall establish criteria to ensure that prelicensure and broker licensure courses meet the  
 39 standards of quality deemed by the Board to be necessary to protect the public interests. For correspondence  
 40 and other distance learning instruction offered by an approved provider, such criteria may include appropriate  
 41 testing procedures. The Board may establish procedures to ensure the quality of the courses.

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

43 The specific content of the real estate courses shall be in real estate brokerage, real estate finance, real  
 44 estate appraisal, real estate law, and such related subjects as are approved by the Board.45 E. The Board may establish criteria delineating the permitted activities of unlicensed individuals  
 46 employed by, or affiliated as an independent contractor with, real estate licensees or under the supervision of  
 47 a real estate broker.48 F. The Board may take a disciplinary case against a licensee under advisement, defer a finding in such  
 49 case, and dismiss such action upon terms and conditions set by the Board.50 *G. Notwithstanding any other provision of law, the Board shall not charge a fee to a licensee for the*  
 51 *transfer of such licensee between offices within a licensed real estate firm, including from such firm's primary*  
 52 *place of business to one of its branch offices, or from a branch office to another branch office under the same*  
 53 *primary place of business.*