

**TITLE 605. OKLAHOMA REAL ESTATE COMMISSION**  
**CHAPTER 10. REQUIREMENTS, STANDARDS, AND PROCEDURES**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Education and Examination Requirements

605:10-3-2 [AMENDED]

605:10-3-6 [AMENDED]

Subchapter 5. Instructor and Entity Requirements and Standards

605:10-5-1 [AMENDED]

605:10-5-1.1 [REMOVED]

605:10-5-3 [AMENDED]

Subchapter 7. Licensing Procedures and Options

605:10-7-2 [AMENDED]

605:10-7-8 [AMENDED]

605:10-7-10 [AMENDED]

Subchapter 9. Broker's Operational Procedures

605:10-9-1 [AMENDED]

605:10-9-4 [AMENDED]

Subchapter 17. Causes for Investigation; Hearing Process; Prohibited Acts; Discipline

605:10-17-3.1 [NEW]

Appendix A. Residential Property Condition Disclosure Statement [AMENDED]

**SUMMARY:**

The proposed amendments to Subchapter 3 clarify continuing education requirements for deed theft as required under 59 O.S., § 858-307.2 and removes unnecessary language for new license applicants.

The proposed amendments to Subchapter 5 consolidates the process for pre-license and post-license course and instructor applications and course standards; and outlines requirements for approved course instructors and service provided to enrolled students.

The proposed amendments to Subchapter 7 removes unnecessary language, clarifies the approval process for business entity applications, and clarifies the number of pre-requisite course hours for out-of-state license applicants.

The proposed amendments to Subchapter 9 clarifies that a broker is responsible for any licensable activities performed by virtual and remote assistants and any software based tools, clarifies when license disclosure is required, and clarifies that a team member cannot hold themselves out as owner of a real estate brokerage.

The proposed addition to Subchapter 17 clarifies the process for the Commission to carry out cease and desist orders under 59 O.S., § 858-208.

The proposed amendment to Appendix A updates the Residential

Property Condition Disclosure Statement to the most recent form version.

**AUTHORITY:**

Oklahoma Real Estate Commission; 59 O.S., § 858-208.

**COMMENT PERIOD:**

Persons wishing to make written comments may do so in person, by mail, or by email through Friday, December 5th, 2025, at: Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or [bailey@orec.ok.gov](mailto:bailey@orec.ok.gov).

**PUBLIC HEARING:**

A public hearing will be held to provide a means by which persons may offer oral input on the content of the proposed rules: 9:30 a.m. on Wednesday, December 10th, 2025, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts, if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing by 5:00 p.m., December 5th, 2025, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or [bailey@orec.ok.gov](mailto:bailey@orec.ok.gov).

**COPIES OF PROPOSED RULES:**

Interested persons may request copies of the proposed rules at the Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. Section 303(D), a rule impact statement will be prepared and will be available in the Oklahoma Real Estate Commission office at the address listed above and on the Board's website at [orec.ok.gov](http://orec.ok.gov) after November 3rd, 2025.

**CONTACT PERSON:**

Bailey Crotty, Executive Director, (405) 521-3387,  
[bailey@orec.ok.gov](mailto:bailey@orec.ok.gov)



## CHAPTER 10. REQUIREMENTS, STANDARDS, AND PROCEDURES

### SUBCHAPTER 3. EDUCATION AND EXAMINATION REQUIREMENTS

#### 605:10-3-2. Application for license

##### (a) Requirements for completing application.

(1) Any person applicant seeking a real estate license shall ~~make submit an application for such license on a form~~ submit an application for such license on a form forms provided by the Commission. ~~The form shall contain, but not be limited to, the following: Applicants must complete all questions and provide any information or documentation the Commission requires. The Commission may amend or update application forms and required documentation at any time.~~

(A) Legal name to include first, middle and last name;

(B) Routine biographical information;

(C) License history in Oklahoma and other states;

(D) Criminal and/or civil charges or convictions and judgments;

(E) Compliance with Title 59 O.S. 858-301.1 regarding felony convictions;

(F) Birth date;

(G) Evidence of successful completion of course requirement as specified in the "Code";

(H) If applicable, evidence of transaction experience as specified in the "Code";

(I) If applicable, evidence of successful completion of the Broker in Charge course;

(J) A sworn statement as to accuracy of the application information;

(K) Documentation required for compliance necessary to verify citizenship, qualified alien status, and eligibility under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996;

(L) Social security number, pursuant to Title 56, Oklahoma Statutes, Section 240-21-A;

(M) Submit to a national criminal history record check, as defined by Section 150-9 of Title 74 of the Oklahoma Statutes. A fee amount, as specified on the Commission website and application for licensure, shall be sent to the Commission to begin the process of the national criminal history check. A completed national criminal history record check, completed for the Commission, shall be valid for six (6) months from the date of issuance from the issuing authority;

(2) An applicant indicating criminal and/or civil charges or convictions on the application, must submit with the application official documents to the Commission which pertain to the disposition of the matter. If official documents are unable to be obtained, a detailed letter explaining the matter(s) must be attached to the application.

(b) **Applicant shall appear for examination.** Each applicant shall appear for an examination as soon as possible subsequent to the filing of an approved application or the signing of a form as required in 605:10-3-3. Each applicant shall allow a photograph to be taken of them at the time they take their real estate examination.

(c) **Application Fee.** A one-time application processing fee of Thirty Five Dollars (\$35.00) shall accompany all applications for original licensure.

#### 605:10-3-6. Continuing education requirement

(a) **Definition.** Continuing education shall be defined as any real estate oriented education course or equivalent, hereinafter called offering(s) intended:

(1) To improve the knowledge of licensees.

(2) To keep licensees abreast of changing real estate practices and laws.

(3) To help licensees meet the statutory requirements for license renewal.

(b) **Purpose.** The purpose of continuing education is to provide an educational program through which real estate licensees can continually become more competent and remain qualified to engage in real estate activities for which they are licensed. Such activities involve facts and concepts about which licensees must be knowledgeable in order to safely and confidently conduct real estate negotiations and transactions in the public's best interest.

(c) **Goals.** The goals of continuing education are:

(1) To provide licensees with opportunity for obtaining necessary current information and knowledge which will enable them to conduct real estate negotiations and transactions in a legal and professional manner in order to better protect public interest.

(2) To assure that the licensees are provided with current information regarding new and/or changing laws and regulations which affect the real estate business.

(3) To ensure that the consumers interest is protected from unknowledgeable licensees.

(d) **Objectives.** The objectives of continued education are as follows:

(1) For licensees to expand and enhance their knowledge and expertise so as to be continually effective, competent, and ethical as they practice real estate.

(2) For licensees to review and update their knowledge of federal, state and local laws and regulations which affect real estate practices.

(e) **Entities allowed to seek approval.** The Commission may approve and/or accept any offering provided by an entity which meets the purposes, goals, and objectives of the continuing education requirement. The Commission may accept the following offerings as proof of meeting the continuing education requirement:

(1) Any offering which is approved and presented by those entities enumerated in paragraph B, of 858- 307.2 of the "Code".

(2) Any offering in real estate, or directly related area, approved and/or accepted by the real estate regulatory agency in another state; provided such offering is not excluded elsewhere in this Chapter.

(3) Any offering in real estate, or directly related area, not accepted in paragraphs (1) or (2) of this subsection, which the Commission determines to be in compliance with the rules of this Chapter.

(4) Completion of an approved ninety (90) hour prelicense broker course or an approved forty-five (45) hour provisional sales associate postlicense course, or its respective equivalent as determined by the Commission shall suffice for thirty (30) hours of continuing education credit for a licensee. An individual segment of an approved prelicense broker course or an approved provisional sales associate postlicense course shall suffice for continuing education credit provided such individual segment has also been separately approved for continuing education credit.

(f) **Ineligible courses.**

(1) The following offerings will not be considered by the Commission to meet continuing education requirements:

(A) General training or education not directly related to real estate or real estate practices.

(B) Offerings in mechanical office and business skills such as typing, speed reading, memory improvement, report writing, and personal motivation that is not directly related to real estate.

(C) Sales promotion or other meetings held in conjunction with the general real estate brokerage business.

(D) Meetings which are a normal part of in-house training.

(E) That portion of any offering devoted to breakfast, luncheon, dinner, or other refreshments.

(F) Preliminary general training and education to obtain a provisional sales associate or sales associate license or license examination refresher courses for provisional sales associate/sales associate or broker.

(2) The list in (1) of this subsection does not limit the Commission's authority to disapprove any offering which fails to meet the adopted purposes, goals and objectives.

(g) **Licensee responsible for notification to Commission.** Each licensee shall ultimately be responsible for furnishing evidence of successfully completing the continuing education requirements for license renewal, activation, or reinstatement, to the Commission as set forth elsewhere in this Chapter. Each licensee shall present to the Commission evidence of completion of a minimum of thirty (30) clock hours of continuing education offerings acceptable by the Commission. As evidence of completing the requirement, each licensee shall present:

(1) A certificate, and/or documents, statements and forms, as may reasonably be required by the Commission, or

(2) A certified transcript; provided, however, if such offering is taken as an accredited C.E.U. (Continuing Education Unit) a certificate may be accepted in lieu of the transcript.

(h) **Attendance and successful completion required for credit.** To complete any offering, a person must physically be present in-class during all of the in-class offering time and successfully complete all course requirements.

(i) **Successful completion of materials and examination required for distance education credit.** To complete a distance education course offering, a person must successfully complete all course requirements to include all modules and an examination.

(j) **Course limitations.**

(1) A particular course offering may not be taken for continuing education credit more than once from the same entity and/or instructor during a renewal period.

(2) Educational courses taken for disciplinary reasons shall not count towards the normal continuing education requirements for licensees.

(k) **Required number of continuing education hours.** The required number of continuing education hours for a licensee shall be as follows:

(1) As a condition of a license activation or active reinstatement, each licensee, with the exception of those exempt as set out in Title 59, 858-307.2, shall provide evidence of completion of thirty (30) clock hours of Commission approved subject matter, or its equivalent, as determined by the Commission. Such hours shall be taken in the same license term for which the license is to be issued, with the exception of a licensee whose hours were not used in the preceding license term. In that case, the hours taken in the preceding license term shall count towards an applicable license activation or active reinstatement.

(2) Each licensee shall complete a minimum of thirteen (13) hours of required subject matter consisting of no less than six (6) hours of Contracts and Forms, three (3) hours in Professional Conduct, and one (1) hour in Broker Relationships Act, Fair Housing, Code and Rules, and ~~Hot Topics/Current Issues/Deed Theft~~. The remaining seventeen (17) hours of required education may consist of elective subject matter as approved by the Commission.



- (3) Any licensee may complete the Broker in Charge course as approved by the Commission consisting of fifteen (15) clock hours in lieu of the required subject matter, except for required Contracts education.
- (4) All Brokers shall be required to successfully complete the Broker in Charge course consisting of fifteen (15) clock hours, or its equivalent, as approved by the Commission. In addition, to satisfy the continuing education requirement of thirty (30) clock hours, all Brokers shall complete at least six (6) hours of Contracts and Forms education. The remaining nine (9) clock hours of required education may consist of elective subject matter as approved by the Commission.
- (5) Any broker that lapsed or renewed inactive in their previous license term or current license term who applies for reinstatement or activation must complete the following prior to their license being reinstated or reactivating:
- (A) the Broker in Charge course;
  - (B) six (6) hours of Contracts and Forms education;
  - (C) nine (9) hours of elective courses

## SUBCHAPTER 5. INSTRUCTOR AND ENTITY REQUIREMENTS AND STANDARDS

### 605:10-5-1. Approval of pre-license course Pre-License and Post-License Requirements

(a) **Course approval.** Any person or entity seeking to conduct an approved pre-license course of study shall make application and submit documents, statements and forms as may reasonably be required by the Commission. The request shall include the following:

- (1) Completed course application;
- (2) Application fee of Five Hundred Dollars (\$500) for each course;
- (3) An approved course syllabus encompassing the contents enumerated in 605:10-3-1 and divided by instructional periods, the name, author and publisher of the primary textbook, or a statement stating the entity will use the OREC syllabus and other items as may be required by the Commission.

(b) **Course offering requirements.**

- (1) An entity not conducting an applicable approved course within any thirty-six (36) month period shall automatically be removed from approved status. In such event, the person and/or entity must re-apply as an original applicant.
- (2) If a course of study is to be conducted in the name of a business entity, the application shall include the names and addresses of all directors and officers.
- (3) An approved entity shall immediately report any changes in information in regards to the application previously filed with the Commission.

(c) **Denied applications.** No portion of the fees enumerated in this section are refundable. If an instructor, entity or course application is not approved, the applicant may appeal the decision by filing a written request for a hearing before the Commission. The hearing procedure shall be that as outlined in 605:10-1-3 titled "Appeal of administrative decisions; procedures."

(d) **Advertising course offerings.** No person or entity sponsoring or conducting a course of study shall advertise the course as approved prior to the course receiving approval from the Commission. Further, no person or entity sponsoring or conducting a course of study shall advertise that it is endorsed, recommended or accredited by the Commission although such person or entity may indicate that a course of study has been approved by the Commission.

(e) **Instructor application and approval requirements.** An individual determined by the Commission to possess one or more of the following qualifications may, upon receipt of an application and evidence of education and/or experience, be considered for approval as an approved instructor. Each application for approval must be accompanied by a Two Hundred Dollar (\$200.00) application fee, and documentation required for compliance necessary to verify citizenship, qualified alien status, and eligibility under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. In order to qualify, an individual must possess proof of one of the following:

- (1) A bachelor's degree with a major in real estate from an accredited college or university;
- (2) A bachelor's degree from an accredited college or university, and at least two (2) years of applicable active experience within the previous ten (10) years as a real estate broker or sales associate;
- (3) A real estate broker or sales associate licensed in Oklahoma with a minimum of five (5) years applicable active experience within the previous ten (10) years as a real estate broker or sales associate and proof of high school education or its GED equivalent;
- (4) An individual determined by the Commission to possess a combination of education and/or applicable active broker or sales associate experience in real estate or real estate related fields which constitutes an equivalent to one or more of the qualifications in paragraphs (1), (2), or (3) of this subsection.

(f) **Course content examination.** Final approval will be considered after the instructor applicant has paid the appropriate examination fee and successfully completed an applicable examination with a passing score of 80% or more. If an instructor applicant has successfully taken an applicable license examination with a passing score of 80% or more within thirty (30) days of filing an instructor application, the passing score may be utilized to meet the applicable examination requirement in this section.

(g) **Instructor renewal requirements:**

- (1) Commission approval of pre-license instructors shall expire thirty-six (36) months following issuance of approval. In order to maintain approved status, an instructor shall file an electronic application for renewal of approval immediately preceding expiration of approval and must complete the following: Submit a One Hundred Dollar (\$100.00) renewal fee to the Commission; and either
  - (A) Successfully complete an Instructor Development Workshop provided by the Commission annually; or
  - (B) Successfully complete a Code and Rule Update Class provided by the Commission bi-annually; or
  - (C) Successfully pass the applicable sales or broker examination with a score of 80% or more;
- (2) The Commission shall publish (i) Instructor Development Workshop and (ii) Code and Rule Update Class dates on the Commission's website.

(h) **Guest instructors.** Guest instructors may be utilized provided an approved instructor is also present during presentations. Total guest instruction and lectures shall not consume more than thirty percent (30%) of the total course time.

(i) **Instructor and entity requirements:**

- (1) **Instructor must be present.** An approved instructor must be present in the same room during all in-class course instruction for students to receive credit toward course completion.
- (2) **Retention of records.** An instructor/entity shall maintain enrollment records and roll sheets which include number of hours completed by each student for five (5) years.
- (3) **Course completion certificate.** Each individual successfully completing a course of study approved by the Commission shall be furnished a certificate certifying completion. The Commission shall accept from a college or university a certified transcript or a course completion certificate as prescribed by the Commission.
- (4) **Commission authorized to audit and inspect records.** A duly authorized designee of the Commission may audit any offering and/or inspect the records of the entity at any time during its presentation or during reasonable office hours or the entity may be required to provide the records to the Commission.
- (5) **Clock hours and breaks.** Not more than one clock hour may be registered within any one sixty (60) minute period and no more than ten (10) minutes of each hour shall be utilized for breaks.

(j) **Facility requirements.** The offering entity shall ensure that all classroom facilities have adequate lighting, seating space and technology to meet the needs of the student. The classroom area shall be free of distractions and noise.

(k) **Disciplinary action.** An approved course of study, director, and/or instructor may be withdrawn or disciplined as outlined in Title 59, O.S., Section 858-208, paragraph 6 either on a complaint filed by an interested person or the Commission's own motion, for the following reasons, but only after a hearing before the Commission and/or a Hearing Examiner appointed by the Commission:

- (1) In the event the real estate license of a director is suspended or revoked, the course of study shall automatically be revoked;
- (2) In the event the real estate license of an instructor is suspended or revoked;
- (3) Failure to comply with any portion of the Code or the rules of this Chapter;
- (4) Falsification of records and/or application(s) filed with the Commission;
- (5) False and/or misleading advertisement;
- (6) Any other improper conduct or activity of the director, instructor, or entity as may be determined by the Commission to be unacceptable.

(l) **Pre-License Course Renewal Requirements.** Commission approval of pre-license courses shall expire thirty-six (36) months following issuance of approval. In order to maintain approved status, an education provider shall file an electronic application for renewal of approval immediately preceding expiration of approval and must submit to the Commission:

- (1) All proposed course material; and
- (2) A One Hundred Dollar (\$100.00) renewal fee

(m) **Entity Required to Post Notice.** Each entity must post notice. Each entity must post or provide a notice that is easily observed by any person desiring to enroll in a prelicense course. The notice must at least include the following language:

- (1) "Applicants convicted of felony crimes referenced in Title 59 Section 858-201.1 or 858-4000.1 may be ineligible to obtain an Oklahoma Real Estate License for a predetermined number of years. For clarification, please contact the Commission and/or review the cited section of law as referenced herein. The Commission will allow the applicant to seek preapproval prior to enrolling in a pre-license course."
- (2) "Applicants who are not permanent U.S. citizens should review their eligibility to obtain a real estate license on the Commission's website prior to enrolling in pre-license education."

(a) **Application and approval.** Any person or entity seeking to offer a pre-license or post-license course shall apply on Commission forms and submit all information the Commission requires, including the name, author, publisher of the primary textbook, and a syllabus consistent with 605:10-3-1 (pre-license) or 605:10-3-7 (post-license). The application fee is Five Hundred Dollars (\$500) for pre-license courses and Two Hundred Fifty Dollars (\$250) for post-license courses.

(b) **Denials; fees; appeals.** Application fees are nonrefundable. A denial may be appealed by written request for hearing under 605:10-1-3.

(c) **Course offering and provider updates.** Approval lapses if the approved course is not conducted within thirty-six (36) months; the provider must reapply as an original applicant. If the course is offered in the name of a business entity, the application shall include the names and addresses of all directors and officers. Approved entities shall promptly report any changes to previously submitted information.

(d) Advertising. A course shall not be advertised as approved before Commission approval is granted. A provider shall not advertise that a course or provider is endorsed or recommended by the Commission, but may state that a course has been approved by the Commission.

(e) Instructor approvals.

(1) Application. Instructor applicants shall submit the required application, a Two Hundred Dollar (\$200) fee, and documentation necessary to verify citizenship or qualified status under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) Pre-license instructor qualifications. An applicant shall demonstrate one of the following:

(A) a bachelor's degree with a major in real estate from an accredited college or university;

(B) a bachelor's degree from an accredited college or university and at least two (2) years of applicable active experience within the previous ten (10) years as a real estate broker or sales associate;

(C) an Oklahoma real estate broker or sales associate license with at least five (5) years of applicable active experience within the previous ten (10) years and proof of high-school education or GED equivalent; or

(D) an equivalent combination of education and applicable broker/sales associate experience, as determined by the Commission.

(3) Pre-license instructor examination. Final approval may be granted after the applicant pays the examination fee and achieves a score of at least eighty percent (80%) on the applicable examination. A passing score of at least eighty percent (80%) on the applicable license examination taken within thirty (30) days before filing the instructor application may satisfy this requirement.

(4) Post-license instructor qualifications. An applicant shall demonstrate one of the following:

(A) a bachelor's degree in a related field;

(B) a valid teaching credential or certificate authorizing instruction in an applicable field;

(C) five (5) years of full-time experience within the previous ten (10) years in a profession, trade, or technical occupation in the applicable field of instruction;

(D) an equivalent combination of education and/or experience in a related field, as determined by the Commission.

(f) Instructor renewal. Instructor approval expires thirty-six (36) months after issuance. To renew, an instructor shall submit a One Hundred Dollar (\$100) fee and, at the instructor's election, either: (1) successfully complete an annual Instructor Development Workshop, (2) successfully complete a Code and Rule Update Class, or (3) pass the applicable sales or broker examination with a score of at least eighty percent (80%). The Commission shall publish workshop and class dates on its website.

(g) Guest instructors. Guest instructors may be used if an approved instructor is present during the presentation. Guest instruction shall not exceed thirty percent (30%) of total course time.

(h) Delivery, records, certificates, audits, reporting, and clock hours.

(1) An approved instructor shall be present in the same room during all in-person instruction for students to receive credit.

(2) Providers shall maintain enrollment records and roll sheets, including hours completed by each student, for five (5) years.

(3) Each student who successfully completes an approved course shall receive a certificate of completion. The Commission will accept a certified transcript or a Commission-prescribed course completion certificate.

(4) A duly authorized designee of the Commission may audit any offering and inspect records at any time during the presentation or during reasonable office hours, or the provider may be required to furnish records to the Commission.

(5) No more than one clock hour may be credited within any sixty (60) minute period, and no more than ten (10) minutes per hour may be used for breaks.

(i) Facilities. Classroom facilities shall provide adequate lighting, seating, and technology to meet student needs and must be free of distractions and noise.

(j) Disciplinary action. After notice and hearing before the Commission or a Hearing Examiner, the Commission may withdraw or discipline a course, provider, director, and/or instructor for: suspension or revocation of a director's real estate license (in which case the course approval is automatically revoked); suspension or revocation of an instructor's real estate license; failure to comply with the License Code or this Chapter; falsification of records or applications; false or misleading advertising; or other improper conduct the Commission determines unacceptable.

(k) Course renewal. Course approval expires thirty-six (36) months after issuance. To renew, a provider shall submit all proposed course materials and the renewal fee of One Hundred Dollars (\$100) for pre-license courses or Fifty Dollars (\$50) for post-license courses.

(l) Pre-license notices. Each pre-license provider shall post or provide a notice that is easily observed by prospective enrollees and that includes at least the following language:

(1) "Applicants convicted of crimes referenced in Title 59 Section 858-301.1 or 858-4000.1 may be ineligible to obtain an Oklahoma Real Estate License for a predetermined number of years. For clarification, please contact the Commission and/or review the cited section of law as referenced herein. The Commission will allow the applicant to seek preapproval prior to enrolling in a pre-license course."

(2) "Applicants who are not permanent U.S. citizens should review their eligibility to obtain a real estate license on the Commission's website prior to enrolling in pre-license education."

**605:10-5-1.1. Approval of a post-license course [REVOKED]**

(a) Course approval. In accordance with Section 858-302 of the License Code, the Commission shall determine and approve the education content of the forty-five (45) clock hour post-license course content or its equivalent. Any person or entity seeking to conduct an approved course of study shall make application and submit documents, statements and forms as may reasonably be required by the Commission. The request shall include the following:

(1) Completed course application;

(2) Application fee of Two Hundred and Fifty Dollars (\$250) for each course;

(3) An approved course syllabus encompassing the contents enumerated in 605:10-3-7 and divided by instructional periods, with the name, author and publisher of the primary textbook.

(b) Course offering requirements:

(1) An offering entity not conducting the approved course within any thirty-six (36) month period shall automatically be removed from approved status. In such event, the person and/or entity must re-apply as an original applicant.

(2) If a course of study is to be conducted in the name of a corporation, the application shall include the names and addresses of all directors and officers.

(3) An approved entity shall immediately report any changes of information in regards to the application previously filed with the Commission.

(c) Denied applications. No portion of the fees enumerated in this Section are refundable. If an instructor, entity or course application is not approved, the applicant may appeal the decision by filing a written request for a hearing before the Commission. The hearing procedure shall be that as outlined in 605:10-1-3 titled "Appeal of administrative decisions; procedures."

(d) Advertising course offerings. No person or entity sponsoring or conducting a course of study shall advertise the course as approved prior to the course receiving approval from the Commission. Further, no person or entity sponsoring or conducting a course of study shall advertise that it is endorsed, recommended or accredited by the Commission although such person or entity may indicate that a course of study has been approved by the Commission.

(e) Instructor application and approval requirements. An individual determined by the Commission to possess one or more of the following qualifications may be considered for approval as an instructor upon receipt of an application and evidence of education and/or experience. Each application must be accompanied by a Two Hundred Dollar (\$200.00) application fee, and documentation required for compliance necessary to verify citizenship, qualified alien status, and eligibility under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. In order to qualify, an individual must possess proof of one of the following:

(1) Possession of a bachelor's degree in a related field;

(2) Possession of a valid teaching credential or certificate from Oklahoma or another jurisdiction authorizing the holder to instruct in an applicable field of instruction at the entity;

(3) Five (5) years full-time experience out of the previous ten (10) years in a profession, trade, or technical occupation in the applicable field of instruction;

(4) An individual determined by the Commission to possess a combination of education and/or experience in a field related to that in which the person is to instruct, which constitutes an equivalent to one or more of the qualifications in (1), (2) or (3) of subsection (e) of this section.

(f) Instructor renewal requirements. Commission approval of instructors shall expire thirty-six (36) months following issuance of approval. In order to maintain approved status, an instructor shall file an electronic application for renewal of approval immediately preceding expiration of approval and must complete the following:

(1) Submit a One Hundred Dollar (\$100.00) renewal fee to the Commission; and either

(A) Successfully complete an Instructor Development Workshop provided by the Commission annually; or

(B) Successfully complete a Code and Rule Update Class provided by the Commission bi-annually; or

(C) Successfully pass the applicable sales or broker examination with a score of 80% or more;

(2) The Commission shall publish (i) Instructor Development Workshop and (ii) Code and Rule Update Class dates on the Commission's website;

(g) Guest instructors. Guest instructors may be utilized provided an approved instructor is also present during presentations. Total guest instruction and lectures shall not consume more than thirty percent (30%) of the total course time.

(h) Instructor and entity requirements:

(1) Instructor must be present. An approved instructor must be present in the same room during all in-person course instruction for students to receive credit toward course completion.

(2) Retention of records. An instructor/entity shall maintain enrollment records and roll sheets which include number of hours completed by each student for a period of five (5) years.

(3) Course completion certificate. Each individual successfully completing a course of study approved by the Commission shall be furnished a certificate certifying completion. The Commission shall accept from a college or university a certified transcript or a course completion certificate as prescribed by the Commission.

(4) Course notification to Commission. An entity conducting an approved post-license education offering shall, within seven (7) days of the completion thereof, successfully submit to the Commission the list of name(s), license number(s) and other personal identifiers of those licensees who have successfully completed said offering. The information shall be submitted to the Commission by way of electronic format as required by the Commission, along with other information which may reasonably be required.

(5) Commission authorized to audit and inspect records. A duly authorized designee of the Commission may audit any offering and/or inspect the records of the entity at any time during its presentation or during reasonable office hours or the entity may be required to provide the records to the Commission.

(6) Clock hours and breaks. No more than one clock hour may be registered within any one sixty (60) minute period and no more than ten (10) minutes of each hour shall be utilized for breaks.

(i) **Facility requirements.** The offering entity shall ensure that all classroom facilities have adequate lighting, seating space and technology to meet the needs of the student. The classroom area shall be free of distractions and noise.

(j) **Disciplinary action.** An approved course of study, director, and/or instructor may be withdrawn or disciplined as outlined in Title 59, O.S., Section 858-208, paragraph 6 either on a complaint filed by an interested person or the Commission's own motion, for the following reasons, but only after a hearing before the Commission and/or a Hearing Examiner appointed by the Commission:

- (1) In the event the real estate license of a director is suspended or revoked, the course of study shall automatically be revoked.
- (2) In the event the real estate license of an instructor is suspended or revoked.
- (3) Failure to comply with any portion of the Code or the rules of this Chapter.
- (4) Falsification of records and/or application(s) filed with the Commission.
- (5) False and/or misleading advertisement.
- (6) Any other improper conduct or activity of the director, instructor, or entity the Commission determines to be unacceptable.

(k) **Post license Course Renewal Requirements.** Commission approval of post-license courses shall expire thirty-six (36) months following issuance of approval. In order to maintain approved status, an education provider shall file an electronic application for renewal of approval immediately preceding expiration of approval and must submit to the Commission:

- (1) All proposed course material; and
- (2) A Fifty Dollar (\$50.00) renewal fee

## SUBCHAPTER 7. LICENSING PROCEDURES AND OPTIONS

### 605:10-7-2. License terms and fees; renewals; reinstatements

(a) **License term and fees.** Each original license issued under the Code shall be issued to expire at the end of the thirty-sixth (36) month including the month of issuance. Each original provisional sales associate license issued under the Code shall be issued to expire at the end of the twelfth (12th) month including the month of issuance. Fees are non-refundable and are as follows:

- (1) For an original broker license and each subsequent license renewal, to include corporations, associations, limited liability companies or partnerships, the fee shall be Two Hundred and Eighty Dollars (\$280.00). For an original sole proprietor broker license and each subsequent license renewal, the fee shall be Four Hundred Dollars (\$400.00).
- (2) For an inactive original broker license and each subsequent inactive license renewal, with the exception of corporations, associations or partnerships, the fee shall be One Hundred and Sixty Dollars (\$165.00). In order to activate a license that was renewed inactive in the same license term, the licensee shall pay One Hundred and Sixty Dollars (\$165.00). Thereafter, any future request to activate in the same license term shall be in accordance with Rule 605:10-7-4.
- (3) For an original broker associate license and each subsequent inactive license renewal, the fee shall be Two Hundred and Forty Five Dollars (\$245.00).
- (4) For an inactive original broker associate license and each subsequent inactive license renewal, the fee shall be One Hundred and Fifty Dollars (\$150.00). In order to activate a license that was renewed inactive in the same license term, the licensee shall pay One Hundred and Fifty Five Dollars (\$155.00). Thereafter, any future request to activate in the same license term shall be in accordance with Rule 605:10-7-4.
- (5) For an active original sales associate license and each subsequent active license renewal the fee shall be Two Hundred Dollars (\$200.00).
- (6) For an inactive original sales associate license and each subsequent inactive license renewal the fee shall be One Hundred and Twenty Five Dollars (\$125.00). In order to activate a sales associate license that was renewed inactive in the same license term, the licensee shall pay One Hundred and Thirty Five Dollars (\$135.00). Thereafter, any future request to activate in the same license term shall be in accordance with Rule 605:10-7-4.
- (7) For an original provisional sales associate license that is non-renewable the fee shall be Ninety Five Dollars (\$95.00).
- (8) For an original branch office license and each subsequent license renewal the fee shall be One Hundred and Seventy Dollars (\$170.00).
- (9) For each duplicate license or pocket card, where the original is lost or destroyed, and a written request is made, a fee of Seven Dollars and fifty cents (\$7.50) shall be charged.
- (10) The Twenty Dollar (\$20.00) Education and Recovery Fund fee, shall be added and payable with the license fee for an original license and for each subsequent license renewal. Exceptions to this rule are: 1) a provisional sales associate fee shall be Fifteen Dollars (\$15.00) for their twelve (12) month license term

(b) **Terms cannot be altered.** Terms shall not be altered except for purposes of general reassignment of terms which might be necessitated for the purpose of maintaining an equitable staggered license term system.

(c) **Expiration date.** The actual expiration date of a license shall be midnight of the last day of the month of the designated license term. A person who allows their license to expire may be subject to a national criminal history record check, as defined by Section 150.9 of Title 74 of the Oklahoma Statutes.

(d) **Actual filing of license renewal.** A license shall lapse and terminate if a renewal application and required fees have not been filed with the Commission by midnight of the date on which the license is due to expire.

(e) **Reinstatement of license.** Any licensee whose license term has expired shall be considered for reinstatement of such license upon payment of an Eighty Dollar (\$80.00) reinstatement fee in addition to the license fee(s) for each delinquent license period(s). The following documents and fees must be submitted:

- (1) **Lapsed less than one year.** In the case of a license lapsed less than one year:
  - (A) License fee.
  - (B) Reinstatement fee.
  - (C) Documents as required by the Commission.
- (2) **Lapsed more than one year but less than three years.** In the case of a license lapsed more than one year but less than three years:
  - (A) License fee.
  - (B) Reinstatement fee.
  - (C) National criminal history check.
  - (D) A completed reinstatement application.
  - (E) Successful completion of the appropriate licensing examination.
  - (F) A statement that the applicant has read a current License Code and Rules.
  - (G) Documents as may be required by the Commission.
- (3) **Lapsed more than three years.** If an application is submitted more than three (3) years subsequent to the most recent year of licensure, the applicant shall be regarded as an original applicant.

(f) **Reinstatement of a provisional sales associate license wherein post-license education was completed prior to license expiration date.** An applicant who successfully completed the post-license education requirement before their first license expiration date and failed to renew their license on or before such date shall be eligible to reinstate the license as a sales associate according to 605:10-7-2 (e), (1) through (3).

(g) **Reinstatement of a provisional sales associate license wherein post-license education was not completed prior to license expiration date.** An applicant who has not successfully completed the post-license education requirement prior to the first license expiration date shall not be eligible to reinstate such license and shall apply and qualify as an original applicant.

(h) **Reinstatement of revoked license.** An applicant may not apply for re-license or reinstatement of license for a minimum of five (5) years from the effective date of license revocation, except for an applicant whose license was automatically revoked pursuant to Sections 858-402 or 858-604 of Title 59, Oklahoma Statutes. Upon the passage of the five (5) year period, the applicant shall be required to comply with the requirements of an original applicant.

(i) **Reinstatement of an automatically revoked license.** An applicant who has had their license automatically revoked, pursuant to Section 858-402 or 858-604 of Title 59 of the Oklahoma Statutes, shall be required to comply with the requirements of (e) of this section. In addition, reinstatement will not be granted until all outstanding amounts due to the Commission have been paid in full.

(j) **Reinstatement of a surrendered or cancelled license.** A surrendered or cancelled license applicant may be reinstated provided the applicant has received approval for re-issuance from the Commission. The following forms and fees must be submitted:

- (1) **Reinstatement with term of license still current.** A surrendered or cancelled license applicant whose license term is still current:
  - (A) Reinstatement fee.
  - (B) Re-issuance fee equal to the transfer of license fee.
  - (C) Documents as may be required by the Commission.
  - (D) Criminal history background check.
- (2) **Reinstatement with term of license expired.** A surrendered or cancelled license applicant whose license term has expired shall be required to comply with the requirements of (e) of this section.
- (3) **Reinstatement of provisional sales associate with term of license expired.** A surrendered or cancelled provisional sales associate whose license term has expired shall be required to comply with the following:
  - (A) If a provisional sales associate completed the post-license requirement on or before the first license expiration date, the applicant shall be eligible to reinstate the license according to 605:10-7-2 (e), (1) through (2).
  - (B) If a provisional sales associate did not complete the post-license requirement on or before the first license expiration date, the applicant shall be required to apply and qualify as an original applicant.

(k) **Continuing education requirement.** Each licensee with the exception of those as listed in Title 59, O.S., Section 858-307.2 (D) seeking renewal of a license must submit evidence that they have completed the continuing education requirements enumerated in Section 858-307.2 of Title 59. An applicant seeking active reinstatement of a lapsed license must submit evidence that all continuing education requirements have been completed for each term in which an active license is requested.

(l) **Issuance of license from provisional sales associate to sales associate.** A provisional sales associate is required to furnish to the Commission evidence of successful completion of the Provisional Post-license Course of Real Estate, Part II of II education requirement as set forth in Section 858-302 of Title 59, of the Oklahoma Statutes. Upon successful completion of the Provisional Post-license Course of Real Estate, Part II of II education requirement, the provisional sales associate must submit the appropriate document(s) to the Commission prior to the provisional sales associate's license

expiration date for issuance of a renewable sales associate license. The Commission shall not issue the provisional sales associate a renewable sales associate license until the provisional sales associate has submitted evidence of successful completion of the forty-five (45) clock hour post-license course requirement and submitted all form(s) and fee(s) as required by the Commission.

**(m) Licensee on active duty as a member of the Armed Forces of the United States.**

- (1) In accordance with Title 59, O.S., Section 4100.6 of the Post-Military Service Occupation, Education and Credentialing Act while a license holder is on active duty the license may be renewed without payment of the license and education and recovery fund fee and meeting the continuing education requirement. Such waiver shall be requested in writing to the Commission prior to license expiration along with evidence of the order for active duty. The license issued pursuant to this rule may be continued as long as the licensee is a member of the Armed Forces of the United States on active duty and for a period of at least one (1) year after discharge from active duty. Upon discharge from active duty and a request for license activation, the licensee shall submit to the Commission evidence of successful completion of the continuing education requirement for the current license renewal term.
- (2) If a licensee on active duty does not request such a waiver in writing and the license expires, the applicant may, by written request provide the Commission documentation as required in subparagraph (1) of this subsection; however, no later than one (1) year after discharge from active duty.
- (3) In the event a license expires during the events as noted herein, the Commission shall waive the criminal history background check and license examination.
- (4) Member of the National Guard or reserve component of the armed forces. In accordance with Title 72, Chapter 1, Section 48.2 Extension and Renewal of Professional Licenses, any licensee whose license expires while on active duty as a member of the National Guard or reserve component of the armed forces shall be extended until no later than one (1) year after the member is discharged from active duty status. Upon the Commission receiving a copy of the official orders calling the member or reservist to active duty and official orders discharging the member or reservist from active duty all licensee fee and continuing education shall be waived for this time period as well as the criminal history background check and license examination.

**(n) Reinstatement for corporation, association or partnership.**

- (1) A corporation, association or partnership that has lapsed for less than three (3) years that wishes to reinstate must submit:
  - (A) License fee(s).
  - (B) Reinstatement fee, forms and documents as required by the Commission.
  - (C) If the corporation or association has been lapsed for more than sixty (60) days, a current "Certification of Good Standing."
- (2) Any corporation, association or partnership that has lapsed for more than three (3) years must submit an original application to be considered for licensure.

**(o) Reinstatement for branch offices.**

- (1) A branch office that is lapsed for less than three (3) years that wishes to reinstate must submit:
  - (A) License fee(s).
  - (B) Reinstatement fee, forms and documents as required by the Commission
- (2) Any branch office that has lapsed for more than three (3) years must submit an original application as a new branch office.

**(p) Specific license fees waived for low-income individuals.** In accordance with Title 59, Section 4003, any applicant who can present satisfactory evidence of being a low-income individual shall receive a one-time one-year waiver of the licensure fees as outlined in 605:10-7-2 (a). Such waiver shall be prorated for a multi-year license so that the applicant shall only receive a waiver for one year of the applicable license fees. For the purposes of this section, "low-income individual" means an individual who is enrolled in a state or federal public assistance program, or whose household adjusted gross income is below 140% of the federal poverty line or a higher threshold to be set by the executive branch department that oversees business regulation. Satisfactory evidence that the applicant is a low-income individual must be made upon forms provided by the Commission and must be presented upon application for original licensure.

**605:10-7-8. Business Entity licensing procedures and requirements of good standing**

**(a) Broker license requirement.** Each corporation, association or other business entity who performs activities which require a real estate license pursuant to Title 59, O.S., Section 858-102 of the License "Code" shall apply as a real estate business entity. Upon approval by the Commission, the corporation, association or other business entity shall be granted a real estate license. In order to obtain a license, the corporation, association or other business entity shall furnish to the satisfaction of the Commission, but not limited to, the following items:

- (1) Completed application form(s) and required fee(s).
- (2) Verification that the business entity is authorized to transact business as a business entity in the State of Oklahoma and that the business entity is in good standing in the State of Oklahoma.
- (3) Business entity must be in compliance with Title 59, O.S., Section 858-312.1 of the License "Code."
- (4) Business entity must have a managing corporate broker who holds a separate license as a real estate broker.
- (5) The designation of a managing broker shall be established by sworn statement signed by the President of the corporation or authorized member or manager of the association stating the date and place such action was effected.
- (6) In the event of the death or disability of the managing broker, or the event of the retirement or cessation of employment for any reason by the managing broker, or the event of the retirement or cessation of employment for any reason by the managing broker, the corporation or association shall be required to appoint a new managing broker and such notice of change must be filed with the Commission no later than thirty (30) days after the occurrence of the event. The notice of change in a managing broker must be accompanied by the appropriate documents as required by the Commission and a Forty Dollar (\$40.00) change of status fee.

**(b) Business entity and managing broker responsible for acts.** The managing broker in conjunction with the corporation, association or business entity is responsible for all acts of the business entity, including the acts of all associates associated with the entity.

**(c) Business entity closing requirements or partial ceasing of real estate activities.** When a corporation, association or other business entity discontinues a portion of real estate activities or ceases all real estate activities, the business entity is required to comply with the following:

- (1) Immediately notify the Commission.
- (2) Comply with Section 605:10-13-1(n).

**(d) Group change information.** Under certain circumstances as determined by the Commission, the Commission may place a cap of Seven Hundred Fifty Dollars (\$750.00) on group transactions requesting Licenses to be issued. To qualify, such request must be received complete and require no further correspondence and/or documents except for the issuance of the licenses.

**(e) Business Entity Names.** The Commission may deny approval of a business entity or partnership name if it determines the proposed name is too similar to the name of a licensed real estate brokerage entity, trade name, or team name.

**605:10-7-10. Resident applicants currently or previously licensed in other jurisdictions**

**(a) Requirements.** In order to qualify under previously licensed procedures, an applicant must complete and submit all appropriate documents as required by the Commission and furnish evidence that the applicant possesses or has possessed a license in good standing in another jurisdiction. Applications approved for resident applicants currently or previously licensed in other jurisdictions shall be valid for ninety (90) days. The Commission may issue the applicant a license if such previously licensed applicant meets all of the requirements of either paragraphs (1), (2), (3) or (4) of this subsection:

- (1) If a nonresident agreement exists between Oklahoma and the jurisdiction in which the applicant qualified for a license, the Commission shall qualify the licensed applicant through the nonresident agreement.

(A) An applicant applying under this paragraph must complete and submit the following:

- (i) Appropriate application(s).
- (ii) License certification(s) from the jurisdiction(s) in which the applicant has held or currently holds a license.
- (iii) Criminal history background application, fingerprint card and fee.
- (iv) Examination fee and successful completion of the state portion of the examination.
- (v) Proof of completion of at least one (1) continuing education clock hour in each of the following Oklahoma-specific subjects: Broker Relationships Act, Code and Rule Updates, and six (6) hours of Contracts and Forms.

(B) Upon the Commission granting approval to the applicant for licensure in this jurisdiction, the applicant must complete and submit the appropriate license application form(s) along with license and education and recovery fund fees.

(C) An applicant qualifying under this paragraph will be issued either a sales associate, broker associate or broker license.

- (2) If a nonresident agreement does not exist, the applicant shall be required to furnish evidence of two (2) years of active experience respectively as a sales associate or broker out of the previous five (5) years.

(A) An applicant applying under this paragraph must complete and submit the following:

- (i) Appropriate application(s).
- (ii) License certification(s) from the jurisdiction(s) in which the applicant has held or currently holds a license.
- (iii) Criminal history background application, fingerprint card and fee.
- (iv) Examination fee and successful completion of the state portion of the examination.
- (v) Proof of completion of at least one (1) continuing education clock hour in each of the following Oklahoma-specific subjects: Broker Relationships Act, ~~Contracts and Forms, and~~ Code and Rule Updates, and six (6) hours of Contracts and Forms.

(B) Upon the Commission granting approval to the applicant for licensure in this jurisdiction, the applicant must complete and submit the appropriate license application form(s) along with license and education and recovery fund fees.

(C) An applicant qualifying under this paragraph will be issued either a sales associate, broker associate or broker license.

- (3) An applicant who does not possess the required two (2) years active experience out of the previous five (5) years respectively as a sales associate or broker, or an applicant who does not meet all of the requirements of either paragraphs (1) or (2) of this subsection, shall be required to apply as an original applicant for a provisional sales associate license.

~~(A) An applicant applying under this paragraph must complete and submit the following:~~

- ~~(i) Qualify as an original applicant by submitting appropriate required education and application;~~
- ~~(ii) License certification(s) from the jurisdiction(s) in which the applicant has held or currently holds a license;~~
- ~~(iii) Criminal history background application, fingerprint card and fee;~~

(iv) Examination fee and successful completion of the entire appropriate examination.

(v) Proof of completion of at least one (1) continuing education clock hour in each of the following Oklahoma-specific subjects: Broker Relationships Act, Code and Rule Updates, and six (6) hours of Contracts and Forms.

(B) Upon the Commission granting approval to the applicant for licensure in this jurisdiction, the applicant must complete and submit the appropriate license application form(s) along with license and education and recovery fund fees.

(C) An applicant qualifying under this paragraph will be issued either a provisional sales associate, broker associate or broker license.

(4) In accordance with Title 59, O.S., Section 4100.4 of the Post-Military Service Occupation, Education and Credentialing Act, the Commission shall, upon satisfactory evidence of equivalent education, training and experience by an applicant for licensure, accept the education, training and experience completed by the applicant as a member of the Armed Forces or Reserves of the United States, National Guard of any jurisdiction, the Military Reserves of any jurisdiction, or the Naval Militias of any jurisdiction, and apply it in the manner most favorable toward satisfying the applicant's qualifications for examination and license issuance.

(A) An applicant applying under this paragraph must complete and submit the following:

- (i) Appropriate application(s).
- (ii) Satisfactory evidence of education, training and experience obtained by the applicant as a member of the military Armed Forces or Reserves of the United States.
- (iii) License certification(s) from the jurisdiction(s) in which the applicant has held or currently holds a license.
- (iv) Criminal history background application, fingerprint card and fee.
- (v) Examination fee and successful completion of the entire appropriate examination.

(B) Upon the Commission granting approval to the applicant for licensure in this jurisdiction, the applicant must complete and submit the appropriate license application form(s) along with license and education and recovery fund fees.

(C) An applicant qualifying under this paragraph will be issued either a provisional sales associate, broker associate or broker license.

(b) Active duty military and military spouse applicants may utilize licensure methods provided for in 59 O.S. § 4100 *et seq.* as appropriate.

## SUBCHAPTER 9. BROKER'S OPERATIONAL PROCEDURES

### 605:10-9-1. Place of business and broker requirements

(a) **Place of business.** Each broker shall maintain a specific place of business, and supervise a brokerage practice which is available to the public during reasonable business hours. Each broker shall be available to manage and supervise such brokerage practice and comply with the following:

- (1) The place of business shall consist of at least one enclosed room or building of stationary construction wherein negotiations and closing of real estate transactions of others may be conducted and carried on with privacy and wherein the broker's books, records and files pertaining to real estate transactions of others are maintained.
- (2) Each broker shall register for each place of business a physical business address and office telephone number(s).

(b) **Branch offices.** If a broker maintains one or more places of business, the additional places of business shall be referred to as a branch office.

(c) **Office located at residence.** The office may be in the residence of the broker.

(d) **Associates not permitted to have an office.** Associates are not permitted to have a place of business, but must be registered with a place of business maintained and registered in the name of the broker.

(e) **Licenses issued to place of business.** All licenses will be issued electronically to each licensee in the individual License Portal.

(f) **Broker may be broker for more than one firm.** A broker may be the broker for more than one firm so long as the firms are at the same location.

(g) **Broker is responsible for the acts of unlicensed assistants.** A broker is responsible for all real estate related activities of any unlicensed assistant working within the firm: including virtual or remote assistants, and any software-based tools (including chatbots, Artificial Intelligence Models, or Generative AI) used to perform functions related to real estate services.

### 605:10-9-4. Advertising

(a) **Requirements and prohibitions.**

- (1) A broker, when advertising, must use their registered business trade name or the name under which the broker is licensed; however, yard signs must also include the broker's office telephone number. A firm shall not register or use a trade name of another licensed firm. In addition, the advertisement must indicate that the party is a real estate broker and not a private party, to include, but not limited to, "agency", "company", "realty", or "real estate", as the case may be. Legal abbreviations following the trade name or name under which the broker is licensed shall be acceptable as long as they are easily identifiable by the public as such.
- (2) No real estate advertisement shall show only a post office box number, telephone number or street address.
- (3) A broker, when operating under a franchise name, shall clearly reveal in all office identification and in all advertising other than institutional type advertising designed to promote a common name, the franchise name along with the name of the broker or business trade name as registered with the Commission. A franchise name shall not be the complete business trade name. All institutional type franchise advertising shall indicate that each office is independently owned and operated.
- (4) A licensee shall not advertise, either personally or through any media, to sell, buy, exchange, rent, or lease property when such advertisement is directed at or referred to persons of a particular race, color, creed, religion, national origin, familial status or handicap. The contents of any advertisement must be confined to information relative to the property itself, and any advertisement which is directed at or referred to persons of any particular race, color, creed, religion, national origin, familial status, age or handicap is prohibited.
- (5) Any advertising in any media which is misleading or inaccurate in any material fact or in any way misrepresents any property, terms, values, services, or policies is prohibited.
- (6) A licensee shall not advertise any property for sale, rent, lease, or exchange in any media unless the broker has first secured the permission of the owner or the owner's authorized representative and said permission has a definite date of expiration.
- (7) Social networking. A licensee who is engaged in licensed activities through social networking mediums must indicate their license status and include their broker's reference as required elsewhere in this rule.
- (8) A licensee shall not use a yard sign at the licensee's personal residence as a marketing tool, to make it appear the real property is for sale, lease or rent when such is not the case.
- (9) A broker may, or authorize an associate to, promote a seller incentive with the consent of the seller. The publicity must clearly indicate the incentive is being offered by the seller and not by the licensee and that the promotion only applies to a seller's particular property or properties.

(b) **Associates advertising.**

- (1) An associate is prohibited from advertising under only the associate's name.
- (2) All advertising by an associate must be under the direct supervision of the associate's broker.
- (3) In all advertising, the associate must include the name of the associate's broker or the name under which the broker operates, in such a way that the broker's reference is prominent, conspicuous and easily identifiable. For the purposes of this section, "prominent, conspicuous and easily identifiable" means that the broker's reference shall be at least fifty percent (50%) or larger than any associate reference included in the advertisement. If approved by a broker, an associate may include in the advertisement:
  - (A) The associate's personal insignia of which such approval is to be maintained by the broker and which cannot be construed as that of a firm's name.
  - (B) The associate's personal nickname or alias which must be registered at the Commission prior to its use and which cannot be construed as that of a firm's name.
  - (C) An associate's contact information.
  - (D) A slogan which cannot be construed as that of a firm's name.
  - (E) A domain/website name that is registered with the broker. Within this domain/website, the broker's reference shall appear on every individual page and/or frame.
- (4) An associate's contact information may be added to a yard sign if the yard sign contains the registered name or trade name and office telephone number of the broker so long as it is approved by the broker.
- (5) Open house or directional signs used in conjunction with broker's signs do not have to contain the name or trade name of the associate's broker and broker's telephone number.

(c) **Team advertising.**

- (1) A team is prohibited from advertising only under the team name.
- (2) All advertising by a team must be under the direct supervision of the team's broker.
- ~~(3) Team members are prohibited from holding themselves out as owner of a firm that provides brokerage services.~~
- ~~(3)(4)~~ All team advertising must include the name of the team's broker or the name under which the broker operates, in such a way that the broker's reference is prominent, conspicuous and easily identifiable. For the purposes of this section, "prominent, conspicuous and easily identifiable" means that the broker's reference shall be at least fifty percent (50%) or larger than any team reference included in the advertisement. If approved by the broker, a team may include in the advertisement:
  - (A) The team's personal insignia of which such approval is to be maintained by the broker.
  - (B) The team's contact information.
  - (C) A team slogan approved by the broker.
  - (D) A domain/website name that is registered with the broker. Within this domain/website, the broker's reference shall appear on every individual page and/or frame.

(d) **Licensee acting as owner, purchaser or direct employee of owner.**

- (1) When a licensee, either active or inactive, is purchasing real estate or is the owner of property that is being sold, exchanged, rented or leased and such is being handled either by the licensee or marketed through a real estate firm, the licensee is required to disclose in writing on all documents that pertain to the transaction and in all advertisements that he or she is licensed. ~~On all purchase or lease contracts the licensee is to include their license number. The licensee shall include their license number on any purchase or lease contracts, contracts for deed, option contracts, or lease to own agreements.~~
- ~~(2) A licensee who is not acting in the capacity of a licensee but is engaged in buying, selling, leasing or renting real estate as a direct employee for the owner or as an officer for an entity is not required to indicate in the advertising that he or she is licensed.~~

- (2) A licensee who acts only as a direct employee of a property owner and who does not hold an ownership interest in the employing entity, serve as an officer of the employing entity, or receive compensation based on the outcome of those services, is not required to disclose licensure status in advertising related to that employment.
- (3) A licensee acting under power of attorney must disclose on all documents that pertain to a transaction and in all advertising that he or she is licensed.

## SUBCHAPTER 17. CAUSES FOR INVESTIGATION; HEARING PROCESS; PROHIBITED ACTS; DISCIPLINE

### **605:10-17-3.1. Cease and Desist Orders**

(a) Cease and Desist Orders. If the Commission receives information that a licensed or unlicensed person or entity is violating the Commission Code or Rules, the Secretary-Treasurer or designee may request a cease and desist order by issuing written notice of the alleged violation, with supporting documentation and any applicable complaint, together with notice of hearing. The notice shall be served by certified mail or other method authorized by state law. A hearing shall be held within sixty (60) days of service.

(b) Cease and Desist Hearings. The Commission, or a designated Hearing Examiner, shall conduct the hearing in accordance with Section 605:10-17-3. Following the hearing, a proposed Final Order shall be issued determining the allegations. The Commission may enter a permanent cease and desist order, prohibiting the person or entity from engaging in the activity that violates the Commission Code and Rules, and impose fines, penalties, or other sanctions authorized by the Commission Code and Rules.

(c) Emergency Cease and Desist Orders. If the Commission determines an emergency exists requiring immediate action to protect the public health, safety, or welfare, it may issue an Emergency Cease and Desist Order against any licensed or unlicensed person or entity in violation of the Commission Code or Rules, without prior notice or hearing. The Order shall take effect immediately upon issuance, and failure to comply within five (5) days may result in an administrative fine not exceeding five thousand dollars (\$5,000). Upon request, the Commission shall provide a hearing within fifteen (15) days of issuance. Each Emergency Order shall state:

- (1) The alleged violation of the Commission Code or Rules;
- (2) The nature of the emergency; and
- (3) The required corrective action.

## APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT

PROPERTY IDENTIFIER \_\_\_\_\_

OKLAHOMA REAL ESTATE COMMISS

APPENDIX A. RESIDENTIAL PROPERTY CONDITION DI

**Notice to Seller:** Oklahoma Law (the “Residential Property Condition Disclosure Act,” Title 60 or 2 residential dwelling units to complete this form. A Seller must complete, sign and date this delivered to a purchaser as soon as practicable, but in any event no later than before an offer aware of a defect after delivery of this statement, but before the Seller accepts an offer to p delivered an amended disclosure statement disclosing the newly discovered defect to the Pu delivered to a Purchaser after an offer to purchase has been made by the Purchaser, the offer after a Purchaser has acknowledged receipt of this statement and confirmed the offer to purch

**Notice to Purchaser:** The declarations and information contained in this disclosure implied of any kind, and are not a substitute for any inspections or warranties the Pu contained in this disclosure statement is not intended to be a part of any contra information and statements contained in this disclosure statement are declarations a the representations of the real estate licensee.

“Defect” means a condition, malfunction, or problem that would have a materially a property, or that would impair the health or safety of future occupants of the property

LOCATION OF SUBJECT PROPERTY \_\_\_\_\_

SELLER IS ☐ IS NOT ☐ OCCUPYING THE SUBJECT PROPERTY.

Instructions to the Seller: (1) Answer ALL questions. (2) Report known conditions affecting tl If an item is not on the property, or will not be included in the sale, mark “None/Not Include Know if Working.” (5) The date of completion by you may not be more than 180 days prior to

ARE THE ITEMS LISTED BELOW IN NORMAL WORKING ORDER?

Appliances/Systems/Services	Working
Sprinkler System	
Swimming Pool	
Hot Tub/Spa	
Water Heater <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Solar	
Water Purifier	
Water Softener <input type="checkbox"/> Leased <input type="checkbox"/> Owned	

Sump Pump	
Plumbing	
Whirlpool Tub	
Sewer System <input type="checkbox"/> Public <input type="checkbox"/> Septic <input type="checkbox"/> Lagoon	
Air Conditioning System <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Heat Pump	
Window Air Conditioner(s)	
Attic Fan	
Fireplaces	
Heating System <input type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Heat Pump	
Humidifier	
Ceiling Fans	
Gas Supply <input type="checkbox"/> Public <input type="checkbox"/> Propane <input type="checkbox"/> Butane	
Propane Tank <input type="checkbox"/> Leased <input type="checkbox"/> Owned	

Buyer's Initials \_\_\_\_\_ Seller's Initials \_\_\_\_\_ Initials are for

**APPENDIX A RPCD STATEMENT (01-01-2025)** This form was created by the Oklahoma Real Estate Contract Form Committee and approved by the Oklahoma



## PROPERTY IDENTIFIER \_\_\_\_\_

Appliances/Systems/Services (Continued from page 1)	Working
Electric Air Purifier	
Garage Door Opener	
Intercom	
Central Vacuum	
Security System <input type="checkbox"/> Leased <input type="checkbox"/> Owned <input type="checkbox"/> Monitored <input type="checkbox"/> Financed	
Smoke Detectors	
Fire Suppression System Date of Last Inspection _____	
Dishwasher	
Electrical Wiring	
Garbage Disposal	
Gas Grill	
Vent Hood	
Microwave Oven	
Built-in Oven/Range	
Kitchen Stove	
Trash Compactor	
Built-In Icemaker	
Solar Panels & Generators <input type="checkbox"/> Leased <input type="checkbox"/> Owned <input type="checkbox"/> Financed	
Source of Household Water <input type="checkbox"/> Public <input type="checkbox"/> Well <input type="checkbox"/> Private/Rural District	

IF YOU ANSWERED Not Working to any items on pages 1 and 2, please explain. Attach additional information on separate sheet(s).

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### Zoning and Historical

1. Property is zoned: (Check One) ☐ residential ☐ commercial ☐ historical ☐ office ☐ industrial ☐ urban conservation ☐ other ☐ unknown ☐ no zoning classification
2. Is the property designated as historical or located in a registered historical district or historic district? ☐ Yes ☐ No ☐ Historic District

overlay district? ☐ YES ☐ NO ☐ UNKNOWN

### **Flood and Water**

3. What is the flood zone status of the property? \_\_\_\_\_
4. Are you aware if the property is located in a floodway as defined in the Oklahoma Management Act?
5. Are you aware of any flood insurance requirements concerning the property?
6. Are you aware of any flood insurance on the property?
7. Are you aware of the property being damaged or affected by flood, storm run-off or grading defects?
8. Are you aware of any surface or ground water drainage systems which assist in "French Drains?"
9. Are you aware of any occurrence of water in the heating and air conditioning ducts?
10. Are you aware of water seepage, leakage or other draining defects in any of the property?

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PROPERTY IDENTIFIER \_\_\_\_\_

**Additions/Alterations/Repairs**

11. Are you aware of any additions being made without required permits?
12. Are you aware of any previous foundation repairs?
13. Are you aware of any alterations or repairs having been made to correct defects?
14. Are you aware of any defect or condition affecting the interior or exterior walls, slab/foundation, basement/storm cellar, floors, windows, doors, fences or garage?
15. Are you aware of the roof covering ever being repaired or replaced during your ownership of the property?
16. Approximate age of roof covering, if known \_\_\_\_\_  
number of layers, if known \_\_\_\_\_
17. Do you know of any current defects with the roof covering?
18. Are you aware of treatment for termite or wood-destroying organism infestation?
19. Are you aware of a termite bait system installed on the property? If yes, annual fee is \$\_\_\_\_\_
20. Are you aware of any damage caused by termites or wood-destroying organisms?
21. Are you aware of major fire, tornado, hail, earthquake or wind damage?
22. Have you ever received payment on an insurance claim for damages to residence or improvements which were not repaired?
23. Are you aware of defects pertaining to sewer, septic, lateral lines or aerobic system?

**Environmental**

24. Are you aware of the presence of asbestos?
25. Are you aware of the presence of radon gas?
26. Have you tested for radon gas?
27. Are you aware of the presence of lead-based paint?
28. Have you tested for lead-based paint?
29. Are you aware of any underground storage tanks on the property?
30. Are you aware of the presence of a landfill on the property?
31. Are you aware of the existence of hazardous or regulated materials and other conditions that could have an adverse environmental impact?
32. Are you aware of the existence of prior manufacturing of methamphetamine?
33. Have you had the property inspected for mold?
34. Are you aware of any remedial treatment for mold on the property?
35. Are you aware of any condition on the property that would impair the health or safety of the occupants?
36. Are you aware of any wells located on the property?

36. Are you aware of any wells located on the property?

37. Are you aware of any dams located on the property?

If yes, are you responsible for the maintenance of that dam? ☐ Yes ☐ No

**Property Shared in Common, Easements, Homeowner's Associations and L**

38. Are you aware of features of the property shared in common with the adjoining fences, driveways, and roads whose use or responsibility has an effect on the

39. Other than utility easements serving the property, are you aware of any easen right-of-ways affecting the property?

40. Are you aware of encroachments affecting the property?

41. Are you aware of a mandatory homeowner's association?

Amount of dues \$\_\_\_\_\_ Special Assessment \$\_\_\_\_\_

Payable: (check one) ☐ monthly ☐ quarterly ☐ annually

Are there unpaid dues or assessments for the property? ☐ YES ☐ NO

If yes, what is the amount? \$\_\_\_\_\_ Manager's Name \_\_\_\_\_

Phone Number \_\_\_\_\_

42. Are you aware of any zoning, building code or setback requirement violations?

**Buyer's Initials** \_\_\_\_\_ **Seller's Initials** \_\_\_\_\_ Initials are for

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PROPERTY IDENTIFIER \_\_\_\_\_

**Property Shared in Common, Easements, Homeowner's Associations and Liens**

43. Are you aware of any notices from any government or government-sponsored entities affecting the property?

44. Are you aware of any surface leases, including but not limited to agricultural, commercial or residential?

45. Are you aware of any filed litigation or lawsuits directly or indirectly affecting the property or a foreclosure?

46. Is the property located in a fire district which requires payment?

If yes, amount of fee \$\_\_\_\_\_ Paid to Whom \_\_\_\_\_

Payable: (check one) ☐ monthly ☐ quarterly ☐ annually

47. Is the property located in a private utility district?

Check applicable ☐ Water ☐ Garbage ☐ Sewer ☐ Other

If other, explain \_\_\_\_\_

Initial membership fee \$\_\_\_\_\_ Annual membership fee \$\_\_\_\_\_

(attach additional pages)

**Miscellaneous**

48. Are you aware of other defect(s) affecting the property not disclosed above?

49. Are you aware of any other fees, leases, liens, dues or financed fixtures or improvements on the property that you have not disclosed?

If you answered YES to any of the items on pages 2-4, list the item number(s) and explain the defect(s), signature(s), date(s) and location of the subject property.

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On the date this form is signed, the seller states that based on seller's **CURRENT ACTUAL** knowledge, the information contained above is true and accurate.Are there any additional pages attached to this disclosure? ☐ YES ☐ NO If yes, how many? \_\_\_\_\_\_\_\_\_\_  
Seller's Signature\_\_\_\_\_  
Date\_\_\_\_\_  
Seller's Signature**A real estate licensee has no duty to the Seller or the Purchaser to conduct an independent investigation of the property.**

**no duty to independently verify the accuracy or completeness of any statement made**

**The Purchaser understands that the disclosures given by the Seller on this statement a**  
 is urged to carefully inspect the property, and, if desired, to have the property inspected by a  
and flood zone status, contact the local planning, zoning and/or engineering department. The  
 has read and received a signed copy of this statement. This completed acknowledgement is  
 property identified. This is to advise that this disclosure statement is not valid after 180 days

\_\_\_\_\_  
 Purchaser's Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Purchaser's Signature

The disclosure and disclaimer statement forms and the Oklahoma Residential Property Contract  
 made available at the Oklahoma Real Estate Commission [www.orec.ok.gov](http://www.orec.ok.gov).

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## CHAPTER 10. REQUIREMENTS, STANDARDS, AND PROCEDURES

### SUBCHAPTER 5. INSTRUCTOR AND ENTITY REQUIREMENTS AND STANDARDS

#### 605:10-5-3. Standards for Commission approved real estate courses

(a) **Approved instructor.** Each course offering shall be conducted by a Commission approved instructor. The instructor shall be available during normal business hours as posted by the instructor to answer questions about the course material, address inquiries related to course content, and provide academic support and assistance as necessary. Instructors must respond to questions and other communications from enrolled students within a reasonable period of time.

(b) **Student must attend in-class instruction or complete all modules required for distance education instruction.** In order for an entity to certify a student as passing an approved course the student must either:

- (1) attend the required number of hours of in-class instruction; or
- (2) complete all instructional modules required for distance education instruction; or
- (3) attend the required number of hours of in-class instruction and complete all instructional modules required for courses utilizing both in-class instruction and distance education instruction.

(c) **Student must successfully complete a prelicense, postlicense or distance education course offering examination.** In order for an entity to certify a student as passing an approved prelicense, postlicense or distance education course, the student must successfully complete an examination covering the contents of the course material.

(d) **Student transfers.** Except with the prior approval of the Commission, a student transferring from one course to another may not count any portion of the student's attendance or work in the former course toward passing the course. A student who enrolls in an entity which offers a Commission approved course may not transfer credit for a course or courses completed in that series to another entity unless the receiving entity offers the identical series of courses and the receiving entity agrees to accept and examine said student throughout successful completion.

(e) **Course examinations.** Each approved prelicense provisional sales associate course and postlicense course offering shall conclude with an end-of-course examination consisting of no less than one hundred and fifty (150) questions administered by the approved entity. Each approved prelicense broker course shall conclude with an end-of-course examination consisting of no less than two hundred (200) questions administered by the approved entity. Each approved distance continuing education course offering shall conclude with an end-of-course examination consisting of no less than seven (7) questions for each clock hour. End-of-course examination questions may not be the same as any previously used questions covering the respective course content.

(f) **Successful completion.** In order for a student to successfully complete a prelicense, postlicense or distance education course, the entity must require that the student complete all class material and/or modules and achieve a passing score of at least seventy five percent (75%) on the entity's final examination. An entity shall require the student to complete sufficient material or modules to ensure mastery of the course offering, and shall require the student to complete the end-of-course examination. An entity may allow any student who fails to achieve a passing score the opportunity to take another examination without repeating instruction.

(g) **Grading standards.** In order for an entity to certify a student as passing an approved course, the student must meet the minimum grading standards established by this Section and the entity. On graded examinations for which this Section sets specific requirements, the entity's policy shall at least equal those requirements as listed in this Section. Other grading standards shall be in accordance with generally accepted educational standards. An entity shall publish grading standards and give them to a student in a written form at the beginning of the course.

(h) **Commission may impose sanction.** The Commission may impose any sanction permitted by law or Rules of the Commission on the approval of any entity, director and/or instructor which fails to provide proper security for their course evaluation or examination and for failing to comply with standards as set out in this Chapter.

(i) **Additional distance education course requirements.**

- (1) Each course shall contain suitable learning objectives.
- (2) Overview statements must be included for each course providing a quick preview of what is contained in the offering.
- (3) A complete set of questions and an answer key must be provided to the Commission with each course application. An answer key may not be included in any course materials provided to the student.
- (4) From the date of enrollment, the course shall have a validity period of six (6) months in which to allow successful completion to be attained.
- (5) Entities must include information with the course material that clearly informs the student of the completion time frame, passing and examination requirements, and any other relevant information necessary to complete the course.
- (6) Each course must include a statement that the information presented in the course should not be used as a substitute for competent legal advice.
- (7) Course offerings must be sufficient in scope and content to justify the hours requested for approval.

(j) Each entity shall promote the Basic Course of Real Estate as Part I of a two part series and the Provisional Postlicense Course of Real Estate as Part II of that series.

(k) All materials that are distributed to students in any class must be current and up-to-date with the License Code and Rules and state or federal laws.