

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

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 5. Instructor and Entity Requirements

605:10-5-1 [AMENDED]

605:10-5-1.1 [AMENDED]

605:10-5-2 [AMENDED]

605:10-5-3 [AMENDED]

Subchapter 7. Licensing Procedures and Options

605:10-7-2 [AMENDED]

605:10-7-4 [AMENDED]

605:10-7-5 [AMENDED]

605:10-7-6 [AMENDED]

605:10-7-7 [AMENDED]

605:10-7-8 [AMENDED]

605:10-7-8.2 [REVOKED]

605:10-7-8.4 [AMENDED]

605:10-7-11 [AMENDED]

Subchapter 9. Broker's Operational Procedures

605:10-9-1 [AMENDED]

605:10-9-3 [AMENDED]

Subchapter 11. Associate's Licensing Procedures

605:10-11-2 [AMENDED]

605:10-11-3 [REVOKED]

Subchapter 17. Causes for Investigation

605:10-17-2 [AMENDED]

605:10-17-3 [AMENDED]

605:10-17-4 [AMENDED]

**SUMMARY:**

The proposed amendments to Subchapter 5 modify instructor renewals to simplify the process and create more uniformity while reducing Commission expenses, provides for a slight reduction in record retention for schools, provides updated notice language all schools are required to provide applicants and reduces in class examination passing grades by 5%.

The proposed amendments to Subchapter 7 removes late fees, removes the requirement that licensees renew their license by the 10<sup>th</sup> day of the month their license expires, removes complex proration calculation for sales and broker associates switching license types to a managing broker/broker proprietor, removes arbitrary mandatory waiting time for provisional sales associates who successfully complete all post-license education requirements, modifies an activation of a license fee, provides for electronic submission of name change and license history requests, and allows licenses to be issued to each individual person and entity electronically instead of issuing a paper license in the custody of each broker.

The proposed revocation of Section 605:10-7-8.2 removes an unnecessary rule regarding licensing of limited liability companies/associations. This rule was consolidated into 605:10-7-8 for simplicity and uniformity.

The proposed amendments to Subchapter 9 removes the outdated requirement that paper licenses must be maintained in the place of business, as they are now available digitally and removes the requirement that an associate must have a paper license physically sent to the office they are affiliated with, as all of these licenses are now issued and available at any time to the Commission digitally.

The proposed amendments to Subchapter 11 updates the language in this subchapter to account for the Commission's change from paper to digital licenses and removes the requirement that brokers must cause a paper license to be sent back to the Commission upon the release of an associate.

The proposed revocation of Section 605:10-11-3 removes an unnecessary rule regarding entities formed by associates to receive payment of commissions. This language was consolidated into the proposed modification of 605:10-7-8.4.

The proposed amendments to Subchapter 17 streamlines investigations and disciplinary hearings before the Commission and allows for faster complaint resolution while maintain the full Commission's authority and role in approving formal hearings prior to scheduling and maintains Commissioner approval for all final disciplinary actions and orders. The last change to this subchapter clarifies that a signature on a purchase offer, contract or lease must have a definite maximum purchase price, as it is common to have deals structured where there is no strict definite price at that stage in the transaction.

**AUTHORITY:**

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

**COMMENT PERIOD:**

Persons wishing to make written or comments may do so in person, by mail, or by email through March 5, 2020 at: Oklahoma Real Estate Commission, 1915 North Stiles Ave., Suite #200, Oklahoma City, OK 73105, or [Grant@orec.ok.gov](mailto:Grant@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, March 24, 2021 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., March 5, 2020, at the Oklahoma Real Estate Commission, 1915 North Stiles Ave.,

Suite #200, Oklahoma City, OK 73105, or [Grant@orec.ok.gov](mailto:Grant@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 January 24, 2021.

**CONTACT PERSON:**

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