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ENGROSSED SENATE BILL 6284

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State of Washington

53rd Legislature

1994 Regular Session

By Senators Wojahn, Amondson, Pelz, Winsley, Haugen, Quigley, Drew, Erwin, Spanel, Fraser and Ludwig

Read first time 01/18/94. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to the requirements to obtain a real estate  
2 broker's or salesperson's license; amending RCW 18.85.090, 18.85.095,  
3 and 18.85.215; repealing RCW 18.85.097; and providing an effective  
4 date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 18.85.090 and 1985 c 162 s 1 are each amended to read  
7 as follows:

8 ~~((The commission shall be responsible for the preparation of the  
9 examination to be submitted to applicants, and shall make and file with  
10 the director a list, which may be signed by a majority of the members  
11 of the commission conducting the examination, of all applicants who  
12 successfully passed the examination and of those who failed.~~

13 ~~Any applicant who fails to pass the examination may apply again.~~

14 ~~No applicant shall be permitted to take the examination for a real  
15 estate broker's license without first satisfying the director that the  
16 applicant:~~

17 ~~(1) Has had a minimum of two years of actual experience as a full  
18 time real estate salesman in this state or in another state having  
19 comparable requirements within the five years previous to applying for~~

1 ~~said examination or is, in the opinion of the director, otherwise and~~  
2 ~~similarly qualified, or is otherwise qualified, by reason of practical~~  
3 ~~experience in a business allied with or related to real estate;~~

4 ~~(2) Is eighteen years of age or older;~~

5 ~~(3) Has a high school diploma or its equivalent;~~

6 ~~(4) Has furnished proof, as the director may require, that the~~  
7 ~~applicant has completed successfully ninety clock hours of instruction~~  
8 ~~in real estate. Instruction must include one course in brokerage~~  
9 ~~management and one course in real estate law. Each course must be at~~  
10 ~~least thirty clock hours. Courses must be completed within five years~~  
11 ~~prior to applying for the examination.~~

12 ~~The requirements of subsections (1) through (4) of this section~~  
13 ~~shall not apply to persons who are licensed as brokers under any real~~  
14 ~~estate license law in Washington which exists prior to this law's~~  
15 ~~enactment and whose license has not been subsequently revoked:~~

16 ~~PROVIDED, That requirements for brokers created by this 1972 amendatory~~  
17 ~~act shall apply to any person who is licensed as a salesman on or~~  
18 ~~before May 23, 1972, if such person shall apply to become a broker or~~  
19 ~~associate broker after May 23, 1972.)~~ (1) The minimum requirements for  
20 an individual to receive a broker's license are that the individual:

21 (a) Is eighteen years of age or older;

22 (b) Has a high school diploma or its equivalent;

23 (c) Has had a minimum of two years of actual experience as a full-  
24 time real estate salesperson in this state or in another state having  
25 comparable requirements within the five years previous to applying for  
26 the broker's license examination or is, in the opinion of the director,  
27 otherwise and similarly qualified, or is otherwise qualified by reason  
28 of practical experience in a business allied with or related to real  
29 estate;

30 (d) Has furnished proof, as the director may require, that the  
31 applicant has successfully completed one hundred twenty hours of  
32 instruction in real estate. Instruction must include one course in  
33 brokerage management, one course in real estate law, one course in  
34 business management, and one elective course. Each course must be  
35 completed within five years prior to applying for the broker's license  
36 examination, be at least thirty clock hours, and be approved by the  
37 director. The applicant must pass a course examination, approved by  
38 the director for each course used to satisfy the broker's license  
39 requirement; and

1       (e) Has passed the broker's license examination.

2       (2) Nothing in this section applies to persons who are licensed as  
3 brokers under any real estate law in Washington that exists prior to  
4 this law's enactment, but only if their license has not been  
5 subsequently canceled or revoked.

6       **Sec. 2.** RCW 18.85.095 and 1988 c 205 s 3 are each amended to read  
7 as follows:

8       ~~((1) It is hereby established that the minimum requirements for an~~  
9 ~~individual to receive a salesperson's license are that the individual:~~

10       ~~(a) Is eighteen years of age or older;~~

11       ~~(b) Has passed a salesperson's examination; and~~

12       ~~(c) Except as provided in RCW 18.85.097, has successfully completed~~  
13 ~~a thirty clock hour course in real estate fundamentals prior to~~  
14 ~~obtaining a first real estate license.~~

15       ~~(2) Except as provided in RCW 18.85.097, no licensed salesperson~~  
16 ~~shall have his or her license renewed a second time unless he or she~~  
17 ~~furnishes proof, as the director may require, that he or she has~~  
18 ~~successfully completed an additional thirty clock hours of instruction~~  
19 ~~in real estate courses approved by the director. This subsection shall~~  
20 ~~expire January 1, 1991.~~

21       ~~Nothing in this section shall apply to persons who are licensed as~~  
22 ~~salespersons under any real estate license law in Washington which~~  
23 ~~exists prior to this law's enactment and whose license has not been~~  
24 ~~subsequently revoked.)) (1) The minimum requirements for an individual~~  
25 ~~to receive a salesperson's license are that the individual:~~

26       ~~(a) Is eighteen years of age or older;~~

27       ~~(b) Has furnished proof, as the director may require, that the~~  
28 ~~applicant has successfully completed a sixty clock-hour course,~~  
29 ~~approved by the director, in real estate fundamentals. The applicant~~  
30 ~~must pass a course examination approved by the director. This course~~  
31 ~~must be completed within five years prior to applying for the~~  
32 ~~salesperson's license examination; and~~

33       ~~(c) Has passed a salesperson's license examination.~~

34       ~~(2) The minimum requirements for a salesperson to be issued the~~  
35 ~~first renewal of a license are that the salesperson:~~

36       ~~(a) Has furnished proof, as the director may require, that the~~  
37 ~~salesperson has successfully completed a thirty clock-hour course, from~~  
38 ~~a prescribed curriculum approved by the director, in real estate~~

1 practices. The salesperson must pass a course examination approved by  
2 the director. This course shall be commenced after issuance of a first  
3 license; and

4 (b) Has furnished proof, as the director may require, that the  
5 salesperson has completed an additional thirty clock hours of  
6 continuing education in compliance with RCW 18.85.165. Courses for  
7 continuing education clock-hour credit shall be commenced after  
8 issuance of a first license.

9 (3) Nothing in this section applies to persons who are licensed as  
10 salespersons under any real estate law in Washington which exists prior  
11 to this law's enactment, but only if their license has not been  
12 subsequently canceled or revoked.

13 **Sec. 3.** RCW 18.85.215 and 1988 c 205 s 4 are each amended to read  
14 as follows:

15 (1) Any license issued under this chapter and not otherwise revoked  
16 shall be deemed "inactive" at any time it is delivered to the director.  
17 Until reissued under this chapter, the holder of an inactive license  
18 shall be deemed to be unlicensed.

19 (2) An inactive license may be renewed on the same terms and  
20 conditions as an active license, except that a person with an inactive  
21 license need not comply with the ~~((continuing))~~ education requirements  
22 of RCW 18.85.095(2)(a) or 18.85.165. Failure to renew shall result in  
23 cancellation in the same manner as an active license.

24 (3) An inactive license may be placed in an active status upon  
25 completion of an application as provided by the director and upon  
26 compliance with this chapter and the rules adopted pursuant thereto.  
27 ~~((Subject to RCW 18.85.097,))~~ If a holder has an inactive license for  
28 more than three years, the holder must show proof of successfully  
29 completing a thirty clock hour course in real estate within one year  
30 prior to the application for active status. Holders employed by the  
31 state and conducting real estate transactions on behalf of the state  
32 are exempt from this course requirement.

33 (4) The provisions of this chapter relating to the denial,  
34 suspension, and revocation of a license shall be applicable to an  
35 inactive license as well as an active license, except that when  
36 proceedings to suspend or revoke an inactive license have been  
37 initiated, the license shall remain inactive until the proceedings have  
38 been completed.

1        NEW SECTION.   **Sec. 4.**   RCW 18.85.097 and 1987 c 332 s 18 are each  
2 repealed.

3        NEW SECTION.   **Sec. 5.**   This act shall take effect July 1, 1995.

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