

HB 171 -- Real Estate

Co-Sponsors: Wood, Portwood, Behnen, St. Onge, Schneider

This bill contains provisions pertaining to the practice of real estate. The bill:

- (1) Adds Internet web sites to the licensing exemption, when in the case of advertising real estate, the advertising is incidental to their normal business operations;
- (2) Removes the requirement of land developers selling their own property from having on file with the Real Estate Commission a certified copy of a currently effective statement of record from the Office of Interstate Land Sales;
- (3) Allows the commission to issue temporary work permits to individuals who have satisfied all licensing requirements prior to the final review and printing of their licenses;
- (4) Grants entities providing continuing education the authority to do so through the means of distance delivery;
- (5) Gives the commission authority, when conducting investigations of complaints involving affiliated licensees, to forward copies of the information regarding the complaint to the affiliated licensee's broker;
- (6) Gives the commission authority, when a licensee fails to renew or surrender his or her license and the commission finds the licensee to be in violation of certain provisions, to cause complaints to be filed with the Administrative Hearing Commission;
- (7) Requires real estate brokers holding funds belonging to another party in a real estate transaction to maintain the funds in a separate account designated as an escrow or trust account. Brokers may not commingle their own personal funds or any other moneys in this account with the exception that a broker may deposit an amount not to exceed \$1,000 specifically identified for the purpose of covering service charges related to the account. When brokers decide not to maintain an escrow account, they must notify the commission. If they decide to open an escrow account, they must notify the commission within 10 business days of doing so. In the case of disputes regarding ownership of escrow moneys, the funds must be deposited with the State Treasurer within 180 days of the original deposit. The funds will be held in trust until the dispute can be resolved;
- (8) Increases the amount of compensation which each member of

the commission receives from \$50 to \$75;

(9) Requires designated brokers who have affiliated licensees to adopt a written policy describing their relationships in regard to their real estate activities; and

(10) Repeals the provisions relating to escrow agents.