

CHAPTER 520-1

LICENSURE AND BROKERAGE

RULES
OF
GEORGIA REAL ESTATE COMMISSION

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LICENSURE AND BROKERAGE

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(3) Examinations.

(a) Candidates for licensure must take a Commission approved examination and make a passing score as determined by psychometrically sound criterion-related methods associated with assessment of minimal competence. The methods used and the minimum passing score shall be published prior to the administration of the examination.

(b) Any candidate for licensure who served on active duty in the armed forces of the United States, or on active duty in a reserve component of the armed forces of the United States including the National Guard, for a period of one year or more, of which at least 90 days were served during wartime or during any conflict when military personnel were committed by the President of the United States, shall be entitled to a credit of five points. If such candidate for licensure is taking the examination in order to become licensed as a community association manager or a salesperson, said points shall be added to the grade made by the candidate for licensure in answering all questions in any such examination. If such candidate for licensure is taking the examination to become licensed as a broker, said points shall be added to the grade such candidate for licensure makes on the Information Gathering section of the examination and to the grade such candidate for licensure makes on the Decision Making section of the examination.

(c) Any candidate for licensure who is disabled who served on active duty in the armed forces of the United States, or on active duty in a reserve

component of the armed forces of the United States including the National Guard, during wartime or during any conflict when military personnel were committed by the President of the United States, and who was discharged for injury or illness incurred in line of duty, shall be entitled to a credit of five points, if said disability is officially rated at less than 10 percent at the time of taking said examination. If such candidate for licensure is taking the examination in order to become licensed as a community association manager or a salesperson, said points shall be added to the grade made by the candidate for licensure in answering all questions in any such examination. If such candidate for licensure is taking the examination to become licensed as a broker, said points shall be added to the grade such candidate for licensure makes on the Information Gathering section of the examination and to the grade such candidate for licensure makes on the Decision Making section of the examination.

(d) Any candidate for licensure who is a disabled veteran and who served on active duty in the armed forces of the United States, or on active duty in a reserve component of the armed forces of the United States, including the National Guard, during wartime or during any conflict when military personnel were committed by the President of the United States, and who was discharged for injury or illness incurred in line of duty, shall be entitled to a credit of 10 points if said disability is rated at 10 percent or above at the time of taking said examination. If such candidate for licensure is taking the examination in order to become licensed as a community association manager or a salesperson, said points shall be added to the grade made by the candidate for licensure in answering all questions in any such examination. If such candidate for licensure is taking the examination to become licensed as a broker, said points shall be added to the grade such candidate for licensure makes on the Information Gathering section of the examination and to the grade such candidate for licensure makes on the Decision Making section of the examination.

(e) The provisions of paragraphs (2), (3), and (4) above as to points to be allowed to veterans shall apply to any candidate for licensure, male or female, who comes within the classes herein specified; except that they shall not apply in any instance to a candidate for licensure who has not been honorably discharged.

(f) Any candidate for licensure seeking to qualify for veterans preference points under the provisions of paragraphs (2), (3), (4), and (5) above must:

1. have served in a branch of the armed forces which participated in the

war or conflict during which the candidate for licensure served at least ninety (90) days of active duty;

2. have served at least ninety (90) days during a period of time when the Congress of the United States formally declared a state of war or when the Joint Chiefs of Staff authorized issuance of a campaign badge for service in a campaign or expedition in which the President committed military personnel; and

3. submit proof of the candidate's service on forms available through the Veterans Administration which clearly identify active duty time. Candidates for licensure seeking preference points who served after January 1, 1950, must present a DD Form 214 to show proof of active duty time. Candidates for licensure seeking preference points who served prior to January 1, 1950, must present WD AGO Form 53-55 to show proof of active duty time. Candidates for licensure seeking preference points who are currently in service must present a DD Form 4/1, Enlistment/Reenlistment document, which shows proof of active duty time.

Authority O.C.G.A. §§ 43-40-2, 43-40-7, 43-40-9, 43-40-13, 43-40-14, & 43-40-25.

520-1-.05 Maintaining a License.

520-1-.05 Maintaining a License.

(1) Required Postlicense Education. O.C.G.A. Section 43-40-8 (c) requires that each salesperson must furnish to the Commission within one year of the issuance of an original salesperson's license evidence of satisfactory completion of a course of study of at least 25 in-class hours (other than the Salespersons Prelicense Course or Brokers Prelicense Course) approved by the Commission. Salespersons must have completed such course:

(a) no earlier than one year before the date of issuance of the original salesperson's license or

(b) no later than either:

1. one year after the date of issuance of an original salesperson's license
or

2. eighteen months after the date of issuance of an original salesperson's license if the salesperson qualifies for the six month extension of time authorized by the O.C.G.A. Section 43-40-8 (c).

(c) if the salesperson is a non-resident who has successfully completed in his or her state of residence a post-license course substantially similar to Georgia's Salespersons Postlicense Course prior to the issuance of a Georgia salesperson's license (or in the first year after being issued such a license), then such course shall be deemed to have met the requirements of O.C.G.A. Section 43-40-8 (c).

Authority O.C.G.A. §§43-40-1, 43-40-2, 43-40-9, 43-40-14, & 43-40-25.

520-1-.11 Licensees Acting as Principals.

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(1) Written Notification to Broker. No licensee shall be permitted to list, sell, buy, exchange, rent, lease, or option or offer to list, sell, buy, exchange, rent, lease, or option real estate, either in individual or multiple parcels, in the licensee's own name or in the name of any other firm or entity in which the licensee is an officer, employee, beneficiary, or member of such firm or other entity acting as principal without first advising, in writing, the broker for whom the real estate licensee is acting. Authority §§ 43-40-1, 43-40-2, & 43-40-25 (9).