

CHAPTER 520-1

LICENSURE AND BROKERAGE

RULES
OF
GEORGIA REAL ESTATE COMMISSION

CHAPTER 520-1
LICENSURE AND BROKERAGE

TABLE OF CONTENTS

520-1-.09 Advertising

520-1-.04 Obtaining a License

(3) Examinations.

(a) Applicants for licensure must take a Commission approved examination and make a passing score of 75 percent.

(b) Any applicant 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. Said points shall be added by the person grading the examination to the grade made by the applicant in answering the questions propounded in any such examination taken by the applicant.

(c) Any applicant 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. Said points shall be added by the person grading the examination to the grade made by the applicant in answering the questions propounded in any such examination taken by the applicant.

(d) Any applicant 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. Said points shall be added by the person grading the examination to the grade made by the applicant in answering the questions propounded in any such examination taken by the applicant.

(e) The provisions of paragraphs (b), (c), and (d) above as to points to be allowed to veterans shall apply to any applicant, male or female, who comes within the classes herein specified; except that they shall not apply in any instance to an applicant who has not been honorably discharged.

(f) Any applicant seeking to qualify for veterans preference points under the provisions of paragraphs (b), (c), (d), and (e) above must:

1. have served in a branch of the armed forces which participated in the war or conflict during which the applicant 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 applicant's service on forms available through the Veterans Administration which clearly identify active duty time. Applicants for preference points who served after January 1, 1950, must present a DD Form 214 to show proof of active duty time. Applicants for preference points who served prior to January 1, 1950, must present WD AGO Form 53-55 to show proof of active duty time. Applicants for preference points who are currently in service must present a DD Form 4/1, Enlistment/Reenlistment document, which shows proof of active duty time.

(g) An applicant for licensure who has moved to Georgia from another state shall be granted a license without further examination or education

if such applicant produces, from the licensing body of each state which has licensed the applicant, an original certification issued no more than twelve months prior to the applicant's making application for licensure which shows that the applicant:

1. has passed an examination for the type of license for which such applicant seeks licensure in Georgia;
2. has met all prelicense and continuing education requirements required by such other state(s) for that license;
3. is licensed in good standing at the time of the certification; and
4. has not had any formal disciplinary action imposed by such state's licensing body.

An applicant whose certification does not comply with all of the conditions in the preceding sentence must take and pass the qualifying examination for the Georgia license which such applicant seeks.

(h) An examinee's supplying to others, or attempting to supply to others, any information concerning the content of any qualifying examination, administered by or approved by the Commission shall be grounds for denial of license or the imposition of any sanction permitted by O.C.G.A. Section 43-40-25.

(i) Approved instructors, approved schools, or their staff members are prohibited from:

1. obtaining from examinees information concerning the content of any qualifying examination administered by or approved by the Commission;
2. accepting such information except as provided or approved by the Commission; and
3. using such information in non-approved courses operated by or in association with any approved instructor or approved school or their staff.

Violation of this paragraph may be grounds for denial of approved status, withdrawal of approved status, suspension of approved status, or imposing any sanction permitted by O.C.G.A. Section 43-40-25 upon both instructors and school.

(j) Unless a person first obtains written permission of the Commission, a person may not take any qualifying examination offered by the Commission except:

1. to qualify for or to reinstate the license for which the examination is designed;
2. when:
 - a. such person holds a license issued by the Commission by reciprocity rather than by examination,
 - b. such person is applying to another state for licensure by reciprocity, and
 - c. the state to which such person is applying requires that an applicant for reciprocity must have passed an examination in Georgia as a condition of receiving a license by reciprocity in that state; or

when such person is required to take a qualifying examination by an Order of the Commission in a disciplinary matter.

520-1-.09 Advertising

520-1-.09 Advertising.

(7) Firm Names and Telephone Numbers in Advertising. In advertising a specific property or specific properties for sale, for rent, or for exchange in any media:

- (a) all firms must include in the advertisement a name of the firm that is registered with the Commission and a telephone number for the firm, except when complying with lawful restrictions (such as covenants or local governmental ordinances) that forbid the use of the firm's name on a particular type of sign;
- (b) the name of the licensed firm offering the property for sale, for rent, or for exchange shall appear in equal or greater size, prominence, and frequency than the name or names of any affiliated licensees or groups of licensees;

- (c) the firm's telephone number shall appear in equal or greater size, prominence, and frequency than the telephone number of any affiliated licensees or groups of licensees, and it must be a number at which the public can reach the broker or a manager without going through the affiliated licensee(s) listed in the advertisement;
- (d) whether contained in a logo or standing alone, the name of the firm as registered with the Commission must be in equal or greater size, prominence, and frequency than the name of any affiliated licensee or group of licensees; and
- (e) a block advertisement in any print media that advertises various listings of a brokerage firm and includes the name of the listing agent next to each listing shall be in compliance with this rule if the name of the brokerage firm appears only once at the top of the advertisement in equal or greater prominence and print size than any of the listing agent's names. The firm's name may be located in other positions in such block advertisements if the firm name appears clearly larger and more prominently than the name of any other licensee in the advertisement.