

# ARKANSAS REGISTER



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W.J. "BILL" McCUEN  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

## Transmittal Sheet

W.J. "Bill" McCuen  
Secretary of State  
State Capitol  
Little Rock, Arkansas 72201-1094

For Office  
Use Only:

Effective Date 11/15/91 Code Number 076.00.41-005

Name of Agency Arkansas Real Estate Commission

Department \_\_\_\_\_

Contact Person Roy Bilheimer Telephone 682-2732

Statutory Authority for Promulgating Rules ACT 1142 OF 1991

Intended  
Effective Date

Date

Legal Notice Published 9-14/20-91

Emergency Final Date for Public Comment 10-21-91

20 Days Filed With Legislative Council 10-24-91

After Filing Reviewed by Legislative Council 11/91 Meeting

Other Adopted by State Agency 10-21-91

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance With Act 434 of 1967 As Amended.

William J. Williamson  
SIGNATURE

Deputy Executive Secretary

TITLE

October 25, 1991

DATE

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ARKANSAS REAL ESTATE COMMISSION

W.J. "BILL" McCUEN  
SECRETARY OF STATE  
LITTLE ROCK, ARKANSAS

Regulation 101. Broker - Application and examination.

(a) Each applicant for an original broker's license must apply on a form furnished by the Arkansas Real Estate Commission accompanied by the official certificate required by Ark. Code Ann. Sec. 17-35-303. The certificate shall state that the applicant has successfully completed within 36 months immediately preceding the date of the application a course or courses of instruction in real estate by actual classroom attendance for not less than 60 hours. This requirement shall apply to all applicants who are examined after April 1, 1992, except those applicants who are re-taking only one part of the examination pursuant to paragraph (b) of this regulation, which applicants shall remain subject to the requirement which was in effect at the time the applicant passed the other part of the examination.

The applicant must also pass a written examination to show competency to act as a real estate broker in such a way as to safeguard the interests of the public. Minimum grades of 70 on the uniform portion of the examination and 75 on the Arkansas law part are required. A person who is licensed as a broker may not apply and may not be examined. A person who has passed the Arkansas real estate broker's examination but who is not licensed as a broker may apply. However, in addition to meeting other requirements, such a person will request in writing the reason for applying. Such a person may be examined only after being advised in writing by a representative of the Commission that permission is granted for him to be examined.

(b) If the applicant has taken the broker's examination in Arkansas and has passed either the Arkansas law part or the uniform part but has failed the other, the applicant need not again take the part passed. Such an applicant, however, shall be required to make new application as an original applicant and must pass the part failed within six months following the month in which the applicant first failed that part, but passed the other part, and must furnish such documentation of entitlement thereto as the Commission may require.

(c) If the applicant has passed a uniform or multi-state part of an examination for a broker's license in another state in which the examination is administered by a national testing service recognized by the Arkansas Real Estate Commission; if that state requires a minimum passing grade no lower than that required for the uniform part of the Arkansas examination, and if the applicant at the time of taking the Arkansas examination is a licensed broker in that state, then the applicant will be required to take only the Arkansas law part. However, if the applicant at the time of taking the Arkansas examination is not a licensed broker in that state, he will be required to take only the Arkansas law part provided that applicant passed the uniform or multi-state part of the examination in that state within six months prior to the month in which the applicant passes the Arkansas law part. Such applicant, however, must furnish such documentation of his entitlement thereto as the Commission may require.

ARKANSAS REAL ESTATE COMMISSION

Regulation 104. Salesman - Application and examination.

(a) Each applicant for an original salesman's license must apply on a form furnished by the Commission accompanied by the official certificate required by Ark. Code Ann. Sec. 17-35-303(d). The certificate shall state that the applicant has successfully completed a course or courses of instruction, including a course of not less than 30 hours in the basic principles of real estate, by actual classroom attendance for at least 60 hours. This requirement shall apply to all applicants who are examined after April 1, 1992, except those applicants who are re-taking only one part of the examination pursuant to paragraph (b) of this regulation, which applicants shall remain subject to the requirement which was in effect at the time the applicant passed the other part of the examination.

The applicant must also pass a written examination. Minimum grades of 70 on the uniform part of the examination and 70 on the Arkansas law part are required. A person who is licensed as a salesman or as a broker may not apply and may not be examined. A person who has passed the Arkansas real estate salesman's examination but who is not licensed as a salesman may apply. However, in addition to meeting other requirements, such a person will request in writing the reason for applying. Such a person may be examined only after being advised in writing by a representative of the Commission that permission is granted for him to be examined.

(b) If the applicant has taken the salesman's examination in Arkansas and has passed either the Arkansas law part or the uniform part but has failed the other, the applicant need not again take the part passed. Such an applicant, however, shall be required to make new application as an original applicant and must pass the part failed within six months following the month in which the applicant first failed that part but passed the other part, and must furnish such documentation of entitlement thereto as the Commission may require.

(c) If the applicant has passed a uniform or multi-state part of an examination for a salesman's license in another state in which the examination is administered by a national testing service recognized by the Arkansas Real Estate Commission; if that state requires a minimum passing grade no lower than that required for the uniform part of the Arkansas examination; and if the applicant at the time of taking the Arkansas examination is a licensed salesman in that state, then the applicant will be required to take only the Arkansas law part. However, if the applicant at the time of taking the Arkansas examination is not a licensed salesman in that state, he will be required to take only the Arkansas law part, provided the applicant passed the uniform or multi-state part of the examination in that state within six months prior to the month in which the applicant passes the Arkansas law part. Such an applicant, however, must furnish such documentation of entitlement thereto as the Commission may require.