

Chapter RL 25

EDUCATION

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Note: Chapter REB 16 as it existed on October 31, 1979, was repealed and a new Chapter REB 16 was created effective November 1, 1979. Renumbered chapter RL 25, effective March 1, 1983.

RL 25.005 Authority. The following rules are adopted pursuant to ss. 452.02 (1) (c), 452.07, 452.09 (2) and (4) and 452.12 (5) (c), Stats.

History: Cr. Register, October 1979, No. 286, eff. 11-1-79; renum. from REB 16.005 and am. Register, February, 1983, No. 326, eff. 3-1-83.

RL 25.01 Definitions. As used in this chapter, unless the context otherwise specifically requires:

- (1) "Board" means the real estate board.
- (2) "Hour" means a period of 50 minutes of actual classroom instruction and shall not include time spent in writing tests or examinations given by the school.
- (3) "Credit course" means a course which can be applied toward an associate degree or higher degree at an accredited institution of higher education.
- (4) "Non-credit program" means an educational program or training session which does not satisfy requirements for an associate degree or higher degree at the school offering the educational program or training session.
- (5) "Accredited institution of higher education" means a law school accredited by the American bar association or other schools accredited by one of the regional institutional accrediting commissions or associations which have been recognized by the U.S. commissioner of education.
- (6) "Evidence of attendance" means an official transcript, student grade report, or department-approved certificate showing satisfactory completion of educational programs or training sessions.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.01 and am. (1) and (6), Register, February, 1983, No. 326, eff. 3-1-83.

RL 25.02 Educational requirements of applicant for an original real estate broker's license. (1) Each applicant for an original real estate broker's

license shall present evidence of attendance at 90 hours of an educational program approved by the department in accordance with this chapter.

(2) The educational requirement in sub. (1) is not required of the following applicants:

(a) An applicant who submits proof that the applicant has received 20 semester hour credits in real estate or real estate related law courses at an accredited institution of higher education. A quarter hour credit equals $\frac{1}{2}$ of a semester hour credit.

(b) An applicant who submits proof that the applicant is licensed to practice law in the state of Wisconsin.

(c) An applicant who submits proof that the applicant has successfully completed an equivalent educational program that has been approved in advance by the department.

(3) The 90 hours of educational programs for applicants for an original real estate broker's license shall include:

(a) Real property law (a total of 45 hours which shall include a substantial amount of time on each of the following 17 topics):

1. Real estate licensing and the licensing law
2. Legal environment, law of agency and civil rights and securities
3. Contractual aspects of listings
4. Law of contracts as they relate to selling
5. Offer, acceptance, and closing
6. Descriptions of real estate
7. The land contract and options
8. Deeds
9. Mortgages
10. Analysis of seller's property rights
11. Leases, and landlord-tenant law
12. Real estate trust funds
13. The law against discrimination in housing
14. Legal aspects of financing
15. Consumer protection
16. Code of ethics
17. Recent changes in real property law

(b) Real estate appraising and financing (a total of 22.5 hours which shall include a substantial amount of time on each of the following 5 topics):

1. Land use principles
2. Construction

3. Estimating a listing price
4. Practical aspects of mortgage financing
5. Real property management

(c) Marketing real estate (a total of 22.5 hours which shall include a substantial amount of time on each of the following 7 topics):

1. Real estate office procedures
2. Listing procedures
3. Advertising property for sale
4. Service and responsibility to clients
5. Providing property information and disclosure
6. Applied aspects of listing contract
7. Applied aspects of offer to purchase

(4) Subject to the approval of the department, sub. (3) may be satisfied if:

(a) Within the 12-month period prior to filing an application for an original real estate broker's license, the applicant held a valid real estate license in another state; and

(b) The applicant submits evidence of attendance at educational programs offered in another state which are substantially in compliance with requirements in sub. (3).

(5) To qualify for approval, educational programs shall have been completed within 5 years of application for a license, unless the applicant has been licensed as a broker or salesperson within 5 years from the date of application.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; cr. (4), Register, April, 1981, No. 304, eff. 5-1-81; am. (1), (4) (intro.) and (b), Register, June, 1982, No. 318, eff. 7-1-82; renun. from REB 16.02 and am. (1) and (4) (intro.), Register, February, 1983, No. 326, eff. 3-1-83; am. (1), (3) (intro.), (a) (intro.), (b) (intro.) and (c) (intro.), r. and recr. (2), cr. (5), Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.03 Educational requirements of applicant for an original real estate salesperson's license. (1) Each applicant for an original real estate salesperson's license shall present evidence of attendance at 45 hours of an educational program approved by the department in accordance with this chapter.

(2) The educational requirement in sub. (1) is not required of an applicant who submits proof that the applicant has received 10 semester hour credits in real estate or real estate related law courses at an accredited institution of higher education. A quarter hour credit equals $\frac{2}{3}$ of a semester hour credit.

(3) The 45 hours of educational programs for applicants for an original real estate salesperson's license shall cover real property law (a total of 45 hours which shall include a substantial amount of time on each of the following 17 topics):

1. Real estate licensing and the licensing law.

2. Legal environment, law of agency and civil rights and securities.
3. Contractual aspects of listings.
4. Law of contracts as they relate to selling.
5. Offer, acceptance, and closing.
6. Descriptions of real estate.
7. The land contract and options.
8. Deeds.
9. Mortgages.
10. Analysis of seller's property rights.
11. Leases, and landlord-tenant law.
12. Real estate trust funds.
13. The law against discrimination in housing.
14. Legal aspects of financing.
15. Consumer protection.
16. Code of ethics.
17. Recent changes in real property law.

(4) An applicant who has held a real estate license in another state within the 12-month period prior to filing an application for an original real estate salesperson's license may satisfy the requirements of sub. (3) if the applicant submits evidence of attendance at educational programs in sub. (3).

(5) To qualify for approval educational programs shall have been completed within 5 years of application for a license unless the applicant has been licensed as a broker or salesperson within 5 years of application.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; am. (2) (intro.) and r. and recr. (2) (b), Register, April, 1981, No. 304, eff. 5-1-81; am. (2) (b), Register, June, 1982, No. 318, eff. 7-1-82; renum. from REB 16.03 and am. (2), Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.04 Educational requirements of applicant for an original real estate broker's license who has been a licensed real estate salesperson and who has completed the requirement in RL 25.03. An applicant for an original real estate broker's license who has been a licensed real estate salesperson and who has completed the educational requirement for an original real estate salesperson's license shall be permitted to apply those hours toward the 90-hour requirement under s. RL 25.02. The applicant shall submit to the department evidence of attendance at the additional hours needed to meet the 90-hour requirement.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.04 and am. (2), Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.05 Requirements for approval of and certification of attendance at credit courses. (1) **APPROVAL.** (a) *90-hour and 45-hour requirements.* 1. A school seeking initial approval of credit courses in real estate shall submit Register, December, 1991, No. 432

its application on the form provided by the department. The department may require the following information and materials:

- a. The department in the school which is offering the courses.
- b. The method of instruction for each course.
- c. The course numbers and titles.
- d. Detailed outlines of each course with specific allocations of classroom hours to each topic.
- e. A current school bulletin

2. Course approvals shall expire on September 30 following the date of initial approval and every September 30 thereafter. A school shall submit an application for reapproval to the department sufficiently early for the department to review it and approve the courses.

(b) *Continuing education requirement.* The department shall automatically approve and accept credit courses in real estate or real estate-related law commencing on or after May 20, 1978. Schools shall not be required to follow the requirements in par. (a) nor in RL 25.06, except that schools may not discriminate against anyone on the basis of sex, race, religion, age, physical disability, or national origin in their educational programs.

(2) **EVIDENCE OF ATTENDANCE.** The department shall accept only an official transcript or student grade report as evidence of satisfactory completion of credit courses.

(3) **ATTENDANCE REQUIREMENTS.** Students shall satisfy department attendance requirements by successfully completing credit courses in accordance with the attendance requirements of the school. The department shall not accept attendance at credit courses on an audit basis to satisfy the requirements of this chapter.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.055 and am. Register, February, 1983, No. 326, eff. 3-1-83; renum. from RL 25.055, Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.06 Approval of non-credit educational programs. (1) A school seeking initial approval from the department of real estate non-credit programs shall submit its application on the forms provided by the department. Approval of non-credit programs shall expire on September 30 following the date of initial approval and every September 30 thereafter. A school shall submit applications for reapproval to the department sufficiently early for the board to review them and approve the non-credit programs.

(a) *Qualifications of instructors.* 1. Education and experience. Instructors of non-credit programs shall be approved by the department. Instructors shall be experienced in the subject which they are teaching; the department may limit its approval to specific content areas set forth in ss. RL 25.02 (3) and 25.03 (3). Instructors shall possess at least one of the following minimum qualifications:

- a. An instructor of real estate courses who is or has been engaged in the practice of teaching at an accredited institution of higher education.

b. Properly licensed or certified person who is engaged in the real estate aspects of appraising, financing, marketing, real property management, real estate counseling, real property law, or other related real estate subjects and has been for at least the past 5 years continuously engaged in such practice.

c. Member of the state bar of Wisconsin who is engaged in the field of real estate-related law.

d. A person, who, in the judgment of the department, is qualified by experience or education, or both, to supervise a course of study within the legislative intent of this section.

(b) *Information required.* 1. The department may require a school seeking initial approval and reapproval of non-credit programs to describe or furnish its organizational structure, registration policies, fee schedules, promotional materials, detailed outlines of each non-credit program with specific allocations of classroom hours to each topic, student records system, the names and qualifications of instructors, its method for evaluating instructors and a summary of evaluations conducted, and the time, date and location of each non-credit program.

a. The department may allow a school to apply for initial approval of non-credit programs without specific information concerning dates, times, locations, and instructors, but the school shall provide this information no later than the beginning of the approved program.

2. A school shall inform the department of any changes in the information required in subd. 1 within 10 days following the date of the change.

(2) Additional criteria for approval of non-credit programs follow:

(a) Applicants for approval of non-credit programs shall not discriminate against anyone on the basis of sex, race, religion, age, physical disability, or national origin in their educational programs.

(b) The entity applying for approval of non-credit programs shall have education as a primary function.

(c) A school shall not limit attendance at an approved program to members of a particular organization or to employees of a particular company.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.06 and am. Register, February, 1983, No. 326, eff. 3-1-83; am. (1) (a) 1., r. (2) (d) to (f), Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.07 Evidence for non-credit programs. (1) Schools shall provide an individual certificate of attendance to all students upon satisfactory completion of non-credit programs.

(a) Certificates of attendance shall contain minimum wording prescribed by the department.

(b) Certificates of attendance shall be signed by authorized persons whose signatures are on file with the department.

(c) The date of issuance on certificates of attendance shall be that of the last class attended by the student.

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(2) A school shall maintain for 5 years records sufficient to establish the attendance record submitted for non-credit 90-hour and 45-hour programs.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.07 and am. (1) (a), (b) and (e) and (2), Register, February, 1983, No. 326, eff. 3-1-83; r. (1) (d) and (e) and (2), renum. (3) to be (2) and am. Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.075 Attendance requirements for non-credit courses. Students shall attend all the required hours and receive substantially all the required contents, before a certificate of attendance may be granted for satisfying any of the requirements in ss. RL 25.02 (3) and 25.03 (3). Schools may make arrangements for make-up classes to enable students to meet the attendance requirements.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.075 and am. (1), Register, February, 1983, No. 326, eff. 3-1-83; r. (2), renum. (1) and am. Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.076 Correspondence courses. Correspondence courses do not satisfy educational requirements in this chapter except to satisfy requirements in ss. RL 25.02 (2) (a) and (c) and 25.03 (2).

History: Cr. Register, June, 1982, No. 318, eff. 7-1-82; renum. from REB 16.076, and am. Register, February, 1983, No. 326, eff. 3-1-83; am. Register, February, 1987, No. 374, eff. 6-1-87.

RL 25.08 Investigation and review. (1) **PERIODIC REVIEW.** The department, or its duly authorized representative, shall investigate and review all approved educational programs, courses, and instructors. The method of review shall be determined by the department in each case and will generally consist of the following:

(a) Consideration of information available from federal, state, or local agencies, private organizations or agencies, or interested persons.

(b) Conferences with officials or representatives of the school involved or with former students of the school.

(c) Public hearing respecting the educational program, course, or instructor involved, with adequate written notice to the school and/or instructor.

(d) Investigation by visitation to the school.

(2) **UPON COMPLAINT.** In addition to investigation upon its own initiation, the department may investigate any school or instructor upon receipt of a complaint from an interested person.

(3) **DENIAL OR WITHDRAWAL OF APPROVAL.** If, after investigation, the department denies or deems it proper to withdraw its approval of any educational program, course, or instructor, written notification must be given with reasons for such action. The school or instructor may request a hearing before the department.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.08 and am. (1) (intro.), (2) and (3), Register, February, 1983, No. 326, eff. 3-1-83.

RL 25.09 Advertising of real estate non-credit programs offered by licensees. Licensees who advertise the availability of non-credit real estate programs from their real estate firm shall state that these programs are

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not approved by the department if, in fact, they have not been approved in accordance with s. RL 25.06.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.09 and am. Register, February, 1983, No. 326, eff. 3-1-83.

RL 25.10 Forms. The following forms are available from the Bureau of Direct Licensing and Real Estate, Department of Regulation and Licensing, Room 281, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708:

(1) Applications for approval of non-credit programs.

(a) Application for approval of instructors for 90-hour and 45-hour programs.

(b) Application for reapproval of 90-hour and 45-hour programs.

(2) Certificates of approval of non-credit programs.

(a) Approval of programs and instructors.

(b) Approval of additional instructors.

(3) Certificates of attendance at non-credit programs.

(a) Certificate for 90 hours in s. RL 25.02 (3).

(b) Certificate for 45 hours in s. RL 25.02 (3) (b) and (c).

(c) Certificate for 45 hours in s. RL 25.02 (3) (a) or 25.03 (3).

(d) Certificate for 22.5 hours in s. RL 25.02 (3) (b).

(e) Certificate for 22.5 hours in s. RL 25.02 (3) (c).

(4) Application for approval of credit courses.

(5) Report for review of approved programs.

History: Cr. Register, October, 1979, No. 286, eff. 11-1-79; renum. from REB 16.10 and am. (3), Register, February, 1983, No. 326, eff. 3-1-83; r. and recr. Register, February, 1987, No. 374, eff. 6-1-87.