

Chapter RL 24

CONDUCT AND ETHICAL PRACTICES FOR  
REAL ESTATE LICENSEES

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Note: Chapter REB 15 as it existed on February 29, 1980 was repealed and a new chapter REB 15 was created effective March 1, 1980. Renumbered from chapter REB 15, effective March 1, 1983.

**RL 24.01 Authority and intent.** (1) The rules in this chapter are adopted pursuant to ss. 227.11, 452.07 and 452.14, Stats.

(2) The intent of the department in adopting the rules in this chapter is to establish minimum standards of conduct for real estate licensees and to define that conduct which may result in board action to limit, suspend or revoke the license of a real estate broker, salesperson or cemetery salesperson, or to reprimand a real estate broker, salesperson or cemetery salesperson.

(3) If a licensee violates rules in this chapter, the licensee has demonstrated incompetency to act as a broker, salesperson or cemetery salesperson in such manner as to safeguard the interests of the public under s. 452.14 (3) (i), Stats. However, the term "incompetency" is not limited in its meaning to violations of this chapter.

(4) If a licensee violates the rules set forth in s. RL 24.075, the licensee has engaged in improper, fraudulent or dishonest dealing as those terms are used in s. 452.14 (3) (k), Stats. However, the terms "improper, fraudulent or dishonest dealing" are not limited in their meaning to violations of s. RL 24.075.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. (3) to be (5), (3) renum. from REB 15.02 (2) and cr. (4), Register, December, 1980, No. 300, eff. 1-1-81; renum. from REB 15.01 and am. (2) to (4), Register, February, 1983, No. 326, eff. 3-1-83; am. (1) and (3), r. (5) (intro.) and (d), renum. (5) (a) to (c) to be RL 24.025, RL 24.03 (2) (b) and (c), Register, January, 1987, No. 373, eff. 2-1-87; correction in (4) made under s. 13.93 (2m) (b) 4, Stats., Register, May, 1988, No. 389.

**RL 24.02 Definitions.** (1) "Adverse facts" are conditions or occurrences generally recognized by competent licensees as significantly reducing the value of real estate, the structural integrity of improvements to real property, or presenting a significant health risk to occupants of the property.

(2) "Builder" means any person engaged in the business of constructing speculation homes or contract homes.

(3) "Buyer broker" means a licensee having an agency relationship with a buyer in relation to a particular transaction.

(4) "Commonly controlled corporation" means the same person or persons own stock in both corporations, possessing at least 80% of the total combined voting power of all classes of stock entitled to vote and at least 80% of the total number of shares of all other classes of stock of both corporations.

(5) "Competent third party" means a federal, state or local governmental agency, or a person who conducts an inspection or investigation and who the licensee reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation conducted.

(6) "Contract home" means a home built by a builder under contract with a buyer.

(7) "Effectively controlled" means having the power or authority to cause the transfer of an interest in real estate for oneself or another but does not include the authority conferred by a real estate listing contract.

(8) "Licensee" means a person, partnership or corporation holding a license as a real estate broker, salesperson or cemetery salesperson.

(9) "Speculation home" means a home built by a builder to be placed on the market without a prior contract with a buyer.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. (1) to be (5), renum. (2) to be REB 15.01 (3), cr. (1) to (4) and (6), Register, December, 1980, No. 300, eff. 1-1-81; renum. from REB 15.02, Register, February, 1983, No. 326, eff. 3-1-83; renum. (4) to (6) to be (7) to (9) under s. 13.93 (2m) (b) 1, Stats., Register, September, 1990, No. 417; renum. (1) to (3) to be (2), (4) and (6), cr. (1), (3) and (5), Register, September, 1990, No. 417, eff. 10-1-90; am. (1), Register, January, 1992, No. 433, eff. 2-1-92; am. (1), Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.025 Responsibilities relating to a principal and others.** Licensees shall represent the interests of the principal as an agent. The responsibility owed the principal does not exempt the licensee from the obligation to treat fairly all parties to a transaction.

**History:** Renum. from RL 24.01 (5) (a) and am., Register January, 1987, No. 373, eff. 2-1-87.

**RL 24.03 Competent services.** (1) **DISCRIMINATION PROHIBITED.** Licensees may not discriminate against, nor deny equal services to, nor be a party to any plan or agreement to discriminate against any person in any manner unlawful under applicable federal, state or local fair housing law.

**Note:** The primary references for federal and state fair housing laws are the 1988 amendments to the Federal Fair Housing Act (Title VII of the Civil Rights Act of 1968) and 1991 Wis. Act 295.

(2) **COMPETENCE REQUIRED.** (a) Licensees shall not provide services which the licensee is not competent to provide unless the licensee engages the assistance of one who is competent. Any person engaged to provide such assistance shall be identified and that person's contribution shall be described.

(b) Licensees shall act to protect the public against fraud, misrepresentation and unethical practices.

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(c) Licensees shall be knowledgeable regarding laws, public policies and current market conditions on real estate matters and assist, guide and advise the buying or selling public based upon these factors.

(d) Licensees are not required to have the technical knowledge, skills or training possessed by competent third party inspectors and investigators of real estate and related areas.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; am. (1), Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.03, Register, February, 1983, No. 326, eff. 3-1-83; am. (1), renum. (2) to be (2) (a), (2) (b) and (c) renum. from RL 24.01 (5) (b) and (c) and am., Register, January, 1987, No. 373, eff. 2-1-87; am. (1), cr. (2) (d), Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.04 Advertising.** (1) **FALSE ADVERTISING.** Licensees shall not advertise in a manner which is false, deceptive, or misleading.

(2) **DISCLOSURE OF NAME.** (a) A broker shall in all advertising disclose the broker's name exactly as printed on the broker's license or disclose a trade name previously filed with the department, as required by s. RL 23.03, and in either case clearly indicate that the broker is a business concern and not a private party.

(b) A broker or salesperson employed by a broker shall advertise under the supervision of and in the name of the employing broker.

(c) A licensee may advertise the occasional sale of real estate owned by the licensee without complying with pars. (a) and (b), provided that the licensee includes one of the following terms in the advertisement: "broker-owner", or "licensee-owner".

(3) **ADVERTISING WITHOUT AUTHORITY PROHIBITED.** Brokers shall not advertise property without the consent of the owner.

(4) **ADVERTISED PRICE.** Brokers shall not advertise property at a price other than that agreed upon with the owner; however, the price may be stated as a range or in general terms if it reflects the agreed upon price.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; am. (4), Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.04 and am. (2), Register, February, 1983, No. 326, eff. 3-1-83; renum. (2) to be (2) (a) and am., cr. (2) (b) and (c), Register, January, 1987, No. 373, eff. 2-1-87.

**RL 24.05 Self-dealing.** (1) **DUAL COMPENSATION.** A licensee acting as an agent in a real estate or business opportunity transaction shall not accept any fee or other valuable consideration related to the transaction from any person, other than the licensee's principal, without prior written consent from all parties to the transaction.

(2) **DISCLOSURE OF INTEREST.** A licensee acting as an agent in a real estate or business opportunity transaction shall not also act on behalf of his or her self, his or her immediate family, or on behalf of any other individual, organization or business entity in which the licensee has an interest without the prior written consent of all parties to the transaction.

(3) **REFERRAL OF SERVICES.** A licensee acting as an agent in a real estate or business opportunity transaction shall not recommend or suggest the use of services of another individual, organization or business entity in which the licensee has an interest or from whom the licensee may receive a referral fee or other compensation for the referral, other than referrals to other licensees for real estate services under s. 452.19, Stats.,

without disclosing at the time of the recommendation or suggestion, his or her interest or the fact that a referral fee may be received.

(4) **DISCLOSURE OF PROFITS.** A licensee acting as a principal in a real estate or business opportunity transaction shall not accept any commission, rebate, or profit on expenditures made by any other party to the transaction without the written consent of the party. The written consent shall be provided no later than the party's execution of the offer to purchase, option, exchange agreement, lease or other contract creating an interest in the real estate or business opportunity.

(5) **DISCLOSURE OF LICENSURE.** A licensee acting as a principal in a real estate or business opportunity transaction shall disclose his or her license status prior to entering into a binding purchase agreement, option, exchange agreement, lease or other contract creating an interest in the real estate or business opportunity.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. (3) and (4) to be (4) and (5), cr. (3), Register, December, 1980, No. 300, eff. 1-1-81; am. (5), Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.05, Register, February, 1983, No. 326, eff. 3-1-83; am. (1) and (5), Register, June, 1988, No. 390, eff. 7-1-88; r. and recr. Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.06 Unauthorized practice of law. (1) UNAUTHORIZED PRACTICE OF LAW PROHIBITED.** Licensees shall not engage in activities that constitute the unauthorized practice of law.

(2) **LEGAL COUNSEL NOT TO BE DISCOURAGED.** Licensees shall not discourage any person from retaining an attorney.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.06, Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.07 Inspection and disclosure duties. (1) INSPECTION OF PROPERTY.** A licensee acting as an agent in a real estate or business opportunity transaction shall conduct a reasonably competent and diligent inspection of accessible areas of the structure and immediately surrounding areas of the property to detect observable, adverse facts, material to the transaction as follows:

(a) *Listing broker.* When listing a property and prior to execution of the listing contract, a licensee shall conduct a reasonably competent and diligent inspection of accessible areas of the property to detect observable, adverse facts material to the transaction, and shall make inquiries of the seller on the condition of the structure, mechanical systems and other relevant aspects of the property. The licensee shall request that the seller provide a written response to the licensee's inquiry.

(b) *Other licensees.* When negotiating the sale of a property, and before or during the showing of the property, licensees shall, if given access, conduct a reasonably competent and diligent inspection of accessible areas of the property to detect observable, adverse facts material to the transaction.

(c) *Inconsistencies.* If a licensee's reasonably competent and diligent inspection reveals facts materially inconsistent with, or materially contradictory to, the seller's statements or the inspection report of a third party, the inconsistency shall be disclosed in writing and in a timely manner to all interested parties.

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(d) *Specific conduct regarding inspections.* A reasonably competent and diligent inspection does not require the operation of mechanical equipment; the opening of panels, doors or covers for access to mechanical systems; or the moving of furniture, boxes or other property; nor does it require a licensee to observe areas of the property for which entry presents an unreasonable risk of injury or areas accessible only by ladder, by crawling or other equivalent means of access. A licensee is not required to retain third party inspectors or investigators to complete a reasonably competent and diligent inspection.

(2) **DISCLOSURE OF ADVERSE MATERIAL FACTS.** A licensee shall not exaggerate or misrepresent facts in the practice of real estate. A licensee acting as an agent in a real estate or business opportunity transaction shall disclose any adverse facts material to the transaction, which the licensee becomes aware of through the licensee's inspection or through any other means, in writing and in a timely manner, to the buyer, seller or other interested parties. This provision is not limited to the condition of the property, but includes other adverse facts material to the transaction, including but not limited to defects and conditions included within the report form under s. 709.03, Stats.

(3) **DISCLOSURE OF INFORMATION SUGGESTING ADVERSE MATERIAL FACTS.** A licensee in a real estate or business opportunity transaction who becomes aware of information suggesting the possibility of an adverse fact material to the transaction, shall be practicing competently if the licensee discloses to the parties the information suggesting the possibility of adverse facts material to the transaction, recommends the parties obtain expert assistance to inspect or investigate for possible adverse facts material to the transaction, and, if directed by the parties, drafts appropriate inspection or investigation contingencies. This provision is not limited to the condition of the property, but includes other adverse facts material to the transaction, including but not limited to defects and conditions included within the report form under s. 709.03, Stats. A licensee is not required to retain third party inspectors or investigators to perform investigations of information suggesting the possibility of an adverse fact material to the transaction.

(4) **STANDARD OF CARE.** In performing an inspection and in making a disclosure in connection with a real estate transaction, a licensee shall exercise the degree of care expected to be exercised by a reasonably prudent person who has the knowledge, skills and training required for licensure as a broker or salesperson under ch. 452, Stats.

(5) **RELIANCE UPON THIRD PARTY INSPECTIONS AND INVESTIGATIONS.** If a licensee or a party in a transaction engages the services of a competent third party to conduct a property inspection or investigation of material facts, the licensee may rely on the results of the inspection or investigation providing the licensee obtains a written report of the inspection or investigation and delivers a copy of the report to all interested parties in a timely manner.

(6) **FALSE INFORMATION.** Licensees shall not knowingly give false information about another licensee or property listed with another licensee.

(7) **DISCLOSURE OF AGENCY.** (a) *General requirements.* 1. At the first meeting during which a prospective buyer's specific needs are discussed, each licensee acting as an agent of the seller shall clearly disclose in writ-

ing whom the licensee represents and request from the prospective buyer in a real estate or business opportunity transaction written acknowledgment of the disclosure using the following wording:

"I understand that this broker and salespeople working with this broker are representing the seller's interests and owe duties of loyalty and faithfulness to the seller, but are obligated to treat all parties fairly.

I understand that this broker, without breaching his or her loyalty to the client, may provide me with information about the attributes of properties and available financing, show properties and assist me in preparing an offer to purchase. This broker also has a duty to respond accurately and honestly to my questions and disclose material facts about properties, submit promptly all offers to purchase and offer properties without unlawful discrimination."

Note: The intent of this section is to require disclosures when the broker begins to exercise his or her discretion by identifying or showing properties to a prospective buyer based upon the locational, financial, and special requirements. The "first meeting" between the broker and the prospect which triggers the disclosure requirement would not include clearly casual or preliminary contacts such as those occurring at the open house, a club meeting, or other non-real estate gatherings.

2. At the first meeting during which a prospective seller's specific sales objectives are discussed, each licensee acting as an agent of the buyer shall clearly disclose in writing whom the licensee represents and request from the prospective seller in a real estate or business opportunity transaction written acknowledgment of the disclosure using the following wording:

"I understand that this broker and salespeople working with this broker are representing the buyer's interests and owe duties of loyalty and faithfulness to the buyer, but are obligated to treat all parties fairly.

I understand that this broker, without breaching his or her loyalty to the buyer, may provide me with information about the transaction. This broker also has a duty to respond accurately and honestly to my questions and disclose material facts about the transaction, submit promptly all offers to purchase through proper mechanisms and serve without unlawful discrimination."

Note: Business opportunity is referred to in s. 452.01 (2) (e), Stats.

3. A change in a licensee's representation that makes the initial disclosure incomplete, misleading, or inaccurate requires that a new disclosure be given, as in subd. 1 or 2.

(b) *Listing contracts.* 1. Listing brokers or their salespeople shall explain the responsibilities of seller's agents, buyer's agents and subagents to the seller before entering into a listing contract.

2. Listing brokers or their salespeople shall request the seller's authorization to permit other brokers to act as subagents in the sale of a property or business opportunity. This authorization shall be stated in the listing contract.

(c) *Offers to purchase and option contracts.* Licensees shall reconfirm, in the offer to purchase or option contract, whom the licensee represents as an agent in a real estate or business opportunity transaction.

(d) *Exemption for certain commercial transactions.* A licensee is not required to provide a written disclosure-of-agency in any transaction involving property used or intended to be used principally for commercial or industrial use, provided that the transaction does not include the sale of a business, its goodwill, inventory or fixtures.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; emerg. r. (2), eff. 10-14-80; cr. (3), Register, December, 1980, No. 300, eff. 1-1-81; r. (2), Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.07, Register, February, 1983, No. 326, eff. 3-1-83; cr. (2), Register, January, 1987, No. 373, eff. 2-1-87; am. (1), r. and recr. (2), cr. (4), Register, June, 1988, No. 390, eff. 7-1-88; am. (1), cr. (1) (a) to (c) and (4) (d), r. and recr. (2), Register, September, 1990, No. 417, eff. 10-1-90; r. and recr. (1), renum. (2), (3), (4) to be (5), (6), (7), cr. (2), (3), (4), Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.075 Tie-in arrangements. Licensees shall not:**

(1) Condition the sale of real estate owned by the licensee or whose sale is effectively controlled by the licensee to a buyer upon the buyer's agreement to purchase another parcel or real estate.

(2) Condition the sale of real estate owned by the licensee or whose sale is effectively controlled by the licensee upon the buyer's agreement to list the real estate or other real estate owned by the buyer with the licensee.

**Note:** The following are 2 common examples of activities which would violate this subsection: (1) requiring a builder to list a speculation home with the licensee; and (2) requiring a buyer to list a present home with the licensee.

(3) Condition the sale of vacant real estate owned by the licensee or whose sale is effectively controlled by the licensee upon the buyer's agreement to employ one or more specific builders to make improvements on the real estate unless:

(a) The builder owns a bona fide interest in the real estate; and there is full disclosure as specified in s. RL 24.05 (3).

(b) The builder and the licensee or the builder and the owner of the real estate are the same person or are commonly controlled corporations and whose business is selling improved property and not vacant land; and there is full disclosure as in s. RL 24.05 (3).

(c) The agreement is a bona fide effort to maintain development quality or architectural uniformity and no consideration passes from contractor to licensee for soliciting this agreement.

**History:** Cr. Register, December, 1980, No. 300, eff. 1-1-81; renum. from REB 15.075 and am. (3) (a) and (b), Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.08 Agreements to be in writing.** A licensee shall put in writing all listing contracts, guaranteed sales agreements, buyer agency agreements, offers to purchase, property management agreements, option contracts, financial obligations and any other commitments regarding transactions, expressing the exact agreement of the parties unless the writing is completed by the parties or their attorneys or the writing is outside the scope of the licensee's authority under ch. RL 16.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.08, Register, February, 1983, No. 326, eff. 3-1-83; am. Register, January, 1987, No. 373, eff. 2-1-87; am. Register, June, 1988, No. 390, eff. 7-1-88; am. 24.08, Register, July, 1993, No. 451, eff. 8-1-93.

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**RL 24.085 False portrayal of interest, prohibited.** No licensee shall draft or use any document which the licensee knows falsely portrays an interest in real estate.

**History:** Cr. Register, December, 1980, No. 300, eff. 1-1-81; renum. from REB 15.085, Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.09 Market value estimates.** Licensees shall not mislead the owner with respect to market value in attempting to secure a listing.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.09, Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.10 Net listing prohibited.** Licensees shall not obtain, negotiate or attempt to obtain or negotiate any listing contract providing for a stipulated net price to the owner with the excess over the stipulated net price to be received by the broker as commission.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.10, Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.12 Confidentiality of offers.** A licensee acting as a principal or an agent in a real estate or business opportunity transaction shall not disclose any of the terms of one prospective buyer's offer to purchase, exchange agreement or option contract proposal to any other prospective buyer or to any person with the intent that this information be disclosed to any other prospective buyer. Licensees shall encourage all prospective buyers to submit their best offers. A licensee may, but is not required to, disclose information known by the licensee regarding the existence of other offers on the property, the fact that a seller has accepted an offer, that the offer is subject to contingencies and that the offer is subject to a clause requiring removal of certain contingencies upon the occurrence of an event such as receipt, acceptance or conditional acceptance of another offer.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; am. Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.12, Register, February, 1983, No. 326, eff. 3-1-83; am. 24.12, Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.13 Drafting and submission of offers.** (1) **REFUSAL PROHIBITED.** Licensees shall not refuse to draft or submit any offer to purchase, exchange agreement or option contract proposal to the owner unless the terms of the offer, exchange agreement or option would be contrary to specific instructions of the owner.

(2) **WITHHOLDING OFFERS PROHIBITED.** (a) Listing brokers shall permit access to listed property for showing purposes, to all buyers and persons assisting or advising buyers, without unreasonable delay, unless the buyer's or other person's access is contrary to specific written instructions of the seller.

(b) Licensees shall present promptly all offers received to the seller or seller's agent for consideration. Licensees shall not withhold any offer from presentation pending the seller's action on an offer previously presented.

(3) **FAIR PRESENTATION OF OFFERS.** (a) Licensees shall present all written proposals in an objective and unbiased manner to their principals. Licensees shall inform their principals of the advantages and disadvantages of all submitted written proposals.

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(b) A listing broker or the listing broker's employe may not submit his or her own offer to purchase a property which the broker has listed if the broker or broker's employe has knowledge of any pending offer, except that a broker may arrange for a guaranteed sale at the time of listing.

(4) **NOTIFICATION OF ACTION TO BUYERS.** Licensees shall promptly inform prospective buyers whether the seller has accepted, rejected or countered their written offer to purchase, and shall immediately provide a written statement concerning the date and time when an offer was rejected or that an offer had expired without acceptance when such a statement is requested by a prospective buyer, a buyer's agent or a selling broker.

(5) **NEGOTIATION THROUGH LISTING BROKER.** Licensees shall not negotiate a sale of real estate directly with an owner if the licensee knows that such owner has an unexpired written contract in connection with such property which grants to another licensee an exclusive right to sell. All negotiations shall be conducted with the listing broker, and not with the owner, except with the consent of the listing broker or where the absence of the listing broker, or other similar circumstances, reasonably compels direct negotiation with the owner.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80; cr. (5), Register, March, 1981, No. 303, eff. 4-1-81; renum. from REB 15.13, Register, February, 1983, No. 326, eff. 3-1-83; renum. (3) to be (3) (a), cr. (3) (b), am. (4), Register, January, 1987, No. 373, eff. 2-1-87; am. (3) (a), Register, June, 1988, No. 390, eff. 7-1-88; am. (3) (b), r. and recr. (2), Register, July, 1993, No. 451, eff. 8-1-93.

**RL 24.15 Adequate funds required.** Licensees shall not issue checks upon business or trust accounts which contain insufficient funds.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.15, Register, February, 1983, No. 326, eff. 3-1-83.

**RL 24.16 Availability of rules.** Brokers shall maintain a copy of the rules of the department on file in all offices for the use of all licensees.

History: Cr. Register, February, 1980, No. 290, eff. 3-1-80; renum. from REB 15.16, Register, February, 1983, No. 326, eff. 3-1-83; am. Register, January, 1987, No. 373, eff. 2-1-87.

**RL 24.17 Miscellaneous requirements.** (1) **VIOLATIONS OF LAW.** Licensees may not violate, or aid or abet the violation of, any law the circumstances of which substantially relate to the practices of a real estate broker or salesperson. A licensee who has been convicted of a crime, except motor vehicle offenses under chs. 341 to 349, Stats., shall send to the department within 30 days after the judgment of conviction a copy of the complaint or other information which describes the nature of the crime and the judgment of conviction in order that the department may determine whether the circumstances of the crime of which the licensee was convicted are substantially related to the practice of a real estate broker or salesperson, pursuant to s. 111.335 (1) (c), Stats.

(2) **CONVICTION.** The board may discipline a licensee on the basis of a conviction of any crime, the circumstances of which substantially relate to the practice of real estate. A certified copy of a judgment of a court of record showing such conviction, within this state or without, shall be presumptive evidence of conviction.

(3) **VIOLATION OF STATUTES, ADMINISTRATIVE CODE AND DISCIPLINARY ORDERS.** Licensees shall not violate any provisions or terms or conditions

of, or aid or abet the violation of ch. 452, Stats., chs. RL, Wis. Adm. Code or any formal disciplinary order of the real estate board.

(4) **IMPAIRED PRACTICE.** Licensees shall not render services while the ability of the licensee to competently perform duties is impaired by mental or emotional disorder, drugs or alcohol.

**History:** Cr. Register, February, 1980, No. 290, eff. 3-1-80; am. (2), Register, December, 1980, No. 300, eff. 1-1-81; renum. from REB 15.17 and am. (2), Register, February, 1983, No. 326, eff. 3-1-83; am. (1), Register, January, 1986, No. 373, eff. 2-1-87; renum. (2) and (3) to be (3) and (4), cr. (2), Register, June, 1988, No. 390, eff. 7-1-88.