

## Alabama Real Estate Law Instructor Training—March 23, 2007

**K**elly May received his Bachelor of Science degree in Finance from Auburn University in 1982. He continued his education receiving both an M.B.A. from Samford University and a Doctor of Jurisprudence from Cumberland School of Law in 1985. He served as an officer in the U.S. Marines both on active duty and in the reserves from 1982 until 1999 attaining the rank of Major.

Kelly is a partner in his law firm and his areas of practice include litigation involving product liability, civil rights, real estate, employment, and class actions. He has handled cases in Alabama in both state and federal courts. He is a member of the Alabama Bar Association, Alabama Defense Lawyer's Association, Defense Research Institute, the Birmingham Bar Association,

and the American Bar Association.

Kelly has lectured frequently to various real estate companies including the Alabama Real Estate Commission on errors



and omissions issues and risk management. Kelly's experience and effective use of Alabama case law make his presentations very informative and beneficial.

Completion of this course will provide six of the twelve hours needed to renew instructor approval in 2007. Remember, these hours are not

interchangeable with CE hours that are needed to renew your broker license. These CE hours are only applied toward the renewal of your instructor approval that will take place in August of 2007. The CE hours that will be applied toward your next broker license renewal must be taken from other instructors and completed by September 30, 2008. Take advantage of this great training opportunity and acquire hours needed for instructor renewal. We look forward to seeing you on March 23, 2007.

### LOCATION

**AREC Training Room**

### REGISTRATION

**8:30 a.m.–9:00 a.m.**

### TIME

**9:00 a.m.–4:00 p.m.**

### COST

**\$95.00\***

\*Includes lunch and breaks

### REGISTRATION

All participants must register through Auburn University's Outreach Program Office. See the enclosed registration form for more details.

## Future Instructor Training

**May 11, 2007**

**Instructor Development Workshop**  
Marie Spodek

**June 12, 2007**

**The Dynamics of a Winning Presentation**  
Julie Garton-Good

**August 10, 2007**

**Real Estate Law**  
Chuck Jacobus and Charles Sowell

## School Administrator Training

A letter was mailed to all school administrators last month alerting them of the requirement to attend a School Administrator Training at the Commission office during 2007. Schools may also send other staff members to the training along with the school administrator. A registration form is included in this issue. You are encouraged to register as soon as possible and not wait until the last one or two sessions. If that happens, we will not be able to accommodate everyone. Seating is limited at each training session so sign up now for one of the upcoming months to ensure your seat.

Important information concerning the school administrator training:

### DATES

March 28  
April 25  
May 23  
June 20  
July 25  
August 29  
September 26  
October 31  
November 28  
December 12

### SCHEDULE

9:00 a.m. - 12:00 p.m.  
Responsibilities of Administrators  
12:00 p.m. - 1:00 p.m.  
Lunch  
1:00 p.m. - 4:00 p.m.  
CMap Training

### TOPICS

- All responsibilities of school administrators according to license law.
- Helpful hints on how certain things need to be done.
- Hands-on CMap training.

### MISCELLANEOUS

- Each training session requires a minimum of 10 participants and a maximum of 20.
- This training does not count for continuing education credit for those holding real estate licenses nor does it count for instructor training credit for real estate instructors.

## Inside This Issue

Education Division	2
Contact Information	
Salesperson	2
Prelicense Checklist	
The One and Only	2
A New Broker	3
Course Just Around the Corner	
CMap Changes	3
Proposed Rule Amendments	3
Application for Determination of Licensing Eligibility	4

### INSERTS

## Education Division Contact Information

AREC Telephone Number  
334-242-5544

AREC Web site  
www.arec.alabama.gov

Connie Rembert  
Ext. 433  
connie.rembert@arec.alabama.gov

Gloria Ingram  
Ext. 438  
gloria.ingram@arec.alabama.gov

Susan Jackson  
Ext. 408  
susan.jackson@arec.alabama.gov

Pam Oates  
Ext. 455  
pam.oates@arec.alabama.gov

David Bowen  
Ext. 432  
david.bowen@arec.alabama.gov

Ryan Adair  
Ext. 434  
ryan.adair@arec.alabama.gov

## Salesperson Prelicensure Checklist

**I**t has become apparent that there are many instructors unsure of how to use the checklist in their salesperson prelicensure course. Originally, the prescribed method for use was for the checklist to be brought out at each session so each student could mark the items covered in class. Because there were instructors that found alternative ways to actively use it, we have accepted those methods as allowable options. The common factor in all methods is that the checklist is an integral part of the instruction and the students are not left to check off the topics on their own. The checklist is given to all students at the first session and should be used as a class activity so that each instructor can ensure that students are aware and confident that all topics have been covered.

Listed below are the suggested uses for the

checklist within your salesperson prelicensure course. Please review these options and identify the best method for your class and begin to use it immediately. If you are a new instructor and have not submitted a salesperson prelicensure checklist to the



Commission, this must be done before you begin teaching the course.

### Suggestions for use:

- Bring out the checklist at the end of each session and check off the covered items together as a class.
- If your topic covers more

than one session, the students mark the items covered at the end of that topic.

- If you have a specific beginning and ending date for your prelicensure class as opposed to continuous enrollment, the checklist can be used as a review tool at the end of the entire course. Have the students review the checklist and identify items they don't remember or items they feel need additional explanation.

**Remember, if you change the textbook for your prelicensure class, a new checklist should be submitted to the Commission with the updated**

**information from the new textbook.** When visiting your class, auditors will bring your prelicensure checklist to confirm that it is current and evaluate its use in your class. If you have questions regarding the use of the checklist, please feel free to contact the Education Division.

## The One and Only

The Commission is still receiving post license and broker prelicensure certificates of completion attached to applications for an original salesperson license and a broker license. It is important that all instructors discard all post license and broker prelicensure certificates immediately. The **only** certificate that we should receive is the Salesperson Prelicensure Certificate of Completion. Listed below are key points to remember regarding the use of certificates.

- The Salesperson Prelicensure Certificate of Completion is the **only** certificate you should give to students.
- All Salesperson Prelicensure Certificates of Completion should be the latest version developed in **December 2006** which includes a space for the instructor to write the certificate expiration date. A copy of this certificate was sent in the December issue of the *Educator*. And a recent mailing dated February 13. A form-fill

version is on the Commission Web site in the **Education** section under **Instructor Resources**.

- Do **not** give students a certificate for the 30 hour post license course.
- Do **not** give students a certificate for the 15 hour broker prelicensure course.
- Instructors may create personal certificates for the post license course, broker prelicensure course, or a continuing education course if

a student desires, but they are not to be attached to any applications that are sent to the Commission.

It is certainly our hope that this is the last article we have to write regarding the issuing of unnecessary certificates. If you have any questions please refer to the December *Educator* articles entitled "No More Certificates" and "Completion of Salesperson Prelicensure Certificates" or, as always, contact the Education Division.



## CMap Changes

There are a number of changes that have recently been made to CMap. We believe that instructors and school administrators will be pleased with the changes and that errors in entering CMap information will be greatly reduced. Here are the major points for you to be aware of:

### INSTRUCTOR LOGIN

- Instructors and School Administrators will log in under "Online Services" which can be accessed either at the top of the homepage of the Commission's Web site or in the list of Quick Links. This will take you to the next screen with a list of options.
- Click the button under Online Services to be taken to the login screen.
- After login is completed, click "Education Management" in the list of "Available Services."
- The word "CMap" will no longer appear in the Quick Links.

### EMAIL CONFIRMATIONS OF COURSE CREDIT

- This feature will no longer be available.
- To obtain verification of credit having been entered in the system you will go to Course Credit History in the Main Menu.
- You will find three search criteria that can be used for confirmation of entered credit. These search criteria include the start and end dates of the course, the licensee number, and the course number. These may be used separately or in conjunction with each other.
- There you may print out a report of entered credit.

### OTHER ENHANCEMENTS

- Ability to edit course schedules effective immediately without the 15 hour broker prelicense course appearing as the default course.
- The exact location of a course is now required.

- There is no longer a default course for course schedules or course credit.
- There are no default dates for course schedules or course credit.

### TRAINING

- All of the changes made to CMap will be incorporated into the School Administrator Training.

### REAL ESTATE COURSE SEARCH

- This feature will now appear under "Quick Links" as "Real Estate Course Search"
- Clicking "Real Estate Course Search" will take you to another screen where you will select "Real Estate Course Search" again to be taken to the search fields.
- It can also be accessed under "Education" or the "Instant Access Menu."

If you have any questions about the changes made to CMap, please call the Education Division.

## A New Broker Course Just Around the Corner

One proposed change to rules and regulations involves the creation of a 60 hour broker prelicense course.

Any licensee taking the broker exam after October 1, 2007 will have to provide proof of completion of the 60 hour broker prelicense course. A task force of educators and brokers has been working on the outline and will soon have it in its final form. This completed outline will be made available to instructors as soon as possible.

Our goal is to have the outline available no later than April 1 so instructors can be prepared to begin offering the course by June 1. The current requirement will remain in effect for anyone taking the broker exam through September 30. More information will be coming soon regarding the final outline and a possible instructor training for this course. Stay tuned.

## Proposed Rule Amendments

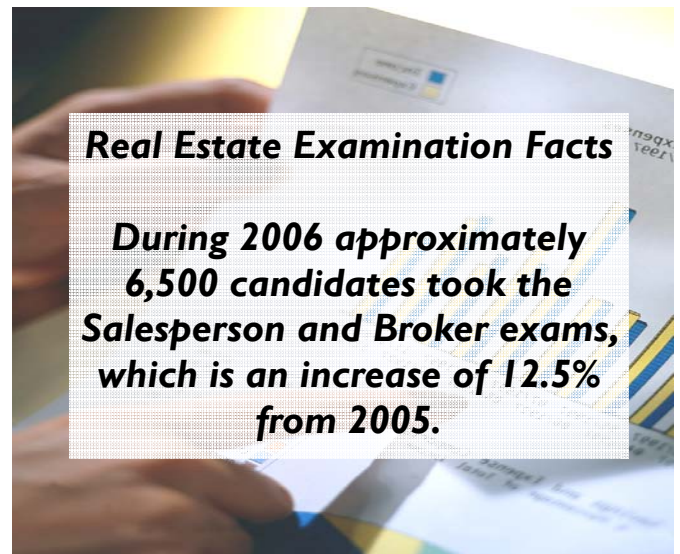
There will be a public hearing on proposed rule amendments at the Commission meeting to be held on Friday, March 16, 2007 at the Alabama Real Estate Commission at 9:00 a.m. The proposed changes involve the following rules:

- 790-X-1-.06
- 790-X-1-.07
- 790-X-1-.09
- 790-X-1-.12
- 790-X-1-.21
- 790-X-2-.02

Comments can be presented at the public hearing or by written comments. Address any written

comments to D. Philip Lasater, Executive Director, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106. Comments may also be faxed to 334.270.9118. The deadline for written comments is 4:30 p.m. on April 6, 2007.

To view and/or download the rule amendments in their entirety, go to the Commission's Web site at [www.arec.alabama.gov](http://www.arec.alabama.gov). The link can be found in the scrolling marquee entitled "What's New."



**Real Estate Examination Facts**

**During 2006 approximately 6,500 candidates took the Salesperson and Broker exams, which is an increase of 12.5% from 2005.**



1201 Carmichael Way  
 Montgomery, Alabama 36106  
 Phone 334.242.5544  
 Fax 334.270.9118  
 education@arec.alabama.gov  
 arec.alabama.gov

COMMISSIONERS

Bill E. Poole, Chairman, Huntsville  
 Roy F. Bragg, Birmingham  
 Jewel Buford, Tuscaloosa  
 Gordon Henderson, Albertville  
 Robert S. Hewes, Dothan  
 Shelia Hodges, Gulf Shores  
 Chester Mallory, Montgomery  
 Janet R. Morris, Montgomery  
 Dorothy P. Riggins, Montgomery

STAFF

Ryan Adair, Education Director  
 David Bowen, Education Specialist  
 Pam Oates, Education Specialist  
 Susan Jackson, Education Specialist  
 Gloria H. Ingram, Education Assistant  
 Connie F. Rembert, Education Assistant

D. Philip Lasater, Executive Director  
 Pat Anderson, Assistant Executive Director  
 Vernita Oliver-Lane, Editor  
 Robina Jenkins, Assistant Editor

## Application for Determination of Licensing Eligibility

In the past, instructors have been asked to notify students at the beginning of the salesperson prelicense course that if the student has been "convicted of or pleaded guilty or nolo contendere (no contest) to a felony or a crime involving moral turpitude," an *Application for Determination of Licensing Eligibility* should be submitted immediately. The Commission's Legal Division has asked that we change this process and give individuals two options.

### OPTION 1

Individuals who want to receive a determination from the Commission before enrolling in the salesperson prelicense course should file the *Application for Determination of Licensing Eligibility* and await a response from the Commission. This

could save time and money. Instructors should make it very clear to everyone who enrolls in their courses that anyone with a criminal background could possibly go through the entire licensing process and be denied a license in the end. The students can decide if they prefer receiving a determination prior to taking the course or afterward. If the *Application for Determination of Licensing Eligibility* is denied, the applicant has the right to a hearing before commissioners. The commissioners will then make the final decision on the applicant's eligibility.

### OPTION 2

Disregard the *Application for Determination of Licensing Eligibility*. The individual would successfully complete the salesperson prelicense course, pass the exam, and then disclose this information on the

*Application for Real Estate Salesperson's Temporary License*. If the application for a temporary license is denied, the applicant has the right to a hearing before commissioners. The commissioners will then make the final decision on the application for a license.

Instructors should make potential students aware that they have the option to receive a determination of licensing eligibility prior to starting the salesperson prelicense course. The best way to do this is to include a statement in your registration materials. Classroom instructors should have this printed on the registration form and distance education providers should have a statement on the Web site where salesperson prelicense information is given. The statement can be as simple as "If you have been convicted

of a felony or crime involving moral turpitude, you have the option of receiving a determination of licensing eligibility by completing the following form prior to taking the salesperson prelicense course or waiting until you submit your application for a temporary license. If you have never been convicted, you do not have to submit this form."

An *Application for Determination of Licensing Eligibility* does not have to be completed by applicants unless they have a felony conviction or one of the following convictions: theft, worthless check, or other offenses involving moral turpitude even if it is not a felony. If you have questions, please contact the Commission's Investigative or Legal division.