

## MINUTES

The first meeting of the Task Force for Continuing Education of the Alabama Real Estate Commission was held January 18, 2012, in the Commerce Board Room of The Embassy Suites Hotel in Montgomery, Alabama.

Those present were task force members Chairman Steve Cawthon and Commissioners Jewel Buford, Reid Cummings and Danny Sharp and for part of the meeting Commission Chair Bill Watts. Staff present were Assistant Executive Director Patricia Anderson, Education Director Ryan Adair, Licensing Administrator Anthony Griffin and Interim Information Technology Manager, Brett Scott. Other guests attending were licensees Anne Powell from Mobile, Ginny Willis from Birmingham and Ginny Brandau from Huntsville.

The meeting having been duly noticed according to the Open Meetings Act was called to order at 3:30 p.m. by Task Force Chairman Steve Cawthon.

Commissioner Cawthon began by reviewing the three primary charges of the task force which are to:

- Review and consider the proposed Risk Management for Brokers course as presented by the Commission's Education Advisory Committee as a mandatory CE course for next license period
- Review and consider the request from the Alabama Association of REALTORS® Education Trustees to make License Law a mandatory CE course
- Commission Chairman Bill Watts asked the task force to consider possible exemptions to continuing education requirements.

Commissioner Cawthon then reviewed the continuing education requirements set out in Section 34-27-35 and Rule 790-X-1-.11 of the License Law. He stated that a change in the current requirement of 3 mandatory hours in Risk Management and 12 hours of elective hours can be addressed with a change to Rule 790-X-1-.11. A change to exemptions from CE requirements will require a statutory change.

Task Force members discussed the requests from the Education Advisory Committee and AAR's Education Trustees. Subsequent to a thorough discussion, Commissioner Cummings recommended the mandatory hours for CE be changed to 6 hours in Risk Management offered in two tiers. Tier 1 would be general Risk Management for all licensees and Tier 2 would be specific risk management courses for brokers, salespersons, property managers, commercial licensees and any other specific industry groups. He also suggested that the courses be taken only by live instruction and not allowed by distance education.

Commissioner Buford made a motion that beginning October 1, 2012, licensees be required to take, by live instruction only, two 3-hour courses in Risk Management containing a substantial amount of License Law as described by Commissioner Cummings with the remaining

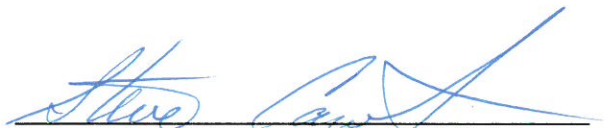
9 hours of the 15 hour requirement to be in approved elective courses. The motion was seconded by Commissioner Sharp and passed unanimously 4-0.

Commissioner Cawthon addressed Commissioner Watts' request that the task force consider future exemptions from continuing education and consider the question "When does the Commission consider a licensee competent?" Commissioner Cawthon suggested the task force consider such categories as number of years in the business, age and number of hours spent attending designation courses. He made note that some designations are REALTOR® designations and some are non REALTOR® designations so there are opportunities for everyone to earn them. There was discussion about requiring only mandatory courses and not electives for licensees who would qualify for a partial exemption. Since this will require a statutory change and it is not possible to introduce such a bill before the 2013 legislative session, this matter was held over for further discussion.

The task force briefly discussed the possibility of exempting Commissioners from the continuing education requirement based on their study and application of license law in their roles as Commissioners. It was the general consensus not to pursue this for a variety of reasons.

The Task Force did not set a date and time for a future meeting.

There being no further business, the meeting adjourned at 5:00 p.m.



Steve Cawthon, Chairman



Patricia Anderson, Recording Secretary

# Agenda

## **Task Force for Continuing Education**

Commerce Board Room, 3:30 PM  
Embassy Suites  
Montgomery, AL  
January 18, 2012

- I. Call to Order
- II. Review Charges
- III. What we Plan to Accomplish this Meeting
- IV. History of Risk Management and License Law
- V. Address Risk Management and Possible Broker/Salesperson Courses
- VI. Address Alabama License Law
- VII. Confirm Next Meeting for February 17, 2012 at 8:00 a.m. at the Offices of the Alabama Real Estate Commission

## **TASK FORCE FOR CONTINUING EDUCATION**

Task Force is comprised by Commissioners  
Steve Cawthon, Chair, Jewel Buford, Danny Sharp, and Reid Cummings

### **A. REVIEW:**

1. Statutory provisions relating to continuing education; including General Provisions, 34-27-6 and Rule 790-X-1-.11
2. Alabama Real Estate Commission Strategic Plan 2009 – 2013
3. Request from the Education Trustees of the Alabama Association of REALTORS®
4. Request from the Commission's Education Advisory Committee

### **B. CONSIDERATIONS TO THE FULL COMMISSION – PHASE I**

1. Do both of these requests fully comply with our statutory provisions and rules; particularly Rule 790-X-1-.11?
2. Does the Commission desire to add mandatory courses at this time? If so, which one or both?
3. Do our Rules require a change to accomplish your recommended actions? If so, provide detailed recommendations for the change along with a time frame to complete.

### **C. CONSIDERATIONS TO THE FULL COMMISSION – PHASE II**

1. Is our continuing education requirement successful? How can we measure it?
2. Is it time to reconsider our perception of continuing education and how we implement and enforce?
3. Is there a time in a licensee's career and professional development that we can consider a licensee competent? Perhaps a combination of quantitative items such as: consecutive license renewals; number and type of professional designations acquired; age; or other items.

### **D. PHASE I – FEBRUARY 2012 MEETING; PHASE II – 6 MONTHS**



# History of Continuing Education

**12 hours were required from October 1, 1986 – September 30, 2000.**

**15 hours have been required since October 1, 2000.**

Changes occurred in the following years.

1986 3 hrs required in License Law; 9 elective.

1990 3 hrs required in License Law and 3 in Agency Disclosure; 6 elective

1994 Two- 3 hr courses required in License Law, Agency Disclosure, Fair Housing or Trust Funds; 6 elective

1996 Two- 3 hr courses required in License Law, Agency Disclosure, Fair Housing, Trust Funds, RECAD I or RECAD II; 6 elective

2000 Increased to 15 hours: 3 hrs required in Risk Management; 3 hrs in one of License Law, Fair Housing or RECAD; 9 elective

2004 - 2012 3 hrs. in Risk Management and 12 elective

## **Number of Mandatory Hours Since CE was Enacted:**

1986 – 1990	3 Hours	License Law
1990 – 1994	6 hours	License Law; Agency Disclosure
1994 – 2000	6 Hours	List of Options
2000 – 2004	6 Hours	Risk Management plus One from a List of Options
2004 – 2012	3 Hours	Risk Management

## **License Periods that License Law Has Been Mandatory**

1986 – 1988

1988 – 1990

1990 – 1992

1992 – 1994

1994 – 1996 (option from list)

1996 – 1998 (option from list)

1998 – 2000 (option from list)

2000 – 2002 (option from list)

2002 – 2004 (option from list)