

1 A bill to be entitled
 2 An act relating to real estate schools; amending s.
 3 475.02, F.S.; conforming a provision; amending s.
 4 475.451, F.S.; removing provisions relating to
 5 applying for a permit to be a chief administrator of a
 6 proprietary real estate school or a state institution;
 7 providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Subsection (3) of section 475.02, Florida
 12 Statutes, is amended to read:

13 475.02 Florida Real Estate Commission.—

14 (3) Notwithstanding s. 112.313, any member of the
 15 commission who is a licensed real estate broker or sales
 16 associate and who holds an active real estate school permit,
 17 ~~chief administrator permit,~~ school instructor permit, or any
 18 combination of such permits issued by the department, to the
 19 extent authorized pursuant to such permit, may offer, conduct,
 20 or teach any course prescribed or approved by the commission or
 21 the department.

22 Section 2. Subsection (2) of section 475.451, Florida
 23 Statutes, is amended to read:

24 475.451 Schools teaching real estate practice.—

25 (2) An applicant for a permit to operate a proprietary
 26 real estate school, ~~to be a chief administrator of a proprietary~~
 27 ~~real estate school or a state institution,~~ or to be an
 28 instructor for a proprietary real estate school or a state

29 institution must meet the qualifications for practice set forth
 30 in s. 475.17(1) and the following minimal requirements:

31 (a) "School permitholder" means the individual who is
 32 responsible for directing the overall operation of a proprietary
 33 real estate school. A school permitholder must be the holder of
 34 a license as a broker, either active or voluntarily inactive, or
 35 must have passed an instructor's examination approved by the
 36 commission. A school permitholder must also meet the
 37 requirements of a school instructor if actively engaged in
 38 teaching.

39 ~~(b) "Chief administrative person" means the individual who~~
 40 ~~is responsible for the administration of the overall policies~~
 41 ~~and practices of the institution or proprietary real estate~~
 42 ~~school. A chief administrative person must also meet the~~
 43 ~~requirements of a school instructor if actively engaged in~~
 44 ~~teaching.~~

45 (b)(e) "School instructor" means an individual who
 46 instructs persons in the classroom in noncredit college courses
 47 in a college, university, or community college or courses in a
 48 career center or proprietary real estate school.

49 1. Before commencing to provide such instruction, the
 50 applicant must certify the applicant's competency and obtain an
 51 instructor permit by meeting one of the following requirements:

52 a. Hold a bachelor's degree in a business-related subject,
 53 such as real estate, finance, accounting, business
 54 administration, or its equivalent and hold a valid broker's
 55 license in this state.

56 b. Hold a bachelor's degree, have extensive real estate

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57 | experience, as defined by rule, and hold a valid broker's
58 | license in this state.

59 | c. Pass an instructor's examination approved by the
60 | commission.

61 | 2. Any requirement by the commission for a teaching
62 | demonstration or practical examination must apply to all school
63 | instructor applicants.

64 | 3. The department shall renew an instructor permit upon
65 | receipt of a renewal application and fee. The renewal
66 | application shall include proof that the permitholder has, since
67 | the issuance or renewal of the current permit, successfully
68 | completed a minimum of 7 classroom hours of instruction in real
69 | estate subjects or instructional techniques, as prescribed by
70 | the commission. The commission shall adopt rules providing for
71 | the renewal of instructor permits at least every 2 years. Any
72 | permit which is not renewed at the end of the permit period
73 | established by the department shall automatically revert to
74 | involuntarily inactive status.

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76 | The department may require an applicant to submit names of
77 | persons having knowledge concerning the applicant and the
78 | enterprise; may propound interrogatories to such persons and to
79 | the applicant concerning the character of the applicant,
80 | including the taking of fingerprints for processing through the
81 | Federal Bureau of Investigation; and shall make such
82 | investigation of the applicant or the school or institution as
83 | it may deem necessary to the granting of the permit. If an
84 | objection is filed, it shall be considered in the same manner as

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85 | objections or administrative complaints against other applicants
86 | for licensure by the department.

87 | Section 3. This act shall take effect upon becoming a law.