

R162-2f-206a. Certification of Real Estate School.

- (1) Prior to offering real estate prelicensing or continuing education, a school shall:
 - (a) first, obtain division approval of the school name; and
 - (b) second, certify the school with the division pursuant to this Subsection (2).
- (2) To certify, a school applicant shall, at least 90 days prior to teaching any course, prepare and supply the following information to the division:
 - (a) contact information, including:
 - (i) name, phone number, email address, and address of the physical facility;
 - (ii) name, phone number, email address, and address of each school director;
 - (iii) name, phone number, email address, and address of each school owner; and
 - (iv) an e-mail address where correspondence will be received by the school;
 - (b) evidence that the school directors and owners meet the character requirements outlined in Subsection R162-2f-201(1) and the competency requirements outlined in Subsection R162-2f-201(2);
 - (c) evidence that the school name, as approved by the division pursuant to this Subsection (1)(a), is registered with the Division of Corporations and Commercial Code as a real estate education provider;
 - (d) school description, including:
 - (i) type of school; and
 - (ii) description of the school's physical facilities;
 - (e) list of courses to be offered, including the following:
 - (i) a statement of whether each course is a prelicensing or continuing education course; and
 - (ii) as to a continuing education course, whether it is designed to qualify as fulfilling all or part of the core curriculum requirement for new agents;
 - (f) list of the instructor(s), including any guest lecturer(s), who will be teaching each course;
 - (g) proof that each instructor is:
 - (i) certified by the division;
 - (ii) qualified as a guest lecturer by having:
 - (A) requisite expertise in the field; and
 - (B) approval from the division; or
 - (iii) exempt from certification under Subsection R162-2f-206d(4);
 - (h) schedule of courses offered, including the days, times, and locations of classes;
 - (i) statement of attendance requirements as provided to students;
 - (j) refund policy as provided to students;
 - (k) disclaimer as provided to students and as specified in Subsection (3)(c);
 - (l) criminal history disclosure statement as provided to students and as specified in Subsection (3)(d);
 - (m) disclosure, as specified in Subsection (3)(e), of any possibility of obtaining an education waiver;
 - (n) course completion policy, as provided to students, describing the length of time allowed for completion and detailed requirements; and
 - (o) any other information the division requires.
- (3) Minimum standards.
 - (a) The course schedule may not provide or allow for more than eight credit hours per

- student per day.
- (b) The attendance statement shall require that each student attend at least 90% of the scheduled class periods, excluding breaks.
 - (c) The disclaimer shall adhere to the following requirements:
 - (i) be typed in all capital letters at least 1/4 inch high; and
 - (ii) state the following language: "Any student attending (school name) is under no obligation to affiliate with any of the real estate brokerages that may be soliciting for licensees at this school."
 - (d) The criminal history disclosure statement shall:
 - (i) be provided to each student prior to the school accepting payment; and
 - (ii) clearly inform the student that upon application with the division, the student will be required to:
 - (A) accurately disclose the student's criminal history according to the licensing questionnaire provided by the division;
 - (B) submit fingerprint cards to the division and consent to a criminal background check; and
 - (C) provide to the division complete court documentation relative to any criminal proceeding that the applicant is required to disclose;
 - (iii) clearly inform the student that the division will consider the applicant's criminal history pursuant to Subsection 61-2f-204(1)(e) and Subsection R162-2f-201(1) in making a decision on the application; and
 - (iv) include a section for the student's attestation that the student has read and understood the disclosure.
 - (e) The education waiver disclosure shall adhere to the following requirements:
 - (i) disclose to students the requirements for obtaining an education waiver while they are still eligible for a full refund;
 - (ii) be typed in all capital letters at least 1/4 inch high;
 - (iii) inform the students that the division grants education waivers for qualified individuals; and
 - (iv) state the following language: "A student accepted or enrolled for education hours cannot later reduce those hours by applying for an education waiver. An education waiver must be obtained before a student enrolls and is accepted by a school for education hours."
 - (f) Within 15 days after the occurrence of any material change in the information outlined in this Subsection (2)(a), the school shall provide, to the division's education staff, written notice of the change.
- (4) (a) A school certification expires 24 months from the date of issuance and must be renewed before the expiration date in order to remain active.
- (b) To renew a school certification, an applicant shall:
 - (i) complete a renewal application as provided by the division; and
 - (ii) pay a nonrefundable renewal fee.
 - (c) To reinstate an expired school certification within 30 days following the expiration date, a person shall:
 - (i) comply with all requirements for a timely renewal; and
 - (ii) pay a nonrefundable late fee.

- (d) To reinstate an expired school certification after 30 days and within six months following the expiration date, a person shall:
 - (i) comply with all requirements for a timely renewal; and
 - (ii) pay a non-refundable reinstatement fee.
- (e) A certification that is expired for more than six months may not be reinstated. To obtain a certification, a person must apply as a new applicant.
- (f) If a deadline specified in this Subsection (4) falls on a day when the division is closed for business, the deadline shall be extended to the next business day.