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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Amy Demboski  
Department of Commerce Community and Economic Development

**FROM:** April Simpson, Office of the Lieutenant Governor   
465.4081

**DATE:** April 21, 2020

**RE:** Filed Emergency Regulations: Real Estate Commission  
  
Real Estate Commission emergency regulations re: minimum education requirements for licensure (12 AAC 64.063)

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Attorney General File:	Emergency Regulations
Regulation Filed:	4/21/2020
Effective Date:	4/21/2020
Expiration Date:	August 18, 2020 unless made permanent by the adopting agency
Print:	234, July 2020

cc with enclosures: Harry Hale, Department of Law  
Judy Herndon, LexisNexis  
Jun Maiquis, Regulations Specialist

FINDING OF EMERGENCY

The Real Estate Commission finds that an emergency exists under AS 44.62.250, and that an emergency regulation change is necessary to 12 AAC 64.063, dealing with minimum education requirements for licensure, for the immediate preservation of the public peace, health, safety, or general welfare. The facts constituting the emergency include the following:

The restrictive nature of this regulation could negatively impact the general welfare of the public by decreasing real estate licensee availability during and after this public health emergency caused by the COVID-19 pandemic. This change would give licensees who have completed the required education the needed extension to take their exams and file their applications due to the closure of testing facilities.

ORDER CERTIFYING ADOPTION

I certify that the Real Estate Commission, under the authority of AS 08.01.070, AS 08.88.081, AS 08.88.091, and AS 08.88.171, adopted at its April 20, 2020 teleconference meeting the attached four pages of regulation changes as an emergency regulation to take effect immediately upon filing by the lieutenant governor, as provided in AS 44.62.180(3).

This action is not expected to require an increased appropriation.

DATE: 4/20/2020  
Anchorage, Alaska

Shyla Consalo  
Shyla Consalo, Executive Administrator  
Real Estate Commission

April Simpson for  
↑

FILING CERTIFICATION

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, certify that on April 21<sup>st</sup>, 2020 at 3:21 p.m., I filed the attached regulation according to the provisions of AS 44.62.

April Simpson  
for Kevin Meyer, Lieutenant Governor

Effective: April 21<sup>st</sup> 2020

Register: 234, July 2020

Expires August 18, 2020  
unless made "permanent"  
by the adopting agency

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, KEVIN MEYER, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Josh Applebee, Chief of Staff  
Kady Levale, Notary Administrator  
April Simpson, Regulations and Initiatives Specialist**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on December 11th, 2018.**



*Kevin Meyer*

**KEVIN MEYER  
LIEUTENANT GOVERNOR**

## EMERGENCY REGULATION

Register 234, July 2020 PROFESSIONAL REGULATIONS

### Chapter 64. Real Estate Commission.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 64.063 is amended to read:

**12 AAC 64.063. Minimum education requirements for licensure.** (a) All real estate education courses used to qualify for initial licensure must

(1) meet the requirements of 12 AAC 64.400 - 12 AAC 64.470 and this section;  
and

(2) have been completed within the 18 months immediately preceding the date of application, except that the real estate education courses used to qualify for initial licensure by endorsement must have been completed within the 24 months immediately preceding the date of application.

(b) To meet the real estate education requirements for licensure under AS 08.88.171(a) or (b), an applicant for a broker or associate broker license must document completion of the following contact hours of education in the following topics:

- (1) broker supervision requirements and record keeping - four contact hours;
- (2) trust accounting procedures - three contact hours;
- (3) organizing and managing a real estate office - three contact hours;
- (4) property management - two contact hours; and
- (5) broker-level education to understand the applicability of the following areas covered previously in the applicant's initial education course to receive a real estate salesperson license:

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- (A) licensee relationships, disclosure, and conflict of interest - three contact hours;
- (B) forms of ownership - two contact hours;
- (C) property law, public and private rights and limitations - two contact hours;
- (D) forms of conveyances and recording of documents - two contact hours;
- (E) contracts and transaction documents - two contact hours;
- (F) financing instruments and accounting principles - two contact hours;
- (G) Alaska real estate license law and Alaska landlord tenant law - three contact hours; and
- (H) federal fair housing and Real Estate Settlement Procedures Act (RESPA) laws - two contact hours.

(c) To meet the real estate education requirements for licensure under AS 08.88.171(c), an applicant for an initial real estate license shall document completion of the following topics and hours:

- (1) licensee relationships, disclosure, and conflict of interest - six contact hours;
- (2) forms of ownership - four contact hours;
- (3) property law, public and private rights and limitations - four contact hours;
- (4) forms of conveyances and recording of documents - four contact hours;
- (5) contracts and transaction documents - eight contact hours;
- (6) financing instruments and accounting principles - six contact hours;
- (7) Alaska real estate license law and Alaska landlord tenant law - six contact

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hours; and

(8) federal fair housing and RESPA laws - two contact hours.

(d) To document the real estate education received, an applicant shall list on the application form the following information:

(1) course title and commission course approval number, if applicable;

(2) course sponsor;

(3) number of contact hours; and

(4) instructor of the course.

(e) An associate broker who has met the education requirements in (b) of this section does not need to repeat those requirements when upgrading to a broker license.

(f) A licensee is responsible for maintaining adequate and detailed records, including course certificates or transcripts, showing completion of education courses claimed, and shall make the records available to the commission upon request. Records must be retained for three years after the date a course was taken.

(g) For the purposes of this section and AS 08.88.091,

(1) one contact hour equals a minimum of 50 minutes of instruction;

(2) one academic semester credit hour equals 15 contact hours;

(3) one academic quarter credit hour equals 10 contact hours.

**(h) If, during a disaster declared by the governor of this state under AS 26.23.020, the real estate salesperson or broker examination is not administered, an applicant who has completed the real estate education courses required in (b) or (c) of this section may submit a completed application up to 60 days after testing has resumed.** (Eff. 10/8/90, Register 116;

**EMERGENCY REGULATION**

Register 234, July 2020 **PROFESSIONAL REGULATIONS**

am 3/6/91, Register 117; am 2/12/99, Register 149; am 8/31/2006, Register 179; am 3/27/2008,

Register 185; am 3/1/2017, Register 221; am 4 / 21 / 2020, Register 234)

**Authority:** AS 08.88.081 AS 08.88.091 AS 08.88.171