

**Chapter 64. Real Estate Commission.**

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

12 AAC 64.060(h) is amended to read:

**12 AAC 64.060. Applications for licensure.**

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(h) An applicant applying for licensure by examination shall provide a **complete** license history, including any disciplinary action or investigation taken or pending, **submitted** [SENT DIRECTLY] to the department from all jurisdictions **or other licensing states** where the applicant holds or has ever held a real estate license. (Eff. 8/6/67, Register 24; am 8/22/79, Register 71; am 12/6/81, Register 80; am 10/8/90, Register 116; am 7/16/94, Register 131; am 9/15/94, Register 131; am 2/11/95, Register 133; am 2/12/99, Register 149; am 9/6/2002, Register 163; am 5/31/2012, Register 202; am 9/9/2021, Register 239; am \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.071                      AS 08.88.171                      AS 08.88.191  
AS 08.88.081

12 AAC 64.061(b) is amended to read:

**12 AAC 64.061. License by endorsement.**

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(b) A licensee who requests licensure by endorsement must have a **complete** [CERTIFICATION OF] license **history** status **submitted** [SENT DIRECTLY] to the commission from the other licensing authority.

(Eff. 12/6/81, Register 80; am 9/29/83, Register 88; 7/16/94, Register 131; am 2/12/99, Register 149; am 2/5/2010, Register 193; am 9/9/2021, Register 239; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.071 AS 08.88.081 AS 08.88.263

12 AAC 64.075 is amended to read:

**12 AAC 64.075. Employment and transfer.** (a) An individual may not be involved in activities requiring licensure under AS 08.88 until the individual's employing broker signs and delivers to the commission, either by electronic mail or regular United States mail, a notice of employment of the individual and the individual's **completed broker notice to real estate commission of licensee termination form** [LICENSE CERTIFICATE] is delivered to the broker by the licensee or the commission.

(b) When a licensee requests a license transfer from one broker to another, the terminating broker **must complete the broker notice to real estate commission of licensee termination form** [SHALL SIGN AND DATE THE FRONT OF THE LICENSE CERTIFICATE], provide a copy to the licensee **of the completed form**, and submit to the commission, either by electronic mail or regular United States mail, within five days from the date of the licensee's request for a license transfer. The licensee shall provide the new employing broker with a copy of the **completed broker notice to real estate commission of licensee termination form** [SIGNED LICENSE CERTIFICATE] and provide the commission with a completed application for license transfer and the fees established in 12 AAC 02.360. The commission will mail an amended license certificate directly to the new employing broker.

(c) After applying for a license transfer, the licensee may work in the office of the new

employing broker for no more than 30 days while waiting for an amended license certificate. The new employing broker shall keep a copy of the licensee's signed application for license transfer and a copy of the **completed broker notice to real estate commission of licensee termination form** [SIGNED LICENSE CERTIFICATE] described in (b) of this section until the amended license certificate is received.

(d) The commission's designee shall review and approve a license transfer if the transfer

(1) allows a licensee to resume licensed practice under AS 08.88.171(a)(1), (a)(2), (b)(1), or (b)(2), or after being re-employed as a licensed real estate salesperson for purposes of AS 08.88.171(c); and

(2) does not require further review by the commission.

(e) Failure of the licensee to notify the commission of a transfer or status change within 15 days after the commission's receipt, either by electronic mail or regular United States mail, of notice from the licensee's terminating broker interrupts the licensee's period of active and continuous experience. (Eff. 8/22/79, Register 71; am 12/6/81, Register 80; am 7/1/89, Register 110; am 7/16/94, Register 131; am 9/15/94, Register 131; am 9/6/2002, Register 163; am 6/22/2008, Register 186; am 9/9/2021, Register 239; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.081 AS 08.88.171 AS 08.88.251

12 AAC 64.118 is amended to read:

**12 AAC 64.118. Consumer disclosure form.** Before a real estate licensee provides specific assistance to a person, or when entering into a contract with the person to provide specific assistance, the real estate licensee shall provide the person with a copy of the commission's *Alaska Real Estate Commission Consumer Disclosure*, dated **June 2022**

[FEBRUARY 2015], and adopted by reference. (Eff. 1/1/2005, Register 172; am 11/18/2006, Register 180; am 6/20/2015, Register 214; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.071 AS 08.88.171 AS 08.88.685  
AS 08.88.081

**Editor's note:** Copies of the *Alaska Real Estate Commission Consumer Disclosure*, adopted by reference in 12 AAC 64.118, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Real Estate Commission, 550 W. 7th Avenue, Suite 1500, Anchorage, AK 99501 [99501-3567]; phone: (907) 269-8168 [(907) 269-8162].

12 AAC 64.125 is amended to read:

**12 AAC 64.125. Supervision.** (a) Failure of a broker **and** [OR] associate broker **in charge** to adequately provide for the supervision of the activities of licensees for whom they are responsible is grounds for disciplinary action against the

(1) employing broker;

(2) associate broker designated by the broker to manage a branch office; **and**

[OR]

(3) broker **and** [OR] associate broker **in charge** designated by the broker of record to supervise transactions or licensees during the broker of record's absence.

(b) Adequate supervision of a licensee by a broker **and** [OR] an associate broker **in charge** includes

(1) before recording of the transaction, providing for the review of files for completeness and accuracy and ensuring all required real estate related documents are on file,

including all applicable local, state, and federal forms; [AND]

(2) communicating office policies to affiliated licensees; **and**

**(3) supervision for compliance of brokerage policy and procedures.**

(c) Repealed 7/16/94.

(d) Repealed 7/16/94.

(e) Computer, modem, electronic mail, telephone, or facsimile communications may be used to supervise licensees and to review and approve documents of licensees. All transaction records must be maintained in the real estate office where the supervised licensee is registered with the commission. (Eff. 8/22/79, Register 71; am 7/16/94, Register 131; am 1/1/2005, Register 172; am 12/7/2011, Register 200; am \_\_\_\_ / \_\_\_\_ / \_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.071            AS 08.88.171            AS 08.88.685  
                 AS 08.88.081            AS 08.88.331

12 AAC 64.500(n) is amended to read:

**12 AAC 64.500. Continuing education requirements.**

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(n) Notwithstanding the provisions of 12 AAC 64.420 - 12 AAC 64.450, a licensee who has taken a course offered outside of this state, [OR] that is required to earn a professional designation, by a nationally recognized real estate education provider during a licensing period that has not otherwise been certified under 12 AAC 64.410 and 12 AAC 64.420 may apply to the commission under this subsection for continuing education credit under this section for the licensee's attendance at that course. To be considered for approval by the commission, [NOT LATER THAN 60 DAYS AFTER COMPLETING THE COURSE BUT NOT LESS THAN 60

DAYS BEFORE THE END OF THE LICENSING PERIOD,] the licensee must submit to the department **no later than November 30 of odd numbered years**

(1) [AN APPLICATION ON] a form provided by the department;

(2) [ALL MATERIALS PROVIDED AS PART OF THE CLASS, INCLUDING

(A)] materials promoting or describing the class **and designation;**

**(3)** [(B)] evidence that the real estate education provider is nationally recognized; and

**(4)** [(C)] **certificate of completion as proof to include date** of attendance [INCLUDING TIME OF INSTRUCTION]. (Eff. 10/8/90, Register 116; am 3/6/91, Register 117; am 7/16/94, Register 131; am 6/28/97, Register 142; am 2/12/99, Register 149; am 11/1/2003, Register 168; am 8/31/2006, Register 179; am 11/18/2006, Register 180; am 6/22/2008, Register 186; am 1/9/2014, Register 209; am \_\_\_\_/\_\_\_\_/\_\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 08.88.081 AS 08.88.091