

Occupational Authorizations

for the meeting of the

ALC-OCCUPATIONAL LICENSING REVIEW SUBCOMMITTEE

Thursday, May 19, 2022 at 12:00 PM

Arkansas Real Estate Commission**REAL ESTATE ASSOCIATE INSTRUCTOR**Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: An Associate Instructor is licensed to teach real estate courses while under the supervision of a Principal Instructor of a licensed school or an Administrator of a real estate trade or professional association licensed by the Commission. Associate Instructors can be approved to teach salesperson pre-license, broker pre-license, salesperson post-license, broker post-license, and/or continuing education.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Application	\$200.00	Once
Fee	Renewal	\$100.00	Annually
Penalty	Late Renewal	\$250.00	Once
Fee	Reissuance	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents*No Supporting Evidence Documents Provided*

Arkansas Real Estate Commission (Continued)

REAL ESTATE ASSOCIATION

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: An association license is granted to a real estate trade or professional association offering approved education that satisfies education requirements for a real estate license. Associations are required to identify an employee of the Association who will serve as the Administrator. An Association Administrator is required to be on record as the point of contact for the Association but is not required to be licensed. While there are several real estate professional associations that offer continuing education to their licensee members, the Commission only requires an Association who offers those courses multiple times throughout a given year, or who offer multiple types of courses (continuing education, salesperson post-license and broker post-license) to be licensed as an Association. Associations that offer a single course in a year do so under a provisional offering that does not require licensure for the Association.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License	\$200.00	Once
Fee	Renewal	\$100.00	Annually
Penalty	Late Renewal	\$250.00	Once
Fee	Reissuance	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)

REAL ESTATE BRANCH SCHOOL

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A school license is issued to a proprietary education institution that offers education courses approved by the Commission fulfilling mandatory education requirements for attaining or maintaining a real estate license. A Branch School is a school affiliated with a main school that holds a school license, usually in a different geographical location within the state. The Branch School is also affiliated with the Main School's Principal Instructor, but the Branch School may employ the same, additional or different Associate Instructors as the Main School.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

If NO, the rule establishing the expedited process and procedure:

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License	\$300.00	Once
Fee	Renewal	\$200.00	Annually
Penalty	Late Renewal	\$250.00	Once
Fee	Reissuance	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)

REAL ESTATE BROKER

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Real estate brokers act for another in exchange for consideration in performing brokerage activities: selling, exchanging, purchasing, renting or leasing real estate, to include offering, negotiating, listing, auctioning; buying or selling options on or improvements to real estate; collecting rent; advertising as being engaged in the business of real estate; assisting in procuring prospects; assisting in or directing negotiations. Principal Brokers are the primary supervisory agents of all other licensees. Every firm must have a Principal Broker, and every non-Principal Broker licensee must affiliate with a Principal Broker. An Executive Broker must affiliate with a Principal Broker and can supervise Associate Brokers and Salespersons. Associate Brokers must affiliate with a Principal Broker but may not supervise any other licensees. There are currently: 2,096 Principal Brokers, 1,726 Executive Brokers, 460 Associate Brokers, and 376 Inactive Brokers (Licensed but non-practicing).

Statutory Requirement(s): A.C.A. § 17-42-101, et seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Candidate Application	\$50.00	Once
Fee	License Application	\$70.00	Once
Fee	Renewal	\$80.00	Annually
Penalty	Late Renewal	\$110.00	Once
Fee	Transfer	\$30.00	Once
Fee	Recovery Fund	\$25.00	Once
Fee	Examination	\$75.00	Once
Fee	License Reissuance	\$30.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

REAL ESTATE MAIN SCHOOL

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A school license is issued to a proprietary education institution that offers education courses approved by the Commission fulfilling mandatory education requirements for attaining or maintaining a real estate license. A Main School is an institution or organization that serves as primary school location, but is not necessarily the sole instructional site for the school's education offerings.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	License	\$500.00	Once
Fee	Renewal	\$400.00	Annually
Fee	Late Renewal	\$250.00	Once
Fee	Reissuance	\$50.00	Once

Administrative Rules Documents	
Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)

REAL ESTATE PRINCIPAL INSTRUCTOR

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A Principal Instructor is the primary licensee and point of authority and responsibility for a licensed real estate school. A Principal Instructor supervises associate instructors and/or guest speakers, submits courses for approval, and generally oversees a licensed real estate school's operations in the areas of advertising, finances, records maintenance, and other regulatory compliance. Principal Instructors may be approved to teach salesperson pre-license, broker pre-license, salesperson post-license, broker post-license, and/or continuing education.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Application	\$250.00	Once
Fee	Renewal	\$150.00	Annually
Penalty	Late Renewal	\$250.00	Once
Fee	Reissuance	\$50.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)**REAL ESTATE SALESPERSON**

Authorization Type: Licensure # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: Real estate salespersons act for another in exchange for consideration in performing brokerage activities: selling, exchanging, purchasing, renting or leasing real estate, to include offering, negotiating, listing, auctioning; buying or selling options on or improvements to real estate; collecting rent; advertising as being engaged in the business of real estate; assisting in procuring prospects; assisting in or directing negotiations. Salespersons must affiliate with/be supervised by a Principal Broker, and salespersons may not supervise other agents. Of the current salespersons, 8,542 hold an active license and 1,863 hold an inactive (non-practicing) license.

Statutory Requirement(s): A.C.A. § 17-42-101, et seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Candidate Application	\$50.00	Once
Fee	License Application	\$50.00	Once
Fee	Renewal	\$60.00	Annually
Fee	Late Renewal	\$80.00	Once
Fee	License Reissuance	\$30.00	Once
Fee	Transfer	\$30.00	Once
Fee	Recovery Fund	\$25.00	Once
Fee	Examination	\$75.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021 Commission Rules 09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

REAL ESTATE COURSE

Authorization Type: Permit # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A real estate course which is required for obtaining or maintaining a real estate broker or salesperson license; for example: salesperson pre-license, salesperson post-license, broker pre-license, broker post-license and continuing education.

Statutory Requirement(s): A.C.A. 17-42-101 et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Approval	\$100.00	Once
Fee	Renewal	\$50.00	Annually
Penalty	Late Renewal	\$250.00	Once
Fee	Amendment	\$100.00	Once

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

TIME-SHARE ACQUISITION AGENT

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share acquisition agent is an individual who contacts persons in this state and encourages them to attend a time-share plan sales presentation, effectively providing prospective purchasers for the plan.

Statutory Requirement(s): A.C.A. § 18-14-101 et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Initial Registration	\$150.00	Once
Fee	Renewal	\$150.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)

TIME-SHARE BROKER AGENT

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share broker agent sells or offers to sell, in the ordinary course of business, time-share interests in a time-share plan to a purchaser. The registration requirement applies when a broker agent is conducting physical operations in Arkansas. The majority of the Commission's time-share registrations are registered in another state, which allows them to be abbreviated registrations in Arkansas (similar to license reciprocity).

Statutory Requirement(s): A.C.A. § 18-14-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Registration	\$75.00	Once
Fee	Renewal	\$75.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

TIME-SHARE EXCHANGE AGENT

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share exchange agent owns and operates a program that provides for the voluntary exchange of time-share interests among time-share owners.

Statutory Requirement(s): A.C.A. § 18-14-101, et seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Registration	\$75.00	Once
Fee	Renewal	\$75.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

TIME-SHARE INTEREST TRANSFER SERVICES PROVIDER

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share interest transfer services provider is a person who provides or offers to provide time-share interest transfer services, which are also sometimes referred to as time-share exit, cancellation, liquidation or relief programs. **This registration was enacted by Act 733 of 2021; as such, rulemaking for setting the registration and renewal fees is in process and remains subject to legislative review and approval as of the date of this report.**

Statutory Requirement(s): Act 733 of 2021, A.C.A. § 18-14-101 et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Proposed Registration	\$150.00	Once
Fee	Proposed Renewal	\$150.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	Rule 13.1 - Time-Share Reseller - Act 733.docx

Supporting Evidence Documents

No Supporting Evidence Documents Provided

Arkansas Real Estate Commission (Continued)

TIME-SHARE MANAGING AGENT

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share managing agent is responsible for operating and maintaining a time-share property or time-share plan on behalf of the owners' association or council.

Statutory Requirement(s): A.C.A. § 18-14-101, et seq.

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties

Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Registration	\$75.00	Once
Fee	Renewal	\$75.00	Annually

Administrative Rules Documents

Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided

TIME-SHARE PLAN

Authorization Type: Registration # of Individuals Regulated:

Entity Division Name: Real Estate Commission/Division of Occupational and Professional Licensing Boards and Commissions/Department of Labor and Licensing

Scope of Practice: A time-share plan is any arrangement (excluding an exchange program) in which a purchaser receives an ownership right in or the right to use the accommodations for a certain period of time in a given year. A time-share plan can either be single site, multi-site specific (where the purchaser has use rights at a specific property plus use rights at one or more other component sites of the plan), or multi-site nonspecific (where the purchaser has use rights at more than one component site of the plan with no specific use right tied to a certain site). There are currently 67 abbreviated registrations, which are plans filed with other state or federal entities under the Securities Act of 1933, the Arkansas Securities Act, the Federal Interstate Land Scales Full Disclosure Act, or another federal or state act with substantial equivalency. There are 5 full plan registrations, for a total 72 plan registrations.

Statutory Requirement(s): A.C.A. § 18-14-101, et seq

Pursuant to Arkansas Code § 17-1-106, do you provide automatic licensure to an active military service member, returning military veteran applying for licensure within one year of his or her discharge from active duty, or the spouse of an active military service member or returning military veteran who is within one year of discharge from active duty?

- [Rule for Expedited Process and Procedure for Military Service Member or Spouse](#)

Fees & Penalties			
Fee Type	Fee Description	Amount (\$)	Frequency
Fee	Plan Registration	\$750.00	Once
Fee	Plan Renewal	\$350.00	Annually
Fee	Abbreviated Registration	\$500.00	Once
Fee	Abbreviated Renewal/Recertification	\$300.00	Annually

Administrative Rules Documents	
Document Type	Document
Rules	2021CommissionRules09032021.pdf

Supporting Evidence Documents

No Supporting Evidence Documents Provided