

21 NCAC 58H .0401 is amended with changes as published in 34:15 NCR 1353 as follows:

SECTION .0400 - CONTINUING EDUCATION REAL ESTATE COURSES

21 NCAC 58H .0401 APPLICABILITY APPROVAL OF A REAL ESTATE EDUCATION COURSE

~~This Section shall apply to the application, renewal, and conduct of continuing education sponsors, continuing education elective courses, and Update Courses.~~

(a) Prior to obtaining the Commission's written approval of a real estate education course, education providers shall not offer, advertise, or otherwise represent that any real estate education course is, or may be, approved for credit in North Carolina.

(b) An education provider seeking original approval of a proposed course shall complete an application on a form available on the Commission's website that requires the applicant to set forth the:

- (1) title of the proposed course;
- (2) education provider's legal name, address, and telephone number;
- (3) education director's legal name;
- (4) education provider's number;
- (5) credit hours awarded for completing the course;
- (6) subject matter of the course;
- (7) identity of the course owner;
- (8) written permission of the course owner, if other than the applicant;
- (9) identity of prospective instructors;
- (10) a description of the method by which the education provider will proctor the end-of-course examination for Prelicensing and Postlicensing courses; and
- (11) education director's signature.

(c) The application for original approval shall be accompanied by a copy of the course guide, which shall include:

- (1) course objectives;
- (2) learning objectives for each topic;
- (3) a timed outline;
- (4) instructional methods and aids to be employed; and
- (5) all materials that will be provided to students.

(d) An applicant seeking approval to offer a [distance education or] distance education, synchronous distance-learning, or blended learning course shall submit an application for original approval as well as:

- (1) a full copy of the course on the medium to be utilized for [instruction;] instruction, except for synchronous distance-learning;
- (2) a description of the method by which the education provider will verify and record student attendance;
- (3) a list of hardware and software or other equipment necessary to both offer and complete the course;

- (4) the contact information for the technical support service for the course;
- (5) a copy of the student orientation and course tutorial information; and
- ~~[(6)]~~ a copy of the primary ARELLO or IDECC certification except for public education providers; providers and synchronous distance learning courses; and
- ~~[(7)]~~[(6)] all hardware and software necessary to review the submitted course at the expense of the applicant; applicant, except for synchronous distance-learning;
- (e) An education provider seeking approval to offer an already approved course shall complete an application on a form available on the Commission's website that requires the applicant to set forth the:
- (1) title of the course;
- (2) applicant's legal name, address, and telephone number;
- (3) applicant's education director's legal name;
- (4) applicant's education provider number;
- (5) identity of the course owner;
- (6) written permission of the course owner, if other than the applicant;
- (7) identity of prospective instructors, if applicable;
- ~~[(8)]~~ a copy of the secondary ARELLO or IDECC certification except for public education providers;
- ~~[(9)]~~[(8)] certification that the originally approved course will not be altered; and
- ~~[(10)]~~[(9)] education director's signature.
- (f) An education provider shall submit a one hundred dollar (\$100.00) fee for each application submitted pursuant to Paragraph (e) of this Rule for any continuing education course. The application shall be deemed approved ten business days after the Commission has received the application and fee, unless the Commission notifies the applicant otherwise.
- (g) An education provider shall submit a forty dollar (\$40.00) fee per Prelicensing or Postlicensing course offered at any of its branch locations. No fee shall be required for public education providers or an agency of federal, state, or local government.
- (h) An education provider shall submit a one hundred dollar (\$100.00) fee per elective course. No fee shall be required for public education providers or an agency of federal, state, or local government.
- ~~[(i)]~~ Any distance education course approved by the Commission on or before July 1, 2020, shall not have to obtain ARELLO or IDECC certification until July 1, 2022.]

History Note: Authority G.S. 93A-3(c); 93A-4; 93A-33; 93A-34; 93A-38.5;
Eff. ~~July 1, 2017~~; July 1, 2017;
Amended Eff. July 1, 2020.



STATE OF NORTH CAROLINA
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May 21, 2020

Melissa Vuotto
North Carolina Real Estate Commission
Sent via email only to: Melissa@ncrec.gov

Re: Extension of the Period of Review for Rule 21 NCAC 58H .0401

Dear Ms. Vuotto:

At its meeting this morning, the Rules Review Commission extended the period of review for the above-captioned rules in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address public comments received regarding this Rule.

Pursuant to G.S. 150B-21.13, when the Commission extends the period of review, it is required to approve or object to rules or call a public hearing on the same within 70 days.

If you have any questions regarding the Commission's actions, please let me know.

Sincerely,

Amber May
Commission Counsel

Administration
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fax: 919/431-3100

Rules Division
919/431-3000
fax: 919/431-3104

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Assistants
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Rules Review
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Division
919/431-3036
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Burgos, Alexander N

Subject: FW: [External] Extend Period of Review - 21 NCAC 58H .0401

From: Melissa A. Vuotto <Melissa@NCREC.GOV>
Sent: Wednesday, May 20, 2020 11:36 AM
To: May, Amber Cronk <amber.may@oah.nc.gov>
Subject: [External] Extend Period of Review - 21 NCAC 58H .0401

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Amber,

We are requesting that the RRC extend the period of review on 21 NCAC 58H .0401 to allow additional time to address the public comments.

Thank you,

Melissa Vuotto
Rulemaking Coordinator
Regulatory Affairs Division
North Carolina Real Estate Commission
Post Office Box 17100
Raleigh NC 27619-7100
Phone: 919.875.3700, Ext. 142

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