

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Real Estate Commission

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: March 9, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, for all the rules submitted, I don't see the requirements listed in G.S. 150B-19.1(c)(1)-(5) posted on your agency's website. Are those requirements still listed on your website? If not, when were they removed? Is your agency able to provide screenshots or other evidence of compliance with G.S. 150B-19.1(c)?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 23, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Real Estate Commission

RULE CITATION: 21 NCAC 58A .0513

DEADLINE FOR RECEIPT: March 9, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 5, cite the Commission's website.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 23, 2026

1 21 NCAC 58A .0513 is adopted as published in 40:10 NCR 843 as follows:

2

3 **21 NCAC 58A .0513 LICENSE CANCELLATION**

4 (a) A broker seeking to voluntarily cancel their real estate license shall file a license cancellation notice by logging
5 into the broker's online portal located on the Commission's website.

6 (b) The license cancellation shall be granted if the broker's license does not have a pending complaint or disciplinary
7 action with the Commission. If the license cancellation is granted, the broker's license shall be permanently cancelled
8 effective as of the date the notice was filed pursuant to Paragraph (a) of this Rule.

9 (c) A license cancelled pursuant to this Rule shall be ineligible for reinstatement.

10

11 *History Note: Authority G.S. 93A-3(c);*

12 *Eff. April 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Real Estate Commission

RULE CITATION: 21 NCAC 58A .1803

DEADLINE FOR RECEIPT: March 9, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Page 3, Lines 4-7, replace "(10) (11) (12)" with "(8) (9) (10)".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 23, 2026

1 21 NCAC 58A .1803 is amended as published in 40:10 NCR 843 as follows:

2
3 **21 NCAC 58A .1803 REQUIREMENTS FOR LICENSURE; APPLICATION AND FEE**

4 (a) A person desiring to obtain a broker license under this Section shall demonstrate to the ~~Real Estate~~ Commission
5 that:

- 6 (1) he or she is a resident of a state or territory of the United States other than North Carolina;
- 7 (2) he or she is licensed as a real estate broker or salesperson in a qualifying state ~~and that said license~~
8 ~~is on active status and not in abeyance for any reason. If licensed as a salesperson, he or she shall~~
9 also demonstrate that he or she is acting under the supervision of a broker in accordance with the
10 applicable governing statutes or regulations in the qualifying state; and
- 11 (3) he or she possesses the requisite honesty, truthfulness, integrity, and moral character for licensure
12 as a broker in North Carolina.

13 A person applying for licensure under this Section shall not be required to show that the state or territory where he or
14 she is currently licensed offers reciprocal licensing privileges to North Carolina brokers.

15 ~~(b) A person desiring to be licensed under this Section shall submit an application on a form prescribed by the~~
16 ~~Commission and shall show the Commission that he or she has satisfied the requirements set forth in Paragraph (a) of~~
17 ~~this Rule. In connection with his or her application a person applying for licensure under this Rule shall provide the~~
18 ~~Commission with a certification of license history from the qualifying state where he or she is licensed. He or she~~
19 ~~shall also provide the Commission with a report of his or her criminal history from the service designated by the~~
20 ~~Commission. An applicant for licensure under this Section shall be required to update his or her application as required~~
21 ~~by Rule .0302(c) Rule .0302(b) of this Subchapter.~~

22 (c) ~~The fee for persons applying for licensure under this Section shall be one hundred dollars (\$100.00) and shall be~~
23 ~~paid in the form of a certified check, bank check, cashier's check, money order, or by credit card. Once paid, the~~
24 ~~application fee shall be non-refundable. The fee for a limited commercial license shall be one hundred five dollars~~
25 ~~(\$105.00).~~

26 (d) ~~If the Commission has received a complete application and the required application fee and if the Commission is~~
27 ~~satisfied that the applicant possesses the moral character necessary for licensure, the Commission shall issue to the~~
28 ~~applicant a limited nonresident commercial real estate broker license. An individual seeking licensure as a limited~~
29 ~~commercial broker shall submit an application that is available on the Commission's website and shall include the~~
30 ~~applicant's:~~

- 31 (1) legal name;
- 32 (2) place of business name, mailing address, and phone number;
- 33 (3) residence mailing address and telephone number;
- 34 (4) email address;
- 35 (4) social security number and date of birth;
- 36 (5) qualification for license application;
- 37 (6) real estate license history;

- 1
- 2 (7) criminal offenses, military courts-martial convictions, professional license disciplinary actions,
- 3 including the jurisdiction, file number, and explanation of each offense;
- 4 (10) liens or unpaid judgments;
- 5 (11) certification the applicant has read the Real Estate Licensing in North Carolina brochure that is
- 6 available on the Commission's website; and
- 7 (12) declaration and signature.
- 8 (e) In addition to the application required by Paragraph (d) of this Rule, the applicant shall submit:
- 9 (1) the limited commercial license application fee pursuant to Paragraph (c) of this Rule; and
- 10 (2) a certification of license history from the qualifying state issued within the previous six months; and
- 11 (3) a criminal records report from a Commission-designated criminal reporting service obtained within
- 12 six months prior to application submission.
- 13

14 *History Note: Authority G.S. 93A-4; 93A-9;*

15 *Eff. July 1, 2004;*

16 *Amended Eff. April 1, 2006;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. ~~May 1, 2018.~~*

18 *May 1, 2018;*

19 *Amended Eff. April 1, 2026.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: North Carolina Real Estate Commission

RULE CITATION: 21 NCAC 58H .0210

DEADLINE FOR RECEIPT: March 9, 2026

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In reviewing this Rule, the staff recommends the following changes be made:

In (a)(12), line 32, "has been subject to a revenue suspension" is unclear. What specifically does this mean?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 23, 2026

1 21 NCAC 58H .0210 is amended as published in 40:10 NCR 846 as follows:

2
3 **21 NCAC 58H .0210 LIMITATION, DENIAL, WITHDRAWAL, OR TERMINATION OF**
4 **EDUCATION PROVIDER CERTIFICATION**

5 (a) The Commission may limit, deny, or withdraw certification of an education provider or suspend, revoke, or deny
6 renewal of the certification of an education provider upon finding that an education provider:

- 7 (1) was found by a court or government agency of competent jurisdiction to have violated any state or
8 federal law;
- 9 (2) made any false statements or presented any false, incomplete, or incorrect information in connection
10 with an application;
- 11 (3) failed to provide or provided false, incomplete, or incorrect information in connection with any
12 report the education provider is required to submit to the Commission;
- 13 (4) presented to its students or prospective students false or misleading information relating to its
14 instructional program, to the instructional programs of other institutions, or related to employment
15 opportunities;
- 16 (5) collected money from students but refused or failed to provide the promised instruction;
- 17 (6) failed to submit the per student fee as required by G.S. 93A-4(a2) or 93A-38.5(e).
- 18 (7) refused at any time to permit authorized representatives of the Commission to inspect the education
19 provider's facilities or audit its courses;
- 20 (8) or education director violated the rules of this Subchapter or was disciplined by the Commission
21 under G.S. 93A-6;
- 22 (9) obtained or used, or attempted to obtain or use, in any manner or form, North Carolina real estate
23 license examination questions;
- 24 (10) failed to provide to the Commission, within 30 days of the Commission's request during an
25 investigation or application process, a written plan describing the changes the education provider
26 made or intends to make in its instructional program including instructors, course materials, methods
27 of student evaluation, and completion standards to improve the performance of the education
28 provider's students on the license examination;
- 29 (11) provided the Commission a fee that was dishonored by a bank or returned for insufficient funds;
- 30 (12) has had its Certificate of Authority revoked by the NC Secretary of State pursuant to G.S. 55-15-
31 30;
- 32 (13) has been subject to a revenue suspension or suspended by the NC Secretary of State pursuant to G.S.
33 105-230;
- 34 (14) has been administratively dissolved by the NC Secretary of State pursuant to G.S. 57D-6-06;
- 35 (15) failed to utilize course materials pursuant to Rule .0205 of this Section;
- 36 (16) failed to submit reports pursuant to Rule .0207 of this Section;

1 (17) provided false, incomplete, or misleading information relating to real estate licensing, education
2 matters, or the broker's education needs or license status;

3 (18) discriminated in its admissions policy or practice against any person on the basis of age, sex, race,
4 color, national origin, familial status, handicap status, or religion; ~~or~~

5 (19) failed to ensure that synchronous distance learning students were visible on camera pursuant to Rule
6 .0101 of this Section; or

7 ~~(19)~~(20) refused or failed to comply with the provisions of this Subchapter.

8 (b) A broker shall be subject to discipline pursuant to G.S. 93A-6 if the broker engages in dishonest, fraudulent, or
9 improper conduct in connection with the operations of an education provider if that broker:

10 (1) has an ownership interest in the education provider;

11 (2) is the education director; or

12 (3) is an instructor for an education provider.

13 (c) If an education provider's annual License Examination Performance Record fails to exceed 40 percent in each of
14 the previous two license years and the education provider was certified by the Commission during the entire two years,
15 the Commission shall limit the education provider's certification such that the education provider shall not offer
16 prelicensing or postlicensing courses. Said limitation shall be effective July 1st of the calendar year following the
17 Commission's determination.

18 The education provider shall be eligible to have the limitation removed one year after the limitation is imposed
19 provided that the education provider has:

20 (1) provided a written plan describing the changes the education provider has made or intends to make
21 in its instructional program to improve the performance of the students on the license examination;

22 (2) consulted with a designated Commission staff member to review the written plan and needs for
23 improvement; and

24 (3) employed an instructor with no limitations to teach prelicensing and postlicensing courses.

25 (d) A limited education provider is eligible to renew its certification; however, a renewal shall not remove the
26 limitations provided under Paragraph (c) of this Rule.

27 (e) When ownership of a certified education provider is transferred and the education provider ceases to operate as
28 the certified entity, the certification is not transferable and shall terminate on the effective date of the transfer. All
29 courses shall be completed by the effective date of the transfer. The transferring owner shall report course
30 completion(s) to the Commission. The new entity shall obtain an original certification for each location where the
31 education provider will conduct courses as required by G.S. 93A-34 and Rule .0202 of this Section prior to advertising
32 courses, registering students, accepting tuition, conducting courses, or otherwise engaging in any education provider
33 operations.

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35 *History Note: Authority G.S. 93A-4(d); 93A-34(c); 93A-35(c); 93A-38;*

36 *Eff. July 1, 2017;*

37 *Amended Eff. July 1, 2026; July 1, 2022; July 1, 2021; July 1, 2020.*