

Burgos, Alexander N

From: Melissa A. Vuotto <Melissa@NCREC.GOV>
Sent: Monday, March 2, 2026 11:33 AM
To: Rules, Oah
Cc: Wiggs, Travis C; Burgos, Alexander N; Kristen Fetter
Subject: [External] REC Revised Rules for RRC Review
Attachments: 21 NCAC 58A .1803.docx; 21 NCAC 58H .0210.docx

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Attached please find the revised rules, 21 NCAC 58A .1803 and 58H .0210, in response to technical changes for RRC's review at its March 26th meeting.

Please let me know if you need anything further.

Thank you,



Melissa Vuotto, MBA
Compliance Manager
Regulatory Affairs Division
North Carolina Real Estate Commission
Phone 919-719-9180, ext. 142
Web www.ncrec.gov **Email** melissa@ncrec.gov
P.O. Box 17100, Raleigh, NC 27619-7100



North Carolina State Bar Certified Paralegal

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by authorized state officials.

1 21 NCAC 58A .1803 is amended with changes 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;

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- (7) criminal offenses, military courts-martial convictions, professional license disciplinary actions, including the jurisdiction, file number, and explanation of each offense;
- ~~(10)~~(8) liens or unpaid judgments;
- ~~(11)~~(9) certification the applicant has read the Real Estate Licensing in North Carolina brochure that is available on the Commission's website; and
- ~~(12)~~(10) declaration and signature.

(e) In addition to the application required by Paragraph (d) of this Rule, the applicant shall submit:

- (1) the limited commercial license application fee pursuant to Paragraph (c) of this Rule; and
- (2) a certification of license history from the qualifying state issued within the previous six months; and
- (3) a criminal records report from a Commission-designated criminal reporting service obtained within six months prior to application submission.

History Note: Authority G.S. 93A-4; 93A-9;
Eff. July 1, 2004;
Amended Eff. April 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. ~~May 1, 2018.~~
May 1, 2018;
Amended Eff. April 1, 2026.

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

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3 **21 NCAC 58H .0210 LIMITATATION, 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 for failure to
33 report, return, or to pay any tax or fee by pursuant to G.S. 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.*

Burgos, Alexander N

Subject: FW: [External] REC Responses to Tech Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, March 2, 2026 10:05 AM
To: Melissa A. Vuotto <Melissa@NCREC.GOV>
Cc: Kristen Fetter <kristen@NCREC.GOV>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] REC Responses to Tech Changes

Good morning,

Thank you for the revisions. Please send all the final revised rules to oah.rules@oah.nc.gov (cc Mr. Burgos and I). The rules are final for review at March's RRC meeting.

We will forward you both the meeting link shortly before the meeting.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Melissa A. Vuotto <Melissa@NCREC.GOV>
Sent: Monday, March 2, 2026 9:34 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Kristen Fetter <kristen@NCREC.GOV>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] REC Responses to Tech Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good morning, Travis.

Attached please find the revised rule, 21 NCAC 58H .0210.

Kristen and I will be attending the March RRC meeting remotely. Please forward the meeting link to both Kristen and myself.

Thank you!



Melissa Vuotto

Compliance Manager
Regulatory Affairs Division
North Carolina Real Estate Commission

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

2
3 **21 NCAC 58H .0210 LIMITATATION, DENIAL, WITHDRAWAL, OR TERMINATION OF**
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- 20 (8) or education director violated the rules of this Subchapter or was disciplined by the Commission
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- 32 (13) has been subject to a revenue suspension or suspended by the NC Secretary of State for failure to
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30 completion(s) to the Commission. The new entity shall obtain an original certification for each location where the
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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.*

Burgos, Alexander N

From: Wiggs, Travis C
Sent: Thursday, February 26, 2026 3:07 PM
To: Melissa A. Vuotto
Cc: Kristen Fetter; Burgos, Alexander N
Subject: RE: [External] REC Responses to Tech Changes

Good afternoon, Melissa.

Thank you for the quick turnaround. In 58H .0210 (line 33), please change the new language to say, “for failure to report, return, or to pay any tax or fee...”

Please reply with the requested change to .0210.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Melissa A. Vuotto <Melissa@NCREC.GOV>
Sent: Thursday, February 26, 2026 10:28 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Kristen Fetter <kristen@NCREC.GOV>
Subject: [External] REC Responses to Tech Changes

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Good morning, Travis.

Attached please find the Commission’s responses to RRC’s Request for Technical Changes along with two revised rules, 21 NCAC 58A .1803 and 21 NCAC 58H .0210. Please let me know if there’s any further requests or questions regarding the rule submissions.

Thank you,



Melissa Vuotto, MBA
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Regulatory Affairs Division
North Carolina Real Estate Commission
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North Carolina State Bar Certified Paralegal

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Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes
Attachments: REC Website Post_2025.11.17.pdf; Notice of Rulemaking Email.pdf; Website Post.png

From: Melissa A. Vuotto <Melissa@NCREC.GOV>
Sent: Monday, February 23, 2026 11:56 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thank you, Travis. I look forward to working with you on these rules.

Our legal staff will review these technical requests and get you revised text as soon as possible.

As to the website publication, I've attached a screenshot of the post taken on 11/17/2025, a copy of the email sent to our interested persons list, and a screenshot of the location of the proposed rulemaking on our homepage. Below is also a direct link to the published rule text, which is still posted on our website under License Law and Rule Changes titled 'Proposed Rulemaking.'

<https://www.ncrec.gov/Pdfs/Rules/ProposedRulesUnderConsideration.pdf>

Please let me know if you need anything further on the publication issue and I'll be back in touch with the rest of the technical requests.

Thank you,



Melissa Vuotto
Compliance Manager
Regulatory Affairs Division
North Carolina Real Estate Commission

From: [North Carolina Real Estate Commission](#)
To: [Melissa A. Vuotto](#)
Subject: Notice of Rulemaking
Date: Monday, November 17, 2025 11:28:18 AM

External sender <noreply@mailings.ncrec.gov>

Make sure you trust this sender before taking any actions.

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NOTICE OF PROPOSED RULEMAKING

In accordance with N.C.G.S. § 150B-19.1(c), the Real Estate Commission (“Commission”) hereby gives notice that it has submitted to the Office of Administrative Hearings - Rules Review Commission for publication in the North Carolina Register the Notice of Text for proposed rule adoptions and amendments under consideration.

Each Notice of Text includes a summary citing each rule affected and the reason for the proposed change. Changes to the proposed rule text are reflected by underscoring text that will be added and striking through text that will be deleted. The proposed rule text can be found on the Commission’s homepage under ‘License Law & Rule Changes.’

PROPOSED RULES CHANGES UNDER CONSIDERATION

A public hearing on the proposed rule changes is scheduled on Wednesday, December 17, 2025, at 8:30 a.m. at the Commission’s office located at 1313 Navaho Drive, Raleigh, North Carolina.

The Commission invites members of the public to submit written comments on

the proposed rules during the designated comment period, **November 17, 2025, to January 16, 2026**. Comments should be directed to the Commission's Rulemaking Coordinator.

Melissa A. Vuotto
Rulemaking Coordinator
North Carolina Real Estate Commission
P.O. Box 17100
Raleigh, NC 27619
public.comment@ncrec.gov

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North Carolina Real Estate Commission

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☎ Regulatory Affairs: 919-719-9180 (tel:9197199180) ⌚ 8:30am - 5:00pm (Mon-Fri)

✉ Support (/Support/Support)

BE AWARE OF SCAMMERS!!!

Brokers - beware of text messages saying that you haven't renewed. The Commission **does not** communicate with brokers via text. Do not click links in suspicious texts. The only place to renew your broker license is at NCREC.gov (<https://www.ncrec.gov/>).

Reinstate your Broker License
(https://license.ncrec.gov/ncrec/oecgi3.exe/O4W_NCLOGIN_NEW)

Reinstate your Firm License
(https://license.ncrec.gov/ncrec/oecgi3.exe/O4W_CORP_COL_NEW)

Reinstate your LNCL License
(https://license.ncrec.gov/ncrec/oecgi3.exe/O4W_LNCL_COL_NEW)

NOVEMBER COMMISSION MEETING

The meeting of the North Carolina Real Estate Commission scheduled for November 19, 2025, at 8:30 a.m., is open to the public and will also be live-streamed via Zoom.



Please click the link below to join the webinar:

[https://ncrec.zoom.us/j/83972684986?](https://ncrec.zoom.us/j/83972684986?pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az)

[pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az](https://ncrec.zoom.us/j/83972684986?pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az)

([https://ncrec.zoom.us/j/83972684986?](https://ncrec.zoom.us/j/83972684986?pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az)

[pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az](https://ncrec.zoom.us/j/83972684986?pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az))

Passcode: **927101**

Or One tap mobile :

+1-309-205-3325 (tel:1-309-205-3325),,83972684986# US

+1-312-626-6799 (tel:1-312-626-6799),,83972684986# US (Chicago)

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

1-309-205-3325 (tel:1-309-205-3325) US

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1-646-931-3860 (tel:1-646-931-3860) US

1-301-715-8592 (tel:1-301-715-8592) US (Washington DC)

1-305-224-1968 (tel:1-305-224-1968) US

1-689-278-1000 (tel:1-689-278-1000) US

1-719-359-4580 (tel:1-719-359-4580) US

1-720-707-2699 (tel:1-720-707-2699) US (Denver)

1-253-205-0468 (tel:1-253-205-0468) US

1-253-215-8782 (tel:1-253-215-8782) US (Tacoma)

1-346-248-7799 (tel:1-346-248-7799) US (Houston)

1-360-209-5623 (tel:1-360-209-5623) US

1-386-347-5053 (tel:1-386-347-5053) US

1-507-473-4847 (tel:1-507-473-4847) US

1-564-217-2000 (tel:1-564-217-2000) US

1-669-444-9171 (tel:1-669-444-9171) US

Webinar ID: 839 7268 4986

International numbers available: [https://ncrec.zoom.us/u/kgYK3R1Zw](https://ncrec.zoom.us/j/83972684986?pwd=ePrV4vEY1Uw7ajrT23b7B06AUgyXqA.h_5xXzKOZ0BOL3az)

(<https://ncrec.zoom.us/u/kgYK3R1Zw>)

Commission exhibits: Coming soon.

Hurricanes and Vacation Rentals

The Atlantic hurricane season runs June 1 through November 30 each year, though North Carolina is most at risk for hurricanes during the months of August, September, and October. It is important for tenants, managers, and owners to be aware of the laws governing hurricanes and evacuations related to vacation rentals. For more information on relevant laws and for additional resources read more in the Commission's Hurricanes and Vacation Rentals (<https://bulletins.ncrec.gov/hurricanes-and-vacation-rentals/>) ebulletin article.



License Law and Rules

License Law and Rules

- [License Law and Rules \(../Resources/LicenseLaw\)](#)

License Law and Rule Changes

- [Proposed Rulemaking \(/Pdfs/Rules/ProposedRulesUnderConsideration.pdf\)](#)
- [Proposed Changes to the Residential Property and Owners' Association Disclosure Statement \(/Pdfs/Rules/RPOADSDraftwNotice.pdf\)](#)
- [Approved Rules Effective July 1, 2025 \(/Pdfs/Rules/ApprovedRulesJuly2025.pdf\)](#)
- [Subscribe to the Commission's mailing list to receive notice of rule making\(rule changes, additions, or deletions\) \(../Home/Subscribe\)](#)

Licensees

Licensee Login

- [Licensee Login \(https://license.ncrec.gov/ncrec/oecgi3.exe/O4W_NCLOGIN_NEW\)](#)
- [Firm Login \(https://license.ncrec.gov/ncrec/oecgi3.exe/O4W_CORP_COL_NEW\)](#)

Search the Licensee Database

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- [October 2025 ebulletin \(https://mailchi.mp/ncrec/nc-real-estate-commission-october-2025-ebulletin\)](#)
- [September 2025 ebulletin \(https://mailchi.mp/ncrec/nc-real-estate-commission-september-2025-ebulletin\)](#)



- August 2025 ebulletin (<https://mailchi.mp/ncrec/nc-real-estate-commission-august-2025-ebulletin>)
- July 2025 ebulletin (<https://mailchi.mp/ncrec/nc-real-estate-commission-july-2025-ebulletin>)
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Burgos, Alexander N

From: Wiggs, Travis C
Sent: Monday, February 23, 2026 10:12 AM
To: Melissa@NCREC.GOV
Cc: Burgos, Alexander N
Subject: RRC Meeting March 2026-Request for Technical Changes
Attachments: 03_2026-Real Estate Commission-Request for Technical Changes.docx

Good afternoon,

I'm the attorney who reviewed the rules submitted by the NC Real Estate Commission for the March 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, March 26, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rules to me via email, no later than 5 p.m. on March 9, 2026. Let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

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