

## CHAPTER 70-02-02 EDUCATION AND EXPERIENCE STANDARDS

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### **70-02-02-01. Purpose of chapter.**

The purpose of this chapter is to delineate the rules which the real estate commission will follow in approving and regulating all schools offering prelicensure courses to meet the requirements in North Dakota Century Code section 43-23-08.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08, 43-23-08.2

**Law Implemented:** NDCC 43-23-08

### **70-02-02-02. Application for prelicensure course approval.**

In order for any prelicensure course to be approved by the real estate commission a complete application shall be filed with the commission not less than forty-five days prior to the contemplated date of offering the first course. The application, in addition to the name and address of the school offering the course as well as any other identifying criteria which the commission may require, must be accompanied by a nonrefundable fee not to exceed two hundred dollars, and must include:

1. A proposed course outline, in reasonable detail, with hours spent on each subject area to be covered by the course. Each outline shall make reference to the textbook used and other material related to the course or subject matter, and shall substantially conform to the approved curricula outlines prepared by the commission.
2. An instructor application or resume on all instructors and subject to be taught.
3. The date, time, and place of any synchronous course hours.
4. Tuition and other costs or fees for students.

**History:** Amended effective January 1, 1992; January 1, 2006; July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08, 43-23-13

**Law Implemented:** NDCC 43-23-08, 43-23-13

**70-02-02-03. Qualifications for classroom instructors.**

Any person applying for commission approval of classroom instruction must furnish to the commission evidence satisfactory to the commission that every instructor giving classroom instruction has the necessary specialized preparation, training, and experience to ensure competent instruction.

Instructors who, in the estimation of the school administration, are deemed inadequate or do not satisfy the school's standards of quality should have their services terminated by the school.

**General Authority:** NDCC 43-23-08

**Law Implemented:** NDCC 43-23-08

**70-02-02-04. Courses of study approved by the commission.**

Repealed effective July 1, 2022.

**70-02-02-05. Commission review of all real estate courses.**

Every three years, the school shall submit another complete application. The commission shall review the school to determine if it meets the requirements of law and commission for certification for another three years.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08

**Law Implemented:** NDCC 43-23-08

**70-02-02-06. Approval of classroom instruction.**

Repealed effective July 1, 2022.

**70-02-02-07. Review of courses not having received prior approval.**

Repealed effective July 1, 2022.

**70-02-02-08. Withdrawal of approval.**

If the commission determines a school is not meeting the requirements of law for continued approval, the commission shall immediately notify the school in writing detailing the deficiencies requiring correction. The schools' approval by the commission shall continue ninety days from the date of the commission's written notice to the school, and if, at the expiration of that period, the school has failed to correct to the commission's satisfaction the deficiencies noted, the commission may withdraw approval of the school.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08

**Law Implemented:** NDCC 43-23-08

**70-02-02-09. Advertising of approved courses.**

If the name of the commission is used or if commission approval is indicated, any advertisement may not make or imply any guarantee concerning the applicant's passing of the real estate licensing examination or that the commission has any interest in the school other than ensuring that it complies with the standards imposed by North Dakota Century Code chapter 43-23. The phrase "North Dakota real estate commission" may not appear in the advertisement in larger type than the words and phrases preceding or following the phrase "North Dakota real estate commission". No promotional material of any school approved by the commission shall state or imply that its program of instruction is the sole

vehicle for which the education requisites for licensure shall be attained. Schools or their representatives shall not promote their school in such a manner as to state or imply that their program excels over any other course of instruction.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08

**Law Implemented:** NDCC 43-23-08

**70-02-02-10. Course hour.**

A course hour shall be defined as fifty minutes.

**History:** Amended effective October 1, 2015; July 1, 2022.

**General Authority:** NDCC 28-32-02, 43-23-08

**Law Implemented:** NDCC 43-23-08

**70-02-02-11. Coordinators.**

Repealed effective July 1, 2022.

**70-02-02-12. Examinations.**

Each prelicensure course shall include examinations as a component to determine successful course completion.

The weight of examinations as the determination of successful completion of a course and the criteria for passing of examinations may be developed by each school. However, the commission may direct alterations in examination procedures, criteria for passing, and the administration whenever deemed necessary. Each school shall furnish the commission with copies of its examinations.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 43-23-08, 43-23-08.2

**Law Implemented:** NDCC 43-23-08, 43-23-08.2

**70-02-02-13. Certificate of completion.**

Each school shall issue to the students successfully completing a course of instruction an official certificate of completion which reflects the school's name, course title, and number of classroom hours (or other recognized educational unit) involved in the course. Such certificate, or copies thereof, shall serve as evidence when presented to the commission of successful completion of the course of instruction. Letters of other official communication may also be provided the student, which may be utilized by the student for submission to the commission as evidence of satisfactory completion of the course. The letters will fully reflect the school name, the course title and number, educational units, and be dated and signed by an official of the school.

**History:** Amended effective July 1, 2022.

**General Authority:** NDCC 43-23-08, 43-23-08.2

**Law Implemented:** NDCC 43-23-08, 43-23-08.2

**70-02-02-14. Facilities.**

Repealed effective July 1, 2022.

**70-02-02-15. Course content must not be duplicated.**

Repealed effective July 1, 2022.

**70-02-02-16. No credit given for salesmanship courses.**

Repealed effective July 1, 2022.

**70-02-02-17. Correspondence courses.**

Repealed effective July 1, 2022.

**70-02-02-18. Online-only asynchronous prelicensure courses must be certified.**

Online-only asynchronous prelicensure courses must be certified by the association of real estate license law officials before being approved by the commission. A student must complete the online-only asynchronous prelicensure course within one year of the date of enrollment.

**History:** Effective December 1, 1999; amended effective July 1, 2022.

**General Authority:** NDCC 43-23-08, 43-23-08.1, 43-23-08.2

**Law Implemented:** NDCC 43-23-08, 43-23-08.2