

SENATE BILL REPORT

SHB 1286

As Reported By Senate Committee On:
Commerce & Labor, April 3, 1997

Title: An act relating to real estate brokers and salespersons.

Brief Description: Correcting real estate brokers and salespersons statutes for administrative and practical purposes.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives McMorris, Honeyford, Conway, Cole and Thompson; by request of Department of Licensing).

Brief History:

Committee Activity: Commerce & Labor: 4/1/97, 4/3/97 [DP].

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass.

Signed by Senators Schow, Chair; Horn, Vice Chair; Anderson, Franklin, Fraser, Heavey and Newhouse.

Staff: Aurora Almeda (786-7488)

Background: The Department of Licensing has identified a number of provisions in the real estate and salespersons licensing and practices statutes that require modifications to make the provisions consistent with current department practices and policy and the Administrative Procedure Act.

Summary of Bill: A number of modifications are made to the real estate brokers and salespersons licensing and practice act. They include the following:

Changes to the Department's Administrative Procedures: Licensing procedures cover limited liability companies and limited liability partnerships, in addition to corporations. An automatic stay— of administrative decisions against a licensee is replaced by requiring a motion for stay— to be filed with, heard and granted by superior court. Any real estate broker or real estate salesperson is prohibited from sharing any part of his or her commission or other compensation with any unlicensed real estate practitioner in any foreign jurisdiction which has a real estate regulatory program.

Changes to the Director's Duties: References to frequency of exam administrations and mandated geographical region references are removed. However, the Real Estate Commission must ensure that examinations are prepared and administered at examination centers throughout the state.

Technical modifications to the statute, such as updating the terminology to reflect current standards of practice, industry terms, and to maintain gender neutral references are also made.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill is a Department of Licensing request. The modifications the bill makes to the real estate brokers licensing statute are for administrative efficiency purposes.

Testimony Against: None.

Testified: PRO: Bob Mitchell, Department of Licensing; Teri Hotvedt, Washington Association of Realtors.