
HOUSE BILL 1382

State of Washington 53rd Legislature 1993 Regular Session

By Representatives King, Lisk and Scott

Read first time 01/27/93. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to real estate broker licenses for auctioneers of
2 real estate; and amending RCW 18.85.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.85.010 and 1987 c 332 s 1 are each amended to read
5 as follows:

6 In this chapter words and phrases have the following meanings
7 unless otherwise apparent from the context:

8 (1) "Real estate broker," or "broker," means a person, while acting
9 for another for commissions or other compensation or the promise
10 thereof, or a licensee under this chapter while acting in his or her
11 own behalf, who:

12 (a) Sells or offers for sale, lists or offers to list, buys or
13 offers to buy real estate or business opportunities, or any interest
14 therein, for others;

15 (b) Negotiates or offers to negotiate, either directly or
16 indirectly, the purchase, sale, exchange, lease, or rental of real
17 estate or business opportunities, or any interest therein, for others;

18 (c) Negotiates or offers to negotiate, either directly or
19 indirectly, the purchase, sale, or exchange of a used mobile home in

1 conjunction with the purchase, sale, exchange, rental, or lease of the
2 land upon which the used mobile home is located;

3 (d) Advertises or holds himself or herself out to the public by any
4 oral or printed solicitation or representation that he or she is so
5 engaged; ((or))

6 (e) Engages, directs, or assists in procuring prospects or in
7 negotiating or closing any transaction which results or is calculated
8 to result in any of these acts; or

9 (f) Auctions or offers, attempts, or agrees to auction real estate;

10 (2) "Real estate salesperson" or "salesperson" means any natural
11 person employed, either directly or indirectly, by a real estate
12 broker, or any person who represents a real estate broker in the
13 performance of any of the acts specified in subsection (1) of this
14 section;

15 (3) An "associate real estate broker" is a person who has qualified
16 as a "real estate broker" who works with a broker and whose license
17 states that he or she is associated with a broker;

18 (4) The word "person" as used in this chapter shall be construed to
19 mean and include a corporation or copartnership, except where otherwise
20 restricted;

21 (5) "Business opportunity" shall mean and include business,
22 business opportunity and good will of an existing business or any one
23 or combination thereof;

24 (6) "Commission" means the real estate commission of the state of
25 Washington;

26 (7) "Director" means the director of licensing;

27 (8) "Real estate multiple listing association" means any
28 association of real estate brokers:

29 (a) Whose members circulate listings of the members among
30 themselves so that the properties described in the listings may be sold
31 by any member for an agreed portion of the commission to be paid; and

32 (b) Which require in a real estate listing agreement between the
33 seller and the broker, that the members of the real estate multiple
34 listing association shall have the same rights as if each had executed
35 a separate agreement with the seller;

36 (9) "Clock hours of instruction" means actual hours spent in
37 classroom instruction in any tax supported, public vocational-technical
38 institution, community college, or any other institution of higher
39 learning or a correspondence course from any of the aforementioned

1 institutions certified by such institution as the equivalent of the
2 required number of clock hours, and the real estate commission may
3 certify courses of instruction other than in the aforementioned
4 institutions; and

5 (10) "Incapacitated" means the physical or mental inability to
6 perform the duties of broker prescribed by this chapter.

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