

1301:5-7-03

**Criteria for course approvals.**

- (A) Continuing education courses shall be completed in seminars, schools, and educational institutions which are not limited to institutions providing two-year or four-year degrees but may include qualifying public or private schools, firms, associations, organizations, individuals, corporations, or similar arrangements and must be successfully completed after the effective date of this rule.
- (B) An applicant for initial course approval, additional course offerings of an approved course, or renewal of a course approval shall apply to the division for approval on the appropriate form prescribed by the division along with the nonrefundable fee in accordance with rule 1301:5-7-06 of the Administrative Code. The initial application form and fee must be submitted to the division at least forty-five days prior to the proposed initial date of the offering.
- (C) An initial course approval shall be valid for the calendar year in which the course was approved. Re-certification of a course approval shall be filed with the division no later than December thirty-first of the calendar year of initial approval and every year thereafter on forms prescribed by the division along with the nonrefundable fee in accordance with rule 1301:5-7-06 of the Administrative Code. Any re-certification for a course approval filed after January thirty-first shall be considered an initial application course and require approval through the submission of a course application along with the nonrefundable fee in accordance with rule 1301:5-7-06 of the Administrative Code. A new application for an approved course shall be submitted every three years.
- (D) Upon notice from the division that an application for initial course approval or additional course offering is incomplete or incorrect as filed, the applicant shall within thirty days of the date of the division's notice of deficiency, submit to the division a corrected application or the additional information requested. Failure to timely submit such corrected application or additional information shall constitute just cause for the application to be withdrawn and the superintendent to impose a forfeiture of the application fee.
- (E) The division, when acting on an application for approval of an offering, will consider, but not be limited to, the following criteria:
- (1) Information included on the application form:
- (a) Name, address and telephone number of entity;

(b) Policy regarding attendance and procedure for recordkeeping of attendance;

(c) Summary of offering, including, but not limited to:

(i) Title of offering;

(ii) Maximum number of participants;

(iii) Type of training: seminar, conference, course, other;

(iv) Proposed initial date of offering;

(v) Prerequisite for admission and/or participation, if any;

(vi) Duration in time of offering;

(vii) Form of attendance certificate;

(viii) Method of record maintenance;

(ix) Textbooks and student materials prescribed;

(x) Sample of proposed advertising, if any;

(xi) Outline or syllabus;

(xii) Attendance or participation fees;

(xiii) Location of offering;

(d) Personal data indicating names and qualification of teachers and instructors as required by rule 1301:5-7-04 of the Administrative Code;

(e) Such other information as the Ohio real estate commission or superintendent may request.

(F) No offering will be approved in which instruction is less than one classroom hour or exceeds more than eight classroom hours in any one day.

(G) Each provider shall notify the division on the appropriate form proscribed by the division at least fifteen days in advance of the addition of an offering date for an approved course or change in an offering date for an approved course. Each provider shall notify the division in writing at least three days in advance of all course content changes, all changes of location(s), time(s) or instructor(s). A fee in accordance with rule 1301:5-7-06 of the Administrative Code shall also be submitted.

The superintendent shall have the discretion to waive the advance notification requirements upon good cause shown.

Changes to an already approved course making up more than one-third of the course hours shall be considered a new course and the provider shall be required to file for an initial course approval along with the appropriate application form and the fee in accordance with rule 1301:5-7-06 of the Administrative Code.

(H) The division may approve course offerings for continuing education in only the following areas:

(1) Real estate ethics;

(2) Legislative issues that influence real estate practice;

(3) Real estate laws and regulations, including licensing provisions, regulatory practices, and attendance at a full monthly meeting of the Ohio real estate commission;

(4) Advanced real estate financing, including mortgages and other financing techniques;

(5) Real estate market measurement and evaluation, including site evaluations, market data, and feasibility studies;

(6) Real property management, including leasing agreements, accounting procedures, and management contracts;

(7) Land use planning and zoning;

(8) Real estate securities and syndication;

(9) Accounting and taxation as applied to real property;

(10) Land and community development and revitalization;

(11) Advanced real estate appraising;

(12) Real estate marketing procedures related specifically to actual real estate knowledge;

(13) Timeshares, condominiums and cooperatives;

(14) Brokerage office management;

- (15) Use of technology and/or internet marketing as applied to the practice of real estate;
  - (16) Business administration, including but not limited to, business operations management, human resources management and business taxation;
  - (17) Personal safety issues for the real estate agent and consumer;
  - (18) Real estate negotiation, general negotiation and real estate business and marketing communication; and
  - (19) Cultural diversity as applied to the practice of real estate.
- (I) The division shall not approve or grant credit for continuing education for the following types of courses:
- (1) Examination preparation courses;
  - (2) Offerings in mechanical office and business skills including, but not limited to, typing, speed reading, memory improvement, language, and report writing;
  - (3) Sales promotion or other meetings held in conjunction with the general business of the attendee or the attendee's business associates;
  - (4) Meetings which are a normal part of in-house staff training;
  - (5) The portion of any offering devoted entirely to meals or other refreshment or during which the course instruction is recessed or suspended; and
  - (6) Correspondence courses or distance education not in compliance with rule 1301:5-7-04 of the Administrative Code.
- (J) Each continuing education course shall be open to all real estate licensees.
- (K) A provider may offer its members a reasonable reduction in the fees it charges for a course provided that the reduction does not exceed the following:
- (1) For a course costing non-members twenty dollars or less, a reduction of up to one hundred percent; and
  - (2) For a course costing non-members over twenty dollars, a reduction of not more than fifty percent.
- (L) The division shall keep a current list of approved continuing education courses which shall be available to licensees and the public.

Effective:

Five Year Review (FYR) Dates:

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Certification

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Date

Promulgated Under: 119.03

Statutory Authority:

Rule Amplifies: