



**Department  
of Commerce**

Division of Real Estate &  
Professional Licensing

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On Sept. 25, 2018, the Ohio Supreme Court issued a decision concerning the question of whether the “*Negotiation of oil-and-gas leases requires real-estate-broker’s license pursuant to R.C. 4735.01(A) and 4735.02(A)....*” [Dundics v. Eric Petroleum Corp, Slip Opinion No. 2018-Ohio-3826](#) at ¶1. The Court found that “R.C. 4735.01 contains no exception for oil-and-gas leases or oil-and-gas land professionals” and concluded “that an oil-and-gas lease falls within the definition of “real estate” in R.C. 4735.01(B), the negotiation of which requires a real-estate-broker’s license pursuant to R.C. 4735.01(A) and 4735.02(A).” *Id.* at ¶15. As such, negotiating oil-and-gas leases has been determined to be activity that requires a real estate license unless an exemption is otherwise met.

Therefore, such activity is subject to the requirements of Chapter 4735 of the Ohio Revised Code, including the rules and regulations pertaining to the chapter. Professionals who are engaged in the negotiation of oil-and-gas leasing should consult with private legal counsel with respect to the supreme court decision and its impact on their business activities. Professionals can contact the Division of Real Estate and Professional Licensing for information pertaining to the necessary steps to become licensed and to ensure that they are in compliance with Ohio licensing law. More information about the [requirements for an Ohio Real Estate Salesperson’s License](#) is available online.