
By: **Senator Conway**

Introduced and read first time: February 5, 2003

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Licensees - Branch Office Manager**

3 FOR the purpose of requiring certain applicants for an associate real estate broker
4 license to meet certain requirements; establishing requirements for a licensed
5 real estate salesperson, regardless of whether the salesperson has certain
6 experience, to qualify to be designated a branch office manager of a real estate
7 broker; and generally relating to requirements for real estate broker branch
8 office managers and associate real estate brokers.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 17-304 and 17-518
12 Annotated Code of Maryland
13 (2000 Replacement Volume and 2002 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Business Occupations and Professions**

17 17-304.

18 (a) To qualify for an associate real estate broker license, an applicant shall be
19 an individual who meets the requirements of this section.

20 (b) An applicant shall meet the requirements for a real estate broker license
21 under § 17-305 of this subtitle.

22 (c) An applicant shall obtain, from a licensed real estate broker, a
23 commitment providing that the applicant shall become affiliated with the licensed
24 real estate broker as an associate real estate broker on the granting of an associate
25 real estate broker license to the applicant.

26 (D) AN APPLICANT FOR AN ASSOCIATE REAL ESTATE BROKER LICENSE WHO
27 IS A LICENSED REAL ESTATE SALESPERSON AND MANAGER OF A BRANCH OFFICE OF
28 A LICENSED REAL ESTATE BROKER AS AUTHORIZED BY § 17-518(D)(2)(III) OF THIS

1 SUBTITLE IS NOT ELIGIBLE TO OBTAIN OR HOLD AN ASSOCIATE REAL ESTATE
2 BROKER LICENSE UNLESS THE APPLICANT MEETS THE REQUIREMENTS OF § 17-305
3 OF THIS SUBTITLE.

4 17-518.

5 (a) Subject to the provisions of this subtitle, a licensed real estate broker may
6 maintain branch offices in the State.

7 (b) A licensed real estate broker shall obtain a branch office certificate before
8 the broker may maintain a branch office in the State.

9 (c) (1) An applicant for a branch office certificate shall:

10 (i) submit to the Commission an application on the form that the
11 Commission provides;

12 (ii) submit to the Commission written notice of the identity of the
13 individual appointed as manager of the branch office under subsection (d) of this
14 section; and

15 (iii) pay to the Commission an application fee of \$5.

16 (2) The Commission shall issue a branch office certificate to each
17 licensed real estate broker who meets the requirements of this section.

18 (d) (1) Subject to paragraph (2) of this subsection, the licensed real estate
19 broker shall designate a manager for each branch office of the broker.

20 (2) The manager shall be:

21 (i) a licensed associate real estate broker; [or]

22 (ii) a licensed real estate salesperson who has at least 3 years'
23 experience providing real estate brokerage services; OR

24 (III) A LICENSED REAL ESTATE SALESPERSON WHO HAS
25 COMPLETED SUCCESSFULLY A COURSE IN REAL ESTATE APPROVED BY THE
26 COMMISSION FOR REAL ESTATE BROKERS AND HAS PASSED AN EXAMINATION GIVEN
27 BY THE COMMISSION UNDER § 17-306 OF THIS SUBTITLE REGARDLESS OF WHETHER
28 THE INDIVIDUAL HAS AT LEAST 3 YEARS' EXPERIENCE PROVIDING REAL ESTATE
29 BROKERAGE SERVICES AS A LICENSED REAL ESTATE SALESPERSON.

30 (3) The manager shall have the responsibility to supervise the provision
31 of real estate brokerage services by the associate brokers and sales agents registered
32 to that office as provided for in § 17-320 of this title.

33 (e) (1) Unless a branch office certificate is renewed for a 2-year term as
34 provided in this subsection, the certificate expires on the first April 30 that comes:

35 (i) after the effective date of the certificate; and

1 (ii) in an even-numbered year.

2 (2) Before a branch office certificate expires, a licensed real estate broker
3 periodically may renew it for an additional 2-year term, if the broker:

4 (i) submits to the Commission a renewal application on the form
5 that the Commission provides accompanied by the license renewal application of the
6 manager of the branch office; and

7 (ii) pays to the Commission a renewal fee of \$5.

8 (3) The Commission shall renew the branch office certificate of each
9 licensed real estate broker who meets the requirements of this section.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2003.