

ALABAMA REAL ESTATE COMMISSION

NOTICE OF INTENDED ACTION

Agency Name: Alabama Real Estate Commission

Rule No: Rule 790-X-1-.15

Rule Title: School And Instructor Advertising Regulations.

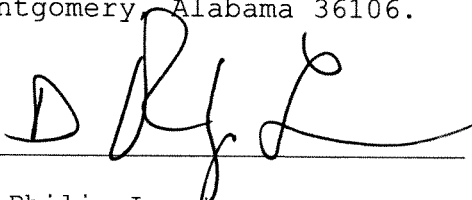
Intended Action: Amend Rule

Substance of Proposed Action: The proposed amendment removes the requirement of including the license number of a school on the signage that also contains the licensed or approved name of the school. After a period of three years there was no recognized benefit to the consumer.

Date, Time, Place, Manner of Presenting Views: Comments can be presented at the public hearing scheduled at 9:00 a.m. on July 26, 2012 at the Morgan County Association of REALTORS® located at 1501 4th Avenue SE, Decatur, Alabama. Additionally, written comments may be addressed to D. Philip Lasater, Executive Director, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106. Written comments must be received in the Commission office no later than 4:30 p.m. on August 6, 2012.

Final Date For Comment and Completion of Notice: August 6, 2012

Contact Person at Agency: Chris Booth, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106.
(334) 242-5544.

A handwritten signature in black ink, appearing to read 'D. Philip Lasater', is written over a horizontal line.

D. Philip Lasater
Executive Director

790-X-1-.15. School and Instructor Advertising Regulations.

(1) No school and no instructor shall make, or cause to be made, any statement, or representation, oral, written, or visual in connection with the operation of a school or the offering of a course, if such person knows or reasonably should know the statement or representation to be false, inaccurate, or misleading.

(2) All school advertising ~~with the exception of signage as identified in Section 34-27-6(f)~~ shall contain the licensed or approved name of the school ~~and the license number~~. A school shall not advertise in conjunction with any other business establishment unless that school submits a written statement to the Commission that it will be responsible to ensure that all advertising complies with the laws and rules which govern advertising.

(3) No reference whatsoever shall be made in any newspaper, advertising brochures, etc. as to "pass/fail ratio" by any school/course sponsor or instructor approved by the Alabama Real Estate Commission.

(4) There shall be no advertising which guarantees or alludes to a guarantee of passing the state examination.

(5) Failure by schools and instructors to comply with advertising laws and rules shall result in disciplinary action as set forth in Commission rules.

Author: Alabama Real Estate Commission

Statutory Authority: Code of Ala. 1975, §§ 34-27-6, 34-27-8.

History: