

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission

Alabama Rule No. 790-X-2-.25

Rule Title: Model Home Sales Office

X New          Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? **Yes**

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? **Yes**

Is there another, less restrictive method of regulation available that could adequately protect the public? **No**

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? **No**

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? **N/A**

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? **Yes**

\*\*\*\*\*

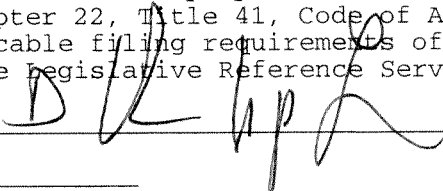
Does the proposed rule have an economic impact? **No**

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 6/19/12

DATE FILED  
(STAMP)

### **Rule 790-X-2-.25 Model Home Sales Office**

When a real estate company maintains an office at a residential subdivision or development this office shall not be considered a branch office, and shall not be required to have a branch office license, provided the all the following conditions shall be met:

1. The company shall have a listing agreement covering the all first-time sales of all the lots in the subdivision or development; and
2. Sales activities shall be limited to the first-time sales, and no re-sales shall be permitted from this office; and
3. Only licensed persons shall be present at the office to show property for sale and to engage in the other activities requiring a real estate license; and
4. No other business activities of the company shall be conducted at this office. The activities of all persons in the office shall be confined to the business of that one subdivision or development.

Author: Alabama Real Estate Commission

Statutory Authority: §34-27-8; §34-27-32 Ala. Code