

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission

Rule No. 790-X-1-.08

Rule Title: Instructor Approval And Utilization

 New X 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 *Patricia Anderson*

Date 5-18-16

DATE FILED
(STAMP)

APA-2

ALABAMA REAL ESTATE COMMISSION

NOTICE OF INTENDED ACTION

Agency Name: Alabama Real Estate Commission

Rule No: Rule 790-X-1-.08

Rule Title: Instructor Approval And Utilization

Intended Action: Amend Rule

Substance of Proposed Action: The proposed amendment allows multiple unapproved instructors to teach continuing education courses as long as the approved instructor is present.

Date, Time, Place, Manner of Presenting Views: Comments can be presented at the public hearing scheduled at 9:00 a.m. on June 23, 2016 at the Alabama Real Estate Commission located at 1201 Carmichael Way, Montgomery, Alabama. Additionally, written comments may be addressed to Patricia Anderson, 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 July 5, 2016.

Final Date For Comment and Completion of Notice: July 5, 2016

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

A handwritten signature in blue ink that reads "Patricia Anderson". The signature is written in a cursive style and is positioned above a horizontal line.

Patricia Anderson
Executive Director

Rule 790-X-1-.08. Instructor Approval And Utilization

Each real estate prelicense, post license and continuing education course and the instructor(s) responsible for conducting each such course shall be approved by the Alabama Real Estate Commission. An approved instructor shall be present at each session of an approved real estate course. Unapproved guest ~~instructors~~ speakers with expertise in particular areas may be used in prelicense courses, post license courses, and ~~conferences~~ continuing education courses at any time without limitation so long as ~~an~~ the approved instructor is present during their respective presentations to guarantee satisfaction of all course requirements. ~~Unapproved instructors can be used no more than one-third (1/3) of course hours in continuing education courses so long as the approved instructors present during their respective presentations.~~

Author: Alabama Real Estate Commission

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

History: Filed September 30, 1982. **Amended:** Filed May 15, 1984; March 28, 1985. **Amended:** Filed August 25, 1993; effective September 29, 1993. **Amended:** Filed July 11, 2008; effective August 15, 2008. **Amended:** Filed August 28, 2014; effective October 2, 2014.