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HOUSE BILL 2691

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives Heavey, Ferguson, Morris, Kremen, Riley, Broback,  
Rayburn, Paris and Forner

Read first time 01/24/92. Referred to Committee on Commerce & Labor.

1            AN ACT Relating to real estate brokers and salespersons; amending  
2 RCW 18.85.040, 18.85.220, and 18.85.315; adding a new section to  
3 chapter 18.85 RCW; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 18.85.040 and 1988 c 205 s 2 are each amended to read  
6 as follows:

7            (1) The director, with the advice and approval of the commission,  
8 may issue rules and regulations to govern the activities of real estate  
9 brokers, associate real estate brokers and salespersons, consistent  
10 with this chapter, fix the times and places for holding examinations of  
11 applicants for licenses and prescribe the method of conducting them.

12            (2) The director shall enforce all laws, rules and regulations  
13 relating to the licensing of real estate brokers, associate real estate  
14 brokers, and salespersons, grant or deny licenses to real estate

1 brokers, associate real estate brokers, and salespersons, and hold  
2 hearings. The director may impose any one or more of the following  
3 sanctions: Suspend or revoke licenses, deny applications for licenses,  
4 fine violators, or require the completion of a course in a selected  
5 aspect of real estate practice relevant to the provision of this  
6 chapter or rule violated. The director may deny, suspend or revoke the  
7 authority of a broker to act as the designated broker of persons who  
8 commit violations of the real estate license law or of the rules and  
9 regulations.

10 (3) The director shall establish by rule standards for licensure of  
11 applicants licensed in other jurisdictions.

12 (4) The director shall institute a program of real estate education  
13 ~~((for the benefit of the licensees and may institute))~~ including, but  
14 not limited to, instituting a program of education at institutions of  
15 higher education in Washington. The overall program shall include  
16 establishing minimum levels of ongoing education for licensees relating  
17 to the practice of real estate by real estate brokers and salespersons  
18 under this chapter. The program may also include the development or  
19 implementation of curricula courses, educational materials, or  
20 approaches to education relating to real estate when required,  
21 approved, or certified for continuing education credit. The director  
22 may enter into contracts with other persons or entities, whether  
23 publicly or privately owned or operated, to assist in developing or  
24 implementing the real estate education program.

25 (5) The director shall charge a fee, as prescribed by the director  
26 by rule, for the certification of courses of instruction, instructors,  
27 and schools.

28 **Sec. 2.** RCW 18.85.220 and 1991 c 277 s 1 are each amended to read  
29 as follows:

1 All fees required under this chapter shall be set by the director  
2 in accordance with RCW 43.24.086 and shall be paid to the state  
3 treasurer. All fees paid under the provisions of this chapter shall be  
4 placed in the real estate commission account in the state treasury.  
5 All money derived from fines imposed under this chapter shall ~~((also))~~  
6 be deposited in the real estate ~~((commission account, shall be used~~  
7 ~~solely for education for the benefit of licensees and shall be subject~~  
8 ~~to appropriation pursuant to chapter 43.88 RCW))~~ education account  
9 created by section 4 of this act.

10 **Sec. 3.** RCW 18.85.315 and 1987 c 513 s 9 are each amended to read  
11 as follows:

12 Remittances received by the treasurer pursuant to RCW 18.85.310  
13 shall be divided between the housing trust fund created by RCW  
14 43.185.030, which shall receive seventy-five percent and the real  
15 estate ~~((commission))~~ education account created by ~~((RCW 18.85.220))~~  
16 section 4 of this act, which shall receive twenty-five percent.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 18.85 RCW  
18 to read as follows:

19 The real estate education account is created in the custody of the  
20 state treasurer. All moneys received for credit to this account  
21 pursuant to RCW 18.85.315 and all moneys derived from fines imposed  
22 under this chapter shall be deposited into the account. Disbursements  
23 from the account shall be upon the authorization of the director or a  
24 duly authorized representative of the director, and shall be used  
25 solely for the purposes of carrying out the director's programs for  
26 education of real estate licensees and others in the real estate  
27 industry. All expenses and costs relating to implementation or  
28 administration of, or payment of contract fees or charges for, the

1 director's real estate education programs may be paid from this  
2 account. The real estate education account shall be subject in all  
3 respects to chapter 43.88 RCW except that no appropriation shall be  
4 required to permit expenditures and payment of obligations from this  
5 fund.

6 NEW SECTION. **Sec. 5.** This act shall take effect July 1, 1992.