Print Form

# REGISTRATION OF REAL ESTATE PRELICENSE EDUCATION SCHOOL

---

- A school shall not offer courses for the fulfillment of the educational requirement for a real estate license unless it first registers with the Real Estate Commission ("Commission") **at least ninety days prior to the opening date of the school.**

- **Each registration will expire at the end of every even-numbered year.** The provider registration will expire unless reregistered prior to the end of each even-numbered year; failure to reregister will result in forfeiture of school registration . **The reregistration deadline is November 30th of each even-numbered year.**

- Review Hawaii Administrative Rules, Chapter 99, Subchapter 5 REGISTERED REAL ESTATE SCHOOLS (see attached). Providers must comply with all rules outlined in this chapter.

- Areas of study listed in the salesperson's curriculum must be covered in the salesperson prelicense class. Areas of study listed in the salesperson's and broker's curriculum must be covered in the broker prelicense class.

- If offering Prelicense Independent Study Course, also submit the Application for Prelicense Independent Study Course.

- Complete applications will be reviewed and considered by the Commission. Incomplete applications will not be considered. Please allow 45 days for processing.

**UNTIL RECEIPT OF WRITTEN NOTIFICATION OF APPROVAL FROM THE REAL ESTATE COMMISSION, NO SCHOOL SHALL ADVERTISE, SCHEDULE CLASSES, ACCEPT APPLICATIONS OR TUITION FEES FROM PROSPECTIVE STUDENTS, OR HOLD CLASSES.**

This material and be made available for individuals with special needs. Please call the Senior Real Estate Specialist at 586-2643 to submit your request.

## REGISTRATION OF REAL ESTATE PRELICENSE EDUCATION SCHOOL

Ensure the following are submitted

- ☐ Completed Application for Real Estate Prelicense Education School Registration form (see attached).
- ☐ County certification or a statement signed by the school's principal that each classroom location complies. (see attached):
  - ☐ County Building Department - includes maximum occupant load
  - ☐ Department of Health
  - ☐ County Fire Department

The Commission does not require submission of certificates of clearance; however, providers are responsible for compliance with applicable codes and regulations, including the Americans with Disabilities Act (ADA) requirements.

- ☐ A Surety Bond in an amount based on the formula in Hawaii Administrative Rules ("HAR") §16-99-53(c)(8) or an alternative form of security as described in HAR §16-99-53.1 (see attachment). Use the attached bond form. Other bond forms and re-typed versions are not acceptable (see attached).
- ☐ Signed Statement of Ethical Teaching Practices for each instructor who teaches for the prelicense school (including guest lecturers) (see attached).
- ☐ Signed Consent Form (see attached).
- ☐ School catalogue or brochure to include advertising content and media to be used. The school catalogue or brochure should include a statement of school policies and student disclosures pursuant to HAR §16-99-67.
- ☐ A description of the courses to be offered which contains the course title, curriculum, curriculum objectives and procedures for student evaluation of the instructor.
- ☐ A check with appropriate fee made payable to "Commerce and Consumer Affairs" (see Schedule of Fees).
- ☐ Schedule of fees tuition and all charges to be made (including any advanced deposit charged per student) and a statement of refund policies and procedures.
- ☐ Statement of advertising content and media to be used.
- ☐ Student Registration and Enrollment forms, including the following:
  - ☐ Student Contract or School/Student agreement
  - ☐ Attendance Record, Student Record, or other methods of recording class attendance

  Note: Based on HAR §16-99-59(a), "Tuition rates and all other charges shall be published in the school catalogue. No school shall deviate from its published tuition rates and charges." Also, HAR §16-99-59(c) states "Tuition and other charges shall be specifically set forth in the school registration form. The registration form shall expressly state in the school's policy regarding the return of tuition and other charges when a student is dismissed or withdraws voluntarily. Each student shall acknowledge acceptance of the school's tuition policies on the school's registration

  - ☐ Anticipated Course Schedule for the first year, tuition to be charged for each course, and number of anticipated students (see Real Estate Commission Prelicensing Course Log form).

## Instructions for "Yes" Answers on Section 11 of the Application for Real Estate Prelicense Education School Registration

**A. The following documents must be provided at the time you apply for certification. Applications will not be considered without this material.**

Question a1)
If you have applied for, been granted, or held a real estate license in Hawaii or any other jurisdiction, list the jurisdiction, license type, and license number in the space provided. Attach a separate page if more space is required.

Questions a2, a3, a4, and a5)
These questions refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license, both real estate and those other than real estate. If your answer is "yes" to one or more of these questions, read paragraph B below, and you must submit the following

i. A statement signed by you explaining the circumstances;

ii. Copies of any documents from the agency, including final orders, petitions, complaints, findings of fact and conclusions of law, and any other relevant documents;

iii. A resume of any employment, business activities, and education since the date of the action; and

iv. You may also include statements from employers, business associates, clients, and others who can attest to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

Question b)
If your application indicates a criminal conviction, read paragraph B below, and you must submit the following:

i. A statement signed by you explaining the circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended;

ii. A copy of the court order, verdict, and terms of sentence; written proof of completion and/or compliance with applicable terms of sentence, e.g., payment of fine(s) or restitution;

iii. If applicable, a copy of the terms of probation and/or parole and a statement from your probation or parole officer as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; and

iv Signed statements from employers, business associates, clients, and others who can attest to your business dealings since the conviction, including a statement as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

Question c)
If you have any pending lawsuits, unpaid judgments, outstanding tax obligation, or any other type of involuntary liens against you, read paragraph B below, and you must submit the following:

i. A statement signed by you explaining the circumstances and current status, and if no payment or payment arrangement has been made, the reason;

ii. A resume of employment and business activities; and

iii. Copies of the court complaint, judgment, documentation of payment arrangements, lien documents, records of any payments, and other relevant documents.

**B. If your answer to questions a2), a3), a4), a5), b), or c) is "yes", your application will be reviewed at a monthly Real Estate Commission meeting if you have provided all applicable information and documents as described above. The Commission will not review incomplete applications. If you wish to present oral testimony at the meeting, submit a written request with your application. A courtesy notice with information on the date, time, and location of the meeting will be sent to you.**

## Real Estate Prelicense Education School Registration
## Schedule of Fees

**MAKE CHECK PAYABLE TO "COMMERCE AND CONSUMER AFFAIRS"**

**Initial real estate school registration**

| | | |
|---|---|---|
| 1. | Application fee (nonrefundable) | $50 |
| 2. | BROKER AND SALESPERSON CURRICULUM: | |
| | Registration fee* **both** a broker & salesperson curriculum | $750 |
| | Compliance Resolution Fund: | |
| | If applying in even-numbered year | $45 |
| | If applying in odd-numbered year | $90 |

**- OR -**

| | | |
|---|---|---|
| | EITHER BROKER OR SALESPERSON CURRICULUM: | |
| | Registration fee* for **either** a broker or salesperson's curriculum | $500 |
| | Compliance Resolution Fund: | |
| | If applying in even-numbered year | $45 |
| | If applying in odd-numbered year | $90 |

**Additional real estate school registration**

| | | |
|---|---|---|
| 1. | Application fee (nonrefundable) | $50 |
| 2. | Registration fee* ($250 to add a real estate broker or salesperson curriculum) | $250 |

* Registration fee is refundable if registration is denied.

**NOTE:** The application fee and the posting of a bond pursuant to this application shall not be required of a school that is an accredited State of Hawaii institution of higher education listed with the United States Department of Education as an accredited institution of higher learning. HAR §16-99-99(26)(b).