INSTRUCTIONS FOR BROKER EXPERIENCE CERTIFICATE APPLICATION

Print Form

Access this form via website at: **www.hawaii.gov/hirec**

READ THESE INSTRUCTIONS CAREFULLY. Your application will not be considered if it is incomplete. These instructions include the following sections:

1. **General Requirements for a Broker's License**
2. **Experience Requirement**
3. **Requirements for Equivalency for Experience in Another State**
4. **Instructions for Completing the Application**
5. **Instructions for Completing the Experience Certification Statement**
6. **Experience Certificate, Expiration Date, Duplicate**
7. **Oral Testimony for Equivalency Requests**
8. **Problems Securing an Experience Certification Statement**
9. **Making False Statement a Misdemeanor**

1. General Requirements for a Broker's License

An applicant for a real estate broker's license must satisfy ALL of the following:

- Be a United States citizen, a United States national, or an alien authorized to work in the United States, and of the age of majority;
- Possess a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing;*
- Fulfill the experience requirements (see section 2 below) and have a current approved "Experience Certificate" (issued upon approval of this application);
- Prior to taking the broker's licensure examination, fulfill the prelicense education requirements for a broker and have a current approved Hawaii "School Completion Certificate" or a "Prelicensing Education Equivalency Certificate";
- Pass the Hawaii real estate broker's licensure examination; and
- Submit a complete application for a real estate broker's license within two (2) years of passing the examination.
- Hold a current, unencumbered Hawaii real estate salesperson license, or a current, unencumbered real estate salesperson or broker license in another state or jurisdiction recognized by the Association of Real Estate License Law Officials (ARELLO), with an equivalent real estate licensing law as determined by the Real Estate Commission.

* An applicant who has a background that may not meet this requirement should consider a preliminary decision by the Commission before committing to prelicensing education and the real estate examination. The decision will give the applicant a non-binding opinion as to successful or unsuccessful licensure in the future. Call (808) 586-2643 for more information.

2. Experience Requirement

Broker applicants must have experience as a full-time (averaging at least forty hours per week and no prorata credit given for part-time real estate salesperson activity) Hawaii-licensed real estate salesperson associated with a Hawaii-licensed real estate broker for at least three (3) years of the five-year period immediately prior to the submission of the broker experience certificate application, and have practical real estate salesperson experience. No credit is given for periods during which the applicant's license was inactive, forfeited, suspended, revoked, or terminated. Applicant's principal broker or broker in charge must certify the employment period, and the number of weeks the applicant devoted at least 40 hours per week to real estate license activity.

Equivalency for the experience requirement may be met by possessing a current, unencumbered real estate broker's or salesperson's license in another state or jurisdiction recognized by the Association of Real Estate License Law Officials (ARELLO), with an equivalent real estate licensing law as determined by the Commission. Unencumbered means that there are no conditions or disciplinary action attached to the real estate broker's license at the time of processing of this application. See "Requirements for Equivalency for Experience in Another State" below.

3. Requirements for Equivalency for Experience in Another State

If the applicant possesses a current, unencumbered real estate broker's or salesperson's license in another state, the Commission may approve an equivalency to ALL or PART of the three (3) years of the five-year period under one of the following categories:

a. Possess a **current, unencumbered real estate broker's license** in another state or jurisdiction recognized by the ARELLO at the time of this application.

(Continued)

For this Equivalency you must submit all of the following:

1. Application for Experience Certificate - Real Estate Broker (Form BE09_2010)
2. Verification of License - Real Estate (Form VOL09_2010. Must be completed and issued by the out-of-state agency not more than six months ago.)
3. $50 non-refundable application fee

b. Possess **a current, unencumbered real estate salesperson's license** in another state or jurisdiction recognized by the ARELLO and have worked three years out of the five-year period immediately prior to the submission of the application full-time in another state(s) as a licensed real estate salesperson at the time of this application. Full time means the applicant devoted at least forty hours per week to real estate activity.
For this Equivalency you must submit all of the following:

1. Application for Experience Certificate - Real Estate Broker (Form BE09_2010)
2. Verification of License - Real Estate (Form VOL09_2010. Must be completed and issued by the out-of-state agency not more than six months ago.)
3. Experience Certification Statement (Form BECERT09_2010)
4. $50 non-refundable application fee

4. Instructions for Completing the Application

a. Complete the application. Answer all questions and fill in all spaces using a typewriter or printing legibly in black ink. If not applicable, use "NA". Read and sign the applicant's certification.

SOCIAL SECURITY NUMBER Your social security number is used to verify your identity for licensing purposes and for compliance with the below laws. **For a license to be issued you must provide your social security number or your application will be deemed deficient and will not be processed further.**
The following laws require that you furnish your social security number to our agency:
FEDERAL LAWS: **42 U.S.C.A. §666 (a)(13)** requires the social security number of any applicant for a professional license or occupational license be recorded on the application for license; and If you are a licensed health care practitioner, **45 C.F.R., Part 61, Subpart B, §61.7** requires the social security number as part of the mandatory reporting we must do to the Healthcare Integrity and Protection Data Bank (HIPDB), of any final adverse licensing action against a licensed health care practitioner.
HAWAII REVISED STATUTES ("HRS"): **§576D-13(j), HRS** requires the social security number of any applicant for a professional license or occupational license be recorded on the application for license; and **§436B-10(4) HRS** which states that an applicant for license shall provide the applicant's social security number if the licensing authority is authorized by federal law to require the disclosure (and by the federal cites shown above, we are authorized to require the social security number).

b. In the employment history section, provide the requested information for ALL employers, including non-real estate related employment, for the past five years.

c. **Submit** a NON-REFUNDABLE application fee of $50. Make check payable to: COMMERCE AND CONSUMER AFFAIRS.

Note: If your check is returned unpaid by the financial institution, your broker experience certificate, if one is issued, shall be void as though it were never issued. In addition, any actions based on the void certificate, such as your test score or a broker's license issued to you, shall also be void. The Commission will consider the returned check in its deliberations on whether to approve or deny a real estate broker's license application. A $25 service charge shall be assessed for payments that are dishonored for any reason.

d. **Submit** a COMPLETE application, including experience certification statements signed by your principal broker(s) or broker(s) in charge, supporting documents, and the **$50** non-refundable application fee to

RECO Experience Certificate
DCCA, PVLD Licensing Branch
P.O. Box 3469
Honolulu, HI 96801

or deliver to:

335 Merchant Street, Room 301
Honolulu, HI 96813

e. Applications are reviewed in the order they are received. Incomplete and deficient applications will be processed as time permits. Applicants will be notified of deficiencies by mail. If not corrected within the prescribed time, the Commission will terminate processing of the application, and the applicant will be required to submit a new application with the required application fee.

Denied applicants may reapply by submitting a new complete application with the required documents and the $50 nonrefundable application fee.

5. Instructions for Completing the Experience Certification Statement

a. The principal broker or broker in charge for each brokerage firm with which applicant was associated in the past five years and applicant's current principal broker or broker in charge must each complete an "Experience Certification Statement" (Certification). The principal broker or broker in charge at the time the applicant was associated with the brokerage firm, or the brokerage firm's current principal broker or broker in charge may complete the Certification.

   i. Type or print the applicant's name at the top of the page.

   ii. Provide current information on the Principal Broker or Broker in Charge in Part I.

   iii. In Part II:

      (1) Indicate the period of time covered by the Certification, and the name and license number of the brokerage firm at the time.

      (2) Provide the number of weeks that the applicant devoted at least 40 hours per week to real estate license activity, whether in or out of the office. Time spent on clerical and non-real estate duties should not be counted. No pro-rata credit given for part-time activity.

b. Although the Certification is completed by the applicant's principal broker or broker in charge, both the applicant and the principal broker or broker in charge are responsible for its accuracy. Applicant will also certify, on the application form, that the information contained in the "Experience Certification Statement" is true and accurate and that applicant will provide verifying documents upon request by the Commission.

6. Experience Certificate, Expiration Date, Duplicate

An experience certificate is valid for two (2) years from the date of issuance and will be mailed to successful applicants. The certificate must be presented at the examination site at the time the applicant takes the broker's licensure examination and after the applicant passes the examination, submitted with the application for real estate license. Applicants will not be allowed to take the examination after the expiration of the certificate. Applicants with expired certificates must apply for a new broker experience certificate and will be subject to the same requirements as a first-time applicant.

7. Oral Testimony for Equivalency Requests

An applicant requesting an equivalency may present oral testimony at the meeting at which the application will be reviewed. The applicant must submit a written request. The request may be included with the written request for equivalency. The applicant will then be notified of the date, time, and place of the meeting. The Commission may limit oral testimony to a specified time period, but in no case shall the period be less than five minutes. If prepared testimony will be lengthy, it is suggested that the applicant summarize the testimony, emphasizing key points. The applicant may also submit written testimony. If so, submit 20 copies. The Commission will not allow any testimony which is irrelevant, immaterial, or unduly repetitious. Upon arriving at the meeting room, sign the "sign-in" sheet and identify yourself to one of the Commission's staff. You may want to consult the Commission's rules on oral testimony, Hawaii Administrative Rules, section 16-99-83.

8. Problems Securing an Experience Certification Statement

If an applicant has difficulty obtaining a completed "Experience Certification Statement" from an associating broker, the following steps are suggested:

a. Send a written request to the principal broker or broker in charge by certified mail with a return receipt. Enclose a blank Experience Certification Statement and request that the broker complete and return the form within 10 days of receipt. Keep a copy of the letter.

b. If the broker does not return the Experience Certification Statement within the 10 days of receipt, submit the original certified mail return receipt, a copy of the letter sent, any returned mail, a short explanation of the chronology of events with your application, and copies of evidence to substantiate full-time real estate salesperson activity.

This will lengthen the time required to review your application.

9. Making False Statement a Misdemeanor

Under §467-20, Hawaii Revised Statutes:

It shall be unlawful for any person or the person's agent to testify before or file with the commission, or the testing service agency designated by the commission, any notice, statement, or other document required under this chapter, that is false or untrue or contains any material misstatement of fact, or contains forgery. In addition to the sanctions or remedies as provided in this chapter, any violation of this section shall constitute a misdemeanor punishable pursuant to section 706-640 or 706-663, or both, and not pursuant to section 467-26.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.