

FREQUENTLY ASKED QUESTIONS

AMENDMENT TO PRE-LICENSURE REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, EFFECTIVE JUNE 1, 2011

(1) What is the effect of the statutory amendment to Massachusetts General Law (MGL) Chapter 112, Section 87SS?

Effective June 1, 2011, the Board shall require the following:

- (a) Prior to the salesperson examination, a candidate for a salesperson license shall complete forty (40) hours of pre-licensure salesperson education.
- (b) Prior to the broker examination, a salesperson shall complete forty (40) hours of pre-licensure broker education AND must affiliate with a broker for three (3) years for a broker license.

(2) I am a licensed salesperson. I completed all of the pre-licensure broker education requirements prior to June 1, 2011, must I still affiliate with a broker for three (3) years?

Yes, all broker candidates taking the broker examination on or after June 1, 2011 must complete three (3) years of affiliation with a broker. There are no exceptions and no grandfathering provisions under the statutory amendment.

(3) I am a licensed salesperson. I passed one portion of the broker examination before June 1, 2011 but failed the other section of the broker examination. It is June 1, 2011, will I need to complete three (3) years of affiliation with a broker?

Yes, any candidate testing for the broker examination on or after June 1, 2011 must complete three (3) years of affiliation with a broker. There are no exceptions and no grandfathering provisions under the statutory amendment.

(4) If I passed one portion of the examination (broker or salesperson) but I failed the other section of the examination, will the Board invalidate my passing score on or after June 1, 2011?

No, the Board will not automatically invalidate your passing examination score. If a candidate passes one portion of the examination then the passing score remains valid until the expiration date of the education certification. Please be advised that a licensed salesperson taking the broker examination on or after June 1, 2011 must complete three (3) years of affiliation with a broker.

(5) I failed the examination (broker or salesperson) but my Candidate Handbook's certification date has yet to expire. It is June 1, 2011. Will I need to take the forty (40) hours of pre-licensure education or take additional pre-licensure education hours?

No. A candidate's certification date remains valid for the two (2) years following the date on which the pre-licensure education was completed. If a candidate's certification date has yet to expire a candidate will not be required to take the forty (40) hours of pre-licensure education nor will a candidate be required to take additional pre-licensure education hours to make up the difference in the hours. If the candidate does not pass the examination (broker or salesperson) and the education certification expires then the candidate must comply with the new pre-licensure education requirements.

(6) What if I passed the examination (broker or salesperson) but have not paid for my license prior to June 1, 2011, can I still obtain my license?

Yes but the candidate must pay the license fee within thirty (30) days of being notified that he/she passed the examination (broker or salesperson). If the candidate does not pay the license fee within the specified time period then the candidate must re-take the examination (broker or salesperson) and must pay the prescribed fees. (254 Code of Massachusetts Regulation 2.00(5).

(7) What impact, if any, occurs to the Board's pre-licensure curriculum?

There is no impact to the Board's pre-licensure curriculum. The increase in pre-licensure education hours only allows Board approved Real Estate Schools with additional instruction time to teach the pre-licensure course.