

61J2-3.010 License Reactivation Education for Brokers and Sales Associates.

(1) Brokers and sales associates holding an involuntarily inactive license may only maintain this status for 2 years. The first day of this allowable 2-year period is the first day the broker or sales associate failed to hold a valid and current active or voluntarily inactive license. After the second year, the broker's or sales associate's right to request an active or voluntarily inactive license automatically expires, by operation of law.

(2) A licensee may reactivate a license that has been involuntarily inactive for more than 12 months but less than 24 months by satisfactorily completing 28 hours of a Commission-prescribed education course derived from the Florida Real Estate Commission Salesperson Course Syllabus (FREC Course I). The course shall contain coverage of the following topics: Real Estate License Law and Qualifications for Licensure (Session 2); Real Estate License Law and Commission Rules (Session 3); Authorized Relationships, Duties and Disclosure (Session 4); Real Estate Brokerage Activities and Procedures (Session 5); Violations of License Law, Penalties and Procedures (Session 6); Federal and State Laws Pertaining to Real Estate (Session 7); Real Estate Contracts (Session 11); Real Estate Related Computations and Closing of Transactions (Session 14); and Real Estate Investments and Business Opportunity Brokerage (Session 17).

(3) Students ~~failing a~~ who fail the Commission-prescribed end-of-course examination may retest a maximum of one time within ~~must wait at least 30 days from the date of the original examination to retest. Within one year of the original examination, a student may retest a maximum of one time.~~ Otherwise, students ~~who failing the~~ Commission-prescribed end-of-course examination must repeat the course prior to being again to become eligible to again take the end-of-course examination. Schools shall administer a different form of the end-of-course examination to a student who is retaking ~~retakes~~ the exam or repeating ~~repeats~~ the course.

(a) For all courses approved for classroom delivery, 50 minute hours means fifty minutes of classroom instruction, exclusive of any breaks, recesses, or other time not spent in instruction. Classroom hours are the hours delivered live by an instructor in a classroom or by live streaming or any means of video conferencing technology while the students are in attendance at permitted or approved school locations.

(b) Any school requesting approval for a distance learning course via streaming video or any other means of video conferencing technology must submit to the DBPR at the time of course submission all course materials as well as information on the delivery method and software platform being used.

(c) When delivered by distance education, the course and examination shall comply with the "Course Approval criteria" as follows:

1. Distance learning necessitates a high level of self-direction and should, therefore, require students to read, conduct research, complete timed exams and similar assignments, designed to measure the student's competency relative to the required subject matter objectives. Distance learning study must be offered on a classroom hour per classroom hour basis.

2. Distance learning means the delivery of education offerings or courses via the internet and/or other interactive electronic media. Such offerings or courses shall be interactive, providing for the interchange of information between the student, and instructor, and shall provide for the registration, evaluation, and monitoring of students. 50 minute hours for distance learning courses shall be the equivalent of the 50 minute classroom hour in a classroom delivery course.

(4) A licensee may demonstrate satisfactory completion for reactivation by achieving a grade of 70% or higher on the Commission-prescribed end-of-course examination. The end-of-course examination shall contain 2 items per instructional hour or a minimum of 50 questions. The school must develop at least two forms of the end-of-course examination and submit them to the Department for approval. All courses shall conform to the requirements of Rule 61J2-3.008, F.A.C. The school shall test only students who have completed at least 90% of the required hours of instruction.

(5) The school offering these Commission-prescribed courses shall inform each student of the standards and requirements at the commencement of each course and issue a notice of course completion as prescribed by the Commission in Rule 61J2-3.015, F.A.C.

(6) Accredited universities, colleges, community colleges in this state, area technical centers or real estate schools registered pursuant to Section 475.451, F.S., may offer the Commission-prescribed courses. Satisfactory completion of these courses will not

entitle any person to reactivate an involuntary inactive license as a real estate broker or sales associate until such person has met all other requirements of law.

(7) The Commission will allow an additional 6-month period after the expiration of a license for brokers and sales associates who cannot complete the reactivation requirements due to individual hardship. Individual hardship is defined in Rule 61J2-3.013, F.A.C.

(a) Any licensee requesting a hardship shall make the request to the Commission in writing setting forth the basis of the alleged hardship. The Commission may require said request to be supported by additional documentation.

(b) Any licensee who has received a hardship extension will remain null and void until a valid reinstatement application for is received with proof of renewal fees and reactivation education.

Rulemaking Authority 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04, 11-8-06, 12-25-07, 8-18-08, 1-17-16.