

SENATE, No. 884

STATE OF NEW JERSEY

INTRODUCED MARCH 7, 1996

By Senators CARDINALE and ADLER

1 AN ACT concerning real estate brokers and real estate salespersons
2 and amending various parts of the statutory law.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. R.S.45:15-10 is amended to read as follows:

8 45:15-10. Before any such license shall be granted the applicant,
9 and in the case of a partnership, association or corporation the
10 partners, directors or officers thereof actually engaged in the real
11 estate business as a broker, broker-salesperson or salesperson, shall
12 submit to an examination to be conducted under the supervision of the
13 commission which examination shall test the applicant's general
14 knowledge of the statutes of New Jersey concerning real property,
15 conveyancing, mortgages, agreements of sale, leases and of the
16 provisions of this article, the rules and regulations of the commission
17 and such other subjects as the commission may direct. The
18 commission may make rules and regulations for the conduct of such
19 examinations. Upon satisfactorily passing such examination and
20 fulfilling all other qualifications a license shall be granted by the
21 commission to the successful applicant therefor as a real estate broker,
22 broker-salesperson or salesperson, and the applicant upon receiving
23 the license is authorized to conduct in this State the business of a real
24 estate broker, broker-salesperson or salesperson, as the case may be.
25 Such license shall expire on the last day of a ~~[one-year]~~ two-year
26 license term as established by the commission which expiration date
27 shall be applicable to all licenses regardless of their date of issuance;
28 such license shall be renewed, without examination, ~~[annually]~~
29 biennially thereafter, upon the payment of the fee fixed by
30 R.S.45:15-15.

31 (cf: P.L.1993, c.51, s.8)

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33 2. R.S.45:15-11 is amended to read as follows:

34 45:15-11. Any citizen of New Jersey who has served in the armed

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 forces of the United States or who served as a member of the
2 American Merchant Marine during World War II and is declared by
3 the United States Department of Defense to be eligible for federal
4 veterans' benefits, who has been honorably discharged, and who,
5 having been wounded or disabled in the line of duty, has completed a
6 program of courses in real estate approved by the New Jersey Real
7 Estate Commission, and who has successfully passed an examination
8 conducted by said commission qualifying him to operate as a real
9 estate broker, broker-salesperson or salesperson, may, upon
10 presentation of a certificate certifying that he has completed such
11 program of courses as aforesaid, obtain without cost from the
12 commission and without qualification through experience as a
13 salesperson, a license to operate as a real estate broker,
14 broker-salesperson or a real estate salesperson, as the case may be,
15 which licenses shall be the same as other licenses issued under this
16 article. Renewal of licenses may be granted under this section for each
17 ensuing license term, upon request, without [annual] fees therefor.
18 (cf: P.L.1993, c.51, s.11)

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20 3. R.S.45:15-15 is amended to read as follows:

21 45:15-15. The [annual] biennial fee for each real estate broker's
22 license shall be [\$50.00] \$100, the [annual] biennial fee for each real
23 estate broker-salesperson's license shall be [\$50.00] \$100 and the
24 [annual] biennial fee for each real estate salesperson's license shall be
25 [\$25.00] \$50. The [annual] biennial fee for a branch office license
26 shall be [\$25.00] \$50. Each license granted under this article shall
27 entitle the licensee to perform all of the acts contemplated herein
28 during the period for which the license is issued, as prescribed by this
29 article. If a licensee fails to apply for a renewal of his license prior to
30 the date of expiration of such license, the commission may refuse to
31 issue a renewal license except upon the payment of a late renewal fee
32 in the amount of [\$10.00] \$10 for a salesperson or broker-salesperson
33 and [\$20.00] \$20 for a broker; provided, however, the commission
34 may, in its discretion, refuse to renew any license upon sufficient cause
35 being shown. The commission shall refuse to renew the license of any
36 licensee convicted of any offense enumerated in section 6 of P.L.1953,
37 c.229 (C.45:15-19.1) during the term of the last license issued by the
38 commission unless the conviction was previously the subject of a
39 revocation proceeding. Renewed licenses may be granted for each
40 ensuing [year] two-years upon request of licensees and the payment
41 of the full fee therefor as herein required. Upon application and
42 payment of the fees provided herein, initial licenses and licenses
43 reinstated pursuant to R.S.45:15-9 may be issued, but the commission,
44 may, in its discretion, refuse to grant or reinstate any license upon
45 sufficient cause being shown. The license fees for initial or reinstated
46 licenses shall be determined based upon the [annual] biennial fees

1 established herein, with a full [annual] biennial fee payable for the
2 license [year] term in which application is received. The revocation
3 or suspension of a broker's license shall automatically suspend every
4 real estate broker-salesperson's and salesperson's license granted to
5 employees of the broker whose license has been revoked or suspended,
6 pending a change of employer and the issuance of a new license. The
7 new license shall be issued without additional charge, if the same is
8 granted during the license [year] term in which the original license was
9 granted.

10 A real estate broker who maintains a main office or branch office
11 licensed by the commission which is located in another state shall
12 maintain a valid real estate broker's license in good standing in the
13 state where the office is located and shall maintain a real estate license
14 in that other state for each office licensed by the commission. Upon
15 request, the real estate broker shall provide a certification of his
16 license status in the other state to the commission. Any license issued
17 by the commission to a real estate broker for a main or branch office
18 located outside this State shall be automatically suspended upon the
19 revocation, suspension or refusal to renew the real estate broker's
20 license issued by the state where the office is located. The licenses
21 issued by the commission to every broker-salesperson or salesperson
22 employed by the broker shall be automatically suspended pending a
23 change of employer and the issuance of a new license. The new
24 license shall be issued without additional charge if granted during the
25 license term in which the original license was granted.

26 (cf: P.L.1993, c.51, s.17)

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28 4. Section 2 of P.L.1976, c.112 (C.45:15-35) is amended to read
29 as follows:

30 2. Upon the initial issuance of [an annual] a biennial license as a
31 real estate broker, broker-salesperson or salesperson the licensee shall
32 pay to the commission, in addition to the license fee fixed by
33 R.S.45:15-15, an additional amount to be forwarded by the
34 commission to the State Treasurer and accounted for and credited by
35 him to the real estate guaranty fund. The additional amount payable
36 by a broker or broker-salesperson shall be \$20 and by a salesperson,
37 \$10.

38 (cf: P.L.1993, c.51, s.36)

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40 5. This act shall take effect six months after enactment.

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STATEMENT

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45 This bill revises statutory law concerning the term of license for real
46 estate brokers, broker-salespersons and salespersons. The bill changes

1 the current one-year license term to a two-year license term for those
2 persons who are receiving their initial licenses or are having their
3 licenses renewed as real estate brokers, broker-salespersons or
4 salespersons.

5 The bill also provides for the following biennial fees: \$100 for a
6 real estate broker's license; \$100 for a broker-salesperson's license;
7 \$50 for a salesperson's license; and \$50 for a branch office license.

8 Under current law, the annual fee structures are: \$50 for a real estate
9 broker's license; \$50 for a broker-salesperson's license; \$25 for a
10 salesperson's license; and \$25 for a branch office license.

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15 Revises term of license for real estate brokers and real estate
16 salespersons.