

BROKER REACTIVATION COURSE

The Colorado Real Estate Commission adopted the proposed changes to Rule 4.2 (formerly rule B-2), Methods of completing continuing education, at the October 2, 2012 meeting. The revised rule replaces the “Broker Transition” course with the newly developed 24 hour “**REACTIVATION**” course.

Additionally, the rule removes the “Broker Administration” course as a method of satisfying the continuing education requirements. The “Broker Administration” course is still offered as a prerequisite for licensure upgrade and 24 hours of elective continuing education. The rule will be effective January 1, 2013 and all licensees will have to comply with the new requirements.

Course Objective:

To provide a refresher course on Colorado Real Estate Commission approved contracts, Colorado real estate regulations and review the most current material included in the Colorado Annual Update Course. The course, once completed and passed, can be used to satisfy the continuing education requirement for licensees who wish to active or reinstate their license after being inactive or expired less than 37 months and have not maintain their continuing education requirements. Additionally, this course is available to active licensees, every other license cycle, who wish to meet their continuing education requirements in lieu of rule 4.2.A.1.

Providers should address each applicable Statute, Rule and Position Statement during the course. Course providers are responsible for ensuring that the Statutes, Rules and Position Statements used during the course presentation are accurate and up-to-date.

Testing:

A test is required to establish a participant's satisfactory completion of the statutory requirements for the Real Estate Reactivation Course. Courses taught online must meet the requirements set forth in the Online Course Approval Checklist created by the Division of Real Estate.

<u>MAJOR TOPICS TO BE COVERED:</u>	<u>HOURS</u>
I. Colorado Regulations	4
II. Brokerage Relationship Agreements	4
III. Sales Contracts and Related Forms	8
IV. Other Issues in Real Estate Contracting	4
V. Current CREC Annual Update Course	4
<u>TOTAL</u>	24

I. Regulations (4 Hours)

A. Colorado real estate license law

1. Statutes (Title 12 Article 10 Parts 1-8. C.R.S.)
2. Current Commission rules
3. Current Commission interpretations and positions on the license law

B. Review of Colorado Contract Law

1. The Conway-Bogue decision
2. Colorado Bar Association v The Title Guaranty Company
3. Authority to complete forms (12-10-403(4)), C.R.S.
4. Statute of Frauds
5. Uniform Power of Attorney Act
6. Electronic duplication

C. Colorado Fair Housing Act

D. Appraiser Licensing Act

E. Colorado Common Interest Ownership Act.

II. Brokerage Relationship Agreements (4 Hours)

[Explain in detail the content and preparation of Commission approved forms]

A. Colorado Statutory Relationships

1. Definitions (12-10-402, C.R.S.)
2. Relationships Between Real Estate Brokers and the Public; Commission Authorized to Approve Forms (12-10-403, C.R.S.)
3. Single Agent Engaged By Seller or Landlord; Sub-agency (12-10-404, C.R.S.)
4. Single Agent Engaged By Buyer or Tenant (12-10-405, C.R.S.)
5. Dual Agency (12-10-406, C.R.S.)
6. Transaction-Broker (12-10-407, C.R.S.)
7. Required Broker Disclosures (12-10-408, C.R.S.)
8. Duration of Relationship (12-10-409, C.R.S.)
9. Compensation (12-10-410, C.R.S.)
10. Violations (12-10-411, C.R.S.)
11. Commission Approved Forms

B. Brokerage Relationship Disclosure Documents

1. Definitions of Working Relationships
2. Brokerage Disclosure to Buyer
3. Brokerage Disclosure to Seller (FSBO)
4. Change of Status
5. Brokerage Disclosure to Seller (REO and Non-CREC approved listings)

C. Listing and Buyer Brokerage Contracts. (Agency and Transaction-Broker)

1. Exclusive Right-to-Sell Listing Contracts
2. Exclusive Agency Listing Contracts
4. Exclusive Right-to-Buy Contracts
5. Exclusive Right-to-Lease Listing Contracts
6. Exclusive Tenant Contracts

D. Related forms

1. The In-Company Transaction
 - a. Change of Status
 - b. Transaction-Broker Addendum
2. Seller's Property Disclosure
 - a. Energy Rated Homes of Colorado
 1. Background
 2. Defining ERHC
 3. Benefits of the system
3. Agreement to Amend/Extend Contract with Broker

Note: Students should be given an opportunity to actively complete a listing or buyer representation contract. This can be done as homework.

III. Sales Contracts and Related Forms (8 Hours)

(Explain in detail the content and preparation of Commission approved forms)

A. Contracts to Buy and Sell Real Estate

1. Contract to Buy and Sell Real Estate (Residential)
2. Non-residential contracts
 - a. Contract to Buy and Sell Real Estate (Commercial)
 - b. Contract to Buy and Sell Real Estate (Vacant Land/Farm & Ranch)
 - c. Common Interest Community Addendum to the Contract to Buy and Sell

B. Related forms

1. Counterproposal
2. Agreement to Amend/Extend Contract
3. Licensee's Buyout Addendum
4. Inspection Notice

Note: Students should be given the opportunity to actively complete a sales contracts Include examples of new financing, loan assumption, and owner carry financing. (May be assigned as homework)

IV. Other Considerations in Real Estate Contracting (4 Hours)

A. Closings and trust account issues

1. Responsibility for closing statements
2. Review of closing statements and most likely errors

Note: Recommend students be given a closing statement with errors. The student will need to find and correct all errors

B. Errors and Omission Insurance

C. Landlord Tenant Act (38-12-101, et seq., C.R.S.)

D. Issues in Property Management

E. Competency

V. Current CREC Annual Update Course (4 Hours)