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Director

Legislative Services Office

Idaho State Legislature

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MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Principal Legislative Research Analyst - Brooke Brouman

DATE: September 30, 2014

SUBJECT: Real Estate Commission

IDAPA 33.01.01 - Rules of the Idaho Real Estate Commission - Proposed Rule (Docket No. 33-0101-1401)

IDAPA 33.01.02 - Rules of Practice and Procedure of the Idaho Real Estate Commission Governing Contested Cases - Proposed Rule (Docket No. 33-0102-1401)

(1) IDAPA 33.01.01 - Rules of the Idaho Real Estate Commission - Proposed Rule (Docket No. 33-0101-1401): The Real Estate Commission states that the proposed rulemaking is housekeeping in nature, makes a technical correction and deletes obsolete references. Specifically, the proposed rule makes the following changes:

- (a) Specifies that certain notice and compliance time frames are determined by business days;
- (b) Deletes provisions relating to reactivation of licenses that were inactivated for failure to comply with rules requiring licensees to obtain and maintain certain insurance coverage; and
- (c) Deletes provisions relating to the requirement that designated brokers are required to adequately supervise the activities of licensees and unlicensed personnel for whom they are responsible.

A public hearing concerning this rulemaking will be held on Wednesday, October 22, 2014 at 10:00 a.m. at the Idaho Real Estate Commission. Negotiated rulemaking was not conducted because the Commission consulted with industry representatives and they are in agreement with the desirability and need for the rule change.

The Commission's proposed rule is authorized pursuant to Section 54-2007, Idaho Code.

(2) IDAPA 33.01.02 - Rules of Practice and Procedure of the Idaho Real Estate Commission Governing Contested Cases - Proposed Rule (Docket No. 33-0102-1401): The Real Estate Commission states that the proposed rulemaking clarifies the agency office hours, deletes gender specific and obsolete terms that are unnecessary to the chapter, and provides for electronic service of process in contested cases.

A public hearing concerning this rulemaking will be held on Wednesday, October 22, 2014 at 10:00 a.m. at the Idaho Real Estate Commission. Negotiated rulemaking was not conducted because the Commission

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consulted with industry representatives and they are in agreement with the desirability and need for the rule change.

The Commission's proposed rule is authorized pursuant to Section 54-2007, Idaho Code.

cc: Real Estate Commission
Jean Jackson-Heim