21 NCAC 58H .0403 COMMISSION CREATED UPDATE COURSES

(a) The Commission shall annually develop Update courses and shall produce instructor and student materials for use by education providers.

(b) An education provider shall submit a one hundred dollar ($100.00) materials fee to offer the Update course.

(c) An education provider seeking approval to offer a modified Update course pursuant to Paragraph (f) of this Rule shall also submit the written permission of each of the course owners, if other than the applicant.

(d) Education providers shall use the Commission-developed course materials to conduct Update courses. Education providers shall provide a copy of the course materials to each broker taking an Update course.

(e) All Update course materials developed by the Commission are the sole property of the Commission and are subject to the protection of copyright laws. Violation of the Commission's copyright with regard to these materials shall be grounds for disciplinary action or other action as permissible by law.

(f) With advance approval from the Commission, education providers and approved instructors may make modifications to the Update course when the Update course is being promoted to and conducted for a group of brokers that specialize in a particular area of real estate brokerage. Such modifications shall relate to the same general subject matter addressed in the prescribed Update course and the Update course as modified shall achieve the same educational objectives as the unmodified Update course. Where certain subject matter addressed in the prescribed Update course is not directly applicable to the group of brokers who specialize in the particular area of real estate brokerage being targeted, different subject matter and education objectives may be substituted with the prior written consent of the Commission. All modified Update course materials shall be the joint property of the Commission and the education provider or approved instructor approved to make such modifications, or as otherwise determined by written agreement. Violation of the Commission's copyright with regard to these materials shall be grounds for disciplinary action or other action as permitted by law.

(g) The Update Course shall be offered by education providers only as an in-person and synchronous distance-learning course.

History Note: *Authority G.S. 93A-3; 93A-38.5;*
Eff. July 1, 2017;
Amended Eff. July 1, 2020.