

**SUBCHAPTER 58E - REAL ESTATE CONTINUING EDUCATION**

**SECTION .0100 - UPDATE COURSE**

<b>21 NCAC 58E .0101</b>	<b>PURPOSE AND APPLICABILITY</b>
<b>21 NCAC 58E .0102</b>	<b>UPDATE COURSE COMPONENT</b>
<b>21 NCAC 58E .0103</b>	<b>APPLICATION FOR ORIGINAL APPROVAL</b>
<b>21 NCAC 58E .0104</b>	<b>CRITERIA FOR APPROVAL OF UPDATE COURSE SPONSOR</b>
<b>21 NCAC 58E .0105</b>	<b>STUDENT FEE FOR UPDATE COURSES</b>

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A;  
Eff. July 1, 1994;  
Amended Eff. July 1, 2014; April 1, 2006; July 1, 2000; July 1, 1995;  
Repealed Eff. July 1, 2017.

**SECTION .0200 - UPDATE COURSE INSTRUCTORS**

<b>21 NCAC 58E .0201</b>	<b>PURPOSE AND APPLICABILITY</b>
<b>21 NCAC 58E .0202</b>	<b>NATURE AND SCOPE OF APPROVAL</b>
<b>21 NCAC 58E .0203</b>	<b>APPLICATION AND CRITERIA FOR ORIGINAL APPROVAL</b>
<b>21 NCAC 58E .0204</b>	<b>ACTIVE AND INACTIVE STATUS; RENEWAL OF APPROVAL</b>
<b>21 NCAC 58E .0205</b>	<b>DENIAL OR WITHDRAWAL OF APPROVAL</b>
<b>21 NCAC 58E .0206</b>	<b>REQUEST FOR A VIDEO RECORDING</b>

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A;  
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Repealed Eff. July 1, 2017.

**SECTION .0300 - ELECTIVE COURSES**

<b>21 NCAC 58E .0301</b>	<b>PURPOSE AND APPLICABILITY</b>
<b>21 NCAC 58E .0302</b>	<b>ELECTIVE COURSE COMPONENT</b>
<b>21 NCAC 58E .0303</b>	<b>APPLICATION FOR ORIGINAL APPROVAL</b>
<b>21 NCAC 58E .0304</b>	<b>CRITERIA FOR ELECTIVE COURSE APPROVAL</b>
<b>21 NCAC 58E .0305</b>	<b>ELECTIVE COURSE SUBJECT MATTER</b>
<b>21 NCAC 58E .0306</b>	<b>ELECTIVE COURSE INSTRUCTORS</b>
<b>21 NCAC 58E .0307</b>	<b>ELECTIVE COURSE CREDIT HOURS</b>
<b>21 NCAC 58E .0308</b>	<b>REQUEST FOR A VIDEO RECORDING</b>
<b>21 NCAC 58E .0309</b>	<b>STUDENT FEES FOR ELECTIVE COURSES</b>

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A;  
Eff. July 1, 1994;  
Amended Eff. July 1, 2015; July 1, 2014; July 1, 2010; April 1, 2006; July 1, 2005; April 1, 2004;  
September 1, 2002; October 1, 2000; July 1, 2000; July 1, 1996; September 1, 1996; March 1, 1996; July 1, 1995;  
Repealed Eff. July 1, 2017.

**21 NCAC 58E .0310 DISTANCE EDUCATION COURSES**

*History Note:* Authority G.S. 93A-3(c); 93A-4.1;  
Eff. July 1, 1996;  
Amended Eff. July 1, 2009; July 1, 2005; July 1, 2000;  
Repealed Eff. July 1, 2017.

## SECTION .0400 - GENERAL SPONSOR REQUIREMENTS

<b>21 NCAC 58E .0401</b>	<b>PURPOSE AND APPLICABILITY</b>
<b>21 NCAC 58E .0402</b>	<b>SPONSOR ELIGIBILITY</b>
<b>21 NCAC 58E .0403</b>	<b>SPONSOR NAME</b>
<b>21 NCAC 58E .0404</b>	<b>ADVANCE APPROVAL REQUIRED</b>
<b>21 NCAC 58E .0405</b>	<b>CONTINUING EDUCATION COORDINATOR</b>
<b>21 NCAC 58E .0406</b>	<b>COURSE COMPLETION REPORTING</b>

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A;  
Eff. July 1, 1994;  
Amended Eff. April 1, 2006; July 1, 2005; September 1, 2002; October 1, 2000; July 1, 1996; July 1, 1995;  
Repealed Eff. July 1, 2017.

## SECTION .0400 - GENERAL SPONSOR REQUIREMENTS

### **21 NCAC 58E .0401 PURPOSE AND APPLICABILITY**

This Section contains miscellaneous general provisions relating to the approval of sponsors to conduct either the update course or elective courses and to the responsibilities of approved sponsors. Matters addressed include: Sponsor names and eligibility; designation of a continuing education coordinator; renewal of course and sponsor approval; records and reports; grounds for denial or withdrawal of approval, and other related matters.

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994.

### **21 NCAC 58E .0402 SPONSOR ELIGIBILITY**

Any legal entity is eligible to seek approval as a sponsor of continuing education courses, provided that the entity seeking approval of a course as a continuing education elective course is either the owner of the proprietary rights to the course or has lawfully acquired from the course owner the right to seek course approval from the Commission and to conduct such course.

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994.

### **21 NCAC 58E .0403 SPONSOR NAME**

(a) The official name to be used by any course sponsor in connection with the offering of an approved continuing education course must clearly distinguish the sponsor from any other previously approved continuing education course sponsor. Unless the sponsor is a licensed private real estate school proposing to operate continuing education courses in its own name, the official name also must clearly distinguish the sponsor from any licensed private real estate school. Sponsor applicants proposing to use a sponsor name which does not comply with this standard may be required to adopt a different name as a condition of approval.

(b) Any advertisement or promotional material utilized by an approved course sponsor must include the course sponsor's official name and shall not include any other name for the sponsor.

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994.

### **21 NCAC 58E .0404 ADVANCE APPROVAL REQUIRED**

Prospective sponsors of an update course or elective course must obtain written approval from the Commission to conduct such course prior to conducting the course and prior to advertising or otherwise representing that the course is or may be approved for continuing education credit in North Carolina. No retroactive approval to conduct an update course will be granted for any reason. Retroactive approval of an elective course may be granted by the Commission if the course sponsor can provide evidence satisfactory to the Commission that the course was not offered for purposes of satisfying the real estate continuing education requirement and that the sponsor could not

reasonably have been expected to anticipate in advance that students would want to receive continuing education elective credit for the course.

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994.

#### **21 NCAC 58E .0405 CONTINUING EDUCATION COORDINATOR**

A sponsor of an update course or elective course must designate one person to serve as the continuing education coordinator for all Commission-approved continuing education courses offered by the sponsor. The designated coordinator shall serve as the official contact person for the sponsor and shall be responsible for the following:

- (1) Supervising the conduct of all the sponsor's Commission-approved continuing education courses;
- (2) Signing the course completion certificates provided by the sponsor to licensees completing courses; and
- (3) Submitting to the Commission all required fees, rosters, reports and other information.

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994;  
Amended Eff. July 1, 1995.

#### **21 NCAC 58E .0406 COURSE COMPLETION REPORTING**

(a) Course sponsors must prepare and submit to the Commission, along with the per student fee required by G.S. 93A-4.1(d), reports verifying completion of a continuing education course for each licensee who satisfactorily completes the course according to the criteria in 21 NCAC 58A .1705 and who desires continuing education credit for the course. Such reports shall include students' names, students' license numbers, course date, sponsor and course codes and course information presented in the format prescribed by the Commission, and sponsors shall be held accountable for the completeness and accuracy of all information in such reports. Such reports shall be transmitted electronically via the Internet. Sponsors must submit these reports to the Commission in a manner that will assure receipt by the Commission within seven calendar days following the course, but in no case later than June 15 of any approval period for courses conducted during that approval period.

(b) At the request of the Commission, course sponsors must provide licensees enrolled in each continuing education course an opportunity to complete an evaluation of each approved continuing education course on a form provided by the Commission. Sponsors must submit the completed evaluation forms to the Commission with the reports verifying completion of a continuing education course.

(c) Course sponsors shall provide each licensee who satisfactorily completes an approved continuing education course according to the criteria in 21 NCAC 58A .1705 a course completion certificate on a form provided by the Commission. Sponsors must provide the certificates to licensees within fifteen calendar days following the course, but in no case later than June 15 for any course completed prior to that date. The certificate shall be retained by the licensee as his or her proof of having completed the course.

(d) When a licensee in attendance at a continuing education course does not comply with the student participation standards, the course sponsor shall advise the Commission of this matter in writing at the time reports verifying completion of continuing education for the course are submitted. A sponsor who determines that a licensee failed to comply with either the Commission's attendance or student participation standards shall not provide the licensee with a course completion certificate nor shall the sponsor include the licensee's name on the reports verifying completion of continuing education.

(e) Notwithstanding the provisions of Paragraphs (a) and (c) of this Rule, approved course sponsors who are national professional trade organizations and who conduct Commission-approved continuing education elective courses out of state shall not be obligated to submit reports verifying completion of continuing education courses by electronic means, provided that such sponsors submit to the Commission a roster which includes the names and license numbers of North Carolina licensees who completed the course in compliance with the criteria in 21 NCAC 58A .1705 and who desire continuing education credit for the course. A separate roster must be submitted for each class session and must be accompanied by a per student fee required by G.S. 93A-4.1(d), payable to the North Carolina Real Estate Commission. Rosters must be submitted in a manner which assures receipt by the Commission within 15 calendar days following the course, but not later than the last course reporting dates for an approval period specified in Paragraph (a) of this Rule. Such sponsors may also provide each licensee who completes an approved course in compliance with the criteria in 21 NCAC 58A .1705 a sponsor-developed course completion certificate in

place of a certificate on a form provided by the Commission. Sponsors must provide the certificates to licensees within fifteen calendar days following the course.

*History Note:* Authority G.S. 93A-3(c); 93A-4.1;  
Eff. July 1, 1994;  
Amended Eff. April 1, 2006; July 1, 2005; September 1, 2002; October 1, 2000; July 1, 1996; July 1, 1995.

**21 NCAC 58E .0407 PER STUDENT FEE**

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1994;  
Amended Eff. July 1, 2005; August 1, 1998; July 1, 1996; July 1, 1995;  
Repealed Eff. April 1, 2006.

- 21 NCAC 58E .0408 CHANGE IN SPONSOR OWNERSHIP**
- 21 NCAC 58E .0409 CHANGES DURING APPROVAL PERIOD**
- 21 NCAC 58E .0410 COURSE RECORDS**
- 21 NCAC 58E .0411 RENEWAL OF COURSE AND SPONSOR APPROVAL**
- 21 NCAC 58E .0412 DENIAL OR WITHDRAWAL OF APPROVAL**

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A; 93A-6(a)(15);  
Eff. July 1, 1994;  
Amended Eff. July 1, 2015; July 1, 2014; July 1, 2010; April 1, 2004; July 1, 2000; July 1, 1996;  
Repealed Eff. July 1, 2017.

**SECTION .0500 - COURSE OPERATIONAL REQUIREMENTS**

- 21 NCAC 58E .0501 PURPOSE AND APPLICABILITY**
- 21 NCAC 58E .0502 SCHEDULING**
- 21 NCAC 58E .0503 MINIMUM CLASS SIZE**
- 21 NCAC 58E .0504 NOTICE OF SCHEDULED COURSES**
- 21 NCAC 58E .0505 ADVERTISING; PROVIDING COURSE INFORMATION**
- 21 NCAC 58E .0506 CLASSES OPEN TO ALL LICENSEES**
- 21 NCAC 58E .0507 CLASSROOM FACILITIES**
- 21 NCAC 58E .0508 STUDENT CHECK-IN**
- 21 NCAC 58E .0509 INSTRUCTOR CONDUCT AND PERFORMANCE**
- 21 NCAC 58E .0510 MONITORING ATTENDANCE**
- 21 NCAC 58E .0511 STUDENT PARTICIPATION STANDARDS**
- 21 NCAC 58E .0512 SOLICITATION OF STUDENTS**
- 21 NCAC 58E .0513 CANCELLATION AND REFUND POLICIES**
- 21 NCAC 58E .0514 COURSE INSPECTIONS BY COMMISSION REPRESENTATIVE**

*History Note:* Authority G.S. 93A-3(c); 93A-4.1; 93A-4A;  
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Amended Eff. July 1, 2015; January 1, 2012; July 1, 2010; July 1, 2009; April 1, 2004; July 1, 2001; October 1, 2000; July 1, 1996; July 1, 1995;  
Repealed Eff. July 1, 2017.

**21 NCAC 58E .0515 ACCOMMODATIONS FOR PERSONS WITH DISABILITIES**

*History Note:* Authority G.S. 93A-3(c); 93A-4A;  
Eff. July 1, 1995;  
Amended Eff. July 1, 2000;  
Repealed Eff. July 1, 2017.

**SECTION .0600 – BROKER-IN-CHARGE ANNUAL REVIEW**

<b>21 NCAC 58E .0601</b>	<b>PURPOSE AND APPLICABILITY</b>
<b>21 NCAC 58E .0602</b>	<b>COURSE DESCRIPTION</b>
<b>21 NCAC 58E .0603</b>	<b>AUTHORITY TO CONDUCT COURSE</b>
<b>21 NCAC 58E .0604</b>	<b>COURSE OPERATIONAL REQUIREMENTS</b>

*History Note:* Authority G.S. 93A-2; 93A-3; 93A-3(c); 93A-4.1; 93A-4.2;  
Eff. July 1, 2010;  
Repealed Eff. July 1, 2014.