

**PUBLIC HEARING NOTICE**  
**OHIO DEPARTMENT OF COMMERCE**  
**DIVISION OF REAL ESTATE & PROFESSIONAL LICENSING**

**DATE: February 6, 2025**

**TIME: 10:30 AM**

**LOCATION: 6606 Tussing Road, Reynoldsburg, Ohio 43068**

A public hearing will be held by the Ohio Department of Commerce, Division of Real Estate & Professional Licensing on Thursday, February 6, 2025 at 10:30 am at 6606 Tussing Road, Reynoldsburg, Ohio 43068. The purpose of this public hearing is to solicit comment on Administrative Rules 1301:5-1-04, 1301:5-1-05, 1301:5-1-06, 1301:5-1-09, 1301:5-1-12, 1301:5-1-19, 1301:5-1-23, 1301:5-3-09, 1301:5-5-01 & 1301:5-7-03 of the Ohio Administrative Code.

The rules are available by contacting the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 6606 Tussing Road, Reynoldsburg, Ohio 43068 by calling (614) 466-5032. The rules are also available at the following websites: [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us) & [REPL proposed rules](#).

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

To participate via written testimony in lieu of appearance: Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Real Estate & Professional Licensing, 6606 Tussing Road, Reynoldsburg, Ohio 43068. All written comments must be received by the Department no later than 5:00 pm on Thursday, February 6, 2025. Written comments submitted after this date may be considered as time and circumstances permit.

The Ohio Department of Commerce is an equal opportunity service provider.

## **RULES**

Every five years, agencies are required to review their rules. The following rules are currently subject to this review. The Commission and Division staff recommend changes to the following rules.

### **1301:5-1-04 – Applications**

The intent of this regulation is to provide guidelines for the completion of applications filed with the Division. The proposed amendments account for all applications rather only for initial applications.

### **1301:5-1-05 – Examinations**

This rule sets the process for taking licensing examinations. The proposed amendments update the fee for a new broker and sales application to reflect what is currently in statute.

### **1301:5-1-06 – Termination of brokerage affiliation**

This rule establishes when and how a broker must return individual licenses to the Division and how a salesperson should notify the broker that the licensee is leaving the broker's affiliation. The proposed amendment provides that written notice provided to a broker upon leaving a brokerage will be available for review by the Division and that certification is needed for the transfer of a license.

### **1301:5-1-09 – Fees by rules**

This rule provides for fees associated with the replacement of any license; the reactivation of an inactive salesperson's license or for a broker's license on deposit; a name change; licensure certification; and the reservation of a name. The proposed amendments update the fees for a reactivation of a broker or sales license to match previous statutory changes.

### **1301:5-1-12 – Open public meetings**

This rule sets forth the procedure for providing notice of public meetings. The proposed amendment updates the Division address to the Tussing Road location.

### **1301:5-1-19 – License reactivation and renewal**

This rule sets forth the process for reactivating a suspended or inactive license. The proposed amendments clarify the Superintendent's standard of review for a license applicant.

### **1301:5-1-23 – Criminal records check**

This rule sets forth the procedure for an applicant or licensee to submit to a criminal records check when so requested by the Superintendent. The proposed amendment clarifies the rule to reflect that a criminal records check is required at the time of an initial application.

### **1301:5-3-09 – Reciprocity Agreements**

This rule set forth the way the Commission may enter into reciprocity agreements with other states. This rule is being rescinded because with the enactment of Ohio Revised Code Sections 4735.07(E) and 4735.09(L) effective December 29, 2023, there is no longer authority for the Division or Commission to enter into reciprocity agreements.

### **1301:5-5-01 – Statement to be displayed in broker's office and included in information pamphlets.**

This rule contains required language that must be displayed in every real estate broker's office and in informational pamphlets issued by the broker's office. The proposed amendments ensure the rule is in consistent with federal requirements.

### **1301:5-7-03 – Criteria for course approvals**

This rule sets forth the criteria for continuing education course approvals. The proposed amendment expands continuing education credit to be given for core law by attending an Ohio Real Estate Commission meeting or working the polls on election day.