

APA-1  
11/96

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 790 Department or Agency Alabama Real Estate Commission

Alabama Rule No. 790-X-2-.24

Rule Title: Condominium Sales and Leasing Office

X New          Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 

Date 6/19/12

DATE FILED  
(STAMP)

APA-2

ALABAMA REAL ESTATE COMMISSION

NOTICE OF INTENDED ACTION

Agency Name: Alabama Real Estate Commission

Rule No.: 790-X-2-.24

Rule Title: Condominium Sales and Leasing Office

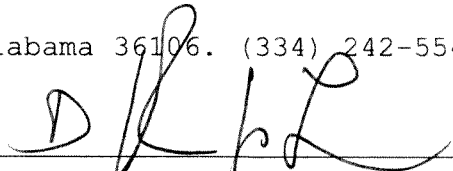
Intended Action: New Rule

Substance of Proposed Action: To specify under what conditions an on-site condominium sales and leasing office will not be considered a branch office.

Date, Time, Place, Manner of Presenting Views: Comments can be presented at the public hearing scheduled at 9:00 a.m. on July 26, 2012 at the Morgan County Association of REALTORS® located at 1501 4<sup>th</sup> Avenue SE, Decatur, Alabama. Additionally, written comments may be addressed to D. Philip Lasater, Executive Director, Alabama Real Estate Commission, 1201 Carmichael Way, Montgomery, Alabama 36106. Written comments must be received in the Commission office no later than 4:30 p.m. on August 6, 2012.

Final Date For Comment and Completion of Notice: August 6, 2012

Contact Person at Agency: Chris Booth, Alabama Real Estate Commission,  
1201 Carmichael Way, Montgomery, Alabama 36106. (334) 242-5544

  
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D. Philip Lasater  
Executive Director

### **Rule 790-X-2-.24 Condominium Sales and Leasing Office**

When a real estate company maintains an on-site office in a condominium building or complex, this office shall not be considered a branch office, and shall not be required to have a branch office license, provided the all the following conditions shall be met:

1. Licensed persons shall be present to show property for sale or rent and to engage in all other activities requiring a real estate license; and
2. Unlicensed persons may be in the office, and may engage in clerical functions including taking reservations, as long as licensed persons are present to consummate the rental agreements; and
3. The activities of all licensed and unlicensed persons in the office shall be confined to the business of that one condominium building or complex.

Author: Alabama Real Estate Commission

Statutory Authority: §34-27-8; §34-27-32 Ala. Code