

**IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**

**24.37.01 – RULES OF THE IDAHO REAL ESTATE COMMISSION**

**DOCKET NO. 24-3701-2000F (FEE RULE)**

**NOTICE OF OMNIBUS RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-2097, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Opportunity for presentation of oral comments concerning this rulemaking will be scheduled in accordance with Section 67-5222, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of the purpose of the proposed rulemaking:

This proposed rulemaking re-publishes the following existing temporary rule chapter previously submitted to and reviewed by the Idaho Legislature under IDAPA 33.01.01, now indexed as IDAPA 24.37.01, rules of the Idaho Real Estate Commission:

**IDAPA 24.37**

- 24.37.01, *Rules of the Idaho Real Estate Commission.*

**FEE SUMMARY:** This rulemaking does not impose a fee or charge, or increase a fee or charge, beyond what was previously submitted to and reviewed by the Idaho Legislature in the prior rules.

The following is a specific description of the fees or charges, authorized in Section 54-2020, Idaho Code:

- IDAPA 24.37.01.100:

	<b>Initial License</b>	<b>Renewal</b>	<b>Late Fee</b>	<b>Other</b>
Broker	\$160	\$160	\$25	
Salesperson	\$160	\$160	\$25	
Business Entity	\$50	\$50	\$25	
Branch Office	\$50	\$50	\$25	
Cooperative License	\$100			
Education History				\$10
License Certificate				\$15

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2021 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules and fees being reauthorized by this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not feasible because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, incorporated material may be obtained or electronically accessed as provided in the text of the proposed rules attached hereto.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact MiChell Bird, (208) 955-8468.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered within twenty-one (21) days after publication of this Notice in the Idaho Administrative Bulletin. Oral presentation of comments may be requested pursuant to Section 67-5222(2), Idaho Code, and must be delivered to the undersigned within fourteen (14) days of the date of publication of this Notice in the Idaho Administrative Bulletin.

Dated this 19th day of August, 2020.

MiChell Bird  
Real Estate Commission  
575 E Parkcenter Blvd.  
Boise, ID 83706  
Phone: (208) 334-3285  
Fax: (208) 334-2050

**24.37.01 – RULES OF THE IDAHO REAL ESTATE COMMISSION**

**000. LEGAL AUTHORITY.**

The Rules of the Idaho Real Estate Commission contained herein have been adopted pursuant to Section 54-2007, Idaho Code. Any violation of these rules, or of any provision of Chapter 20, Title 54, or Chapter 18, Title 55, Idaho Code, is sufficient cause for disciplinary action as prescribed in Sections 54-2059, 54-2060, or 55-1811, Idaho Code. ( )

**001. TITLE AND SCOPE.**

**01. Title.** These rules are titled IDAPA 24.37.01, “Rules of the Idaho Real Estate Commission,” IDAPA 24, Title 37, Chapter 01. ( )

**02. Scope.** These rules contain the requirements for implementation and enforcement of the Idaho Real Estate License Law, the Idaho Real Estate Brokerage Representation Act, and the Subdivided Lands Disposition Act, contained in Chapter 20, Title 54, or Chapter 18, Title 55, Idaho Code. ( )

**002. – 005. (RESERVED)**

**006. ELECTRONIC SIGNATURES.**

Electronic signatures are permissible in accordance with the Uniform Electronic Transactions Act, Title 28, Chapter 50. ( )

**007. -- 099. (RESERVED)**

**APPLICATION, LICENSURE, AND TERMINATION OF LICENSES  
Rules 100 through 199**

**100. FEES.**

License and other fees:

	<b>Initial License</b>	<b>Renewal</b>	<b>Late Fee</b>	<b>Other</b>
Broker	\$160	\$160	\$25	
Salesperson	\$160	\$160	\$25	
Business Entity	\$50	\$50	\$25	
Branch Office	\$50	\$50	\$25	
Cooperative License	\$100			
Education or License History				\$10
License Certificate				\$15

( )

**101. – 104. (RESERVED)**

**105. CONDITIONS TO RENEW EXPIRED LICENSE.**

The Commission may accept a licensee’s application to renew an expired license upon the following conditions: ( )

**01. Payment of Late Fee.** The applicant must pay the late license renewal fee. ( )

**02. Renewal After Expiration of Active License.** If an active license expires, the licensee must complete and submit with the application an attestation that during the period the license was expired, the licensee either did or did not do or attempt to do any acts described in the definitions of real estate broker or salesperson in Section 54-2004, Idaho Code. ( )

**03. Investigate or Discipline a Licensee.** Nothing in this Section limits the ability of the Commission