

BROKERS, THE COMMISSION SHALL STRUCTURE THE EXAMINATIONS FOR A REAL ESTATE BROKER LICENSE TO TEST:

(I) THE ABILITY OF AN APPLICANT TO PERFORM THE SERVICES AUTHORIZED BY A REAL ESTATE BROKER LICENSE; AND

(II) THE KNOWLEDGE OF THE APPLICANT OF THE GENERAL PRACTICE FOR HANDLING REAL ESTATE TRANSACTIONS.

(3) THE EXAMINATIONS SHALL BE WRITTEN.

(4) TO ELIMINATE THE POSSIBILITY OF DISCRIMINATION IN THE ADMINISTRATION OF THE EXAMINATION, EACH COPY OF AN EXAMINATION FOR A PARTICULAR LICENSE GIVEN ON A PARTICULAR DATE SHALL CONTAIN THE SAME QUESTIONS. HOWEVER, THE QUESTIONS MAY BE IN DIFFERENT ORDER.

(F) USE OF TESTING SERVICE.

(1) THE COMMISSION MAY USE A TESTING SERVICE TO ADMINISTER THE EXAMINATIONS UNDER THIS SECTION.

(2) IF THE COMMISSION USES A TESTING SERVICE UNDER THIS SUBSECTION, THE TESTING SERVICE, SUBJECT TO THE REQUIREMENTS SET BY THE COMMISSION, MAY:

(I) SET THE TIMES AND PLACES OF EXAMINATIONS;
AND

(II) GIVE APPLICANTS NOTICE OF THE EXAMINATIONS.

SUBCOMMITTEE COMMENT: Subsection (a) of this section is new language substituted for the second sentence of former Art. 56, § 217(c)(2), which allowed an applicant for a real estate salesperson license to take an examination on "completion of the required course". The substituted language encompasses other requirements, such as age and good character. The substituted language also covers applicants for a real estate broker or associate real estate broker license.

Subsection (b) of this section is standard language added to clarify that the Commission establishes the time and place for examinations.

Subsection (c) of this section is standard language added to conform to Commission practice and to similar provisions for other occupational and professional boards in the Department. Subsection (c) of this section provides an element of fundamental fairness by requiring the Commission to give qualified applicants notice before the administration of examinations.