

(3) SUBMITS A CERTIFIED COPY OF THE APPLICANT'S LICENSE FROM THE OTHER STATE THAT IS COMPARABLE OR EQUIVALENT TO THE LICENSE FOR WHICH THE APPLICANT IS APPLYING; AND

(4) IF THE APPLICANT HOLDS A LICENSE COMPARABLE OR EQUIVALENT TO A REAL ESTATE BROKER LICENSE, PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT ACTIVELY MAINTAINS AN OFFICE IN THE OTHER STATE.

SUBCOMMITTEE COMMENT: Subsection (a) of this section is new language derived in part without substantive change from the first clause of former Art. 56, § 219(b). The reference to an "applicant who holds a comparable or equivalent license granted by another state" is substituted for the former reference to "a nonresident broker, or salesman", on the recommendation of the Joint Subcommittee on the Business Occupations Article, to resolve an inconsistency that existed in former Art. 56, § 219(b). That subsection allowed the Commission to waive any requirement for obtaining a real estate salesperson or broker license for a nonresident who held a comparable or equivalent license granted by the nonresidents' state. However, that subsection did not allow the Commission to waive the requirements for obtaining a real estate salesperson or broker license for a resident who held a comparable or equivalent license granted by another state. Therefore, under some circumstances it was easier for a nonresident to obtain a real estate salesperson or broker license than it was for a resident. The substituted language resolves this inconsistency by allowing a waiver for any applicant who holds a comparable or equivalent license granted by another state. The substituted language also clarifies that this section applies to obtaining an associate real estate broker license, as well as a real estate broker license or a real estate salesperson license, in conformity with provisions added throughout this title to provide a licensing scheme for associate real estate brokers. See the General Subcommittee Comment to this title.

Subsection (b)(1), (3), and (4) of this section is new language derived without substantive change from former Art. 56, § 219(c) and the second clause of (b).

Subsection (b)(2) of this section is new language added to state expressly that which only was implied in the former law -- i.e., an applicant under this section must provide adequate evidence that the applicant meets the qualifications otherwise required by this subtitle.