

1. IS LICENSED AS AN ASSOCIATE REAL ESTATE BROKER OR REAL ESTATE SALESPERSON TO PROVIDE REAL ESTATE BROKERAGE SERVICES ON BEHALF OF THE BROKER OF THE FIRM; AND

2. CONTINUES TO BE AFFILIATED WITH THE BROKER OF THE FIRM.

(2) THIS SUBSECTION APPLIES REGARDLESS OF WHETHER THE INDIVIDUAL IS ASSOCIATED WITH THE FIRM AS A PARTNER, OFFICER, SHAREHOLDER, OR IS ASSOCIATED WITH THE FIRM IN ANY OTHER CAPACITY.

(E) APPLICATION OF TITLE.

AN INDIVIDUAL WHO SERVES AS A BROKER OF THE FIRM UNDER THIS SECTION SHALL BE RESPONSIBLE FOR THE PROVISION OF REAL ESTATE BROKERAGE SERVICES THROUGH THE FIRM AND SHALL BE SUBJECT TO ALL OF THE PROVISIONS OF THIS TITLE REGARDING THOSE SERVICES.

(F) LIABILITY NOT AFFECTED.

(1) A CORPORATION OR PARTNERSHIP THAT PROVIDES REAL ESTATE BROKERAGE SERVICES UNDER THIS SECTION IS NOT, BY ITS COMPLIANCE WITH THIS SECTION, RELIEVED OF ANY RESPONSIBILITY THAT THE CORPORATION OR PARTNERSHIP MAY HAVE FOR AN ACT OR OMISSION OF ITS OFFICER, PARTNER, EMPLOYEE, OR AGENT.

(2) AN INDIVIDUAL WHO PROVIDES REAL ESTATE BROKERAGE SERVICES THROUGH A CORPORATION OR PARTNERSHIP IS NOT, BY REASON OF THE INDIVIDUAL'S EMPLOYMENT OR OTHER RELATIONSHIP WITH THE CORPORATION OR PARTNERSHIP, RELIEVED OF ANY INDIVIDUAL RESPONSIBILITY THAT THE INDIVIDUAL MAY HAVE REGARDING THOSE SERVICES.

SUBCOMMITTEE COMMENT: Subsections (a) and (b) of this section are new language substituted for former Art. 56, § 218(a). The new language clarifies that the individual is the licensee, not the corporation or partnership. See the General Subcommittee Comment to this title.

Subsection (c) of this section is new language added to require a real estate broker to submit a notice to the Commission before the broker may provide real estate brokerage services through a corporation or partnership.

Subsection (d) of this section is new language that, in part, is derived without substantive change from the first clause of the first sentence of former Art. 56, § 218(b), as it related to the requirement that each individual who provides real estate brokerage services through a firm be licensed as an associate.