

SUBCOMMITTEE COMMENT: This section is new language derived without substantive change from former Art. 56, § 219(e).

The former law purported to authorize, under certain conditions, the division of fees between "resident licensees" and "nonresident brokers". The new language of this section clarifies that the division may be made between an individual licensed under this title -- regardless of where the individual resides -- and an individual licensed by another state to provide real estate brokerage services.

Defined terms: "Provide real estate brokerage services" § 4-101
"Real estate" § 4-101 "State" § 1-101

4-514. SERVICE OF PROCESS ON AND VENUE FOR NONRESIDENT LICENSEES.

(A) CONSENT REQUIRED.

A NONRESIDENT APPLICANT FOR A LICENSE SHALL FILE WITH THE COMMISSION AN IRREVOCABLE CONSENT, AS PROVIDED UNDER THIS SECTION.

(B) CONTENTS OF CONSENT.

THE CONSENT REQUIRED UNDER THIS SECTION SHALL:

(1) SPECIFY THAT SERVICE OF PROCESS ON THE EXECUTIVE DIRECTOR OF THE COMMISSION SHALL BIND THE APPLICANT IN ANY ACTION, SUIT, OR PROCEEDING BROUGHT AGAINST THE APPLICANT;

(2) SPECIFY THAT AN ACTION, SUIT, OR PROCEEDING MAY BE BROUGHT AGAINST THE APPLICANT IN ANY COUNTY IN WHICH:

(I) THE CAUSE OF ACTION AROSE; OR

(II) THE PLAINTIFF RESIDES;

(3) SPECIFY THAT THE CONSENT IS IRREVOCABLE; AND

(4) BE SIGNED BY THE APPLICANT.

(C) COMPLIANCE REQUIRED AS CONDITION FOR LICENSE ISSUANCE.

THE COMMISSION MAY NOT ISSUE A LICENSE TO A NONRESIDENT APPLICANT, UNLESS THE NONRESIDENT APPLICANT COMPLIES WITH THE REQUIREMENTS OF SUBSECTIONS (A) AND (B) OF THIS SECTION.

(D) SERVICE; VENUE.