

on behalf of a licensed real estate broker with whom the holder was affiliated. None of these requirements or restrictions were set forth in the former law. While the law did contain vague references to being "licensed to perform on behalf of any licensed real estate broker" it completely failed to delineate the relationship of a real estate broker to an associate real estate broker or a real estate salesperson. Nor did it adequately delineate the scope of an associate real estate broker license or a real estate salesperson license. The revision expressly requires that an applicant for an associate real estate broker license or a real estate salesperson license obtain a commitment of affiliation from a licensed real estate broker and submit adequate evidence of the commitment to the Commission. The revision also expressly delineates the scope of an associate real estate broker license and a real estate salesperson license. In addition, § 4-320 [Employment of and contractual arrangements with salespersons and associate brokers] is added to clarify the manner in which an associate real estate broker or a real estate salesperson may become affiliated with a real estate broker, how an affiliation may be terminated, and the legal status of an individual who provides real estate brokerage services on behalf of a real estate broker.

6. Resident and nonresident licenses.

Under the former law, the Commission granted "resident" licenses to residents of the State and "nonresident" licenses to nonresidents. While there were references in the former law to the licensing of nonresidents, nothing in the former law required the Commission to issue a separate type of license to nonresidents. The activities authorized under a "nonresident" license were identical to those authorized under a "resident" license. It served no purpose, therefore, to issue licenses with different names to residents and nonresidents. The distinction merely created confusion by erroneously implying that there were differences between the 2 types of licenses. The revision characterizes a license as a license, without regard as to whether it is granted to a resident or a nonresident.

7. Transferring affiliation, exchanging license, and obtaining additional license.

Procedures had developed through the practice of the Commission to allow a licensee who met certain requirements to transfer an affiliation from 1 real estate broker to another real estate broker, exchange 1 type of license for another type of license, and obtain an additional license. While these requirements and procedures were of fundamental importance to the licensing process, none of them were set forth in the former law. The following 3 provisions have been added to set out expressly those procedures and requirements; § 4-311 [Transfer of affiliation]; § 4-312 [Exchange of license]; and § 4-313 [Additional licenses and affiliations].