

"Secretary" § 1-101

SUBTITLE 3. LICENSING.

16-301. LICENSE REQUIRED.

(A) IN GENERAL.

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL SHALL BE LICENSED BY THE COMMISSION AS A REAL ESTATE BROKER BEFORE THE INDIVIDUAL MAY PROVIDE REAL ESTATE BROKERAGE SERVICES IN THE STATE.

(2) EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL SHALL BE LICENSED BY THE COMMISSION AS AN ASSOCIATE REAL ESTATE BROKER OR A REAL ESTATE SALESPERSON BEFORE THE INDIVIDUAL, WHILE ACTING ON BEHALF OF A REAL ESTATE BROKER, MAY PROVIDE REAL ESTATE BROKERAGE SERVICES IN THE STATE.

(B) EXCEPTIONS.

A LICENSE IS NOT REQUIRED FOR:

(1) A FINANCIAL INSTITUTION, AS DEFINED IN TITLE 1 OF THE FINANCIAL INSTITUTIONS ARTICLE, OR MORTGAGE LOAN INSTITUTION INCORPORATED UNDER THE LAWS OF ANY STATE OR OF THE UNITED STATES TO MANAGE OR SELL ANY PROPERTY THAT THE INSTITUTION ACQUIRES IN CONNECTION WITH A MORTGAGE FORECLOSURE;

(2) A LAWYER WHO:

(I) IS NOT ENGAGED REGULARLY IN THE BUSINESS OF PROVIDING REAL ESTATE BROKERAGE SERVICES; AND

(II) DOES NOT REPRESENT TO THE PUBLIC, BY USE OF A SIGN OR ADVERTISEMENT OR OTHERWISE, THAT THE LAWYER IS IN THE BUSINESS OF PROVIDING REAL ESTATE BROKERAGE SERVICES;

(3) A HOME BUILDER IN THE RENTAL OR INITIAL SALE OF A HOME CONSTRUCTED BY THE BUILDER;

(4) AN AGENT OF A LICENSED REAL ESTATE BROKER OR OF AN OWNER OF REAL ESTATE WHILE MANAGING OR LEASING THAT REAL ESTATE FOR THE REAL ESTATE BROKER OR OWNER;

(5) ANY PERSON IN NEGOTIATING THE SALE, LEASE, OR OTHER TRANSFER OF A BUSINESS ENTERPRISE IF THE PROPOSED TRANSFER DOES NOT INCLUDE ANY INTEREST IN REAL PROPERTY OTHER THAN A LEASE UNDER WHICH THE BUSINESS ENTERPRISE OPERATES; OR

(6) ANY PERSON TO SUBDIVIDE AND SELL UNIMPROVED PROPERTY OWNED BY THAT PERSON IF THE PERSON MEETS THE REQUIREMENTS OF § 16-302 OF THIS SUBTITLE.