

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #6

Do Not Mark In this Box

FILED

JUN 11 2 08 PM '93

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE.

AGENCY: REAL ESTATE COMMISSION TITLE NUMBER: 174

AMENDMENT TO AN EXISTING RULE: YES X, NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Requirements in Licensing Real Estate
Brokers & Salesmen & the Conduct of Brokerage Business

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB 100

SECTION 64-9-23(c), PASSED ON 5-26-93

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON

THE FOLLOWING DATE: 6-15-93

Richard E. Shadrer

FILED

APR 15 1964

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

A. RENEE COE
Deputy Secretary of State

CATHERINE FREROTTE
Executive Assistant

Telephone: (304) 558-6000
Corporations: (304) 558-8000



STATE OF WEST VIRGINIA

SECRETARY OF STATE

Building 1, Suite 157-K
1900 Kanawha Blvd., East
Charleston, WV 25305-0770

WILLIAM H. HARRINGTON
Chief of Staff

JUDY COOPER
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

(Plus all the volunteer
help we can get)

FAX: (304) 558-0900

May 28, 1993

Richard E. Strader
Real Estate Commission
1033 Quarrier Street
Suite 400
Charleston, WV 25301

HB 100 authorizing, Title 174, Series 1, Requirements in Licensing Real Estate Brokers & Salesmen & the Conduct of Brokerage Business, passed the Legislature on **May 26, 1993**. It is now awaiting the Governor's signature.

You have sixty (60) days after the Governor signs HB 100, to final file the legislative rule with the Secretary of State's office. To final file your legislative rule, fill in the blanks on the enclosed form #6, the "Final Filing" form and file the form with our office. Authorization for your legislative rule is cited in **HB 100** section **64-9-23(c)**. The agency may set the effective date of the legislative rule up to ninety (90) days from the date the legislative rule is final filed with the Secretary of State's office. Please have an authorized signature on the bottom line.

*****IMPORTANT: IF YOUR AGENCY HAS COMPLETED THE LEGISLATIVE RULE ON A COMPUTER SYSTEM THAT USES A 3 1/2" OR 5 1/4" DISK, PLEASE SUBMIT A CLEAN COPY, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, TO OUR OFFICE WHEN FINAL FILING THE RULE. STATE ON THE DISK THE FORMAT THE RULE IS IN AND THE TITLE IT IS FILED UNDER. THIS WILL MAKE IT QUICKER FOR US TO ENTER YOUR RULES ON THE LEGISLATIVE DATA BASE. REMEMBER THE TEXT OF THE COMPUTER FILED RULE MUST BE IDENTICAL - WORD FOR WORD, COMMA FOR COMMA, WITH ALL UNDERLINING AND STRIKE-THROUGHS TAKEN OUT, AS THE HARD COPY AUTHORIZED BY THE LEGISLATURE.**

After the final rule is entered into the legislative data base, the rule will be sent to the agency for review and proofing. Following confirmation or corrections, as the case may be, the Secretary of State shall submit to the agency a final version of the rule for their records.

If you have any questions or need any assistance, please do not hesitate to call our office.

Thank You
Administrative Law Division

SENATE BILL NO. 234

1 (By Senator Manchin

2 [Introduced March 1, 1993; referred to the
3 Committee on Government Organization; and
4 then to the Committee on the Judiciary.]

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7
8
9
10 A BILL to amend and reenact section twenty-three, article nine,
11 chapter sixty-four of the code of West Virginia, one thousand
12 nine hundred thirty-one, as amended, relating to authorizing
13 the real estate commission to promulgate legislative rules
14 relating to the requirements in licensing real estate brokers
15 and salesmen and in the conduct of a brokerage business.

16 Be it enacted by the Legislature of West Virginia:

17 That section twenty-three, article nine, chapter sixty-four
18 of the code of West Virginia, one thousand nine hundred thirty-
19 one, as amended, be amended and reenacted, to read as follows:

20 ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS
21 TO PROMULGATE LEGISLATIVE RULES.

22 §64-9-23. Real estate commission.

23 (a) The legislative rules filed in the state register on the
24 fourth day of December, one thousand nine hundred eighty-nine,

1 modified by the real estate commission to meet the objections of
2 the legislative rule-making review committee and refiled in the
3 state register on the eighth day of January, one thousand nine
4 hundred ninety, relating to the real estate commission (renewal
5 of license - continuing education), are authorized.

6 (b) The legislative rules filed in the state register on the
7 twenty-fifth day of July, one thousand nine hundred ninety-one,
8 modified by the real estate commission to meet the objections of
9 the legislative rule-making review committee and refiled in the
10 state register on the twenty-first day of November, one thousand
11 nine hundred ninety-one, relating to the real estate commission
12 (requirements in licensing real estate brokers and salesmen and
13 the conduct of brokerage businesses), are authorized.

14 (c) The legislative rules filed in the state register on the
15 fourth day of September, one thousand nine hundred ninety-two,
16 modified by the real estate commission to meet the objections of
17 the legislative rule-making review committee and refiled in the
18 state register on the tenth day of November, one thousand nine
19 hundred ninety-two, relating to the real estate commission
20 (requirements in licensing real estate brokers and salesmen and
21 the conduct of brokerage business), are authorized.

22

23 NOTE: The purpose of this bill is to authorize the Real
24 Estate Commission to promulgate legislative rules relating to the
25 requirements in licensing real estate brokers and salesmen and in
26 the conduct of a brokerage business.

27

1 Strike-throughs indicate language that would be stricken from
2 the present law, and underscoring indicates new language that
3 would be added.



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(Plus all the volunteer
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FAX: (304) 558-0900

TO: Richard Strader

AGENCY: Real Estate Commission

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: October 8, 1993

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 1 TITLE: 174 Real Estate Commission

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED. *on page 8.*

SIGNED: Richard E. Strader

TITLE OF PERSON SIGNING: EXECUTIVE DIRECTOR

DATE: OCTOBER 22, 1993

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.