12 HOUR BROKER MANAGEMENT CONTINUING EDUCATION COURSE OUTLINE

Pursuant to Section 5-70 of the Act, all the topics included in the 12 Hour Broker Management Continuing Education Outline ("BMCE Outline"), set forth below, must be covered by a Licensed Continuing Education Provider offering the 12 Hour Broker Management Continuing Education Course ("BMCE Course").

A Licensed Continuing Education Provider may submit an application for a Real Estate Continuing Education Course license based on this BMCE Outline, including a timed outline, final exam, answer key, any other required documents and the appropriate fees. The timed outline submitted by any provider shall indicate the specific time allocations for each topic and subtopic.

The required topics in the BMCE Outline may be covered in up to 12 hours, but not less than 6 hours. If the required topics are covered in less than 12 hours (but not less than 6 hours), the remaining hours may address other topics from the group of “Additional Topics to Consider” listed after the BMCE Outline below. Any “Additional Topics to Consider” that are used may be added to the BMCE Outline, or outlined and submitted separately, to fulfill the balance of the 12 Hour BMCE Requirement (a maximum of 6 hours).

COURSE GOAL
To provide attendees with the skills and methods to train employees; to implement sound real estate business practices; and to manage their offices based on the requirements of the Real Estate License Act of 2000 and Administrative Rules.

COURSE OBJECTIVES
1. Develop training methods to inform the sponsored licensee(s) of the current real estate license law and administrative rules;
2. Create a plan to insure that the minimum requirements of the current real estate license law and administrative rules are being met by all licensees; and
3. Establish an ongoing monitoring system that evaluates the licensee’s conformity to the current real estate law and administrative rules.

REQUIRED TOPICS

I. SPONSORING BROKER
   A. Person or Entity
      1. Sole Proprietor, Corporation, LLC
   B. Maintain Definite Office/Place of Business
   C. Business Model
      1. Independent Contractors v. Employees
      2. Designated Agency v. Single Agency
      3. Dual Agency and Required Disclosures
         a. Consent
         b. Confirmation
         c. Rentals & Leasing
      4. Specializations: Residential, Commercial, Leasing, Property Management
D. Sponsoring Broker Responsibilities
   1. Draft and Provide Office Policy
      a. Office Policy Topics/Examples
   2. Written Employment Agreements With All licensees
   3. Compensation Policy
   4. Timely delivery to IDFPR/DRE of All Information Regarding Licensees (Sponsor Cards, Terminations, Address Changes etc.)

E. Supervision
   1. Responsible for Activities of Sponsored Licensees (including Managing Brokers, any Team members, Licensed Assistants and Unlicensed Assistants)
   2. Name and Remain Responsible for the Named Managing Broker(s)

F. Agency Agreements - Brokerage Agreement, Listing Agreement

G. Record Keeping

H. Policy for Exclusive Listings, Current Trends and Duties of Licensees Representing Clients

I. Cooperation Between Brokerage Firms and Sponsors

J. Risk Management; Industry Specific Concerns; Business Broker Act of 1995

II. MANAGING BROKER

A. Managing Broker Responsibilities

B. Supervision
   1. Supervision Over Activities of Sponsored Licensees (including any Team members, Licensed Assistants and Unlicensed Assistants)
   2. Implementation, and communication, of Office Policies to Sponsored Licensees Established by Sponsoring Broker
   3. Training Licensees, Licenses Assistants and/or Unlicensed Assistants
   4. Confidentiality (Records, Client Information)
   5. Supervise and Assist Licensees with Real Estate Transactions
      a. Handling Earnest Money as a Seller’s Agent when Brokerage Firm is not Escrowee
      b. Handling Earnest Money as a Buyer’s Agent
      c. Review TRID Issues/Providing Brokerage Figures to Title Company
      d. Reviewing Brokerage Agreements, Contracts and Disclosures (signatures when dealing with: spouses, pending divorces, dual agency)
   6. Supervise Escrow Accounts to Ensure Compliance
      a. Earnest Money Deposits
      b. Electronic Record Keeping
      c. Transfer of Funds; “Uniform Disposition of Unclaimed Property Act”
   7. Supervise All Advertising to Ensure Compliance
      a. Advertising in Any Media or in Any Service
      b. Advertising in All Social Media
   8. Train and Hold Sponsored Licensees Accountable on Requirements of Federal and State Laws and Local Ordinances related to Real Estate, e.g. RESPA, TRID etc.
   9. Dispute Resolution: Disputes Between Licensees and Client/Consumer Disputes

III. GROUNDS FOR DISCIPLINE/UNPROFESSIONAL CONDUCT

A. Duties to Client, Relationships with Customers/Consumers and Best Practices

B. Managing Broker’s Supervisory Role and Possible Discipline of Managing Broker for Failure to Supervise

C. 15 Types of Unprofessional Conduct

D. Complaint Process for License Law Violations

E. Examples of License Law Violations and Disciplines Issued
ADDITIONAL TOPICS TO CONSIDER:
Elements of a Contract
Licensee Safety
Supervising Distressed Property Transactions
Supervising the Leasing and Selling of Commercial Property
Property Management by Sponsoring Broker/Property Management Agreements
Disclosure Policies for Agency
Buyer Agency Agreements and Policies for Using these Agreements
Policies for Exclusive Listings
Handling Rentals with the Housing Choice Voucher Program and Related Regulations
Handling Buyer Communication to Listing Broker to Negotiate a Coop Commission and Other Matters
Preparing a Comparative Market Analysis (CMAs)
Analyzing Market Indicators in the MLS
Creating an Infrastructure to Train New Licensees
Risk Management and Related Litigation
Business Management Objectives