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Sequence Number: 04-14-20
 Notice ID(s): 3083
 File Date: 4/9/2020

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Real Estate Commission
Division:	Regulatory Boards
Contact Person:	Anna D. Matlock
Address:	500 James Robertson Parkway, Nashville, Tennessee
Phone:	(615) 253-0070
Email:	Anna.Matlock@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway Davy Crockett Tower Nashville, TN 37243
Phone:	(615) 741-0481
Email:	Don.Coleman@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway, Conference Room 1-A		
Address 2:			
City:	Nashville		
Zip:	37243		
Hearing Date :	June 10, 2020		
Hearing Time:	8:30 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

N/A

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1260-01	Licensing
Rule Number	Rule Title
1260-01-.01	Applications for Examinations

Redline – 2019 Rulemaking Hearing Notice
Tennessee Real Estate Commission

Chapter 1260-01: Licensing
Amendments

Rule 1260-01-.01 is amended by deleting the text of the rule in its entirety and substituting instead language so that, as amended, Rule 1260-01-.01 shall read:

1260-01-.01 APPLICATIONS FOR EXAMINATIONS.

(1) Affiliate Brokers. Applicants for the affiliated brokers examination must follow the procedures published by the testing vendor approved by the Tennessee Real Estate Commission concerning appointments for testing information required, and deadlines for submission of examination applications.

(2) Brokers. Applications for the broker's examination must follow the procedures published by the testing vendor approved by the Tennessee Real Estate Commission concerning appointments for testing, information required, and deadlines for submission of examination applications.

(3) An applicant who passes an examination is not necessarily qualified for licensure.

(4) If a person possesses a certificate of employability pursuant to T.C.A. § 40-29-107, that person shall not be denied the issuance of a license based solely on the person's past record of criminal activity but shall instead be required to appear before the Commission for the purpose of the Commission considering on a case-by-case basis whether to grant or deny the issuance of the license.

(5) If within the past ten (10) years, an applicant has been convicted of or pled nolo contendere or guilty to any Class A, B, or C felony or a misdemeanor involving the theft of services, money or property, or had disciplinary sanctions imposed on them by any local, state or federal occupational licensing body, the applicant shall:

(a) Complete and submit a form prescribed by the Commission containing information relevant to the conviction, plea or disciplinary sanction.

(b) Submit certified copies of the court disposition or other document acceptable to the Commission for each conviction, plea of guilty or nolo contendere or a copy of the order or other document which shows the disciplinary action taken by the local, state or federal agency and the factual and legal basis for the action, whichever is applicable.

1. If the background check produced pursuant to T.C.A. § 62-13-303(l) does not reveal the disposition of any arrest or charge related to a Class A, B, or C felony or a misdemeanor involving theft of services, money or property and the charge has been dismissed, nolle prosequi or otherwise disposed of without conviction or a plea of guilty or nolo contendere, the applicant shall submit certified copies of the court disposition or other document acceptable to the Commission for each such arrest or charge.

2. If the court has no record of the arrest, charge, or conviction due to age of the record or any other reason, the applicant shall submit a letter from the court clerk stating the absence of the record(s).

(c) Appear before the Commission for the purpose of determining if the conviction, plea or disciplinary sanction constitutes grounds for denial of a license and, if so, whether or not the applicant may move forward with the licensing process. The applicant shall ensure the presence of his or her principal broker (or intended principal broker) in accordance with Tenn. Comp. R. & Regs. 1260-01-.19.

(d) An applicant who appears before the Commission requesting licensure and who is denied will not be eligible for reconsideration for six (6) months from the date of denial.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: April 9, 2020

Signature: *Anna D. Matlock*

Name of Officer: Anna D. Matlock

Title of Officer: Associate General Counsel

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Filed with the Department of State on: 4/9/2020

Tre Hargett

Tre Hargett
Secretary of State

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Sequence Number: 06-11-20
File Date: 6/3/2020

Cancellation of Rulemaking Hearing Form

Agency/Board/Commission:	Tennessee Real Estate Commission
Division:	Regulatory Boards
Contact Person:	Anna D. Matlock
Address:	500 James Robertson Parkway, Nashville, Tennessee
Zip:	37243
Phone:	(615) 253-0070
Email:	Anna.Matlock@tn.gov

Cancelled Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway, Davy Crockett Tower		
Address 2:			
City:	Nashville		
Zip:	37243		
Hearing Date:	June 10, 2020		
Hearing Time:	8:30 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

This cancellation refers to the following Notice of Rulemaking Hearing:

Cancelled Rulemaking Hearing Sequence Number: 04-14-20

Cancelled Rulemaking Hearing File Date: 04/09/2020

Additional Hearing Cancellation Information:

N/A

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**SECRETARY OF STATE
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Date: June 3, 2020

Signature: *Anna D. Matlock*

Name of Officer: Anna D. Matlock

Title of Officer: Associate General Counsel