



ADMINISTRATIVE RULES OF MONTANA



24.210.611 APPLICATION FOR LICENSE -- SALESPERSON AND BROKER

- (1) Applicants for license must make application on forms approved by the board and accompanied by the required fee.
- (2) No application for license will be accepted by the board until the individual has made application for and successfully completed the examination.
- (3) All individuals successfully completing the examination must apply for licensure within 12 months from the date of examination. Failure to make application within that time shall invalidate the examination results.
- (4) If an applicant currently holds, or has ever held a real estate license in another jurisdiction, a license verification from that licensing jurisdiction is required before a Montana license will be issued.
- (5) All experience, including transactions, must be presented on board forms.
- (6) A waiver applicant must hold a current active license in good standing.
- (7) All waiver applicants will be required to pass the state examination.
- (8) In addition to (1) through (7), all applicants for licensure as a salesperson must:
 - (a) submit proof of completing 70 hours of approved prelicensing education obtained within a period of 24 months immediately preceding the date of the submission of the application; and
 - (b) submit the proposed supervising broker's certification of the applicant's good repute and the broker's written acceptance of responsibility for supervising the licensed activities of the salesperson.
- (9) In addition to (1) through (7), all applicants for licensure as a broker must:
 - (a) submit proof of completing 60 hours of approved prelicensing education obtained within a period of 18 months immediately preceding the date of the submission of the application; and
 - (b) submit for the purpose of determining if a broker applicant has been "actively engaged as a licensed real estate salesperson," evidence acceptable to the board that the salesperson has obtained a total of 30 points in any combination of point types within the past 36 months prior to the date of application. Point types and values are as follows:
 - (i) transaction points:

- (A) one point for each closed residential real estate transaction, no more than five leases;
 - (B) three points for each closed farm, ranch, agricultural, or commercial transaction, no more than five leases; or
 - (C) upon furnishing evidence satisfactory to the board, an applicant may receive credit for both sides of a transaction.
- (ii) education points:
 - (A) three points for an associate's degree in real estate;
 - (B) three points for Certified Commercial Investment Member (CCIM) or Council of Real Estate Broker Managers (CRB);
 - (C) five points for a bachelor's degree or higher in business management;
 - (D) five points for a juris doctorate; or
 - (E) five points for a bachelor's degree or higher in real estate.
- (iii) supervision points are obtained through supervision of real estate activity for any broker who has supervised real estate activity a minimum of 36 months:
 - (A) one point for each year of real estate brokerage supervisory experience, maximum of three points;
 - (B) one point for each licensed real estate full-time equivalent (FTE) supervised within the last 36 months, maximum of ten points; or
 - (C) one point for every five transactions supervised in the last 36 months, maximum of 15 points.
- (iv) educator points are obtained by being an approved real estate educator in a jurisdiction;
 - (A) one point for each instructor day (minimum of six hours) within the past 36 months, maximum of ten points.
- (c) The experience required by (9)(b) must be legally obtained while licensed as a real estate licensee in this state, or licensed in another jurisdiction.
- (d) Closed real estate transactions of property owned by the applicant, by a corporation, partnership, trust, or other entity in which the applicant has an interest or by such an entity which employed the applicant as an employee, shall not qualify as experience under (9)(b), or under 37-51-302, MCA.
- (e) Transactions in which the applicant only participated as a mortgage broker shall not qualify as experience under (9)(b) or under 37-51-302, MCA.
- (f) In order for a listing to be considered a closed real estate transaction, the listing must have sold.
- (g) In order to claim credit for a transaction, the applicant must have taken an active role in the transaction as determined by the board, except that a supervising broker may claim supervision points as provided in (9) above.

- (h) No more than one credit total per side per transaction may be claimed by a team or its members.
- (10) The board will review all nonroutine applications.

Authorizing statute(s): 37-1-131, 37-51-203, MCA

Implementing statute(s): 37-1-131, 37-1-304, 37-51-202, 37-51-302, 37-51-303, MCA

History: NEW, 1990 MAR p. 1156, Eff. 6/15/90; AMD, 1992 MAR p. 2274, Eff. 10/16/92; AMD, 1993 MAR p. 1909, Eff. 8/13/93; AMD, 1995 MAR p. 2397, Eff. 11/10/95; AMD, 1999 MAR p. 405, Eff. 3/12/99; AMD, 2002 MAR p. 2905, Eff. 10/18/02; TRANS, from Commerce, 2005 MAR p. 2455; AMD, 2007 MAR p. 1329, Eff. 9/7/07; AMD, 2008 MAR p. 2558, Eff. 12/12/08; AMD, 2010 MAR p. 532, Eff. 2/26/10; AMD, 2012 MAR p. 1776, Eff. 9/7/12; AMD, 2022 MAR p. 238, Eff. 2/12/22.