

## No. 44

## AN ACT

## HB 41

Amending the act of May 1, 1929 (P.L.1216, No.427), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," providing for the certification of certain real estate salesmen and regulating professional education of real estate salesmen.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 6, act of May 1, 1929 (P.L.1216, No.427), known as the "Real Estate Brokers License Act of one thousand nine hundred and twenty-nine," is amended by adding a subsection to read:

Section 6. \* \* \*

*(e) No person may be initially licensed by the department or commissioned as a real estate salesman unless such person shall have sufficient education to qualify for a salesman's examination which shall, effective October 31, 1973, comprise two (2) semester credit hours of fifteen (15) hours each and October 31, 1974, comprise four (4) semester credit hours of fifteen (15) hours each in real estate instruction. The commission may by rule and regulation, prescribe the areas of study set forth by the Real Estate Commission in schools approved by the commission. The provisions of this subsection shall not apply to persons licensed or commissioned by the department prior to the effective date of this act.*

Section 2. The act is amended by adding a section to read:

**Section 6.3.** *(a) The department is empowered and authorized to issue real estate salesman certificates to any person passing the standard real estate salesman license examination who is a full-time employe of a builder-owner of single and multi-family dwellings and as such employe shall be authorized and empowered to list for sale, sell or offer for sale, or to negotiate the sale or exchange of real estate, or to lease or rent, or offer to lease, rent or place for rent, any real estate owned by his builder-owner employer, or collect or offer, or attempt to collect, rent for the use of real estate owned by his builder-owner employer, for and on behalf of such builder-owner employer. Each certificate shall designate the specific builder-owner by whom the salesman shall be employed and the salesman shall not render any services under the provisions of this act for any other person.*

*(b) Applicants for a real estate salesman certificate shall only be required to pass the standard examination given to applicants for licensure as real estate salesmen.*

*(c) Certificates issued by the department under the provisions of this*

*section shall clearly state on the face thereof the field to which such certificate is applicable, and the holder of any such certificate shall not engage in or carry on the business or act in the capacity of a real estate salesman except in the limited field for which he holds a certificate.*

*(d) Earnest money, hand money or down payments shall be held in escrow by the builder-owner and shall be subject to the provisions of this act relating to escrow funds.*

*(e) Builder-owners employing certificated real estate salesmen shall have the same responsibilities under this act as real estate brokers and the commission may prohibit any builder-owner who violates this act from employing the services of a certificated real estate salesman for a period not exceeding one year.*

APPROVED—The 6th day of July, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 44.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth.