

1 21 NCAC 58E .0102 is amended with changes as published in 28:15 NCR 1746 as follows:

2
3 **21 NCAC 58E .0102 UPDATE COURSE COMPONENT**

4 (a) To renew a license on active status, a real estate broker ~~must shall~~ complete, within one year preceding license
5 expiration and in addition to satisfying the continuing education elective requirement described in ~~Section Rule~~
6 .0302 of this Subchapter, a Commission-developed ~~update course~~ "General Update Course" described in Paragraph
7 ~~(b) of this Rule~~ consisting of four classroom hours of ~~instruction~~ instruction. ~~[to be known as the "General Update~~
8 ~~Course.]"~~ A broker-in-charge or broker who is broker-in-charge eligible who desires to retain his or her broker-in-
9 charge status or eligibility ~~[must]~~ shall complete in lieu of the "General Update Course" a Commission-developed
10 ~~[update course to be known as the]~~ "Broker-In-Charge Update Course" consisting of four classroom hours of
11 instruction, described in Paragraph (b) of this Rule and [as] prescribed in Rule 58A .0110.

12 (b) The Commission shall develop annually ~~an update course~~ a General Update Course and a Broker-In-Charge
13 Update Course ~~which that~~ shall be conducted by sponsors approved by the Commission under this Subchapter. The
14 subject matter of ~~this course~~ these courses shall be determined by the Commission, ~~which and shall include~~
15 instruction on the duties and responsibilities required of brokers by the License Law and Commission rules as well
16 as current trends, standards, or changes affecting the real estate brokerage practice. The Broker-in-Charge Update
17 Course shall also include instruction on the duties and responsibilities required of brokers-in-charge by the License
18 Law and Commission rules. The Commission shall produce instructor and student materials for use by course
19 ~~sponsors. sponsors, and The Commission~~ shall prepare a completely new ~~course~~ courses for each one-year period
20 beginning July 1 and ending the next June 30. Sponsors ~~must shall~~ acquire the Commission-developed course
21 materials and utilize ~~such the~~ materials to conduct the update ~~course~~ courses. The ~~course~~ courses ~~must shall~~ be
22 conducted ~~exactly~~ as prescribed by the rules in this Subchapter and the course materials developed by the
23 Commission. All course materials ~~that are~~ developed by the Commission for use in an update course and that are
24 subject to the protection of federal copyright laws are the property of the Commission. Violation of the
25 Commission's copyright with regard to these materials shall be grounds for disciplinary action. Sponsors ~~must shall~~
26 provide ~~licensees brokers~~ participating in their classes a copy of the student materials developed by the Commission.
27 With advance approval from the Commission, course sponsors and instructors may make modifications to the
28 update course when the update course is being promoted to and conducted for a group of ~~licensees brokers~~ that
29 specialize in a particular area of real estate brokerage, provided that the modifications relate to the same general
30 subject matter ~~as is~~ addressed in the prescribed update course and the course as modified achieves the same
31 educational objectives as the unmodified course.

32 (c) ~~Approval of a sponsor to conduct an update course authorizes the sponsor to conduct the update course using an~~
33 ~~instructor~~ Approved sponsors shall conduct update courses using an instructor who has been approved by the
34 Commission as an update course instructor under Section .0200 of this Subchapter. The sponsor may conduct the
35 update course at any location as frequently as is desired during the approval ~~period, provided that~~ period; however,
36 no courses may be conducted between June 11 and June 30 of any approval period.

37

1 *History Note:* *Authority G.S. 93A-3(c); 93A-4.1;*
2 *Eff. July 1, 1994;*
3 *Amended Eff. July 1, 2014; [~~July 1, 2014,~~] April 1, 2006; July 1, 2000.*