



**PROPOSED TEMPORARY RULE FOR
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Proposed Temporary Rule [G.S. 150B-21.1(a3)]

Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: NORTH CAROLINA REAL ESTATE COMMISSION

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: 21 NCAC 58G .0104 & .0105

AMENDMENT:

REPEAL:

3. Public Hearing:

Date: April 15, 2020

Time: 9:00 a.m.


Location: NC Real Estate Commission, 1313 Navaho Drive, Raleigh, NC 27609

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
 The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
 A recent change in federal or state budgetary policy.
Effective date of change:
 A recent federal regulation.
Cite:
Effective date:
 A recent court order.
Cite order: Executive Orders 116 and 117
 Other:

Explain:

The public health threat posed by COVID-19 requires immediate action to limit mass gatherings, increase social distancing, and limit exposure of high risk individuals. It is in the public's interest to immediately adopt rules that limit the Commission's regulated audience's exposure to COVID-19 and allow for relaxed requirements during the time of this public health emergency. The adoption of 21 NCAC 58G .0104 would suspend classroom-based courses until April 30, 2020, to allow extensions for education courses, and provide students the opportunity to make-up classroom hours. The adoption of 21 NCAC 58G .0105 would remove the requirement to comply with 21 NCAC 58H .0306(b)(4) prior to June 30, 2020, in order to renew instructor approval.

5. Comments from the public shall be directed to: Name: Melissa Vuotto Address: PO Box 17100, Raleigh, NC 27619-7100 Phone (optional): Fax (optional): E-Mail (optional): Public.Comment@ncrec.gov	
6. Comment Period Starts: March 18, 2020	Comment Period Ends: April 15, 2020
7. Rule-making Coordinator: Melissa Vuotto Address: NC Real Estate Commission PO Box 17100 Raleigh, NC 27619-7100 Phone: 919-875-3700, ext. 142 E-Mail: Melissa@ncrec.gov Agency contact, if any: Robert Patchett Phone: 919-875-3700, est. 133 E-mail: Rob@ncrec.gov	8. The Agency formally proposed the text of this rule(s) on Date: March 18, 2020 9. Signature of Agency* Head or Rule-making Coordinator:  <hr/> *If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form. Typed Name: Melissa Vuotto Title: Rulemaking Coordinator

1 21 NCAC 58G .0104 is proposed for adoption under temporary procedures as follows:
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3 (a) Schools and course sponsors shall cancel or suspend all in-person courses until April 30, 2020.

4 (b) Until June 10, 2020, schools and course sponsors may offer synchronous distance-learning for continuing
5 education courses. Until June 30, 2020, schools and course sponsors may offer synchronous distance-learning for
6 prelicensing and postlicensing courses. "Synchronous distance-learning" means the instructor and students are
7 separated only by distance and not time, allowing for real-time monitoring of student participation.

8 (c) Schools shall allow students to make-up prelicensing and postlicensing course hours by attending another course
9 of the same type offered by the same school. The make-up hours attended by the student shall be for the same content
10 that the student missed.

11 (d) An applicant who is unable to take the licensing examination within 180 days pursuant to 21 NCAC 58A .0401
12 due to illness or the testing service locations being closed shall make a written request using the Commission's website.
13 The Commission shall grant each applicant an extension to take the licensing examination.

14 (e) A broker requiring an extension of time to complete the 12-hour Broker-in-Charge Course pursuant to 21 NCAC
15 58A .0110(e) and .1712(b)(5) shall make a written request using the Commission's website prior to the licensee's
16 original 120 day deadline. The Commission shall grant each broker an extension to complete the 12-hour Broker-in-
17 Charge Course.

18 (f) The Commission shall grant all brokers an extension of time to complete postlicensing or continuing education
19 courses.

20 (g) The Commission shall waive the prelicensing and postlicensing course examination requirements of 21 NCAC
21 58H .0210(a)(2), .0210(b)(2) and .0210(c).

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23 History Note: Authority G.S. 93A-3(c); 93A-4.1(c);

24 Emergency Adoption Eff. _____;

25 Temporary Adoption Eff _____.

1 21 NCAC 58G .0105 is proposed for adoption under temporary procedures as follows:

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3 Instructors shall not be required to comply with 21 NCAC 58H .0306(b)(4) prior to June 30, 2020, to renew instructor
4 approval.

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6 History Note: Authority G.S. 93A-3(c); 93A-4.1(c);

7 Emergency Adoption Eff. _____;

8 Temporary Adoption Eff _____.