

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1715 Session of
1975

INTRODUCED BY ZORD, SEPTEMBER 22, 1975

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
SEPTEMBER 23, 1975

AN ACT

1 Amending the act of May 1, 1929 (P.L.1216, No.427), entitled "An
2 act to define real estate brokers and real estate salesmen;
3 and providing for the licensing, regulation, and supervision
4 of resident and nonresident real estate brokers and real
5 estate salesmen and their business," further providing for
6 examinations.

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

9 Section 1. Subsection (c) of section 7, act of May 1, 1929
10 (P.L.1216, No.427), known as the "Real Estate Brokers License
11 Act of one thousand nine hundred and twenty-nine," amended July
12 9, 1957 (P.L.608, No.329), is amended to read:

13 Section 7. * * *

14 (c) Application for license as real estate salesman shall be
15 made in writing to the department, signed by the applicant,
16 setting forth that he is at least eighteen years of age, the
17 period of time during which he has been engaged in the business,
18 stating the name of the last employer, and the name and place of
19 business of the person, firm, copartnership, association, or
20 corporation then employing him, or into whose employ he is then

1 about to enter. No person may be licensed by the department as a
2 real estate salesman unless such person is a citizen of the
3 United States. All applications shall be made upon a blank
4 provided for the purpose by the department, and shall contain
5 such information as to the applicant, in addition to the above
6 prescribed, as the commission shall require. The application
7 shall be accompanied by the recommendation of his employer, or
8 prospective employer, certifying that the applicant is honest,
9 truthful, and of good repute, and recommending that such license
10 be granted. All such licenses shall expire on the last day of
11 February immediately following the date of issue, unless sooner
12 revoked or suspended by the commission, or renewed annually, as
13 hereinafter described.

14 No person may hereafter be licensed as a real estate
15 salesman, and no person, copartnership, association, or
16 corporation may hereafter be licensed as a real estate broker,
17 by the department, unless such person and all of the members of
18 any such copartnership or association, and all of the officers
19 of any such corporation, intending to actually engage in, or
20 actually engaging in, the real estate business as a real estate
21 broker or salesman, shall first submit to and pass an
22 examination conducted by the commission and prepared by the
23 commission. Preparation by the commission shall mean that the
24 examination is actually prepared by the commission and not
25 purchased or acquired from an outside source and approved by the
26 commission. The commission shall hold examinations on the second
27 Saturdays in February, May, August, and November in the cities
28 of Philadelphia, Pittsburgh, Harrisburg, Wilkes-Barre, and Erie,
29 at such hours and under such rules and regulations, as the
30 commission shall prescribe: Provided, That the commission may

1 make a special dispensation or exception because of religious
2 scruples of applicants as to the day of the week upon which the
3 examination shall be held: Provided further, That the commission
4 may hold real estate salesmen's examinations in the city of
5 Harrisburg on the second Saturday of any month. The examination
6 for a broker's license shall include questions on real estate
7 practice, real estate law, the applicant's ability to read and
8 write English, his knowledge of mathematics, and other common
9 school branches. The examination for salesman's license shall be
10 limited to mathematics applicable to real estate business, the
11 Real Estate Brokers' License Act, and ethical practices
12 thereunder. All the parts and questions of the examination for
13 both broker's and salesman's licenses shall bear a direct
14 relationship to the subject of real estate and shall not be a
15 test of general knowledge. If an applicant shall pass one or
16 more parts of the examination and fail one or more other parts,
17 the applicant shall be required to resubmit to examination only
18 on those parts which he has not previously passed: Provided,
19 however, That in event the license of any real estate broker or
20 salesman shall be cancelled by the commission, subsequent to the
21 enactment of this act, no new license shall be issued to such
22 person, unless he complies with the provisions of this act:
23 Provided further, however, That the commission may waive these
24 requirements in the case of an application from a non-resident
25 broker of those states having similar requirements under the
26 laws of which, similar recognition and courtesies are extended
27 to licensed real estate brokers and real estate salesmen of this
28 State.

29 * * *

30 Section 2. This act shall take effect in 60 days.