

DEPARTMENT OF REGULATORY AGENCIES  
DIVISION OF REAL ESTATE  
REAL ESTATE COMMISSION  
4 CCR 725-1

NOTICE OF PROPOSED PERMANENT RULEMAKING HEARING  
October 3, 2017

**Rule D. Renewal, Transfer, Inactive License, Errors and Omissions Insurance**

Pursuant to and in compliance with Title 12, Article 61 and Title 24, Article 4, C.R.S. as amended, notice of proposed rulemaking is hereby given, including notice to the Attorney General of the State of Colorado and to all persons who have requested to be advised of the intention of the Colorado Real Estate Commission (the "Commission") to promulgate rules, or to amend, repeal or repeal and re-enact the present rules of the Commission.

**STATEMENT OF BASIS**

The statutory basis for the rules titled Rules of the Colorado Real Estate Commission is Part 1 of Title 12, Article 61, Colorado Revised Statutes, as amended.

**STATEMENT OF PURPOSE**

The purpose of this rule is to effectuate the legislative directive to promulgate necessary and appropriate rules in conformity with the state statutes of the real estate practice act.

**SPECIFIC PURPOSE OF THIS RULEMAKING**

The specific purpose of this rule is to amend or repeal existing rules with respect to transitioning a real estate broker's license cycle from an anniversary year to a calendar year cycle as mandated by SB17-215.

**PROPOSED NEW, AMENDED AND REPEALED RULES**

[Deleted material is shown ~~struck through~~; new material is shown ALL CAPS.] Rules, or portions of rules, which are unaffected are reproduced. Readers are advised to obtain a copy of the complete rules of the Commission at [www.dora.colorado.gov/dre](http://www.dora.colorado.gov/dre).

**Proposed New, Amended and Repealed Rules**

**Rule D. Renewal, Transfer, Inactive License, Errors and Omissions Insurance**

***D-11. Initial license renewal.***

~~An initial license will be issued for a three year period commencing on the issuance date and expiring three years from the date of issuance.~~

EFFECTIVE JANUARY 1, 2018, EACH APPLICANT WHO HAS SATISFIED THE REQUIREMENTS FOR LICENSURE WILL BE ISSUED A LICENSE EXPIRING DECEMBER 31 OF THE YEAR OF ISSUE. THEREAFTER, A LICENSEE WILL RENEW A LICENSE ON A CALENDAR YEAR CYCLE COMMENCING ON JANUARY 1 OF YEAR ONE AND EXPIRING ON DECEMBER 31 OF YEAR THREE.

***D-13. ~~Anniversary date renewals and reinstatements.~~ TRANSITION PERIOD LICENSE RENEWALS.***

~~License renewal periods shall begin on the anniversary date of issuance and continue for three full years. An expired license may be reinstated as follows:~~

- ~~(a) If proper application is made within thirty one days after the date of expiration, by payment of the regular renewal fee;~~
- ~~(b) If proper application is made more than thirty one days but within one year after the date of expiration, by payment of the regular renewal fee and payment of a reinstatement fee equal to one half the regular renewal fee;~~
- ~~(c) If proper application is made more than one year but within three years after the date of expiration, by payment of the regular renewal fee and payment of a reinstatement fee equal to the regular renewal fee.~~

UPON RECEIPT OF A COMPLETE AND SATISFACTORY APPLICATION ACCOMPANIED WITH PAYMENT OF THE APPROPRIATE FEE, THE COMMISSION WILL RENEW A LICENSE EXPIRING ON THE ANNIVERSARY DATE IN THE YEARS OF 2018, 2019 OR 2020, FOR A PERIOD OF TIME EQUAL TO TWO YEARS PLUS THE REMAINING DAYS IN THE THIRD YEAR TO REACH DECEMBER 31. THEREAFTER, A LICENSEE WILL RENEW A LICENSE ON A CALENDAR YEAR CYCLE COMMENCING ON JANUARY 1 OF YEAR ONE AND EXPIRING ON DECEMBER 31 OF YEAR THREE.

***D-17. TRANSITION PERIOD LICENSE REINSTATEMENTS.***

AN EXPIRED LICENSE MAY BE REINSTATED AS FOLLOWS:

- (a) IF PROPER APPLICATION IS MADE WITHIN THIRTY-ONE DAYS AFTER THE DATE OF EXPIRATION OF A LICENSE, BY PAYMENT OF THE REGULAR RENEWAL FEE, THE LICENSE WILL BE ISSUED AS PRESCRIBED IN RULE D-13.
- (b) IF PROPER APPLICATION IS MADE MORE THAN THIRTY-ONE DAYS BUT WITHIN ONE YEAR AFTER THE DATE OF EXPIRATION OF A LICENSE, BY PAYMENT OF THE REGULAR RENEWAL FEE AND PAYMENT OF A REINSTATEMENT FEE EQUAL TO ONE-HALF THE REGULAR RENEWAL FEE, THE LICENSE WILL BE ISSUED WITH AN EXPIRATION DATE OF DECEMBER 31 OF THE YEAR OF ISSUANCE. THEREAFTER, A LICENSEE WILL RENEW A LICENSE ON A CALENDAR YEAR CYCLE COMMENCING ON JANUARY 1 OF YEAR ONE AND EXPIRING ON DECEMBER 31 OF YEAR THREE.
- (c) IF PROPER APPLICATION IS MADE MORE THAN ONE YEAR BUT WITHIN THREE YEARS AFTER THE DATE OF EXPIRATION OF A LICENSE, BY PAYMENT OF THE REGULAR RENEWAL FEE AND PAYMENT OF A REINSTATEMENT FEE EQUAL TO THE REGULAR RENEWAL FEE, THE

LICENSE WILL BE ISSUED WITH AN EXPIRATION DATE OF DECEMBER 31 OF THE YEAR OF ISSUANCE. THEREAFTER, A LICENSEE WILL RENEW A LICENSE ON A CALENDAR YEAR CYCLE COMMENCING ON JANUARY 1 OF YEAR ONE AND EXPIRING ON DECEMBER 31 OF YEAR THREE.

**A hearing on the above subject matter will be held on Tuesday, October 3, 2017, at the Colorado Division of Real Estate, 1560 Broadway, Suite 1250C, Denver, Colorado 80202 beginning at 9:00 a.m.**

Any interested person may participate in the rule making through submission of written data, views and arguments to the Division of Real Estate. Persons are requested to submit data, views and arguments to the Division of Real Estate in writing no less than ten (10) days prior to the hearing date and time set forth above. However, all data, views and arguments submitted prior to or at the rulemaking hearing or prior to the closure of the rulemaking record (if different from the date and time of hearing), shall be considered. Please be advised that the rule being considered is subject to further changes and modifications after public comment and formal hearing.