ALABAMA REAL ESTATE COMMISSION
ADMINISTRATIVE CODE

CHAPTER 790-X-2
LICENSURE

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790-X-2-.01 Documentation Required For License Issuance.

The following items shall be required for documentation of licensing requirements:

(1) All applicants shall be at least 19 years of age as evidenced by a copy of a valid driver's license, U. S. passport, birth certificate or any other documentation acceptable to the Alabama Real Estate Commission.

(2) All applicants for a temporary salesperson, original salesperson, or broker's license shall certify on the appropriate application form that he or she is either a citizen of the United States, or is a permanent resident alien, or is legally present in the United States. Additionally, every applicant shall provide documentation of their status. This documentation shall be in the form of a photocopy of any one of the below listed documents, and shall be attached to the application form submitted to the commission office:

(a) Driver license or non-driver identification issued by any state of the United States; or

(b) Birth certificate issued by any state in the United States; or

(c) Permanent Resident Card, commonly known as a "green card"; or

(d) Any visa issued by the United States; or

(e) Any other documentation issued by the United States indicating legal presence in the United States.

(3) All applicants shall document their state of residence as evidenced by a photocopy of any one of the below listed documents:

(a) current driver's license; or

(b) car tag receipt; or

(c) deed to a home; or

(d) lease agreement on a home or residential apartment; or

(e) property tax bill; or

(f) voter's registration card; or

(g) other document acceptable to the Alabama Real Estate Commission.

(4) All applicants for a reciprocal license shall submit an official "Certificate of Licensure" form (license history) from the state where the applicant holds a current license.

The Certification of Licensure shall be issued within the 120-day period prior to the issuance of the Alabama license. At minimum it shall show:

(a) Name and address of the licensee; and

(b) Status of the license (current, renewed, not renewed, expired, lapsed, etc.) and

(c) Type of license (salesperson, broker, etc.); and

(d) Period of time the license has been active and inactive over at least the previous 36 months; and

(e) If the applicant passed an examination; and

(f) Whether the examination consisted of the national and state portion or only the state portion; and

(g) Record of any disciplinary action against the licensee; and

(h) Any other documentation the Commission may require.

(5) All applicants who completed high school in the United States, except those applying for a reciprocal license and those who were home schooled, shall show proof of high school graduation by providing a photocopy of one of the below listed documents:

(a) High school diploma; or

(b) High school transcripts showing graduation date; or

(c) GED Certificate; or

(d) College diploma; or

(e) College transcripts showing completion of a minimum of two full terms (quarters or semesters); or

(f) Teaching certificate; or

(g) DD-214 showing verification of high school completion.

(6) All applicants who were home schooled in the United States shall provide a notarized transcript, a letter of recommendation from the home school group leader, or a diploma signifying completion of all requirements.

(7) All applicants who completed high school outside the United States shall provide one of the following:

(a) A transcript or diploma from a United States college showing that the applicant's high school education was sufficient to allow the applicant to be admitted into a post-secondary education program; or

(b) A transcript or diploma translated into English from either the high school or college the applicant attended in another country.

Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-32.
History: Filed September 30, 1982. **Amended:** Filed August 20, 1985; August 27, 1986; December 5, 1988; December 7, 1989; August 7, 1992. **Repealed:** Filed August 23, 1996; effective September 27, 1996. **New Rule:** Filed September 12, 2008; effective October 17, 2008. **Amended:** Published October 29, 2021; effective December 13, 2021.

790-X-2-.02 Applications For Examination And Licensure.

(1) Should any applicant for a real estate broker's or salesperson's license falsely answer any questions on his/her examination application, request for determination of licensing eligibility, or license application or misrepresent any facts relating to those applications, said application may be rejected by the Commission investigations staff and returned to the applicant. Any applicant whose application is not deemed acceptable may request a hearing before the Commission relative to such rejection within 30 days of the Applicant's receipt of the notice of rejection.

(2) In determining if an applicant is qualified and fit to hold a real estate license under Code of Ala. 1975, §34-27-32(j), the following shall apply:

(a) The application or request for determination of licensing eligibility of any person whose criminal history establishes that the applicant has not been convicted of a felony or a crime of moral turpitude shall be approved by the Commission's investigation staff without the necessity of a hearing before the Commission.

(b) The application or request for determination of licensing eligibility of any person whose criminal history establishes that the applicant is actively on probation or parole or owes monies for restitution, court costs, or fees pertaining to a conviction of felony or a crime of moral turpitude may be rejected by the Commission's investigation staff. Any applicant whose application is rejected may request a hearing before the Commission relative to the rejection within 30 days of the applicant's receipt of the notice of rejection.

(c) The application or request for determination of licensing eligibility of a person whose criminal history establishes that the applicant has been convicted of a felony or a crime of moral turpitude and the applicant is no longer on probation or parole and no longer owes any monies for restitution, court costs, or fees will be set for a determination of eligibility hearing before the Commission.

(3) Any real estate broker who knowingly signs a license application stating the applicant under his/her sponsorship is of good reputation and is trustworthy may be held liable for such statements; and should a routine investigation of the applicant's background prove otherwise, the sponsoring broker may be subject to a fine or revocation or suspension of his/her license.

(4) All temporary salesperson and original broker license applications shall contain a recent photograph.

(5) The examination appointment shall be made and the examination fee paid to the testing agency as published in the Candidate Handbook. When the registration has been processed, the applicant shall be notified of the time to report to the exam center. Unscheduled candidates shall not be admitted.

(6) An examination fee shall be paid for each scheduled examination whether or not the applicant takes the exam unless the applicant is rescheduled in accordance with policies as specified in the Candidate Handbook.

(7) Applicants who fail the examination may retake the examination by following application procedures as outlined in the Alabama Candidate Handbook.

(8) The passing grade for both the salesperson and broker examinations shall be seventy (70). A time limit of three and one-half (3 1/2) hours is hereby set and allotted for completion of the required examination.

(9) All salesperson and broker applicants shall complete all required course work, including passing the course final examination, prior to taking the state examination.

(10) Salesperson applicants shall show successful proof of completion of the 60-hour salesperson prelicense course in the exam provider’s electronic eligibility database prior to scheduling the salesperson examination.

(11) Broker applicants shall show proof of successful completion of the 60-hour broker prelicense course in the exam provider’s electronic eligibility database prior to scheduling the broker examination.

(12) Reciprocal salesperson and broker applicants shall show successful completion of the six (6) hours of reciprocal prelicense coursework in the exam provider's electronic eligibility database prior to scheduling the reciprocal salesperson examination or the reciprocal broker examination.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-32.
History: Filed September 30, 1982. **Amended:** Filed August 15, 1988; December 5, 1988; October 22, 1991. **Amended:** Filed August 25, 1993; effective September 29, 1993. **Amended:** Filed September 18, 2001; effective October 23, 2001. **Amended:** Filed August 31, 2004; effective October 5, 2004. **Amended:** Filed April 24, 2007; effective May 29, 2007. **Amended:** Filed May 27, 2009; effective July 1, 2009. **Amended:** Filed August 27, 2009; effective October 1, 2009. **Amended:** Published January 31, 2022; effective March 17, 2022.

790-X-2-.03 Issuance Of Temporary And Original Salesperson Licenses.

(1) A person shall be required to have a temporary salesperson license issued prior to beginning a post license course to earn post license credit. The license holder shall provide the temporary license number to the instructor before he/she will be allowed to begin the post license course.

(2) The expiration date on a temporary salesperson license shall be six months from the first day of the month following its issuance, i.e.; the expiration date shall be midnight on the last day of the last month of the six-month period. After that, the license shall be valid, although inactive, for another six months as prescribed by statute. After this one-year period, the inactive temporary salesperson license shall lapse if the holder fails to complete the 30-clock hour post license course, submit a completed original salesperson application and fee, and have the original (permanent) license issued. The inactive temporary salesperson license shall lapse at midnight on the last day of the last month of the one-year period.

(3) A temporary salesperson license may be on active status only during the six months following its issuance. During the remaining six months in which the temporary salesperson license holder has to complete the post license course, the temporary salesperson license shall only be on inactive status. The license may be activated with the issuance of the original (permanent) license.

(4) A temporary salesperson license holder may transfer a license via the regular transfer procedures anytime during the first six months after the issuance of the temporary salesperson license.

(5) The application for the original (permanent) salesperson license shall be received by the Commission on or before the date the temporary salesperson license would lapse. Therefore, the original salesperson license application, appropriate fees and proof of completion of the post license course shall be received by the Commission on or before midnight on the last day of the month which is one year from the first day of the month following the issuance of the temporary salesperson license.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-6; 34-27-8; 34-27-33.
History: Filed September 30, 1982. **Amended:** Filed August 15, 1985; August 7, 1992. **Repealed:** October 21, 1992. **New Rule:** Filed August 25, 1993; effective September 29, 1993; **Amended:** Filed December 21, 1994; effective January 25, 1995. **Amended:** Filed September 18, 2001; effective October 23, 2001. **Amended:** Filed May 27, 2009; effective July 1, 2009. **Amended:** Filed August 27, 2018; effective October 11, 2018.

790-X-2-.04 Additional Broker License.

(1) A qualifying broker doing business in the name of a corporation or partnership and who also desires to do business as a sole proprietorship or for another corporation or partnership located at the same address must obtain and submit to the Commission a letter of consent from all officers of the corporation, or partners of the partnership.

(2) A corporation, partnership, or sole proprietorship may grant permission for its qualifying broker to be qualifying broker for another corporation, partnership or sole proprietorship doing business in the same location. Any licensee licensed under a broker who serves as qualifying broker for more than one corporation, partnership or sole proprietorship operating from the same address may operate under either corporation, partnership or sole proprietorship sharing the same qualifying broker.

(3) A qualifying broker for a real estate company may serve as an associate broker for another real estate company at the same location.

(4) A broker may serve as a qualifying broker for a real estate company and a vacation timesharing plan provided that both are located at the same address.

(5) A broker shall hold a separate license for each firm which he represents as a qualifying broker.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-32.

History: Filed September 30, 1982. **Amended:** Filed November 21, 1983; December 18, 1984; March 28, 1985; August 7, 1992. **Amended:** Filed August 27, 2018; effective October 11, 2018.

790-X-2-.05 Names On Application For Licenses.

An application for temporary salesperson, original salesperson, broker, reciprocal license or license renewal shall include the full legal name of the applicant. If the applicant, in licensed real estate activities, uses or desires to use any name other than their full legal name or use a shortening of their name that does not use the same letters in the same order as a portion of their full legal name, then the applicant shall include that nickname or assumed name on their application. Even if a nickname or assumed name is provided on the license application, the licensee must use his/her legal surname in all licensed real estate activities and marketing of himself or herself as a real estate agent.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-32, 34-27-33, 34-27-35.
History: Filed September 30, 1982. **Repealed:** Filed August 15, 1985. **New Rule:** Filed September 6, 2013; effective October 11, 2013. **Amended:** Published December 31, 2024; effective February 14, 2025.

790-X-2-.06 Temporary Broker License (Repealed 10/1/12).

(Repealed)
Author:
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-32.
History: Filed September 30, 1982. **Amended:** Filed November 21, 1983. **Repealed:** Filed August 27, 2012; effective October 1, 2012.

790-X-2-.07 Place Of Business And Signage.

A place of business shall be identified by a sign which sets out the name of the company as licensed with the commission. In places where an exterior sign is permitted a sign shall be posted outside of the office so that it is plainly and readily visible to the public. In places where an exterior sign is not permitted, an interior sign shall be posted. The interior sign shall be in keeping with the building restrictions, and if permitted, shall be posted in the entry area and on the door of the office or suite of offices.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-2, 34-27-8.

History: Filed September 30, 1982. **Amended:** Filed August 25, 2006; effective September 28, 2006. **Amended (No changes made to the text, only Stat. Auth.):** Filed August 27, 2018; effective October 11, 2018. **Amended:** Published December 31, 2024; effective February 14, 2025.

790-X-2-.08 Transfer Of Business Address (Repealed).

(Repealed)
Author:
Statutory Authority:
History: Filed September 30, 1982. **Repealed:** Filed August 15, 1985.

790-X-2-.09 Change Of Qualifying Broker (Repealed).

(Repealed)
Author:
Statutory Authority:
History: Filed September 30, 1982. **Repealed:** Filed August 15, 1985.

790-X-2-.10 Change Of Company Name (Repealed).

(Repealed)
Author:
Statutory Authority:
History: Filed September 30, 1982. **Repealed:** Filed August 15, 1985.

790-X-2-.11 Change Of Name (Repealed).

(Repealed)
Author:
Statutory Authority:
History: Filed September 30, 1982. **Repealed:** Filed August 15, 1985.

790-X-2-.12 Transfer Fee (Repealed).

(Repealed)
Author:
Statutory Authority:

History: Filed September 30, 1982. **Amended:** Filed November 21, 1983. **Repealed:** Filed August 15, 1985.

790-X-2-.13 Activation Of Inactive License.

A total of 15 clock hours of approved continuing education coursework shall be completed to activate an inactive license when the license is activated for the first time in a license period. An additional 15 hours of approved continuing education coursework shall be completed to renew the license on active status for the next license period.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-35.
History: Filed September 30, 1982. **Amended:** Filed November 21, 1983. **Emergency rule :** Filed June 19, 1990. **Amended:** Filed August 7, 1990. **Amended:** Filed August 27, 2012; effective October 1, 2012.

790-X-2-.14 Evidence Of Transfer (Repealed 10/11/18).

(Repealed)
Author: Charles R. Sowell
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-34.
History: Filed June 19, 1989. Ed. Note: Previous rule (same title) filed September 30, 1982. **Repealed:** Filed October 7, 1985. **Repealed:** Filed August 27, 2018; effective October 11, 2018.

790-X-2-.15 Return Of License.

A corporation, partnership or individually owned company may withdraw consent for a broker or salesman to continue doing business in its name by notifying the Commission and the broker or salesman in writing and returning to the Commission the license of the broker or salesman for whom consent is withdrawn.
Author:
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-35.
History: Filed September 30, 1982.

790-X-2-.16 Renewals.

(1) If for any reason a licensee fails to receive a renewal form, it shall be the responsibility of the licensee to notify the Commission of this failure by August 10 of the renewal period.

(2) Only the renewal of a license shall be affected with a renewal form. Any changes constituting a transfer must be submitted in accordance with established transfer procedures.
Author: D. Philip Lasater
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-35.
History: Filed September 30, 1982. **Amended:** Filed November 21, 1983; January 30, 1990.

790-X-2-.17 Display Of License (Repealed 10/11/18).

(Repealed)
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §34-27-8.
History: Filed September 30, 1982. **Amended:** Filed August 25, 2006; effective September 28, 2006. **Repealed:** Filed August 27, 2018; effective October 11, 2018.

790-X-2-.18 Veteran Exemption.

Pursuant to Code of Ala. 1975, §§40-12-340 through 352, a business or occupations license exemption of $25.00 for each, the state, county and municipality, with no deadline, is provided for any permanent resident of Alabama who is a veteran and who has physical disabilities of twenty-five percent (25%) or more, whether service connected or not, who conducts his business as a means of livelihood through his personal efforts and has not more than one employee and whose property is valued at less than $5,000.00 and net income is less than $2,500.00.
Author:
Statutory Authority: Code of Ala. 1975, §34-27-8.
History: Filed September 30, 1982.

790-X-2-.19 Holding Of Timeshare License And Real Estate License.

A person may hold a vacation timesharing seller's license and a real estate license under separate qualifying brokers at separate locations provided that, in addition to meeting all other requirements for licensure, the licensee obtains written consent to hold both licenses on a form prescribed by the Commission and signed by both of the licensee's qualifying brokers.
Author:
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-35, 34-27-66.
History: Filed March 28, 1985.

790-X-2-.20 Recovery Fund Fee Exemption.

Any licensee whose original license is issued on inactive status shall not be required to pay a real estate recovery fund fee for that license until such time as the license is activated. For such a license to be activated, the initial recovery fund fee and any supplemental recovery fund fee shall be submitted to the Commission along with all other appropriate documentation and fees.
Author: Edward George
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-31.
History: Filed August 15, 1985.

790-X-2-.21 License Transfers (Repealed 9/28/06).

(Repealed)
Author: Mary L. Goodwin
Statutory Authority: Code of Ala. 1975, §§34-27-8, 34-27-34, 34-27-35.
History: Filed August 15, 1985. **Repealed:** Filed August 25, 2006; effective September 28, 2006.

790-X-2-.22 Optional Errors And Omissions Insurance Coverage (Repealed 10/5/04).

(Repealed)
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8; 34-27-35.1.
History: New Rule: Filed August 25, 1993; effective September 29, 1993. **Amended:** Filed March 15, 1996; effective April 19, 1996. **Amended:** Filed June 29, 1998; effective August 3, 1998. **Amended:** Filed May 31, 2002; effective July 5, 2002. **Repealed:** Filed August 31, 2004; effective October 5, 2004.

790-X-2-.23 Errors And Omissions Insurance Coverage For Reciprocal Licensees (Repealed 10/5/04).

(Repealed)
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8; 34-27-35.1.
History: Amended: Filed June 29, 1998; effective August 3, 1998. **Amended:** Filed May 31, 2002; effective July 5, 2002. **Repealed:** Filed August 31, 2004; effective October 5, 2004.

790-X-2-.24 Condominium Sales And Leasing Office.

(1) When a real estate company maintains an on-site office in a condominium building or complex, this office shall not be considered a branch office, and shall not be required to have a branch office license, provided all the following conditions shall be met:

(a) Licensed persons shall be present to show property for sale or rent and to engage in all other activities requiring a real estate license; and

(b) Unlicensed persons may be in the office, and may engage in clerical functions including taking reservations, as long as licensed persons are present to consummate the rental agreements; and

(c) The activities of all licensed and unlicensed persons in the office shall be confined to the business of that one condominium building or complex.

Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8; 34-27-32.
History: New Rule: Filed August 27, 2012; effective October 1, 2012.

790-X-2-.25 Model Home Sales Office.

(1) When a real estate company maintains an office at a residential subdivision or development this office shall not be considered a branch office, and shall not be required to have a branch office license, provided all the following conditions shall be met:

(a) The company shall have a listing agreement covering all first-time sales of all the lots in the subdivision or development; and

(b) Sales activities shall be limited to the first-time sales, and no re-sales shall be permitted from this office; and

(c) Only licensed persons shall be present at the office to show property for sale and to engage in the other activities requiring a real estate license; and

(d) No other business activities of the company shall be conducted at this office. The activities of all persons in the office shall be confined to the business of that one subdivision or development.

Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §§34-27-8; 34-27-32.
History: **New Rule:** Filed August 27, 2012; effective October 1, 2012.

790-X-2-.26 Renewals During Military Deployment.

Pursuant to Code of Ala. 1975, §31-12A-4, all licensees who are current military and are deployed at the time of license renewal may, upon providing a copy of their deployment papers, have their license renewal deferred and their CE waived for the period of the deployment. After the deployment is concluded and prior to December 31st of the following year, said licensee must have completed the required portion of the CE, previously waived, and complete the previously deferred license renewal in addition to meeting the current obligations of holding the real estate license.
Author: Alabama Real Estate Commission
Statutory Authority: Code of Ala. 1975, §34-27-8.
History: **New Rule:** Published August 31, 2021; effective October 15, 2021.