

INSTRUCTIONS AND INFORMATION FOR PRELICENSING EDUCATION EQUIVALENCY- REAL ESTATE

Access this form via website at: www.hawaii.gov/hirec

WHO FILES?

Any candidate planning to take the Hawaii real estate salesperson or broker examination and who desires an equivalency to the prelicensing education requirements and qualifies under one of the specified categories shall file a **COMPLETE** application *prior* to registering for the examination.

PURPOSE

All candidates for the Hawaii real estate salesperson or broker examination shall successfully complete a real estate prelicensing course accredited by the Hawaii Real Estate Commission unless granted a prelicensing education equivalency. The prelicensing education equivalency **is subject to the review and approval of the Real Estate Commission and shall be secured prior to taking the examination.** The prelicensing education equivalency certificate is **valid for two years** from the date of issuance. **No extension of time will be granted; a new complete application must be submitted.**

APPLICATION FORM

Complete the entire application form using a typewriter or print **legibly in black ink.**

SOCIAL SECURITY NUMBER

Your social security number is used to verify your identity for licensing purposes and for compliance with the below laws. **For a license to be issued you must provide your social security number or your application will be deemed deficient and will not be processed further.**

The following laws require that you furnish your social security number to our agency:

FEDERAL LAWS:

42 U.S.C.A. §666 (a)(13) requires the social security number of any applicant for a professional license or occupational license be recorded on the application for license; and

If you are a licensed health care practitioner, **45 C.F.R., Part 61, Subpart B, §61.7** requires the social security number as part of the mandatory reporting we must do to the Healthcare Integrity and Protection Data Bank (HIPDB), of any final adverse licensing action against a licensed health care practitioner.

HAWAII REVISED STATUTES ("HRS"):

§576D-13(j), HRS requires the social security number of any applicant for a professional license or occupational license be recorded on the application for license; and

§436B-10(4) HRS which states that an applicant for license shall provide the applicant's social security number if the licensing authority is authorized by federal law to require the disclosure (and by the federal cites shown above, we are authorized to require the social security number).

FEES

The candidate shall submit a **complete** application form with the **\$25 NON-REFUNDABLE** application fee payable to **COMMERCE & CONSUMER AFFAIRS** and the required supporting documents.

NOTE: One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the payment you sent us for your required fees is honored by your bank. If your payment is dishonored, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$25.00 service charge shall be assessed for payments that are dishonored for any reason.

If for any reason you are denied the license/certificate you are applying for, you may be entitled to a hearing as provided by Title 16, Chapter 201, Hawaii Administrative Rules, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing must be directed to the agency that denied your application, and must be made within 60 days of notification that your application for a license/certificate has been denied.

EQUIVALENCY CATEGORIES AND SUPPORTING DOCUMENTS

The following required documents shall be attached to the application form for the specified category. An application **without the required documents or with substitute documents is considered an incomplete application subject to processing termination and denial.** No partial credit is given for a category, a candidate shall qualify for one (1) category only.

(CONTINUED ON BACK)

**EQUIVALENCY
CATEGORIES
AND SUPPORTING
DOCUMENTS
(Cont'd)**

**ACTIVE AND CURRENT
OUT-OF-STATE
REAL ESTATE LICENSE**

A current license, that was active within one year immediately prior to the date of the equivalency application as a salesperson or broker in another state with similar or superior prelicensing education requirements as determined by the Commission. Applicant must have successfully completed the prelicensing education.

Submit a completed "Verification of License" form (see attached) with application form. Candidate to complete Part I and **submit form to the out-of-state agency for completion of Part II, who shall return the completed form back to the candidate.** Note that some states charge a fee for completing Part II of the form. Upon receipt of the completed form, the candidate shall submit the verification of license form with the application form and required fees to Licensing Branch. (See "Address to File Application.")

Photocopies of out-of-state license will not be accepted. "Verification of License" form must be completed and issued by the out-of-state agency not more than 6 months ago.

*****If submitting under "ACTIVE AND CURRENT OUT-OF-STATE REAL ESTATE LICENSE" category, also consider submitting "Application for Equivalency to the Uniform Section of the Hawaii Real Estate Licensing Examination" (separate application and \$25 fee).**

*****BROKER CANDIDATES – PLEASE SEE "BROKER EXAMINATION CANDIDATES" section below.**

LAW DEGREE

Graduate of a law school accredited by the American Bar Association. **Submit photocopy of diploma or original certified transcripts (with school seal) with application form.**

**BACHELOR OF ARTS
OR SCIENCE DEGREE
IN REAL ESTATE OR
BUSINESS**

Bachelor of arts or bachelor of science degree graduates of accredited colleges and universities who have majored in real estate or business. **Submit photocopy of degree/diploma if it specifically cites a degree in real estate or business, or original certified transcripts (with school seal) with the date the degree was conferred highlighted for reference with application form.**

**6 SEMESTER CREDITS
IN REAL ESTATE,
BUSINESS, BUSINESS
LAW, REAL ESTATE
DEVELOPMENT, OR
FINANCE COURSES**

Successful completion for credit of 6 semester credits in real estate, business, business law, real estate development or finance courses from an accredited college or university. **Submit original certified transcripts (with school seal) with courses highlighted for reference with application form. If unclear as to whether a real estate, business, business law, real estate development or finance course, candidate shall provide verification documentation from the accredited college or university. CONTINUING EDUCATION COURSES ARE NOT ACCEPTABLE UNLESS PART OF A REAL ESTATE DEGREE CURRICULUM.**

**CERTIFICATE IN
ADVANCED
REAL ESTATE**

Successful completion of the curriculum and confirmation of certificate from the Small Business Management Program, University of Hawaii. **Submit photocopy of certificate or original letter confirming certificate with application.**

**RE 300 AND RE 310 -
UNIVERSITY OF
HAWAII**

Successful completion for credit of RE 300 and RE 310 from the University of Hawaii. **Submit original certified transcripts (with school seal) with courses highlighted for reference or original certification letter from the University of the two courses with application.** (July 24, 1987)

EQUIVALENCY CATEGORIES AND SUPPORTING DOCUMENTS (Cont'd)

GRI DESIGNATION	Successful completion of the GRI (Graduate Realtors Institute) curriculum and confirmation of designation. Submit photocopy of certificate or original letter from issuing agency confirming designation.
CCIM DESIGNATION	Successful completion of the CCIM (Certified Commercial Investment Member) curriculum and confirmation of designation. Submit photocopy of certificate or original letter from issuing agency confirming designation with application. (August 31, 1990)
BOMI - RPA	Successful completion of the BOMI (Building Owners and Managers Institute) International's - RPA (Real Property Administrator) curriculum and confirmation of designation. Submit photocopy of certificate or original letter from issuing agency confirming designation with application. (November 24, 1993)
OTHER PROFESSIONAL DESIGNATIONS OR CERTIFICATES	The Real Estate Commission will review, evaluate, and decide on other professional designations or certificates on a case-by-case basis at its monthly meeting. This process will take an additional 30 days or longer for decision. Applicants must submit a summary of the curriculum, courses, requirements, and other information about the professional designation or certificate, or have the issuing agency petition the Commission for approval of the professional designation or certificate. Submit a photocopy of designation or certificate or original letter from issuing agency confirming designation or certificate with application.

BROKER EXAMINATION CANDIDATES

Candidates for the broker examination are **required** to apply and be granted an "Experience Certificate" **prior** to registering for the examination with the testing company. To qualify, candidates must submit the "Application for Experience Certificate", \$50 non-refundable application fee, and required documents.

EQUIVALENCY TO THE UNIFORM SECTION OF THE EXAM

If you have a current real estate license in another state, and have passed the uniform section of that state's licensing examination for the equivalent level of license, you may also qualify for an equivalency to the uniform section of the Hawaii licensing examination. To qualify, you must submit the "Application for Equivalency to the Uniform Section of the Hawaii Real Estate Licensing Examination" (form REC-35), \$25 non-refundable application fee, and supporting documents. If granted, instead of having to take both national and state sections of the Hawaii licensing examination, you will be required to take the Hawaii specific section only, subject to the applicant having a valid Hawaii School Completion Certificate or prelicensing Education Equivalency Certificate. Call or write the office listed below to request an application or for more information.

FILING DEADLINE

It is the responsibility of the applicant to file a complete application in sufficient time to be granted and receive a prelicensing education equivalency certificate prior to taking the examination.

ADDRESS TO FILE APPLICATION

Mail the COMPLETE APPLICATION to:	or	Deliver to office location at:
DCCA, PVL, Licensing Branch P. O. Box 3469 Honolulu, HI 96801		335 Merchant St., Room 301 Honolulu, HI 96813 Phone: (808) 586-3000

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

VERIFICATION OF LICENSE -- REAL ESTATE

PART I. TO BE COMPLETED BY APPLICANT

*INSTRUCTIONS: A. Applicant to complete information in Part I only.
 B. Applicant to send this form to out-of-state licensing agency to complete Part II.
 C. Upon receipt of completed form from the out-of-state agency, applicant to attach completed form to application(s) and submit to Licensing Branch. Please note that only one (1) completed Verification of License form is required to be submitted if applicant is submitting multiple applications at the same time.*

Applicant's Name (First, Middle)	(LAST)	Type of License held:	
Mailing Address (Include apt. no. & zip code)		SALESPERSON	BROKER
		License Number	Date Licensed

PART II. TO BE COMPLETED BY OUT-OF-STATE LICENSING AGENCY

The above-named person is applying for a real estate exam in Hawaii. Please supply the following information, and mail this form back to the above-named person.

Circle Type of License Issued: SALESPERSON BROKER	Has disciplinary action ever been taken against the license? YES NO
	Are there any pending disciplinary actions? YES NO
	Are there any conditions currently placed on this license? YES NO
	If yes, please explain:
Date Licensed	Is the license current and active? (not forfeited, escrowed, or inactive) YES NO If not active and current, date license expired, forfeited or placed inactive:
Expiration Date	Who placed the license on inactive/expired status?

1a) Was there a pre-license educational requirement at the time applicant was licensed? YES NO
 b) If yes, what was requirement? _____ hours.

2 Did the person named above fulfill the pre-license educational requirement? YES NO

3a) Was the pre-license educational requirement or a portion of the pre-license educational requirement waived? YES NO
 b) If yes, what portion of the pre-license educational requirement was waived and what was submitted in lieu of the requirement?

Requirement:

Waived due to:

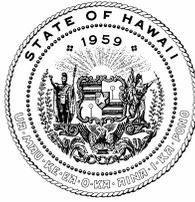
4a) Did the applicant pass the uniform portion of the salesperson (or equivalent) examination in your state? YES NO
 b) If yes, please provide the date: _____

5a) Did the applicant pass the uniform portion of the broker (or equivalent) examination in your state? YES NO
 b) If yes, please provide the date: _____

Name of Out-of-state Agency	Signature	Date
Address of Out-of-state Agency	Name & Title	

LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LIEUTENANT GOVERNOR



LAWRENCE M. REIFURTH
DIRECTOR

NOE NOE TOM
LICENSING ADMINISTRATOR

STATE OF HAWAII
REAL ESTATE BRANCH
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
KING KALAKAUA BUILDING
335 MERCHANT STREET, ROOM 333
HONOLULU, HAWAII 96813
<http://www.hawaii.gov/hirec>
hirec@dcca.hawaii.gov

May 1, 2006

MEMORANDUM

TO: Candidates for Prelicensing Schools or Anyone Considering a Real Estate License

FROM: Real Estate Commission

SUBJECT: Persons with a Questionable Background Issue(s)

Do you have a questionable background issue? Questionable background issues include, but is not limited to, criminal convictions (felony, misdemeanor, or court martial), or any civil/administrative/government action, against you, including DUIs, drug/alcohol issues, abuse situations, tax liens, unpaid tax obligations, judgments, unpaid judgments, disciplinary action (for another licensing area or from another state or country), applicants currently serving parole or probation, violations of administrative laws/court orders/government sanctions, etc. If you have a questionable background issue, the Commission highly recommends you review the attached application. If your answer to any of the questions from **1.b) through 5 will be "yes", immediately contact the Real Estate Branch at the above address or at (808) 586-2643. Do not enroll in any Prelicensing Real Estate course until you secured advice on how to proceed and/or, if applicable, submit the attached "Request for Preliminary Decision" application.**

Although a good number of applicants with questionable background issues have been granted licenses or conditional licenses, a good number of applicants with questionable background issues have been **denied licenses**. Denied applicants have spent monies for the prelicensing school, taking and passing the examination, and submitting an application, as well as expending a lot of time studying, attending classes, and taking the examination. Therefore, prior to expending monies and time on the process to eventually submit an application for a real estate license that may be denied, the applicant should submit a Request for Preliminary Decision Application to the Commission.

Upon receipt of a Request for Preliminary Decision application and prior to inclusion on the Commission's meeting agenda, the Real Estate Branch staff gathers all pertinent documentation from the applicant to support and explain any and all "yes" answer(s). The Commission then reviews each application on a case by case basis at its monthly meeting. The applicant is invited to appear at the Commission's meeting to answer questions the Commissioners may have, and/or to provide oral testimony. The Commission then decides whether they would most likely approve or most likely deny a real estate license application with the affected background issues. Although the Preliminary Decision is a non-binding decision and subject to further review upon receipt of the license application, the decision should provide the candidate with a fair indication as to how the Commission may vote on the actual license application.

Lastly, Hawaii Revised Statutes Section 467-20 states that any false statement provided by the applicant to the Commission is an unlawful act subject to administrative sanctions and constitutes a misdemeanor criminally punishable under the laws of the State of Hawaii. In the electronic age of the internet, open records law by federal, state, and county governments, various private services, and with governmental agencies sharing information, access to background information on individuals and entities are easier to obtain. Therefore, the worst act by an applicant for licensure would be to answer the questions in the application falsely or basically lie.

Please contact the Real Estate Branch at the above address or telephone (808) 586-2643, between 7:45 a.m. to 4:30 p.m. HST, Monday to Friday.

**REQUEST FOR PRELIMINARY DECISION:
REAL ESTATE SALESPERSON OR BROKER**

Access this form via website at: www.hawaii.gov/hirec

STATE OF HAWAII
DEPARTMENT OF COMMERCE & CONSUMER AFFAIRS
PROFESSIONAL & VOCATIONAL LICENSING DIVISION

Legal Name of Applicant (First, Middle):	(LAST)	For Official Use Only
Residence Address (Include street address, apt. no., city, state & zip code):		
Mailing Address, if different from above (Include apt. no., city, state & zip code):		
Type of License Preparing for (check one):	Social Security No.:	
_____ Salesperson	Daytime Telephone No.:	
_____ Broker		

Answer All Questions Below

	Yes	No
1a) Have you ever applied for, been granted, or held a real estate license in Hawaii or any other state? If yes, what state, license type, and license number? _____		
b) Has an application for license or a real estate license ever been denied, suspended, fined, involuntarily terminated, revoked, or otherwise subject to disciplinary action?		
c) Have any complaints or charges ever been filed against you, regardless of outcome, with the licensing agency of any state?		
d) Have any charges of unlicensed activity ever been filed against you, regardless of outcome, with the licensing agency of any state?		
e) Are there any pending disciplinary actions against you?		
2. During the past 20 years have you ever been convicted of a crime where there has not been an order annulling or expunging the conviction?		
3. Are there any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you?		
4. Are you LESS than 18 years of age?		
5. Are you an alien WITHOUT authorization to work in the United States?		

Explain all "Yes" responses on a separate sheet with detailed information and supporting documents as described in the instructions.

READ AND SIGN THE CERTIFICATION ON THE REVERSE SIDE

Appl..... 580..... \$25
Service Charge..... BCF..... \$25

CERTIFICATION

I have read and understand §467-8, HRS. I understand that no license will be issued to any person who does not possess a reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.

I understand that this is NOT an application for license, this is a request for a preliminary decision to provide advisory guidance only and is not binding or subject to appeal. I understand that even if a preliminary decision is unfavorable to me, I may submit a complete license application and fees following successful completion of the precicensing requirements. I understand that if a preliminary decision is favorable to me, I must still successfully complete the precicensing requirements before applying for a license.

I understand that it is my responsibility to read the instructions thoroughly and to file a complete application, including required documents and fees. I hereby certify that the statements and answers on this application and accompanying documents are true and correct. I understand that any false or untrue statement or material misstatement of fact shall constitute grounds for refusal or subsequent revocation of license and is a misdemeanor under Hawaii law. (Sections 710-1017, 436B-19 and 467-20, HRS).

Applicant's Signature

Date

INSTRUCTIONS

This is **NOT** an application for license. This is a request for a preliminary decision to provide advisory guidance only and is not binding or subject to appeal. You are **NOT** considered an applicant for licensure. A preliminary decision that is unfavorable to you does not prevent you from submitting a complete license application and fees following successful completion of the preclicensing requirements. If a preliminary decision is favorable to you, you must still successfully complete the preclicensing requirements before applying for a license. If your application for license is received within six months of the preliminary decision, the preliminary decision will be considered together with your application for license.

1. Read the information below.
2. Complete the application form, being sure to answer ALL questions.
3. **Attach** supporting documents, as described below.
4. Submit the application form, supporting documents, and a \$25 nonrefundable fee to:

Mailing Address:	DCCA, PVL, Licensing Branch	Deliver to office location at:
	P.O. Box 3469	335 Merchant St., Room 301
	Honolulu, HI 96801	Honolulu, HI 96813

NOTE: One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the payment you sent us for your required fees is honored by your bank. If your payment is dishonored, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$25.00 service charge shall be assessed for payments that are dishonored for any reason.

5. All applications must be reviewed and decided upon by the Real Estate Commission. The Commission meets once each month. The Commission will not review incomplete applications. Therefore, submitting a request without all applicable information and documents as described below will delay processing. If you wish to present oral testimony at the meeting, submit a written request. A courtesy notice with information on the date, time, and location of the meeting will be sent to you.

Instructions for "Yes" Answers

- A. The following documentation must be provided with your application. The application will not be considered without this material.
 - 1a) If you have applied for, been granted, or held a real estate license in Hawaii or any other jurisdiction, **list** the jurisdiction, license type, and license number in the space provided. Attach a separate page if more space is required.
 - 1b), 1c), 1d), or 1e) These questions refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license, both real estate and those other than real estate. If your answer is "yes" to one or more of these questions, you must **submit** the following:
 - i. A statement signed by you explaining the circumstances;
 - ii. Copies of any documents from the agency, including final orders, petitions, complaints, findings of fact and conclusions of law, and any other relevant documents;
 - iii. A resume of any employment, business activities, and education since the date of the action; and
 - iv. You may also include statements from employers, business associates, clients, and others who can attest to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
- 2) If your application indicates a criminal conviction, you must **submit** the following:
 - i. A statement signed by you explaining the circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended;
 - ii. A copy of the court order, verdict, and terms of sentence; written proof of completion and/or compliance with applicable terms of sentence, e.g., payment of fine(s) or restitution;

(CONTINUED ON REVERSE SIDE)

- iii. If applicable, a copy of the terms of probation and/or parole and a statement from your probation or parole officer as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; and
 - iv. Signed statements from employers, business associates, clients, and others who can attest to your business dealings since the conviction, including a statement as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
- 3) If you have any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you, submit the following:
- i. A statement signed by you explaining the circumstances and current status, and if no payment or payment arrangement has been made, the reason;
 - ii. A resume of employment and business activities; and
 - iii. Copies of the court complaint, judgment, documentation of payment arrangements, lien documents, records of any payments, and other relevant documents.