

Notice to Applicants for Equivalency to the Uniform Section of Hawaii Real Estate Licensing Examination

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

To sit for the Hawaii licensing examination, you must meet all prerequisites. **The equivalency to the uniform section is not a substitute or waiver of the prelicense education requirement or any other prerequisite.** If approved, the uniform section equivalency allows you to take the state specific section of the Hawaii licensing examination only if you have also met all other prerequisites.

Examination Prerequisites:

1. You must have successfully completed the Hawaii prelicense course (either salesperson's or broker's, as appropriate) or have applied for and obtained an equivalency to the prelicense education course. The equivalency to the prelicense education course requires a separate application (Application for Prelicensing Education Equivalency) and the \$25 non-refundable application fee.
2. For the broker's examination, you must have applied for and obtained a broker's experience certificate. The broker's experience certificate requires a separate application (Application for Experience Certificate) and the \$50 non-refundable application fee.
3. You must be a United States citizen, a United States national, or an alien authorized to work in the United States.
4. You must be at least 18 years of age as of the date of the examination.

Note: Restoration applicants may not use this equivalency to take the state section only of the Hawaii real estate licensing examination. **Restoration applicants shall pass the uniform and state sections of the appropriate examination.**

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.

**APPLICATION FOR EQUIVALENCY TO THE UNIFORM SECTION
OF THE HAWAII REAL ESTATE LICENSING EXAMINATION**

Complete and submit with the \$25 non-refundable application fee.

Applicant's Legal name: (First, Middle)		(LAST)	FOR OFFICE USE	APPROVED	DENIED
Applicant's mailing address:				Initials/date	
Social Security Number:	Phone No. (days)	Level of exam for this request (circle one):		Exp. Date:	
		SALESPERSON BROKER		Cert. Mailed:	
State in which currently licensed:		Type of license:	License Number:		

Answer all questions below:

1. Do you have a real estate license in another state other than Hawaii? YES NO
2. Is the license current? YES NO
3. Have you passed the uniform portion of another state's licensing examination for the level of license circled above? YES NO

If granted, this equivalency permits the applicant to take the state section only of the Hawaii real estate licensing examination, **subject to the applicant having a valid Hawaii School Completion Certificate or Prelicensing Education Equivalency Certificate.** To qualify, the applicant must have a current real estate license in another state and have passed the uniform portion of the state's licensing examination for the equivalent level of license. Restoration applicants may not use this equivalency to take the state section only of the Hawaii real estate licensing examination.

1. Complete and sign this application form. **Submit** ORIGINAL only – FAX and PHOTOCOPY will not be accepted.
2. Complete Part I of the attached Verification of License form and send the form to your state's real estate licensing agency. Have the agency return the form to you. Verification of License form must be completed and issued by the out-of-state agency **not more than 6 months ago.**
3. **Submit** the completed and signed application form, the completed Verification of License form, and a **\$25 NONREFUNDABLE** application fee payable to Commerce and Consumer Affairs. Mail to DCCA, PVL, Licensing Branch, P.O. Box 3469, Honolulu, Hawaii 96801

Note: You also need a Hawaii School Completion Certificate or Prelicensing Education Equivalency Certificate (SEPARATE APPLICATION AND FEE) to take the exam.

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.

4. If your application is approved and an Equivalency to Uniform Section of Examination certificate is issued to you, you may register for the examination directly with the testing company if you have also met Hawaii's prelicensing education requirement. A candidate handbook with registration and examination information will be sent to you with the certificate. The examination fee, whether a candidate takes one or both sections of the examination, is \$68. The certificate expires two years from the date issued and the original certificate must be submitted with the license application.

Applicant's Certification

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 information provided in this application and the documents attached are true and correct. I understand that any misrepresentation is grounds for refusal or subsequent revocation and is a misdemeanor (§710-1017, and §436B-19, Hawaii Revised Statutes), and may result in denial of application, denial of license, or revocation of license. I understand that is unlawful to file with the Real Estate Commission any document which is false and untrue or contains any material misstatement of fact. (§467-20, Hawaii Revised Statutes).

_____ Date

_____ Applicant's Signature

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.

Appl.....580.....\$25
Service ChargeBCF.....\$25

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:

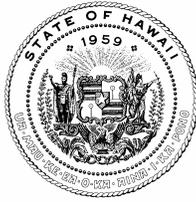
Waived due to:

- 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
P.O. Box 3469
Honolulu, HI 96801

or

Deliver to office location at:
335 Merchant St., Room 301
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.