

Important Notice for all Real Estate Continuing Education Providers regarding the 2014-2015 Continuing Education Module Courses

Minnesota Disclosure Laws (Module #1)

As part of the continuing education that is due each license year, all real estate brokers and salespersons must complete specific module training course(s) that cover topics in real estate that are significant and of current interest in the real estate market and profession. Brokers also have the additional requirement to complete a module specifically designed to address issues relevant to brokers. The Department of Commerce must publicize an outline of the topics covered by the module(s) and the number of credit hours by April 1 each year. One or more modules may be offered by any real estate continuing education provider approved by the Department of Commerce who has received approval for the course(s).

Here are additional details:

- The Department of Commerce, in consultation with a statewide real estate trade association and a statewide private continuing education provider, determines the specific topics covered by the modules each license year and the number of credit hours allocated to each module.
- **The 2014-2015 module requirement totals 7.5 hours. The 7.5 hours consists of TWO 2014-2015 general modules, one titled Minnesota Disclosure Laws (Module #1) for 3.75 credit hours, and, the other titled Financing Issues, Earnest Money, and Trust Accounts (Module #2) for 3.75 credit hours. Both of these courses must be completed by all real estate salespersons and brokers alike.** Licensees may complete the TWO modules with two different Minnesota-approved education providers, and completions may be on different dates and via different methods of instruction. An outline of the topics covered by each module (the course matrix) is part of each special general module course application, both of which are available on the Department of Commerce website.
- Completion of the Financing Issues, Earnest Money, and Trust Accounts (Module #2) will also satisfy the broker module training requirement for 2014-2015 (in other words, there will be no separate broker module course for 2014-2015).
- To get credit for EACH general module, the student must pass an examination taken at the end of the course (as part of the approved credit hours, not after them). The test must not be allocated credit of more than one-sixth of the time allocated to the module. The examination will consist of 20 multiple-choice and true/false questions randomly selected from a pool of 50 that will be provided to you by the Department of Commerce. The passing score is 14 or more correct. The examination questions were written by subject matter experts in consultation with the Department of Commerce. When the course is offered in a traditional classroom, the examination must be administered either on paper or via computer. When the course is offered as distance learning, the examination must follow Minn. Stat. §45.306.
- A student must be allowed to remain as long as reasonably necessary to complete the test.
- After your module course application has been approved, the Department of Commerce will send you the examination question pool. You must ensure that the questions that will appear on the test form are randomly selected each time you offer the examination. You may not disclose the questions or answers to anyone other than a test administrator or other person who reasonably may need to view them to assist you with test administration (such as a clerical employee charged with physically entering the questions into a test form or database).
- The law requires the course provider to prepare, administer, score, and pay any costs related to the tests.
- A course provider may contract with a third party for scoring of the test.
- These courses are part of the 15 hours of continuing education that are due each year, not in addition to them.
- Commercial-only salespersons and brokers are exempt from these module requirements but must file the appropriate exemption request form that is available at <http://mn.gov/commerce/> under Real Estate License Notices.
- It is likely that some licensees will not take a required module course before the deadline at the end of the license year. This will cause their licenses to become inactive. Licensees in these circumstances who wish to reactivate their licenses will be required to complete the most recent past license year's module course(s).

(NOTE: This page does NOT need to be sent in as part of the application submission.)



STATE OF MINNESOTA
DEPARTMENT OF COMMERCE
 85 – 7TH PLACE EAST, SUITE 500
 ST. PAUL, MN 55101
 PHONE: 651-296-6319
 FAX: 651-284-4210

DOC OFFICE USE ONLY

Date: _____ Course #: _____

APPROVED DENIED RETURNED

BY _____

DISTANCE LEARNING / SELF-STUDY or INTERACTIVE INTERNET

CLASSROOM YEAR DUE **7/1/14-6/30/15**

BROKER & SALESPERSON

Number of credits approved **3.75**

(Please Note: A current, correctly completed application with all required attachments and fee must be submitted at least 30 days before the initial proposed course date.)

7/1/14-6/30/15 REQUIRED BROKER & SALESPERSON SPECIFIC MODULE

REAL ESTATE CONTINUING EDUCATION COURSE APPROVAL APPLICATION

Course Title:

7/1/14-6/30/15 BROKER & SALESPERSON REQUIRED MODULE
- Minnesota Disclosure Laws (#1)

Initial Proposed Date(s) of Course: _____

PROVIDER/COORDINATOR INFORMATION

You MUST already be a MN approved Real Estate Education Provider OR a Full PROVIDER / COORDINATOR APPLICATION & Full FEE MUST BE SUBMITTED ALONG WITH THIS COURSE APPLICATION

Provider Name (In Full - Exactly as it appears on your MN approval letter or application):	(REQUIRED) MN Provider ID #
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Provider Address: _____

City:	State:	Zip:
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Provider Phone Number: () () ()	Provider Fax: () () ()	Provider Toll-Free: () () ()
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Website: _____

Coordinator Name: _____

Coordinator Business Telephone: () () ()	(REQUIRED) Coordinator Business Email:
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Federal Employer Identification Number **(REQUIRED)** (FEIN): _____

APPLICATION FEE (Only check or money order accepted)	License Type: REAL ESTATE
New Course: \$10 per hour or a fraction of an hour. (Example: 1.5Hrs = \$20)	# of Hours Requested: 3.75
Total Fee Submitted: \$40.00	Check Number: _____

Make sure that you are submitting the correct application located at www.commerce.state.mn.us. Incorrect submissions will be returned without review.

Broker & Salesperson Module EXAM INFORMATION:

- After your module course application has been approved, the Department of Commerce will send you the examination question pool of 50 questions. You must ensure that the 20 questions that will appear on each exam form are randomly selected each time you offer the examination. You may not disclose the questions or answers to anyone other than an exam administrator or other person who reasonably may need to view them to assist you with exam administration (such as a clerical employee charged with physically entering the questions into an exam form or database).
- The law requires the course provider to prepare, administer, score, and pay any costs related to the exam.
- A course provider may contract with a third party for scoring of the exam.
- Passing score for this Broker & Salesperson module course is 70% or 14 correct answers.

Method of Presentation / Instruction:

Note: You may choose ONLY ONE Instruction Method per Application and Fee

Also Attach an IN-DEPTH explanation for Each of the Following:

Method of Instruction/Presentation Exam & Exam Presentation Use & Verification of Proctors

See **APPENDIX B** regarding internet interactive course requirements and verifiable proctors.

Traditional Classroom

Internet (Must meet MN Requirements for Interactivity and include a process to authenticate the student's identity. The final examination must be either an encrypted online examination or a paper examination that is monitored by a proctor who certifies that the student took the examination. The student must not be allowed to review the course content once the examination has begun.) (See Appendix B)

WebEx (Interactive) **Webinar** (Interactive) **Remote TV** (Interactive with audio)
(For every student, attendance must be physically monitored throughout the course and exam by the MN approved Coordinator for your Providership or physically monitored and certified by a verifiable Proctor.) (See Appendix B)

IF COURSE APPROVAL IS GRANTED YOUR APPROVAL LETTER WILL INCLUDE THE FOLLOWING IMPORTANT NOTICE

IMPORTANT NOTICE: A copy of the Exam will be sent to you separately within the next ten business days. Your providership is allowed 30 days from receipt of the Exam to make moderate changes to the course content as needed to better instruct the licensees. Any changes to your original course must be clearly marked and everything resubmitted to our office for review before the 30 days are up. The course may NOT be offered for credit to licensees before a final approval is received from our office. If no revisions are needed your providership may proceed with course offerings once you have received the exam.

Important Notice:

45.43 REPORTING REQUIREMENTS.

Subdivision 1. **Course completions.** Required education must be reported in a manner prescribed by the commissioner within ten days of the course completion.

Subd. 2. **Violations and penalties.**

(a) Each failure to report an individual licensee's course completion in the manner prescribed by subdivision 1 constitutes a separate violation.

(b) The commissioner may impose a civil penalty not to exceed \$500 per violation upon an education provider that violates subdivision 1.

7/1/14-6/30/15 REQUIRED REAL ESTATE BROKER & SALESPERSON MODULE #1 Core Matrix Outline

Notice Regarding the Core Matrix Outline

The following material outlines the required topics that Education Providers must include when establishing their course. **ALL TOPICS MUST BE COVERED as shown in outline below.** While the module itself, the required topics in the core matrix outline, and the exam, were ultimately approved by the MN Dept. of Commerce, the development was delegated in part, as allowed by Minn. Statute Chapter 82.61 (i), to a statewide real estate trade association and a statewide private continuing education provider. This training course content, if effectively delivered, will enable real estate agents to gain a basic understanding of the required topic. All methods of instruction require verifiable passage of an end of course closed book exam.

(This is a 2 Page Outline)

Provider Name:	Provider #	Module Year: 7/1/2014 – 6/30/15
REQUIRED COURSE NAME		Hours Required
7/1/14-6/30/15 REQUIRED MODULE - Minnesota Disclosure Laws (#1)		3.75

Mandatory Curriculum for this MODULE

Required By BROKER & SALESPERSON (Page 1 of 2)	Required Times Shown ↓	MATERIAL X-Ref (textbook) Pg #'s	Course Time-of-Day
Minnesota Disclosure Laws (#1)			
I. Welcome and Course Objectives	5 - Min		
II. Real estate licensee disclosure requirements	30 - Min		
A. Advertising, conducting business, and broker name (MN Statute 82.68, Subd. 1)			
B. Financial interests in transaction (MN Statute 82.68, Subd. 2)			
C. Property Disclosures (MN Statute 82.68, Subd. 3)			
D. Property types			
E. Material Fact Exceptions			
F. Nonperformance Disclosure (MN Statute 82.68, Subd.4)			
G. Agency Law disclosures			
III. Seller disclosure requirements (MN Statutes 513.52-513-60)	30 - Min		
A. Property types and timing			
B. Exceptions to the disclosure			
C. Point-of-sale and other Inspection Reports			
D. Seller liability			
E. Changes in property condition			
F. Selling "As-Is" versus the Waiver			
G. Waiver cautions and considerations			
IV. Special Disclosure Items	30 - Min		
A. Predatory Offender issues (MN Statute 243.166)			
B. Airport Zoning issues			
C. Carbon Monoxide			
D. Lead-based Paint			
E. Methamphetamine			
F. Radon			
G. Septic Systems			
H. Storage Tanks			
I. Wells and water supplies			
V. General Disclosure Considerations	30 - Min		
A. Environmental Disclosure Issues:			
B. Animal, Insects and Pest Infestations			
C. Asbestos			
D. Diseased Trees			
E. Formaldehyde			
F. Hazardous Waste			
<i>(V. General Disclosure Considerations Cont. on page 2.)</i>			

7/1/14-6/30/15 REQUIRED MODULE - Minnesota Disclosure Laws (#1) Required By BROKER & SALESPERSON (Page 2 of 2)	Required Times Shown ↓	MATERIAL X-Ref (textbook) Pg #'s	Course Time-of-Day
(V. General Disclosure Considerations Cont.)			
G. Mold Growth and Water Intrusion			
H. Public Health Nuisance			
I. Soil problems and Superfund sites			
J. Wetlands			
VI. Other Disclosure Issues	30 - Min		
A. Manufactured Homes			
B. Seller's Property Disclosure Statement			
C. MN Common Interest Communities (MCIOA)			
VII. Review/Questions/Answers	10 - Min		
VIII.Exam	30 - Min		
Examination: Course will include its own 20-question examination, chosen from an associated bank of 50 questions. The 70% passing score for the examination will be 14 correct answers. MN DOC approved Examination is sent to provider after course is approved.			
Total Hours 7/1/14-6/30/15 REQUIRED MODULE - Minnesota Disclosure Laws (#1)	3.75 Hours Required		

Course Description: This course will: provide in depth details on numerous real estate licensee disclosure requirement issues. Curriculum also includes the proper disclosures required by sellers, including selling property "as is" and the liability sellers can incur for non-compliance

Learning Objectives: Real Estate salespersons and brokers who attend this course will:

- Receive detailed information on real estate licensee disclosure requirements;
- Review seller disclosure requirements including waiver conditions and cautions;
- Become informed on special disclosure requirements such as environmental, predatory offender and other disclosure considerations;
- Learn disclosure rules related to manufactured homes and Common Interest Communities.

SYLLABUS FOR STUDENTS

If you will not be distributing a textbook containing all of the details below, you must complete this page (or attach your own Syllabus containing all of the information below) before your application can be processed. **Syllabus must be distributed to all students, along with a copy of the detailed, timed course outline.**

Provider Name & Number: _____

Course title:

**7/1/14-6/30/15 BROKER & SALESPERSON REQUIRED MODULE
- Minnesota Disclosure Laws (#1)**

Dates and times of course offerings: (if date/time unknown write TBD)

DATE & TIME	LOCATION

Required: Name and address or telephone number or direct email address of Course Coordinator and ALL Course Instructors (add pages as needed).

	Name	Address or Phone Number or Direct Email
Coordinator		
Instructor		

When distributing this syllabus to students, you **MUST** attach a copy of the detailed, timed course outline.

INSTRUCTOR

REAL ESTATE CONTINUING EDUCATION COURSE APPLICATION INSTRUCTOR QUALIFICATIONS AND CONTACT INFORMATION PAGE

Copy and attach additional pages as needed; one for every instructor.

Attach a Bio or Resume to this completed form.

Instructor Full Legal Name:	
Date of Birth:	
Business Address:	
City, State, Zip:	
Phone Number:	Business Email Address: (Required)
Do you <u>currently hold or have you ever held</u> a real estate license in any state, including MN? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach list of license number, state, and status.	
<input type="checkbox"/> Minnesota License #	
<input type="checkbox"/> Non-Resident License #	Name of State
Do you currently hold or have you ever held <u>any other type of occupational / professional license in any state</u> , including MN? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach list of license type, number, state, and status.	
Has instructor applicant ever had <u>any</u> occupational / professional license <u>in any state</u> including Minnesota that has been suspended, revoked, or terminated, or been the subject of inquiry or investigation? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach documentation and detailed explanation signed & dated by instructor.	
Has instructor applicant ever been convicted of a felony or gross misdemeanor, or been a defendant in any lawsuit involving claims of fraud, misrepresentation, conversion, mismanagement of funds, breach of fiduciary duty or breach of contract? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach documentation and detailed explanation signed & dated by instructor.	
Mandatory Qualifications (<i>Please check one below</i>)	
Minn. Stat. Chapter 45.32. Subd.2. Continuing Education instructors must meet or exceed one of the following qualifications.	
<input type="checkbox"/> a four-year degree in any area plus two years practical experience in the subject area being taught;	
<input type="checkbox"/> five years of practical experience in the subject area being taught; or	
<input type="checkbox"/> a college or graduate degree in the subject area being taught.	

APPLICATION **COORDINATOR** CERTIFICATION AND SIGNATURE

As an approved education coordinator I understand that:

- I am responsible for ensuring that instructors are qualified to teach the course offering and that failure to have only qualified instructors teach an approved course offering will result in loss of course approval.
- I am responsible for supervising and evaluating courses and instructors. Supervision includes assuring, especially when a course will be taught by more than one instructor, that all areas of the curriculum are addressed without redundancy and that continuity is present throughout the entire course.
- I am responsible for investigating complaints related to course offerings and instructors and forwarding a copy of the written complaints to the Department of Commerce.
- Courses may not be advertised before approval, unless this application has already been submitted to the MN Department of Commerce and the course is described in the advertising as "approval pending";
- The number of approved hours must be accurately displayed on any advertisement for the course, and if the course offering is longer than the number of approved continuing education hours, any advertisement must be clear that continuing education credit is not earned for the entire course;
- I am responsible for furnishing the commissioner, upon request, with copies of course and instructor evaluations and qualifications of instructors. Evaluations must be completed by students and coordinators.
- I am responsible for maintaining accurate records relating to course offerings, instructors, tests taken by students.
- I am responsible for notifying the MN Department of Commerce in writing within 10 days of any change in the information in this application for approval, including any addition or change in the name(s) of instructors who will teach the course.
- In conjunction with the instructor, I will assure and certify attendance of students enrolled in courses.

I understand that as an approved education coordinator I shall not:

- recommend or promote the services or practices of a particular business;
- encourage or recruit individuals to engage the services of, or become associated with, a particular business;
- use materials, clothing, or other evidences of affiliation with a particular entity;
- require students to participate in other programs or services offered by the instructor, coordinator, or provider;
- attempt, either directly or indirectly, to discover questions or answers on an examination for a license;
- disseminate to any other person specific questions, problems, or information known or believed to be included in licensing examinations;
- misrepresent any information submitted to the commissioner;
- fail to cover, or ensure coverage of, all points, issues, and concepts contained in the course outline approved by the commissioner during the approved instruction; and
- issue inaccurate course completion certificates.

I certify that all of the information submitted in this application is true and complete, and that this document has not been altered in any manner from the form adopted by the MN Department of Commerce.

Name of Course: **7/1/14-6/30/15 BROKER & SALESPERSON REQUIRED MODULE
- Minnesota Disclosure Laws (#1)**

I certify that I have either applied for provider/coordinator approval in conjunction with this course application submission, or I am already an approved MN Coordinator/Provider for this Providership; that I am responsible for compliance with all MN education laws and regulations found in Minn. Statute Chapter 45 and Minn. Statute Chapter 82. Furthermore, I accept responsibility for instructor conduct and their compliance with course content. I declare that the information provided for the above named course on the attached education course approval application, the core matrix outline content, and all the attachments are true and correct, and that I have answered each question fully and truthfully and without any purpose of evasion or mental reservation.

Printed name of Coordinator: _____
(Mandatory)

Signature of Coordinator: _____ Submission Date: _____
(Signature & Date are Mandatory)

Full Printed name of Provider: _____ Provider #: _____
(Mandatory) (Mandatory)

Appendix A - REQUIRED ATTACHMENTS - Appendix A

The application will be processed in a timely manner, assuming it is a complete application. If your application does not include all of the mandatory items listed below, it will be considered deficient, will be returned to you, and we will be unable to process the application until it is completed. *In most cases, a deficient application will result in your course not being approved before the first offering date.* Therefore, it is in your best interest to initially submit a complete application.

A. Course Materials

1. Detailed Course Outline – timed in 15 minute increments or less (See Matrix Outline) (If multiple Instructors, identify section of outline for each Instructor).
2. Attach an in-depth explanation of your (1) Method of Instruction/Presentation, (2) Exam Presentation & the (3) Use & Verification of Proctors
3. Instructional Material for Instructors – overheads, PowerPoint, etc. (if used, you must attach them, if none are used, put it in writing)
4. Instructional Material for Students – textbooks, notebooks, guides, documents, brochures, any handouts, etc. If textbooks are not used, you must hand out a Syllabus to each student in the class. Textbooks must contain the same detailed information as the Syllabus. Please see Syllabus page for guidelines.
5. Examination & Answer Key – **Please Note: SPECIAL REQUIREMENT for Real Estate Module Courses:**
 - a. **A closed book end of course exam is required for all instruction methods including “Classroom”. However, Providers do not create this Exam.**
 - b. **A copy of the required MN Dept of Commerce approved Exam will be sent to Providers upon course approval.**

B. Provider Policies

1. **Regarding Instructor Qualifications:** Attach statement that ALL instructors meet or exceed the instructor requirements as stated in Minn. Statute Chapter 45.32.

Read Minn. Law Chapter 45.32 before submitting your application.

Classroom: Any individual speaking to licensees during your course is considered an instructor.

Distance Learning: Any individual speaking at a “live” distance learning course is considered an instructor.

Interactive Internet: For the purposes of this section any author of an internet course is considered an instructor.

Distance Learning & Interactive Internet: For the purposes of this section any individual used as a contact for students to answer questions regarding a course is considered an instructor.

2. Attendance:

- How do you verify attendance throughout the course for Classroom? How do you physically monitor the students? Include a description.
- How do you verify attendance throughout the course for Distance Learning? Certification is required. What type of certification method do you use? Include a description.

3. **Cancellation & Refund –** Attach a copy of your required course cancellation and refund procedures. *Note:* If no fees are charged attach details as to who pays the fee.

C. Assorted Attachments - Attach copy of:

1. Internet Address, Login & Password for any Distance Learning course.
2. Students' Course and Instructor Evaluation Form (Required)
3. ALL Course Instructors' Resumes or Bios (Note: See above regarding Instructors.)
4. Course Schedule
5. Proposed Advertising – if there is no advertising, you must state that.

(NOTE: This page does NOT need to be sent in as part of the application submission.)

Appendix B
Minnesota Department of Commerce (DOC)
Interactive CE Training On-Line Basic Requirements

45.306 CONTINUING EDUCATION COURSES OFFERED OVER THE INTERNET.

Subd. 2. Interactive Internet course requirements.

An interactive Internet continuing education course must:

- (1) specify the minimum system requirements;
- (2) provide encryption that ensures that all personal information, including the student's name, address, and credit card number, cannot be read as it passes across the Internet;
- (3) include technology to guarantee seat time; (*See clarification below.)**
- (4) include a high level of interactivity;
- (5) include graphics that reinforce the content;
- (6) include the ability for the student to contact an instructor within a reasonable amount of time;
- (7) include the ability for the student to get technical support within a reasonable amount of time;
- (8) include a statement that the student's information will not be sold or distributed to any third party without prior written consent of the student. Taking the course does not constitute consent;
- (9) be available 24 hours a day, seven days a week, excluding minimal down time for updating and administration, except that this provision does not apply to live courses taught by an actual instructor and delivered over the Internet;
- (10) provide viewing access to the online course at all times to the commissioner, excluding minimal down time for updating and administration;
- (11) include a process to authenticate the student's identity;
- (12) inform the student and the commissioner how long after its purchase a course will be accessible;
- (13) inform the student that license education credit will not be awarded for taking the course after it loses its status as an approved course;
- (14) provide clear instructions on how to navigate through the course;
- (15) provide automatic bookmarking at any point in the course;
- (16) provide questions after each unit or chapter that must be answered before the student can proceed to the next unit or chapter;
- (17) include a reinforcement response when a quiz question is answered correctly;
- (18) include a response when a quiz question is answered incorrectly;
- (19) include a final examination;
- (20) allow the student to go back and review any unit at any time, except during the final examination;
- (21) provide a course evaluation at the end of the course. 10.1 At a minimum, the evaluation must ask the student to report any difficulties caused by the online education delivery method; and
- (22) provide a completion certificate when the course and exam have been completed and the provider has verified the completion. Electronic certificates are sufficient.

Subd. 3. Final examination. The final examination must be either an encrypted online examination or a paper examination that is monitored by a **proctor** who certifies that the student took the examination. The student must not be allowed to review the course content once the examination has begun. **(**See proctor definition below.)**

*** Minnesota Seat Time Clarification for 45.306 Subd2. (3):**

While seat time is a definite requirement and you must include technology to guarantee it, this does not mean that to accomplish it, a licensee should be sitting in front of a computer waiting for X number of hours to pass. The course itself must contain the right amount of interactive instruction content to take the same X number of hours, or more, as requested by the provider. If a provider is asking for 2 hours of credit, that course must take a licensee 2 hours, or more, of interactive learning to complete. This also means that your course must have the technology to time out (automatically log out) if a licensee leaves the course inactive for more than ten minutes. The system should not allow a student to log into a course and then either walk away from the computer or visit other computer sites for the 2 hours and still receive credit.

****Minnesota Proctor Guidelines are as follows:**

45.25 DEFINITIONS. Subd. 12.Proctor.

"Proctor" means a disinterested third party with no conflict of interest who verifies a student's identity and processes an affidavit testifying that the student received no outside assistance with the course or examination.

(NOTE: This page does NOT need to be sent in as part of the application submission.)