

Important Notice for all Real Estate Continuing Education Providers regarding the 2017-2018 Continuing Education Required Module Course


Minnesota 2017-2018 Required Module

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. 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 2017-2018 module requirement totals 3.75 hours. The course must be completed by all real estate salespersons and brokers alike. An outline of topics covered by the module (the course matrix) is part of each special general module course application, both of which are available on the Department of Commerce website <http://mn.gov/commerce/>.
- The topic for this 2017-2018 module course is: **Agency, Fair Housing & Special Entities Authority**
- This 3.75-hour module will also satisfy the broker module training requirement as required in §82.61(i) for 2017-2018 (in other words, there will be no separate broker module course for 2017-2018).
- This 3.75-hour module will also satisfy the required 1- hour of Fair Housing and the required 1-hour of Agency Law training as required in §82.61.(c):(1) (2).
- To get credit for the general module, the student must pass an examination taken at the end of the course (as part of the approved credit hours). The exam 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 at least 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.
- This course is part of the 15 hours of continuing education that are due each year, not in addition to them.
- *Please note that commercial-only salespersons and brokers are exempt from these module requirements and must apply for the commercial-only waiver when the broker submits verification of this between April 1st and June 30th each year on Pulse Portal at www.pulseportal.com. Additional information can be found at <http://mn.gov/commerce/>.*
- 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.)

 <p style="text-align: center;">Minnesota Department of Commerce 85 7th Place East, Suite 280 Saint Paul, MN 55101 PHONE: 651-539-1599</p>	<p style="text-align: center;"><u>DOC OFFICE USE ONLY</u></p> <p> <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> RETURNED </p> <p>Reviewed By: _____ Date _____</p> <p> <input type="checkbox"/> CLASSROOM - Taught LIVE (Includes Concurrent LIVE Simulcast WEBINAR) <input type="checkbox"/> Distance Learning - (NOT Live) - Interactive Internet OR Self Study <input checked="" type="checkbox"/> SALESPERSON & BROKER - YEAR DUE 7/1/17-6/30/18 </p> <p>Number of required credits approved _____ <u>3.75</u> _____</p>		
<p>(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.)</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Course Number:</td> <td style="width:40%;">Date Approved:</td> </tr> </table>	Course Number:	Date Approved:
Course Number:	Date Approved:		

REAL ESTATE CONTINUING EDUCATION COURSE APPROVAL APPLICATION

Course Title: 7/1/17-6/30/18 SALESPERSON & BROKER REQUIRED MODULE
Agency, Fair Housing & Special Entities Authority

Initial Proposed Date(s) of Course: _____

PROVIDER/COORDINATOR INFORMATION NOTE A completed Minnesota provider application & fee must also be included with this course application <i>if provider is not already Minnesota approved</i>			
Provider Name (In Full - Do not abbreviate)			MN Provider ID # (If approved)
Provider Address:			
City:		State:	Zip:
Provider Phone Number: () () ()	Provider Fax: () () ()	Provider Toll-Free: () () ()	
Coordinator Name:			
Coordinator Direct Business Telephone: () () ()		(REQUIRED) Coordinator Direct Business Email:	
Federal Employer Identification Number (FEIN):			
Provider Website			

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

Make sure that you are submitting the most current revision of this application located at www.commerce.state.mn.us. Outdated submissions will be returned without review. Requirements are based on Minn. Stat. Chapter 45 and Minn. Stat. Chapter 82

Method of Presentation / Instruction

Real Estate Module Continuing Education Only

Step 1: Choose ONLY ONE of the Two Methods of Instruction per Application and Fee

See **Minn. Statutes Chapter 45** regarding internet interactive course requirements (See Appendix B) and verifiable proctors. Proctor forms are located at the end of the course application.

Course is taught live or real-time.

Minnesota Statutes Chapter 45.25 Subd. 2a. **Classroom course.** "Classroom course" means an educational process based on live or real-time instruction including, but not limited to:

(1) a course in which there is no geographic separation of instructor and learner;

[Note: This method is commonly known as Standard Classroom. Students are physically monitored by approved instructor or coordinator.]

(2) a course **taught live** that is concurrently simulcast to remote locations and **where each location is monitored by a proctor**; and

[Note: This method normally used for multiple students in one remote location, without an online individual process to authenticate student's identity and technology to guarantee seat time; which therefore requires proctor certifications. Two page proctor forms are located at the end of each course application.]

(3) a course **taught live** that is concurrently simulcast to individual students online and **that includes a process to authenticate the student's identity and technology to guarantee seat time.**

[Note: Proctors are NOT required for this method.]

[Note: For ALL above Classroom course methods... No EXAMINATION is required unless required by provider or an exam is required for a special required course. (Example: required real estate modules course).] (See page 5 regarding Required MODULE course Exams.)

Course is NOT taught live or real-time.

Minnesota Statutes Chapter 45.25 Subd. 5a. **Distance learning course.** "Distance learning course" means an education process, other than the courses specified in subdivision 2a, clauses (2) and (3), that is based on the geographical separation of instructor and learner. This includes, but is not limited to:

(1) an interactive Internet course that does not meet the requirements of subdivision 2a, clauses (2) or (3); and

[Note: MUST MEET ALL Guidelines in Minn. Statutes Chapter 45.306.Subd.2. & Subd.3. See Appendix "B". DOES require an end of course closed book exam but DOES NOT "require" a Proctor if exam is online and encrypted (see Subd.3. in Appendix "B").] (See page 5 regarding Required MODULE course Exams.)

(2) a noninteractive course taught via the Internet, video, or other electronic means.

[Note: DOES require an end of course closed book exam and Also MAY REQUIRE a Proctor if the instruction method does not meet the requirement to include "a process to authenticate the student's identity and technology to guarantee seat time" (see Appendix "B").] (See page 5 regarding Required MODULE course Exams.)

[In addition]

Minnesota Statutes Chapter 45.25

Subd. 14. **Self-study course.** "Self-study course" means a **distance learning** course that is not entirely taught by the instructor live via the Internet, video, or other electronic means.

(3) a distance learning course that is not entirely taught by the instructor live via the Internet, video, or other electronic means.

[Note: This Self-Study Distance learning course method DOES require an end of course closed book exam CERTIFIED by a PROCTOR.] (See page 5 regarding Required MODULE course Exams.)

Method of Presentation / Instruction

Insurance and Real Estate Continuing Education Only

Step 2: Provide the following information

The following only pertains to a course taught live or real-time
My Course is:

Standard Classroom

Include Detailed Explanation of Attendance Verification

Does the course include an examination? Yes No

If YES, attach a Detailed Explanation regarding Exam presentation

Webinar

Include Link to Course, Login, & Password

Attach a Detailed Explanation of the Method of Instruction/Presentation

Attach a Detailed Explanation of the Use & Verification of Proctors, if proctors are used

No Proctor &/or No Proctor Required

Does the course include an examination? Yes No

If YES, attach a Detailed Explanation regarding Exam presentation

The following only pertains to a course NOT taught live or real-time

My Distance Learning Course is:

Distance Learning Interactive Internet

Yes -- My Distance Learning interactive internet method of instruction meets or exceeds all requirements listed in Minnesota Statutes Chapter 45.306.

Attach a Detailed Explanation of the Method of Instruction/Presentation

Include Detailed Explanation of Attendance Verification

Include Link to Course, Login, & Password

Attach a Detailed Explanation regarding Exam presentation

Attach a Detailed Explanation of the Use & Verification of Proctors, if proctors are used

No Proctor &/or No Proctor Required

Non-interactive OR Self-Study / Correspondence

Attach a Detailed Explanation of the Method of Instruction/Presentation

Attach a Detailed Explanation regarding Exam presentation and the Use & Verification of the required Exam Proctors.

Include Link to Course, Login, & Password (if any material is online)

(See page 5 regarding Required MODULE course Exams.)

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 at least 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.
- A student must be allowed to remain as long as reasonably necessary to complete the test.

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 changes to the course content as needed to better instruct the licensees and match up with the exam questions. Any changes to your original course must be clearly marked and everything resubmitted to our office for additional 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.

Course Credit Reporting Requirements

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.

Course Description: This course covers Agency Law, its history, foundation, and Minnesota License rules regarding relationships in a real estate transaction.

This course will also look at federal Fair Housing law, its history, rules, and regulations. Prohibitions under the federal Fair Housing Act and the Minnesota Human Rights Act will be covered.

Additionally, the class will review the laws and requirements pertaining to real estate transactions involving special entities as parties in real estate transactions. It will focus on issues that arise for real estate licensees from the time of customer inquiries through entering into a Purchase Agreement. Special entities covered will include powers of attorney, trusts, estates, guardianships, conservatorships, divorces and corporate entities.

(This Module Also Satisfies the 1-Hour Broker Module Requirement.)

Learning Objectives: After attending this class, real estate licensees will:

- Understand Agency Law and MN license rules on Agency relationships;
- Learn about the Federal Fair Housing Act;
- Understand the Minnesota Human Rights Act;
- Understand prohibited Acts under Fair Housing law;
- Understand of what is required by law involving special entities in a real estate transaction, including:
 - Powers of attorney
 - Trusts
 - Estates
 - Guardianships
 - Conservatorships
 - Divorces and corporate entities;
- Learn how to identify issues related to these special circumstances and what to do when they arise; and
- Be better equipped to serve buyers and sellers in today's complex real estate transactions.

7/1/17-6/30/18 SALESPERSON & BROKER REQUIRED MODULE
Agency, Fair Housing & Special Entities Authority

REQUIRED 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 4 Page Outline)

Provider Name:	Provider #
REQUIRED COURSE NAME <u>7/1/17-6/30/18 SALESPERSON & BROKER REQUIRED MODULE</u> <u>Agency, Fair Housing & Special Entities Authority</u>	Hours Required 3.75

(This Module Satisfies the 1-Hour Fair Housing, 1-Hour Agency Law, and the 1-Hour Broker Module Requirement)

Mandatory Curriculum for this MODULE <u>ALL TOPICS MUST BE COVERED as shown in outline below</u>	Required Classroom Times Shown ↓	Required Internet Times Shown ↓	MATERIAL X-Ref (textbook) Page #'s	Course Time-of-Day
I. Welcome and Course Objectives				
II. HISTORY OF AGENCY LAW	10 Min	12 Min		
A. <i>License rules in Minnesota</i>				
III. FOUNDATION FOR AGENCY LAW				
A. <i>Customer versus Client Relationships</i>	10 Min	12 Min		
B. <i>Broker/Agent Relationship:</i>				
C. <i>Common Law & Fiduciary Duties</i>	15 Min	17 Min		
1. Obedience				
2. Loyalty				
3. Disclosure				
4. Confidentiality				
5. Duty to Account				
6. Reasonable Care				
IV. RELATIONSHIPS IN A REAL ESTATE TRANSACTION				
A. <i>Disclosure Form</i>	5 Min	7 Min		
1. Signatures				
B. <i>Agency Roles - Understanding your Duties and Obligations</i>	10 Min	12 Min		
1. Seller Representative				
2. Buyer Representative				
3. Sub-agent				
a. Effective August, 2014, the Legislature and Governor eliminated sub-agency, so the duties and obligations of a sub-agent no longer exist.				
4. Dual Agent				
5. Facilitator				
V. HISTORY OF FEDERAL FAIR HOUSING LAW				
A. <i>Civil Rights Act of 1866</i>	10 Min	12 Min		
B. <i>Plessy vs. Ferguson</i>				
C. <i>"Separate but Equal"</i>				
D. <i>Exclusionary Zoning</i>				
E. <i>Fair Housing Act of 1968</i>				
F. <i>Fair Housing Amendments</i>	5 Min	6 Min		
G. <i>Federal Fair Housing Act & Minnesota Human Rights Act</i>	10 Min	12 Min		

Mandatory Curriculum for this MODULE <u>ALL TOPICS MUST BE COVERED as shown in outline below</u>	Required Classroom Times Shown ↓	Required Internet Times Shown ↓	MATERIAL X-Ref (textbook) Page #'s	Course Time-of- Day
a. Race				
b. Color				
c. National Origin				
d. Religion				
e. Gender				
f. Disability				
g. Family Status				
h. Marital Status				
i. Sexual Orientation				
j. Status with regard to public assistance				
VI. UNDERSTANDING PROHIBITED ACTS				
A. <i>Refusal to sell or rent</i>	10 Min	12 Min		
B. <i>Discrimination in terms, conditions or privileges of sale</i>				
C. <i>Advertising</i>				
D. <i>Denying availability</i>				
E. <i>Blockbusting and steering</i>	5 Min	6 Min		
F. <i>Failure to make reasonable accommodations</i>				
G. <i>Lending discrimination and "Redlining"</i>				
VII. HOMEOWNERSHIP AND RACE IN MN	10 Min	12 Min		
A. <i>NAR/HUD "At Home with Diversity" Training</i>				
B. <i>Homeownership Opportunity Alliance (HOA)</i>				
1. <i>Members: REALTORS®, MN Mortgage, Minneapolis, Homeownership Center, MFHA, nonprofits that help immigrants.</i>				
VIII. SPECIAL ENTITIES INTRODUCTION				
A. <i>Who is the client?</i>				
IX. POWERS OF ATTORNEY	10 Min	11 Min		
A. <i>What is a Power of Attorney</i>				
B. <i>Statutory Short Form Power of Attorney</i>				
C. <i>When a Power of Attorney is no longer effective</i>				
a. <i>Durable Powers of Attorney</i>				
D. <i>Special Real Estate Considerations</i>				
a. <i>Mechanics of Utilizing a Power of Attorney</i>				
i. <i>Attach to Documents</i>				
1. <i>Power of Attorney</i>				
2. <i>Affidavit of Attorney-in-Fact</i>				
b. <i>Specific Authority to Transact in Real Estate</i>				
c. <i>Powers of Attorney to Transact for Buyers vs. Sellers</i>				
X. TRUSTS	10 Min	11 Min		
A. <i>Trust Vocabulary</i>				
a. <i>Trustee, Beneficiary, Settlor</i>				
B. <i>Powers and Duties of Trustee</i>				
a. <i>Trust Documents</i>				
b. <i>Multiple Trustees</i>				
c. <i>Minnesota Trust Code (Changed Recently)</i>				
C. <i>Special Real Estate Considerations</i>				
a. <i>Mechanics of Trustee Transacting</i>				
i. <i>Certificate of Trust (M.S. § 501C.1013)</i>				
ii. <i>Affidavit of Trustee (M.S. § 501C.1014)</i>				
b. <i>Trustees Transacting for buyers vs. Sellers</i>				
c. <i>Special Recording and Closing Documents and Requirements</i>				

Mandatory Curriculum for this MODULE <u>ALL TOPICS MUST BE COVERED as shown in outline below</u>	Required Classroom Times Shown ↓	Required Internet Times Shown ↓	MATERIAL X-Ref (textbook) Page #'s	Course Time-of- Day
XI. ESTATES OF DECEASED PERSONS	12 Min	13 Min		
A. <i>Estates Vocabulary</i>				
a. <i>Personal Representative, Letters Testamentary, Letters of General Administration, Heirs, Testator, Intestate, Testate</i>				
B. <i>Will vs. No Will</i>				
C. <i>Formal vs. Informal</i>				
D. <i>Supervised vs. Unsupervised</i>				
E. <i>Personal Representative Duties and Powers</i>				
a. <i>Authority from Letters: Substantiate that the letters issued are in full force and effect (M.S. § 524.3-711)</i>				
F. <i>Timeframe for Probate</i>				
G. <i>Special Real Estate Considerations</i>				
a. <i>Closing Delays</i>				
b. <i>Heirs No Longer Want to Sell</i>				
i. <i>During Listing Contract</i>				
ii. <i>During Purchase Agreement</i>				
c. <i>Special Recording and Closing Documents and Requirements</i>				
XII. THOSE LACKING CAPACITY	10 Min	11 Min		
A. <i>Lack of Mental Capacity</i>				
a. <i>Cannot Look Out for Own Best Interests</i>				
b. <i>Legal Conclusion Made by Court</i>				
B. <i>Guardianships</i>				
a. <i>Management of Personal Affairs</i>				
b. <i>Cannot Sell Real Property of Ward</i>				
c. <i>Might Be Involved in Decision to Move</i>				
C. <i>Conservatorships</i>				
a. <i>Management of Financial Affairs</i>				
b. <i>Only Person Allowed to Execute Documents Related to Sale of Real Property</i>				
c. <i>Mechanics:</i>				
i. <i>Request Certified Copy of Letters of Conservatorship;</i>				
ii. <i>Request Certified Copy of Order Directing Sale (M.S. § 524.5-418(b)(2); or</i>				
iii. <i>Certified Copy of Order Confirming Sale</i>				
iv. <i>Certified Copy of Other Court Order authorizing conveyance;</i>				
v. <i>Conservator's Deed or other documents (see M.S. § 524.5-412, § 524.5-411, § 507.04, § 525.69)</i>				
vi. <i>Conservatee's spouse's signature</i>				
D. <i>Person May Have Both</i>				
XIII. MARRIED PERSONS AND DIVORCES	10 Min	11 Min		
A. <i>Before Divorce Decree (aka Married)</i>				
a. <i>Purchasers</i>				
i. <i>No Effect on Ability to Purchase</i>				
ii. <i>Spousal Interest in Purchased Property</i>				
1. <i>Homestead vs. Non-Homestead</i>				
b. <i>Sellers</i>				
i. <i>Both Spouses Required</i>				
ii. <i>Follow Court Orders</i>				
1. <i>Homestead vs. Non-Homestead</i>				

Mandatory Curriculum for this MODULE <u>ALL TOPICS MUST BE COVERED as shown in outline below</u>	Required Classroom Times Shown ↓	Required Internet Times Shown ↓	MATERIAL X-Ref (textbook) Page #'s	Course Time-of-Day
B. After Divorce Decree				
a. Purchasers				
i. No Effect, Unless Still on Ex-Spouse's Mortgage				
b. Sellers				
i. Divorce Decree Controls				
1. Award to One Spouse				
2. Order Sale and/or Buy Out				
ii. Title Issues				
1. Deed from Ex-Spouse Must Be Recorded, Or Ex-Spouse Must Sign				
2. Mortgages				
XIV. CORPORATE PURCHASERS AND SELLERS	10 Min	11 Min		
A. Agency relationship with entity vs. representative person				
B. Authority to Transact for Business				
a. Corporation/Business Entity must exist at the time it receives and conveys real property.				
i. Verity existence through Minnesota Secretary of State				
b. Board of Directors Authorizing Resolution				
i. Purchase and Sale/Negotiation				
ii. Loan: Negotiation of Finance				
iii. Execution of Conveyance and Loan Documents				
iv. Ratification				
v. Due Authorization				
c. Member of Shareholder Control Agreement, Other Legal Documentation				
d. Religious Corporations: Incorporated under M.S. § 317A, or does M.S. § 315 apply?				
e. Partnerships (General, Limited, Limited Liability Limited Partnership) M.S. 323A.0302; 321.0409;				
f. Special Signature Block				
C. Restriction on Corporate ownership of agricultural land (M.S. § 500.24)				
XV. WRAP UP, SUMMARY, QUESTIONS, AND EXAMINATION	33 Min	37 Min		
Examination: Course will include its own 20-question examination, chosen from an associated bank of at least 50 questions. The 70% passing score for the examination will be 14 correct answers. A student must be allowed to remain as long as reasonably necessary to complete the test.				
The official examination is sent to the provider by the Commerce Department after the course is approved.				
(This Module Satisfies the 1-Hour Fair Housing, 1-Hour Agency Law, and the 1-Hour Broker Module Requirement)				
3.75 Total Hours Required	195 Min	225 Min		

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:

7/1/17-6/30/18 SALESPERSON & BROKER REQUIRED MODULE
Agency, Fair Housing & Special Entities Authority

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		
Instructor		
Instructor		
Instructor		
Instructor		
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Instructor		

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

REAL ESTATE CONTINUING EDUCATION INSTRUCTOR

QUALIFICATIONS AND CONTACT INFORMATION PAGE

(Please Print or Type - Writing Must Be Legible)

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

MANDATORY: Attach a detailed Bio / Resume to this completed form showing dates of experience.

Instructor Full Legal Name:

Date of Birth:

Business Address:

City, State, Zip:

Phone Number:

Business Email Address:

Do you currently hold, or have you held, any Real Estate license in any state, including MN? Yes No

If yes, attach list of license number, state, and status.

Resident Real Estate License # _____ & Name of Resident State _____

All Non-Resident Real Estate License #(s) _____ & Name of Non-Resident State(s) _____

Do you currently hold or have you ever held any other type of occupational / professional license in any state, including MN? Yes No

If yes, attach list of license type, number, state, and status.

Has instructor applicant ever had any occupational / professional license in any state including Minnesota that has been suspended, revoked, or terminated, or been the subject of inquiry or investigation? Yes 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? Yes No

If yes, attach documentation and detailed explanation signed & dated by instructor.

WHO is considered an instructor?

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

Distance Learning Interactive Internet (only for the purposes of this section) include:

- any individual used as a contact for students to answer questions regarding a course is considered an instructor.
- any **author** of an internet course is considered an instructor.
- Any **presenters** via video or other media

Mandatory Qualifications (Please check at least one below)

Minn. Stat. Chapter 45.32. Subd.2. Qualified Continuing Education instructors must have one of the following qualifications.

- a four-year degree in any area plus two years practical experience in the subject area being taught;
- five years of practical experience in the subject area being taught; or
- 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 commissioner immediately of any change in an application for the course, coordinator, or instructor application; and
- 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.

Required Name of Course:

7/1/17-6/30/18 SALESPERSON & BROKER REQUIRED MODULE
Agency, Fair Housing & Special Entities Authority

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.

ALL Methods: Any individual speaking via a VIDEO or other pre-recorded method as part of the 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.

Subdivision 1. Appraiser Internet continuing education courses.

The design and delivery of an appraiser continuing education course must be approved by the International Distance Education Certification Center (IDECC) before the course is submitted for the commissioner's approval.

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. 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.)

Minnesota Basic Requirements Regarding Proctors and Electronic Signatures

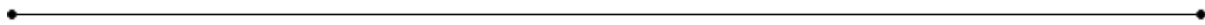
➤ **Acceptable Proctors and Proctor Forms for Exams and/or Courses:**

When qualifying a proctor for your students, strict adherence to Minnesota Statute Chapter 45.25 Subd. 12., and including the use of our proctor form on page 10, should assure compliance with Minnesota law.

Minnesota Proctor Requirements 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.



➤ **In Response to Questions Regarding the Use of Electronic Signatures:**

Electronic signatures are allowed to be used on license education application forms per 325L.07 (below).

325L.07 LEGAL RECOGNITION OF ELECTRONIC RECORDS, ELECTRONIC SIGNATURES, AND ELECTRONIC CONTRACTS.

- (a) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.
- (b) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.
- (c) If a law requires a record to be in writing, an electronic record satisfies the law.
- (d) If a law requires a signature, an electronic signature satisfies the law.

CE Course &/or Exam Proctor Affidavit

Student / Licensee Name and Certification

(Please Print or Type - Writing Must Be Legible)

Name of Course &/or Exam _____

Date & Time of Course &/or Exam Completion _____

Company & Address where course &/or exam was completed _____

City _____ State _____ Zip Code _____

Student's Full Legal Name, License Number, & DOB (Please Print or Type - Writing Must Be Legible)

(Name) (License #) (Date of Birth)

Business Address _____

City _____ State _____ Zip Code _____

Mailing Address (if different than above) _____

City _____ State _____ Zip Code _____

Daytime Phone _____ E-mail _____

I certify that I personally completed the above-named course &/or exam without outside assistance of any kind.

Student Signature _____ Date (____/____/____)
(Must match course &/or exam)

Proctor Name and Certification

Proctor's Full Legal Name (Please Print or Type - Writing Must Be Legible)

Note any relationship to the student. _____

I certify that I am a disinterested third party with no conflict of interest. I verified the identity of the student listed above on this form (i.e. valid photo ID), and I ensured that:

- the course was completed in its entirety and that I physically monitored the student throughout the entire course process.
- the exam was completed without outside assistance of any kind (i.e. human, study material, notes, computer, cell phone, etc.), and that I physically monitored the student throughout the entire exam process.

Proctor Signature _____ Date (____/____/____)
(Must match course &/or exam)

Employer & Job Title _____

Business Address _____

City _____ State _____ Zip Code _____

Business/Daytime Phone _____ E-mail _____
(Rev 7.22.14) (Please Print or Type - Writing Must Be Legible)

Student / Licensee Name and Certification Page

TO BE ATTACHED TO

CE Course &/or Exam Proctor Affidavit

(Please Print or Type - Writing Must Be Legible)

(Use this two-page form only when there are **multiple** students in one location.)

Notice: One of these forms must be completed & signed by each student. The completed form MUST be attached to the multiple student Proctor Affidavit form completed by the Proctor. Both completed forms must be kept on file by the Education Provider for 3 years from the date of course completion.

Name of Course &/or Exam _____ Course# _____

Date & Time of Course &/or Exam Completion _____

Company & Address where course &/or exam was completed _____

City _____ State _____ Zip Code _____

Student's Full Legal Name, License Number, & DOB (Please Print or Type - Writing Must Be Legible)

(Name) (License #) (Date of Birth)

Business Address _____

City _____ State _____ Zip Code _____

Mailing Address (if different than above) _____

City _____ State _____ Zip Code _____

Daytime Phone _____ E-mail _____

*I certify that I personally completed the above-named course &/or exam **without outside assistance of any kind.***

Student Signature _____ Date (____/____/____)
(Must match date of course &/or exam & Proctor form)

(Please Print or Type - Writing Must Be Legible)

(Part 1 of 2)

(Rev 7.22.14)

CE Course &/or Exam Proctors (Multiple Student) Affidavit Form

(Please Print or Type - Writing Must Be Legible)

(Use only when there are **multiple** students in one location.)

Notice: This form must be completed & signed by the qualifying Proctor. This completed form **MUST be attached to a** completed student Affidavit form for each student listed below. (Up to 24 student forms per Proctor form.) All completed forms must be kept on file by the Education Provider for 3 years from the date of course completion.

Name of Course &/or Exam _____ Course # _____

Date & Time of Course &/or Exam Completion _____

Company & Address where course &/or exam was completed _____

City _____ State _____ Zip Code _____

Student's Full Legal Name & License Number - (One Per Box) (Please Print or Type - Writing Must Be Legible)

1	13
2	14
3	15
4	16
5	17
6	18
7	19
8	20
9	21
10	22
11	23
12	24

Proctor Name and Certification

Proctor's Full Legal Name _____ (Please Print or Type - Writing Must Be Legible)

Note any relationship to any student on above list.

I certify that I am a disinterested third party **with no conflict of interest**. I verified the identity of each and every student listed above on this form (or attached on additional pages) (i.e. valid photo ID), and I ensured that:

the **course** was completed in its entirety and that I physically monitored each and every student throughout the entire **course** process.

the **exam** was completed without outside assistance of any kind (i.e. human, study material, notes, computer, cell phone, etc.), and that I physically monitored the student throughout the entire **exam** process.

Proctor Signature _____ Date (____/____/____)
(Must match date of course &/or exam & Students form)

Employer & Job Title _____

City _____ State _____ Zip Code _____

Business/Daytime Phone _____ E-mail _____