

201 KAR 11:175. Instructor approval procedures and guidelines.

RELATES TO: KRS 324.010(7)

STATUTORY AUTHORITY: KRS 324.085, 324.281(5), 324.282

NECESSITY, FUNCTION, AND CONFORMITY: KRS 324.282 authorizes the commission to promulgate administrative regulations necessary to implement KRS Chapter 324. KRS 324.010(7) authorizes the commission to approve a real estate school. KRS 324.085(4) and (5) authorize the commission to promulgate administrative regulations necessary to implement requirements for instructor approval. This administrative regulation establishes the requirements and application procedures for approval as an instructor at an approved real estate school.

Section 1. To apply for certification as an instructor at an approved real estate school, an instructor shall:

- (1) Submit a:
 - (a) Completed Instructor Application – Form E100;
 - (b) Copy of a current resume;
 - (c) Copy of legal documentation required to support an answer on the Instructor Application – Form E100, if applicable; and
 - (d) Completed Course Outline – Form E105 for each course;
- (2) Have:
 - (a) A bachelor's, master's, or doctorate degree from a college or university duly accredited by a nationally recognized rating or accrediting organization, in a field directly related to the nature of the course, such as real estate, business, law, finance, or education;
 - (b) An associate degree in real estate from a college or university duly accredited by a nationally recognized rating or accrediting organization;
 - (c) Completed five (5) consecutive years full-time experience in the real estate related subject area that he or she is teaching (averaging at least twenty (20) hours per week for each of the five (5) years); or
 - (d) A combination of teaching, education, and full-time experience in real estate totaling five (5) years (averaging at least twenty (20) hours per week for each year of experience); and
- (3) Possess:
 - (a) A thorough familiarity of the provisions of KRS Chapter 324 and the effect of those provisions on the subject area of the course; and
 - (b) A thorough knowledge of the subject area of the course he or she is teaching.

Section 2. Approval of an instructor shall be withdrawn by the commission for:

- (1) A violation of a provision of KRS Chapter 324 or 201 KAR Chapter 11;
- (2) Falsification of material submitted to the commission to become an approved instructor;
- (3) Failure to provide to the commission requested material;
- (4) While acting as an instructor in an educational facility, engaging in brokerage activity with an enrolled student;
- (5) Soliciting an investment from a student; or
- (6) Attempting to recruit a student to a real estate company while acting as an instructor.

Section 3. (1) An approved instructor may teach:

- (a) A pre-license course offered by an:
 1. Approved real estate school; or
 2. Accredited real estate school that receives funding under the real estate education, re-

search and recovery fund;

(b) A mandatory continuing education course; or

(c) A post-license education course.

(2) A person who is not an approved instructor shall not teach a course listed in subsection (1) of this section.

Section 4. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Instructor Application – Form E100", 05/15 edition, Kentucky Real Estate Commission; and

(b) "Course Outline – Form E105", 05/15 edition, Kentucky Real Estate Commission.

(2) This material may be inspected, copied, or obtained at the Kentucky Real Estate Commission, 10200 Linn Station Road, Suite 201, Louisville, Kentucky 40223, Monday through Friday, 8 a.m. to 4:30 p.m. (17 Ky.R. 2296; Am. 2692; eff. 3-8-1991; 24 Ky.R. 2414; 25 Ky.R. 57; eff. 7-13-1998; 42 Ky.R. 466; 1468; eff. 12-4-2015.)