Chapter 2 Summary
Real Estate License Law

Florida passed its first real estate license law in 1925. The first Florida Real Estate Commission was created to enforce and administer the law in 1926. Within the DBPR is the Division of Real Estate (DRE). The DRE is mandated to protect the public by regulating real estate and appraisal licensees.

The Florida Real Estate Commission (FREC) is the enforcer of real estate rules and discipline. Members are appointed by the Governor with a primary purpose to protect the consumer.

The three categories of real estate licenses are:
- **Sales Associate** - A person who provides real estate services for another, for compensation under the direction, control and management of a broker.
- **Broker** - A person who provides real estate services for another, for compensation.
- **Broker Associate** - Is a licensed broker who chooses to work as a sales associate under the direction of another broker.

A sales associate or a broker associate must always operate under the direction and guidance of a broker.

The applicant for real estate license:
- Must be 18 years or older
- Have a high school diploma, or its equivalency
- Must be honest, truthful, trustworthy, of good character, and have a good reputation for fair dealings

Just as a reminder, the following may be the basis for denial of a license:
- Failure to file the correct application in proper form
- Failure to pay the appropriate fee
- Failure to correct the application within the allotted time period
- Failure to provide a fingerprint card
- Failure to take the state examination within two years of application
- Failure to pass the state examination
- Being investigated and found guilty of a violation that would violate Florida License Laws
- Having a poor reputation for fair dealing, evidence of bad character or incompetence in dealing fairly and safely with the public

Registration vs. Licensure
Registration, the procedure giving information to the DRE (Division of Real Estate), rather than individual licensing, is provided by the state of Florida when real estate is practiced as a business entity rather than as an individual. All licensees must renew their real estate licenses every two years after the initial license period.

There are persons exempt from Florida Real Estate Law. Following are individuals who do not need a license for selling, leasing, etc. real estate in Florida:
- An owner selling his/her own property
- Anyone acting as an Attorney in Fact
- An employee of a public utility, rural electric cooperative, a railroad or state or local government
- A full-time graduate student enrolled in a FREC-approved degree program, appraising at a college or university.
- Any person, partnership or corporation which for another for compensation rents or advertises for rent transient occupancy; or any public lodging establishment licensed under another section.