

*Transition Course
Required Curriculum and Learning Objectives
3 Clock Hours
Adopted September 22, 2009*

This course meets the state requirement under RCW 18.85.481(2) license renewal for those who became licensed prior to July 2010. This course must be taken by their first active renewal date on or after July 1, 2010.

This course focuses on changes to the Washington Administrative Code (WAC) rules. The following website shows the draft proposed rules that haven't been approved yet, for your

reference: <http://www.dol.wa.gov/business/realestate/rerulechanges.html>

Licensing Requirements

Upon completion of this course, the student should be able to:

1. Demonstrate familiarity with the new license classifications, registrations, and endorsements created under RCW 18.85 [especially RCW 18.85.481(2)] and effective July 1, 2010.
2. Understand the new mandatory requirement for fingerprints and background checks for new licensees, which will be phased in over a six-year period for existing licensees during their license renewal cycle.
3. Describe the process for meeting the fingerprint requirement. Recognize that provisional licenses will be issued subject to suspension or revocation of license based on the results of the check.
4. Be able to describe the educational requirements for each type of license and how these differ from pre-2010 requirements:
 - Broker's license [WAC 308-124A-705(1)]
 - Broker's license, First Renewal [WAC 308-124A-785]
 - Managing Broker's License [WAC 308-124A-713 & 308-124A-750]
 - Continuing Education, Transition Course and Core Curriculum [WAC 308-124A-790]

Duties and Responsibilities

Upon completion of this course, the student should be able to:

1. Demonstrate understanding of the specific responsibilities and duties associated with each license level and endorsement under each role as applicable (including supervision of teams and team responsibilities):
 - WAC 308-124C-140 & WAC 308-124C-145 Broker responsibilities
 - WAC 308-124C-125 Designated broker responsibilities
 - WAC 308-124C-130 Branch manager responsibilities
 - WAC 308-124C-137 Managing broker responsibilities
2. Understand what a Designated Broker is, as defined under RCW 18.85.011(10) and what duties are associated with the position per RCW 18.85.275. Demonstrate awareness of the fact that designated broker is ultimately responsible for conduct of licensees. Understand how a managing broker licensee becomes a Designated Broker as described under RCW 18.85.091(1)(a).
3. Describe supervisory responsibilities under RCW 18.85.201 and under RCW 18.85.275 as implemented by WAC 308-124C-125.
4. Demonstrate understanding of the requirement for a managing broker to "...provide a heightened level of supervision..." to brokers during their first 2 years of licensure as described under RCW 18.275(6) and WAC 308-124C-125(8).
5. Demonstrate knowledge of responsibilities as described in WAC sections dealing with Managing Broker's and new Broker's responsibilities [e.g., WAC 308-124C-137(11) and WAC 308-124C-145, respectively]
6. Describe what tasks or duties may be delegated to subordinates and how this process does not eliminate responsibility.
7. Describe the requirement under WAC 308-124C-125(7) for the designated broker to maintain a written log of assignments, and to have delegation agreements signed by all parties.
8. Describe the firm-licensee relationship, with emphasis on how the individual licensee is licensed to a particular firm. Understand the relationship between the licensee and firm, between the licensee and their Designated Broker, Branch Manager, or Managing Broker and what it means to be an affiliated licensee as defined in WAC 308-124-300.
9. Understand the licensee's status under RCW 18.85.291 as implemented by WAC 308-124A-730.
10. Understand that "listings, sales, transaction files, and related documents" are the property of the Firm under RCW 18.85.275(2). Understand the record keeping and transaction files requirements established by RCW 18.85.285(1) and the requirements for timely submission under WAC 308-124C-125(11).

Recordkeeping and Trust Accounting

Upon completion of this course, the student should be able to:

1. Show understanding of terms “Trust Accounting” and “Earnest Money” as defined in RCW 18.85.285(2) and (9).
2. Describe how monies, described in RCW 18.85.285, are to be handled in a manner consistent with:
 - WAC 308-124C-105 Required records
 - WAC 308-124C-125 Designated broker responsibilities
 - WAC 308-124D-210 Expeditious Performance
 - WAC 308-124E-100 Delivery of client funds or negotiable instruments
 - WAC 308-124E-105 Administration of funds held in trust-General procedures
 - WAC 308-124E-110 Administration of funds held in trust-Real estate and business opportunity transactions
 - WAC 308-124E-115 Administration of funds held in trust-Property management or other sections as applicable.
3. Demonstrate an awareness of requirements for keeping and providing accessible records (including storage location requirements) under WAC 308-124C-105 and WAC 308-124C-110.
4. Show a familiarity with the required brokerage service contracts, transaction records, and purchase and sale agreements that are to be kept under item (2) of WAC 308-124C-105.
5. Be aware of additional record keeping responsibilities under other WAC provisions, including WAC 308-124C-125 concerning access to records.

Firms

Upon completion of this course, the student should be able to:

1. Demonstrate familiarity with the requirements for a firm license as described under RCW 18.85.091 including those requirements as set forth by:
 - WAC 308-124A-735.
 - requirements for firm names under WAC 308-124A-815.
2. Understand that WAC 308-124B-210 requires that all firms must operate under the licensed firm name or assumed name; moreover ALL advertising must include the firm name as licensed. This would include all advertising by an individual licensee or a licensee operating as part of a team.
3. Understand what “clear and conspicuous” means as defined by RCW 18.85.011(4) and how this relates to this requirement.
4. Describe how this requirement can be considered a consumer protection provision-Requiring appropriate contact information be present on all advertising.

5. Describe situations where a Designated Broker at one firm can become a Designated Broker with other firms, and also describe the limitations of this rule.

Property Management

Upon completion of this course, the student should be able to:

1. Describe the necessary agreements, record keeping, and funds management procedures associated with property management as described by WAC 308-124D-215.
2. Indicate awareness of how funds are to be treated as trust funds where appropriate.

Other Topics

1. Other Topics (i.e., WAC 308-124A-830 Firm closing—Designated broker responsibility)