



Rules of Department of Commerce and Insurance

Division 2250—Missouri Real Estate Commission Chapter 4—Licenses

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**Title 20—DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2250—Missouri Real
Estate Commission
Chapter 4—Licenses**

20 CSR 2250-4.010 Form and Contents

PURPOSE: This rule declares the form and identifying information on the license.

(1) The commission shall issue to each licensee a license in such form as shall be prescribed by the commission.

AUTHORITY: section 339.120, RSMo Supp. 1993. This rule originally filed as 4 CSR 250-4.010. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed May 11, 1983, effective Aug. 11, 1983. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Moved to 20 CSR 2250-4.010, effective Aug. 28, 2006.*

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993.*

20 CSR 2250-4.020 Expiration and Renewal; Name and Address Changes

PURPOSE: This rule establishes the dates of license validity and the obligation of licensees for renewal of same. The broker license must be renewed before the salesperson or broker-salesperson license may be renewed.

(1) Renewal of License.

(A) Every license issued and every license renewal for a broker, corporation, broker-officer, partnership, broker-partner, association, broker-associate, broker-salesperson, professional corporation (broker-salesperson) or inactive broker license shall expire June 30 in each even-numbered year.

(B) Every license issued and every license renewal for professional corporation (salesperson), salesperson, or inactive salesperson license shall expire September 30 in each even-numbered year.

(C) The commission may mail to each licensee, at least thirty (30) days prior to license expiration, a notice of the expiration and an application for renewal of license to the licensee's address on file with the commission.

(D) The commission may issue a new license for each renewal period upon receipt of a properly completed renewal application, including proof of completion of the continuing education requirement pursuant to 20 CSR 2250-10.100, and the biennial fee, if the

receipt date as affixed by the United States Postal Service or recognized common carrier, or if hand-delivered to the Missouri Real Estate Commission before the close of business, is no later than the date of license expiration. Additionally, for the renewal immediately following January 1, 2011, the licensee must provide acceptable proof of having submitted, between January 1, 2011, and the submission of the licensee's 2012 real estate renewal, fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and a Federal Bureau of Investigation fingerprint background check. Any fees due to fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor.

(E) Delinquent renewal applications must be accompanied by a delinquent fee of fifty dollars (\$50) per month or partial month elapsed since the date of license expiration. Delinquent fees are not to exceed two hundred dollars (\$200).

(F) Any licensee who fails to complete continuing education requirements during the renewal period must submit with their renewal proof of completion of the Missouri Real Estate Practice Course as identified in 20 CSR 2250-6.060. This course must have been completed no more than six (6) months prior to the receipt date as affixed by the United States Postal Service or recognized common carrier or the date the application is hand-delivered to the Missouri Real Estate Commission during regular business hours.

(2) Failure of a licensee to receive the notice and application to renew from the commission shall not excuse the licensee from the requirements for renewal contained in this rule. Any licensee who fails to renew during a subsequent renewal period is no longer licensed and in order to become licensed again will be required to requalify as if an original applicant. Until a new license is procured, the holder of an expired license shall not perform any act for which a license is required.

(3) A renewal license will not be issued until the license of the broker with whom the licensee is associated has been renewed.

(4) Within ten (10) days following a change in name or home address, each licensee shall notify the commission in writing.

AUTHORITY: section 339.120, RSMo Supp. 2008. This rule originally filed as 4 CSR 250-4.020. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed March 12, 1982, effective June 11, 1982. Amended: Filed Aug. 12, 1982, effective Nov. 11, 1982. Amended: Filed March 14, 1984, effective June 11, 1984. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed March 17, 1986, effective June 28, 1986. Amended: Filed Oct. 26, 1987, effective July 1, 1988. Amended: Filed Sept. 1, 1989, effective Dec. 28, 1989. Amended: Filed Nov. 15, 1991, effective June 25, 1992. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2250-4.020, effective Aug. 28, 2006. Amended: Filed Oct. 12, 2007, effective April 30, 2008. Amended: Filed Aug. 18, 2009, effective Feb. 28, 2010.*

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004, 2008.*

20 CSR 2250-4.030 Fictitious Name

PURPOSE: This rule enforces compliance with other statutes.

(1) Any broker doing business under any name other than the broker's legal name or any entity doing business under any name other than the name registered with the secretary of state, shall first comply with the provisions of sections 417.200–417.230, RSMo on the registration of fictitious names and shall furnish the commission a copy of the registration within ten (10) days of receipt of the official registration from the secretary of state.

AUTHORITY: section 339.120, RSMo Supp. 1993. This rule originally filed as 4 CSR 250-4.030. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Moved to 20 CSR 2250-4.030, effective Aug. 28, 2006.*

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993.*

20 CSR 2250-4.040 Individual License; Business Name; Inactive Brokers

PURPOSE: This rule assures that the commission may fulfill its regulatory authority over licensees. In order to fulfill its authority, it must be in a position to communicate with and identify all licensees. The license pocket



card is a consumer protection measure, where the licensee may offer proof of his/her professional status.

(1) A broker shall not conduct business under any other name or at any other address than the one for which the broker's individual license is issued unless the broker first complies with 20 CSR 2250-4.030. If a broker changes his/her name, home or business address, the broker shall notify the commission in writing within ten (10) days after the change becomes effective.

(2) When a broker returns his/her license to the commission, the broker must first comply with the provisions of 20 CSR 2250-8.155. The broker shall have six (6) months in which to change status or reinstate the license. If the application to change status or reinstate the license is not made within the six (6)-month period, the applicant will be required to complete the Missouri Real Estate Practice Course and show proof of satisfactory completion of that course within six (6) months prior to reinstatement of the license. If the license is not reinstated or placed on inactive status within the subsequent renewal period, the licensee will be required to requalify as if an original applicant.

(3) A broker may apply for inactive broker status. This request shall be on an application approved by the commission and shall be accompanied by the required fee. A license shall be issued to the broker clearly printed with the word inactive and the inactive broker shall not engage in any activity for which a license is required. An inactive broker license must be renewed biennially on or before June 30 of each renewal year. A licensee holding an inactive license as described in this rule will not be required to complete the continuing education requirement for license periods during which the license is inactive. A broker license which is inactive may not be reactivated until the licensee presents to the commission the proper application accompanied by the required fee and a certificate from a school accredited by the commission evidencing satisfactory completion, within the preceding six (6) months, of the Missouri Real Estate Practice Course required by 20 CSR 2250-6.060.

AUTHORITY: section 339.120, RSMo Supp. 2008. This rule originally filed as 4 CSR 250-4.040. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed March 12, 1982, effective June 11, 1982. Amended: Filed Aug. 12, 1982, effective Nov. 11, 1982. Amended: Filed May 11, 1983,*

effective Aug. 11, 1983. Amended: Filed March 14, 1984, effective June 11, 1984. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed Sept. 1, 1989, effective Dec. 28, 1989. Emergency amendment filed Feb. 5, 1990, effective Feb. 15, 1990, expired June 14, 1990. Amended: Filed March 19, 1990, effective June 11, 1990. Amended: Filed Nov. 15, 1991, effective June 25, 1992. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Moved to 20 CSR 2250-4.040, effective Aug. 28, 2006. Amended: Filed Oct. 12, 2007, effective April 30, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004, 2008.*

20 CSR 2250-4.050 Broker-Salesperson and Salesperson Licenses; Transfers; Inactive Salespersons

PURPOSE: This rule is to clearly define the distinction between a broker and an individual who even though s/he achieved broker status must function as a salesperson.

(1) A broker whose license is in good standing and who elects to operate under the supervision of a licensed broker shall first comply with the provisions of 20 CSR 2250-8.155. The broker shall surrender his/her license to the commission for conversion to a broker-salesperson license. A broker-salesperson license will be issued upon receipt of the properly completed application accompanied by the required fee. No individual holding a broker-salesperson license may have a salesperson licensed under him/her. A broker license may be reinstated upon proper application to the commission accompanied by the required fee.

(2) A broker-salesperson or salesperson license shall be issued only to a person who is associated with a licensed broker. The license of each broker-salesperson or salesperson shall be mailed to the broker. A broker-salesperson or salesperson cannot be licensed with more than one (1) broker during the same period of time.

(3) Within seventy-two (72) hours of the termination of the association of any broker-salesperson or salesperson, a broker shall notify the commission and shall return to the commission that licensee's license. The broker shall provide a dated and timed receipt to the licensee when the licensee submits a letter of termination to the broker. When a licensee's license is surrendered to the com-

mission, the licensee shall have six (6) months in which to transfer to another broker or change license status. If the application for transfer or change in status is not made within the six (6)-month period, the applicant will be required to complete the required Missouri Real Estate Practice Course and show proof of satisfactory completion of that course within six (6) months prior to reinstatement of the license. If the license is not transferred or placed on inactive status, or if no status change has been made within the subsequent renewal period, the licensee will be required to requalify as if an original applicant.

(4) An original licensee or a licensee changing license status/type shall not be deemed to be entitled to engage in any activity for which a license is required until the new license is received by the broker or until written notification is received from the commission that the application is being processed. When a broker-salesperson or salesperson transfers from one broker to another without changing license type, the licensee shall be deemed transferred at the time the properly completed application is mailed by certified, registered, or overnight delivery, if all materials required to transfer are mailed under one (1) cover. The new broker is responsible for seeing that the application is complete and that the application for transfer is mailed by certified, registered, or overnight delivery to ensure proof of delivery. If the application is deemed incomplete, the transfer will not be effective until the new license is received by the broker or until written notification is received from the commission that the application is being processed.

(5) Upon termination of a licensee's association with a broker, the licensee shall return all property belonging to the broker, including, but not limited to all listing information acquired by the licensee in any manner during the licensee's association with the broker.

(6) A salesperson whose association with a broker is terminated may request the commission to transfer the license to an inactive status. The request shall be on an application approved by the commission and shall be accompanied by the required fee. A license shall be issued to the salesperson clearly printed with the word inactive and the inactive salesperson shall not be associated with a broker nor engage in any activity for which a license is required. An inactive salesperson license must be renewed biennially on or before September 30 of each renewal year. A licensee holding an inactive license as



described in this rule will not be required to complete the continuing education requirement for license periods during which the license is inactive. A salesperson license which is in an inactive status may not be reactivated until the licensee presents to the commission a certificate from a school accredited by the commission evidencing satisfactory completion by that person, within the preceding six (6) months, of the Missouri Real Estate Practice Course required by 20 CSR 2250-6.060. The holder of an inactive salesperson license may be transferred to active status upon proper application to the commission accompanied by the required fee and the school completion certificate.

(7) A broker-salesperson whose association with a broker is terminated may request the commission to transfer the license to an inactive status and shall be subject to the provisions of 20 CSR 2250-4.040(3).

AUTHORITY: section 339.120, RSMo Supp. 2008. This rule originally filed as 4 CSR 250-4.050. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed March 12, 1982, effective June 11, 1982. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed Nov. 15, 1991, effective June 25, 1992. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Amended: Filed Aug. 1, 1997, effective March 30, 1998. Moved to 20 CSR 2250-4.050, effective Aug. 28, 2006. Amended: Filed Oct. 12, 2007, effective April 30, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004, 2008.*

20 CSR 2250-4.070 Partnership, Association, or Corporation License

PURPOSE: This rule proclaims all provisions necessary to procuring and maintaining a partnership, association, or corporation license.

(1) Every partnership, association, or corporation must obtain a separate and distinct real estate broker license before transacting business as a broker pursuant to Chapter 339, RSMo. If the partnership, association, or corporation wishes to do business under an assumed or fictitious name, it shall first comply with 20 CSR 2250-4.030 regarding registration of the name.

(2) Before a broker license will be issued to a partnership, association, or corporation, each partner in a partnership or each associate in an association or each officer of a corpora-

tion, who actively participates in the supervision of the real estate brokerage business of the firm, as defined in the license law, shall hold the appropriate broker license and each broker-salesperson or salesperson associated with the firm who engages in activities defined in the license law shall hold the appropriate license. In addition, each broker-partner, broker-associate, or broker-officer shall retain a comparable position/title within the firm. An individual that maintains a salesperson license may also hold an officer title within a corporation.

(3) At the time of issuance of a partnership, association, or corporation license, the applicant shall make application to the commission on a form approved by the commission which shall include the following:

(A) The full name of the firm, the address of its principal place of business, and a statement as to its form of organization;

(B) The name, residence, and business addresses of each Missouri-licensed partner in a partnership, associate in an association, or officer of a corporation;

(C) The name and business address of the broker-partner, broker-associate, or broker-officer who has been designated by the firm as responsible for contact with the commission on business of the firm and to whom the commission will address its correspondence;

(D) The address of each branch office of the firm which engages in the activities outlined in Chapter 339, RSMo, and the name of the person in charge of the business at that address;

(E) If applying for a corporation license, a copy of the certificate of incorporation must be provided; and

(F) A statement that the information furnished is complete, true, and correct in all respects and that the entity is currently in good standing with the secretary of state. The commission must be notified in writing within ten (10) days of every change in a partnership, association, or corporation which changes any information furnished or causes the information to be incomplete. The designated broker for the firm shall be responsible for the notification.

(4) A change in the name of a partnership, association, or corporation shall require the filing of a new application with the commission accompanied by the required fee, the previously issued license and documentation from the secretary of state acknowledging the name change.

(5) A person qualifying for or renewing a broker license as a partner, associate, or officer in a licensed firm shall be issued a license as a broker-partner, broker-associate, or bro-

ker-officer, as the case may be. At the request of the holder, any such license in good standing may be converted by the commission to an individual broker, broker-salesperson, or inactive broker license on a form approved by the commission and accompanied by the required fee.

(6) Any person who qualifies as a broker may also be licensed as a broker-officer, broker-associate, or broker-partner or any combination of the four (4) types of broker licensure.

(7) The holder of a broker-partner, broker-associate, or broker-officer license is not required to maintain a separate escrow or trust account while affiliated with a licensed entity.

(8) When a broker-partner, broker-associate, or broker-officer license is returned to the commission, the licensee shall have six (6) months in which to change status or reinstate the license. If the application to change status or reinstate the license is not made within the six- (6-) month period, the applicant will be required to complete the required Missouri Real Estate Practice Course and show proof of satisfactory completion of that course within six (6) months prior to reinstatement of the license. If the license is not reinstated or placed on inactive status within the subsequent renewal period, the licensee will be required to requalify as if an original applicant.

AUTHORITY: sections 339.010, 339.030, 339.040, 339.080, 339.110, 339.120, and 339.160, RSMo Supp. 2011. This rule originally filed as 4 CSR 250-4.070. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed March 14, 1984, effective June 11, 1984. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed June 16, 1989, effective Sept. 28, 1989. Amended: Filed Sept. 1, 1989, effective Dec. 28, 1989. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2250-4.070, effective Aug. 28, 2006. Amended: Filed Oct. 12, 2007, effective April 30, 2008. Amended: Filed April 3, 2009, effective Sept. 30, 2009. Amended: Filed Oct. 27, 2011, effective April 30, 2012.*

**Original authority: 339.010, RSMo 1941, amended 1945, 1967, 1978, 1987, 1988, 1993, 2002, 2004, 2006, 2008, 2010; 339.030, RSMo 1941, amended 1981, 1993, 2004, 2010; 339.040, RSMo 1941, amended 1945, 1978, 1981, 1983, 1993, 2004, 2006, 2010, 2011; 339.080, RSMo 1941, amended 1978, 1993, 2010; 339.110, RSMo 1941, amended 1978, 1993, 2010; 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004, 2008; and 339.160, RSMo 1941, amended 1993, 2004, 2010.*



20 CSR 2250-4.075 Professional Corporations

PURPOSE: This rule establishes guidelines for real estate salespersons who wish to incorporate as a professional corporation.

- (1) Only salespersons and broker-salespersons who are licensed to render the services mentioned in section 339.010.2, RSMo may be licensed as professional corporations.
- (2) All applications for licensure as a professional corporation shall be subject to the provisions of 20 CSR 2250-3.010 and all applicable provisions of Chapter 339, RSMo.
- (3) Before a professional corporation license will be issued, the proposed corporate name must be approved by the commission. The applicant shall file with the commission an application for name approval accompanied by the required fee.
- (4) All professional corporation licenses shall be issued in the name of the salesperson or broker-salesperson to whom the license is issued. No fictitious names will be accepted. The name shall contain the words Professional Corporation or the abbreviation P.C. and the licensee shall use that designation in the course of rendering any professional service.
- (5) All stock or shares in a professional corporation must be held by the salesperson or broker-salesperson to whom the professional corporation license is issued.
- (6) At the time of issuance of a license to a professional corporation, the applicant or licensee shall file with the commission an application, accompanied by the required fee and the certificate of incorporation.
- (7) Upon dissolution of a licensed professional corporation, the professional corporation is subject to the provisions of 20 CSR 2250-4.050.

AUTHORITY: section 339.120, RSMo Supp. 2008. This rule originally filed as 4 CSR 250-4.075. Original rule filed June 16, 1989, effective Sept. 28, 1989. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2250-4.075, effective Aug. 28, 2006. Amended: Filed April 3, 2009, effective Sept. 30, 2009.*

**Original authority: 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004, 2008.*

20 CSR 2250-4.080 Nonresident Licenses; Reciprocity

PURPOSE: This rule clarifies and qualifies who may obtain a nonresident license and the condition for its renewal.

- (1) A nonresident person, partnership, association or corporation seeking a license to engage in the real estate business in Missouri shall apply for an appropriate license on a form provided by the commission accompanied by the required fee.
- (2) An individual who holds a real estate license in another state or jurisdiction desiring to obtain a real estate license in Missouri, must fulfill the following requirements:
 - (A) Salesperson Requirements:
 - 1. An individual holding a current and active salesperson license in another state or jurisdiction at the time of application for a Missouri salesperson license must pass the state portion of the Missouri salesperson exam and complete the twenty-four (24)-hour Missouri Real Estate Practice Course. The Missouri Real Estate Practice Course may be taken before or after the exam date, but must be taken prior to applying for licensure. The forty-eight (48)-hour Missouri salesperson pre-examination course shall be waived. Application for licensure must be submitted to the commission within six (6) months of passing the state portion of the Missouri salesperson exam; and
 - 2. A license (history) certification issued from the real estate commission of the state or jurisdiction from where applying must be provided with the application for licensure. The nonresident certification must be issued no more than three (3) months prior to application for a Missouri license.
 - (B) Broker Requirements:
 - 1. An individual holding a current and active salesperson license in another state or jurisdiction wishing to obtain a Missouri broker's license, must have twenty-four (24) of the last thirty (30) months active salesperson experience, complete the Missouri forty-eight (48)-hour broker pre-examination course, pass both portions of the Missouri broker exam and apply for licensure within six (6) months of the forty-eight (48)-hour broker course completion date;
 - 2. An individual holding a current and active broker license in another state or jurisdiction, other than those states and jurisdictions that issue only broker licenses, must have twenty-four (24) of the last thirty (30) months active license experience as a salesperson or broker, pass the state portion of the Missouri broker exam, and apply for licensure within six (6) months of passing the state portion of the Missouri broker exam. The

forty-eight (48)-hour broker pre-examination course shall be waived;

3. If licensed in a state or jurisdiction that only issues broker licenses, Missouri will recognize the single license as a salesperson license and applicants must comply with 20 CSR 2250-4.080(2)(B)1.; and

4. A license (history) certification issued from the real estate commission of the state or jurisdiction from where applying must be provided with the application for licensure. The license certification must be issued no more than three (3) months prior to application for a Missouri license.

(3) The commission may issue a nonresident license to a partnership, association or corporation organized and licensed as a real estate broker under the laws of another state or jurisdiction, provided that the applicant furnishes with the application:

(A) A license (history) certification, issued no more than three (3) months prior to the application for the Missouri license, from the nonresident licensing authority that the entity is in good standing; and

(B) Evidence that the applicant has complied with all applicable laws with respect to qualifying to do business in this state.

(4) In addition to the specific requirements set forth in this rule, every applicant for a nonresident license must meet all requirements applicable to Missouri residents and domestic firms applying for the same type of license. After licensure, a nonresident licensee shall be subject to and shall comply with all provisions of the license law and these rules.

(5) The commission may waive the examination prescribed by the license law for a nonresident individual duly licensed in any other state under the laws of which a similar exemption is extended to licensees of Missouri, provided a written agreement for reciprocal licensing exists between the licensing authorities of the states involved.

AUTHORITY: sections 339.090 and 339.120, RSMo Supp. 2007. This rule originally filed as 4 CSR 250-4.080. Original rule filed Nov. 14, 1978, effective Feb. 11, 1979. Amended: Filed March 15, 1982, effective June 11, 1982. Amended: Filed March 14, 1984, effective June 11, 1984. Amended: Filed Oct. 2, 1985, effective Dec. 26, 1985. Amended: Filed March 16, 1988, effective July 1, 1988. Amended: Filed June 16, 1989, effective Sept. 28, 1989. Amended: Filed Feb. 2, 1994, effective Aug. 28, 1994. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Moved to 20 CSR 2250-4.080, effective Aug.*



28, 2006. Rescinded and readopted: Filed Oct. 12, 2007, effective April 30, 2008.

**Original authority: 339.090, RSMo 1941, amended 1978, 2001 and 339.120, RSMo 1941, amended 1963, 1967, 1981, 1988, 1993, 1995, 1999, 2004.*