

BEFORE THE BOARD OF REALTY REGULATION
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the amendment of)
ARM 24.210.401 and 24.210.801 fee)
schedule, 24.210.666 and 24.210.834)
course provider, 24.210.667,)
24.210.674, and 24.210.677)
continuing real estate education, and)
24.210.835, 24.210.840, and)
24.210.843 continuing property)
management education)

NOTICE OF PUBLIC HEARING ON
PROPOSED AMENDMENT

TO: All Concerned Persons

1. On May 29, 2014, at 11:00 a.m., a public hearing will be held in the Large Conference Room, 4th Floor, 301 South Park Avenue, Helena, Montana, to consider the proposed amendment of the above-stated rules.

2. The Department of Labor and Industry (department) will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Realty Regulation (board) no later than 5:00 p.m., on May 23, 2014, to advise us of the nature of the accommodation that you need. Please contact Marilyn Willson, Board of Realty Regulation, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; telephone (406) 841-2320; Montana Relay 1 (800) 253-4091; TDD (406) 444-2978; facsimile (406) 841-2323; e-mail dlibsdrre@mt.gov.

3. GENERAL STATEMENT OF REASONABLE NECESSITY: The board determined it is reasonably necessary to rewrite the continuing education program rules to streamline the process and eliminate unnecessary confusion. The board appointed a task force to recommend rule changes to the board that would eliminate duplication of the course and instructor approval processes. The task force also suggested amendments that will connect the course and instructor applications to eliminate confusion when instructor and course approvals expire at different times. The board is proposing these amendments to implement the recommendations, now that the task force review is complete.

4. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

24.210.401 FEE SCHEDULE (1) through (14) remain the same.
(15) Continuing education course and instructor application for approval or
renewal 130 150
~~(16) Education course instructor application for approval or~~

renewal

87.50

(17) through (24) remain the same, but are renumbered (16) through (23).

AUTH: 37-1-131, 37-1-134, 37-51-203, MCA

IMP: 37-1-131, 37-1-134, 37-1-141, 37-51-202, 37-51-204, 37-51-207, 37-51-301, 37-51-302, 37-51-303, 37-51-305, 37-51-308, 37-51-309, 37-51-311, 37-51-502, MCA

REASON: The board determined it is reasonable and necessary to amend the fees for property management continuing education course applications to align with other proposed amendments that combine the course and instructor applications into one. Raising the course application fee slightly reflects the additional processing, reviewing, and monitoring involved in a more complex application. Eliminating the instructor application and fee reduces revenue that would cover the processing, reviewing, and monitoring of a separate application. The board estimates the fee changes in this rule and ARM 24.210.801 will affect 259 course and instructor applicants and result in approximately \$4,710 less annual revenue.

24.210.666 COURSE PROVIDER (1) through (3) remain the same.

(4) All continuing education courses administered by a board-approved provider must be scheduled on the board's electronic education calendar not less than 30 days prior to the course offering.

(5) The course provider must provide course and instructor evaluation forms approved by the board to each attending licensee. A board representative may collect the forms and forward them to the board office.

(6) The course provider must maintain courses and instructor evaluations for two years from the date of the course. The board may request copies of the course and instructor evaluations and the provider must provide them to the board.

(7) The course provider must verify attendance of each licensee and must supply each attending licensee with a course completion certificate.

(8) A board representative may at no charge audit any board-approved courses for rule compliance.

(9) All continuing education course providers must report licensee attendance at approved continuing education offerings to the board within 20 days of the course offering.

(10) The course provider must report all education attendance in a format approved and provided by the board.

(11) Failure to accurately and timely provide attendance information to the board may result in withdrawal of the course provider approval.

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-204, 37-51-302, MCA

REASON: The board is amending this rule to clearly reflect the duties and responsibilities of course providers. The board is adding (4) to require that all approved courses are scheduled on the board's electronic education calendar to provide a single location for licensees to find education programs in their region or

on subjects of interest. This change will also provide more immediate information to licensees regarding the availability of courses and the providers associated with course offerings.

The board is relocating course provider responsibilities from ARM 24.210.667, the general continuing real estate education rule, to (5) and (7) through (11) of this rule, which specifically address course provider duties and responsibilities. While these duties and responsibilities are already in place, the board concluded that relocating the provisions will make it easier and simpler for course providers to find and determine their duties and responsibilities. This change will also address potential confusion regarding whether general subsections only apply to licensees in general, rather than course providers, since there are subsections on course provider duties and responsibilities in the real estate education rules.

The board is adding (6) to require course providers to retain copies of course and instructor evaluations for two years, and submit them to the board upon request. This change will give the board the necessary tools to investigate possible course and instructor impropriety, as the board may ask providers to send copies of evaluations to help determine the existence of inaccurate information or substantiate accusations.

24.210.667 CONTINUING REAL ESTATE EDUCATION (1) Each active licensee is required to annually complete a board-mandated core education course of a length established by the board every year. The board-mandated core education does not apply to meeting the continuing education requirement provided for in (2), except as provided in ~~(48)~~ (11) and ~~(49)~~ (12).

(2) In addition to the board-mandated core education course, each active licensee is required to complete a minimum of 12 hours of continuing real estate education every year, at least four hours of which must be from mandatory topics identified by the board.

(3) through (5) remain the same.

~~(6) The required hours shall be in real estate related courses approved by the board.~~

~~(7) (6)~~ By August 1 of each year, the board will identify topics in which the required hours of education must be obtained for the following reporting year. The board, in its discretion, may adjust the topics at any time. ~~A minimum of four hours must come from the mandatory topics identified by the board.~~

(8) and (9) remain the same, but are renumbered (7) and (8).

~~(10) The course provider must supply each licensee with a course completion certificate and student evaluation form approved by the board and must verify attendance of each licensee.~~

~~(11) Course and instructor evaluation forms approved by the board must be provided and may be collected by a board representative and forwarded to the board office.~~

~~(12) A board representative may, at no charge, audit all board-approved courses for rule compliance.~~

~~(13) All continuing education course providers must report licensee attendance at approved continuing education offerings to the board within 20 days of the course offering.~~

~~(14) The course provider must report all education attendance in a format approved and provided by the board.~~

~~(15) Failure to accurately and timely provide attendance information to the board could result in withdrawal of the course provider approval.~~

~~(16) (9) All continuing education courses must be taken and completed within the reporting period, except as provided under law for lapsed or expired licenses.~~

~~(17) through (21) remain the same, but are renumbered (10) through (14).~~

AUTH: 37-1-131, 37-1-136, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-141, 37-1-306, 37-1-319, 37-51-202, 37-51-204, MCA

REASON: The board is amending this rule to move the requirement of four mandatory education hours to (2), as this section is more applicable to the subject of hourly requirements.

It is reasonably necessary to relocate the course provider requirements in (10) through (15) of this rule to ARM 24.210.666, the specific rule on real estate course provider duties and responsibilities.

The board is amending (9) to add an exception to the requirement for completing all continuing education during the licensing year for lapsed or expired licenses. The law allows a lapsed or expired license to be reinstated by meeting continuing education requirements prior to license reinstatement and this change iterates what currently exists in statute.

24.210.674 CONTINUING REAL ESTATE EDUCATION - COURSE

APPROVAL (1) Requests for approval of a continuing real estate education course must be made on forms approved by the board or its designee and submitted at least ~~30~~ 60 days prior to the date of the intended course, with payment of the required fee.

(2) remains the same.

(3) Course applications must provide, at a minimum:

(a) course name;

(b) course topic;

(c) number of hours requested;

(d) timed outline in five-minute increments;

(e) learning objectives/outcomes;

(f) complete instructor application for each course; and

(g) rating of the degree of difficulty of the course based on the following criteria:

(i) Basic: These activities will be instructional for all licensees, regardless of their level of experience.

(ii) Intermediate: These activities build beyond the basic by introducing new material.

(iii) Advanced: These activities are specialized and challenging. They go beyond the instruction of new material at an intermediate level.

(3) through (7) remain the same, but are renumbered (4) through (8).

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-202, 37-51-204, MCA

REASON: The board determined it is reasonably necessary to amend the application deadline in (1) from 30 to 60 days, as it is unrealistic to expect the board to fully review an application and determine if approval is appropriate within 30 days. The board meets every six to eight weeks and the 60-day deadline will provide more time for proper board review.

The board is adding (3) to clearly set forth in rule the minimum documentation required on a course application. Currently, the minimum requirements are set forth in the application forms, with the exception of the rating of difficulty for each course. The board is adding this rating of degree of course difficulty to provide licensees more information when choosing courses. Licensees may be looking for a basic course on a new subject, or for a more advanced class that offers a higher level of instruction. This new requirement will allow the licensee to take an education course that is of an appropriate difficulty level and will benefit and advance their knowledge of a subject.

24.210.677 CONTINUING REAL ESTATE EDUCATION - INSTRUCTOR APPROVAL (1) Request for approval of a continuing education instructor must be made on forms approved by the board or its designee and submitted with a course application at least ~~30~~ 60 days prior to the date of the intended instruction ~~with~~ payment of the required fee.

~~(2) The initial approval of an instructor will be in effect for the remainder of that calendar year, and the next calendar year in its entirety, expiring on December 31. Approval may be revoked for cause.~~

~~(3)~~ (2) Approved real estate continuing education instructors must have:

~~(a) at least a bachelor's degree in a field traditionally associated with the subject matter of real estate or current experience or qualifications approved by the board; or~~

~~(b) a designated real estate instructor or other nationally-recognized instructor designation.~~

(a) five years of experience in real estate sales, a current broker license, and evidence of prior adult learner teaching or training (training manager of a large office, trainer of another license type, DREI or CREI), or an education degree; or

(b) five years of practice in the area of the instruction topic.

(3) Approved supervising broker preendorsement instructors must have:

(a) three years as a supervising broker, completed either the trust account or broker preendorsement course, and evidence of prior adult learner teaching, training (training manager of a large office, trainer of another license type, or DREI), or an education degree; or

(b) five years of practice in the area of the instruction topic.

(4) Approved core course instructors must have a current approval as a real estate instructor and complete the board-sponsored core course Train-the-Trainer.

(4) remains the same, but is renumbered (5).

(5) (6) Instructor approval will be for ~~specific topics~~ a course and will not carry over to other ~~topics of education~~ courses. An instructor must make application for each ~~topic~~ course and may not be deemed approved for other ~~topics~~ courses, without approval from the board or its designee.

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-202, 37-51-204, MCA

REASON: The board is amending the course approval application deadline in ARM 24.210.674 from 30 to 60 days, as it is unrealistic to expect the board to fully review an application and determine if approval is appropriate within 30 days. The board meets every six to eight weeks and the 60-day deadline will provide more time for proper board review. The board is striking (2) to eliminate the separate instructor approval period, because the instructor application is being combined with the course application and the expiration of those approvals will be the same.

The board determined it is reasonably necessary to amend instructor qualifications to inform educators, licensees, and the general public what is considered acceptable experience or other qualifications. Current rules allow the board to determine qualifications on an individual basis, which can result in arbitrary approval or denial. Setting out minimum instructor qualifications, while recognizing practical experience as a viable means to gain approval, will provide necessary information to education instructors, providers, and licensees in determining who is eligible to teach continuing education and what criteria will be used to evaluate the applicant.

The instructor application will now be reviewed for approval in concert with the course application for the course the instructor will teach. Instructor approval will be for a specific course instead of a more general topic. The board is amending (6) to clarify that each course and instructor are tied together and the approved instructor, and no other person, is approved to teach that specific course. Each course application must now also include a corresponding instructor application.

24.210.801 FEE SCHEDULE (1) through (10) remain the same.

(11) Continuing education course application 430 150

~~(12) Education course instructor application for approval~~
or renewal 87.50

(13) through (17) remain the same, but are renumbered (12) through (16).

AUTH: 37-1-134, 37-51-203, MCA

IMP: 37-1-134, 37-1-141, 37-51-207, MCA

REASON: The board determined it is reasonable and necessary to amend the fees for property management education course applications to align with other proposed amendments that combine the course and instructor applications into one. Raising the course application fee slightly reflects the additional processing, review, and monitoring involved in a more complex application. Eliminating the instructor application and fee reduces revenue that would cover the processing, reviewing, and monitoring of a separate application. The board estimates the fee changes in this

rule and ARM 24.210.401 will affect 259 course and instructor applicants and result in approximately \$4,710 less annual revenue.

24.210.834 COURSE PROVIDER (1) through (3) remain the same.

(4) All continuing education courses administered by a board-approved provider must be scheduled on the board's electronic education calendar not less than 30 days prior to the course offering.

(5) The course provider must provide course and instructor evaluation forms approved by the board to each attending licensee. A board representative may collect the forms and forward them to the board office.

(6) The course provider must maintain courses and instructor evaluations for two years from the date of the course. The board may request copies of the course and instructor evaluations and the provider must provide them to the board.

(7) The course provider must verify the attendance of each licensee and must supply each attending licensee with a course completion certificate.

(8) A board representative may at no charge audit any board-approved courses for rule compliance.

(9) All continuing education course providers must report licensee attendance at approved continuing education offerings to the board within 20 days of the course offering.

(10) The course provider must report all education attendance in a format approved and provided by the board.

(11) Failure to accurately and timely provide attendance information to the board could result in withdrawal of the course provider approval.

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-204, ~~37-51-302~~, 37-51-603,
MCA

REASON: The board has determined it is reasonable and necessary to amend the course provider rules to clearly reflect the duties and responsibilities of the course provider. The requirement that all approved courses must be scheduled on the electronic education calendar on the board's web site will give licensees a single source to locate education programs in their region or on subjects of interest. This will provide more immediate information to licensees regarding the availability of courses and the providers associated with course offerings.

The board is relocating course provider responsibilities from ARM 24.210.835, the general continuing property management education rule, to (5) and (7) through (11) of this rule, which specifically addresses property management course provider duties and responsibilities. While these duties and responsibilities are already in place, the board concluded that relocating the provisions will make it easier and simpler for course providers to find and determine their duties and responsibilities. This change will also address potential confusion regarding whether general subsections only apply to licensees in general, rather than course providers, since there are subsections on course provider duties and responsibilities in the property manager education rules.

The board is adding (5) to require that evaluations be provided to the students. Evaluations are intended to provide feedback to instructors/providers and help improve class quality. This amendment also specifies that when board representatives audit a class, they may collect evaluations and send them to the board office. These provisions reflect current board procedures for quality assurance and compliance, but were not previously set forth in rule.

The board is adding (6) to require course providers to retain copies of course and instructor evaluations for two years, and submit them to the board upon request. This change will give the board the necessary tools to investigate possible course and instructor impropriety, as the board may ask providers to send copies of evaluations to help determine the existence of inaccurate information or substantiate accusations.

It is reasonable and necessary to add (8) and clearly state that the board is allowed to, and may at no charge audit any board-approved course offerings to ensure compliance with rules, attendance procedures, and course content. This provision reflects current board procedures for quality assurance and compliance, but was not previously set forth in rule.

The board is amending the implementation citations to accurately reflect all statutes implemented through the rule.

24.210.835 CONTINUING PROPERTY MANAGEMENT EDUCATION

(1) Each active licensee is required to annually complete a board-mandated core education course of the length established by the board every year. The board-mandated core education does not apply to meeting the continuing education requirement provided for in (2), except as provided in ~~(16)~~ (10) and ~~(17)~~ (11).

(2) In addition to the board-mandated core education course, each active licensee is required to complete a minimum of 12 hours of board-approved continuing property management education every year, at least four hours of which must be from mandatory topics identified by the board.

(3) remains the same.

(4) Courses completed after the renewal deadline will result in a late renewal and penalty, regardless of when the licensee submits the renewal application.

(4) remains the same, but is renumbered (5).

~~(5) The required hours shall be in courses approved by the board.~~

(6) By August 1 of each year, the board will identify topics in which the required hours of education must be obtained. The board, in its discretion, may adjust the topics at any time. ~~A minimum of four hours must come from the mandatory topics identified by the board.~~

(7) remains the same.

~~(8) The course provider must supply each licensee with a course completion certificate and student evaluation form approved by the board and must verify attendance of each licensee.~~

~~(9) The course provider must provide board-approved course and instructor evaluation forms to course attendees. A board representative may collect the forms and forward them to the board office.~~

~~(10) A board representative may, at no charge, audit all board-approved courses for rule compliance.~~

~~(11) All continuing education course providers must report licensee attendance at approved continuing education offerings to the board within 20 days of the course offering.~~

~~(12) The course provider must report all education attendance in a format approved and provided by the board.~~

~~(13) Failure to accurately and timely provide attendance information to the board could result in withdrawal of the course provider approval.~~

(14) (8) All continuing education courses must be taken and completed within the reporting period, except as provided under law for lapsed or expired licenses. No carryover hours will be accepted from one reporting period to another, except as provided in ARM 24.210.829.

(15) through (19) remain the same, but are renumbered (9) through (13).

AUTH: 37-1-131, 37-1-136, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-141, 37-1-306, 37-1-319, 37-51-202, 37-51-204, MCA

REASON: The board is amending this rule to move the requirement of four mandatory education hours to (2), as this section is more applicable to the subject of hourly requirements.

It is reasonably necessary to relocate the course provider requirements in (8) through (13) of this rule to ARM 24.210.834, the rule that specifically addresses property management course provider duties and responsibilities.

The board is adding (4) to clarify the applicability of late renewal penalties for courses completed after renewal deadlines and mirror the same requirement for continuing real estate education already included in ARM 24.210.667. The board notes that this provision was inadvertently omitted from this rule in a previous rule project.

The board is amending (8) to add an exception to the requirement for completing all continuing education during the licensing year for lapsed or expired licenses. The law allows a lapsed or expired license to be reinstated by meeting continuing education requirements prior to license reinstatement and this change iterates what currently exists in statute.

24.210.840 CONTINUING PROPERTY MANAGEMENT EDUCATION - COURSE APPROVAL (1) Requests for approval of a continuing property management education course must be made on forms approved by the board or its designee and submitted at least ~~30~~ 60 days prior to the date of the intended course, with payment of the required fee.

(2) remains the same.

(3) Course applications must provide, at a minimum:

(a) course name;

(b) course topic;

(c) number of hours requested;

(d) timed outline in five-minute increments;

(e) learning objectives/outcomes;

(f) complete instructor application for each course; and

(g) rating of the degree of difficulty of the course based on the following criteria:

(i) Basic: These activities will be instructional for all licensees, regardless of their level of experience.

(ii) Intermediate: These activities build beyond the basic by introducing new material.

(iii) Advanced: These activities are specialized and challenging. They go beyond the instruction of new material at an intermediate level.

(3) through (6) remain the same, but are renumbered (4) through (7).

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-202, 37-51-204, MCA

REASON: The board determined it is reasonably necessary to amend the application deadline in (1) from 30 to 60 days, as it is unrealistic to expect the board to fully review an application and determine if approval is appropriate within 30 days. The board meets every six to eight weeks and the 60-day deadline will provide more time for proper board review.

The board is adding (3) to clearly set forth in rule the minimum documentation required on a course application. Currently, the minimum requirements are set forth in the application forms, with the exception of the rating of difficulty for each course. The board is adding this rating of degree of course difficulty to provide licensees more information when choosing courses. Licensees may be looking for a basic course on a new subject, or for a more advanced class that offers a higher level of instruction. This new requirement will allow the licensee to take an education course that is of an appropriate difficulty level and will benefit and advance their knowledge of a subject.

24.210.843 CONTINUING PROPERTY MANAGEMENT EDUCATION - INSTRUCTOR APPROVAL (1) Request for approval of a continuing education instructor must be made on forms approved by the board or its designee and submitted with a course application at least ~~30~~ 60 days prior to the intended instruction ~~with payment of the required fee.~~

~~(2) The initial approval of an instructor will be in effect for the remainder of that calendar year and the next calendar year in its entirety, expiring December 31. Approval may be revoked for cause.~~

~~(3)~~ (2) Approved property management instructors must have:

~~(a) at least a bachelor's degree in a field traditionally associated with the subject matter of property management or current experience or qualifications approved by the board; or~~

~~(b) a designated real estate instructor or other nationally recognized instructor designation.~~

(a) five years of experience in property management, a current property management license, evidence of prior adult learner teaching or training (training manager of a large office, trainer of another license type, DREI or CREI), or an education degree; or

(b) five years of practice in their area of instructional topic.

(3) Approved core course instructors must have current approval as a property management instructor and complete the board-sponsored core course Train-the-Trainer.

(4) and (5) remain the same.

AUTH: 37-1-131, 37-1-319, 37-51-203, MCA

IMP: 37-1-131, 37-1-306, 37-1-319, 37-51-202, MCA

REASON: The board is amending the course approval application deadline in ARM 24.210.840 from 30 to 60 days, as it is unrealistic to expect the board to fully review an application and determine if approval is appropriate within 30 days. The board meets every six to eight weeks and the 60-day deadline will provide more time for proper board review. The board is striking (2) to eliminate the separate instructor approval period, because the instructor application is being combined with the course application and the expiration of those approvals will be the same.

The board determined it is reasonably necessary to amend instructor qualifications to inform educators, licensees, and the general public what is considered acceptable experience or other qualifications. Current rules allow the board to determine qualifications on an individual basis, which can result in arbitrary approval or denial. Setting out minimum instructor qualifications, while recognizing practical experience as a viable means to gain approval, will provide necessary information to education instructors, providers, and licensees in determining who is eligible to teach continuing education and what criteria will be used to evaluate the applicant.

The instructor application will now be reviewed for approval in concert with the course application for the course that the instructor will teach. Instructor approval will be for a specific course instead of a more general topic. This proposed amendment clarifies that each course and instructor are tied together and the approved instructor, and no other person, is approved to teach that specific course. Each course application must now also include a corresponding instructor application.

5. Concerned persons may present their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Board of Realty Regulation, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2323, or e-mail to dlibsdrr@mt.gov, and must be received no later than 5:00 p.m., June 6, 2014.

6. An electronic copy of this notice of public hearing is available at www.realestate.mt.gov (department and board's web site). The department strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the department strives to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical

problems, and that technical difficulties in accessing or posting to the e-mail address do not excuse late submission of comments.

7. The board maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this board. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding all board administrative rulemaking proceedings or other administrative proceedings. The request must indicate whether e-mail or standard mail is preferred. Such written request may be sent or delivered to the Board of Realty Regulation, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513; faxed to the office at (406) 841-2323; e-mailed to dlibsdrre@mt.gov; or made by completing a request form at any rules hearing held by the agency.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

9. With regard to the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.210.401 and 24.210.801 will significantly and directly impact small businesses.

With regard to the requirements of 2-4-111, MCA, the board has determined that the amendment of ARM 24.210.666, 24.210.667, 24.210.674, 24.210.677, 24.210.834, 24.210.835, 24.210.840, and 24.210.843 will not significantly and directly impact small businesses.

Documentation of the board's above-stated determinations is available upon request to the Board of Realty Regulation, 301 South Park Avenue, P.O. Box 200513, Helena, Montana 59620-0513, by facsimile to (406) 841-2323, or e-mail to dlibsdrre@mt.gov.

10. Gene Allison, attorney, has been designated to preside over and conduct this hearing.

BOARD OF REALTY REGULATION
C.E. "ABE" ABRAMSON,
PRESIDING OFFICER

/s/ DARCEE L. MOE
Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY
Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State April 28, 2014