



Title 09

DEPARTMENT OF
LABOR, LICENSING,
AND REGULATION

Real Estate Empower, Inc.
www.rempower.com

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 01 General Regulations

Authority: Business Occupations and Professions Article, §§17-208, 17-303, and 17-528, Annotated Code of Maryland

09.11.01.01

.01 Amount of Brokerage Agreed Upon.

A. Each listing contract or sales contract shall state the amount of brokerage agreed upon, in either a specific amount or a specific percentage.

B. The licensee may not accept a listing contract to sell real property that provides for a net return to the seller, leaving the licensee free to sell the real property at a price higher than the net price.

09.11.01.02

.02 Broker as Principal and Agent.

A broker may not act as principal and agent in the same transaction without consent of all parties concerned.

09.11.01.03

.03 Prior Acts or Conduct.

For administrative efficiency, renewal applications which are filed properly shall be processed automatically. Renewal of a license therefore may not affect the power of the Commission to bring charges for prior acts or conduct.

09.11.01.04

.04 Failure to Renew License.

A licensee who fails to renew his license as required under Business Occupations and Professions Article, §17-314, Annotated Code of Maryland, following the date of expiration of licensure shall be reexamined before a new license may be issued.

09.11.01.05

.05 Experience Requirement for Broker's License.

An individual who demonstrates by evidence satisfactory to the Commission that he has actively, regularly, and lawfully engaged in real estate practice as a licensed salesperson or broker in good standing for at least 3 years preceding submission of the application in Maryland or any other jurisdiction of the United States, the District of Columbia, or United States territories, may be deemed to have satisfied the 3 years experience as a salesman required for licensure as a broker.

09.11.01.06

.06 Submission of Credit Report.

An applicant for an original real estate broker's license shall submit a credit report from an approved credit reporting agency. The credit report shall include a statement of the applicant's personal background with respect to lawsuits, judgments, and the moral character of the applicant.

09.11.01.07

.07 Records of Transactions.

Licenses shall maintain adequate records of all real estate transactions engaged in by them as licensed real estate brokers or salesmen. If a licensee has custody or possession of money belonging to others, in the absence of proper written instructions from the parties involved in the transaction to the contrary, these funds may not be intermingled with funds belonging to the licensee, but rather they shall be deposited and retained as required in a non-interest-bearing escrow account clearly designated as containing funds held for others. The records of transactions, including bank accounts or deposits referred to in these regulations, shall be available during usual business hours for inspection by the Commission, its field representatives, or other employees.

09.11.01.08

.08 Surrender by Broker of License of Salesmen under Broker's Control.

Upon the request or death of a real estate salesman or real estate associate broker, or after a hearing before the Commission and upon a finding by the Commission that the license of a real estate salesman or real estate associate broker should be suspended or revoked, a real estate broker shall surrender to the Commission, promptly on demand, any real estate salesman's license or real estate associate broker's license issued by the Commission that may be in the possession or control of the broker. A broker's willful refusal or failure to comply with a demand by the Commission to surrender a salesman's license or associate broker's license shall render the broker liable to the suspension or revocation of his license, as the Commission may find proper.

09.11.01.09

.09 Establishing an Escrow or Special Account.

A. A real estate broker shall maintain a non-interest-bearing escrow or special account and report the bank's name and account number to the Commission as soon as trust monies are received. If a licensee establishes another non-interest-bearing or special escrow account, changes his escrow account number, or transfers the account to another bank, he shall notify the Commission in writing within 10 days after the action.

B. The establishment of individual interest-bearing accounts, as provided under Business Occupations and Professions Article, §17-505, Annotated Code of Maryland, and accounts which earn interest to benefit the Maryland Housing Resource Corporation, as provided under Business Occupations and Professions Article, §17-506, need not be reported to the Commission as long as records are maintained for each account and available for inspection by Commission personnel during regular business hours.

09.11.01.10

.10 Change of Business Location.

When a licensed broker changes his business location, he shall notify the Commission in writing within 10 days.

09.11.01.11

.11 Instruction in Real Estate Principles and Practices for Salespersons.

A. Course of Instruction.

(1) Every applicant for licensure as a real estate salesperson shall furnish, at the time of filing an application for licensure, evidence of having satisfactorily completed a course of instruction in Real Estate Principles and Practices for Salespersons.

(2) This course of instruction shall be one of the following:

(a) The Realtors Institute of Maryland (G. R. I.) Course "I" consisting of a minimum of 60 clock-hours of instruction as described under §B of this regulation, sponsored by the Maryland Association of Realtors;

(b) A course approved by the Maryland Real Estate Commission, consisting of a minimum of 60 clock-hours of instruction.

B. The minimum 60 clock-hour educational requirement effective October 1, 1998, for a salesperson, shall embrace the following areas of study:

(1) Principles of Real Property;

(2) Landlord-Tenant Relationship;

(3) Real Estate Contracts;

(4) Rules of Agency and Listings;

(5) Transfer of Title to Real Property;

(6) Title Insurance and Settlements;

(7) Fundamentals of Appraising;

(8) Real Estate Finance;

(9) Maryland Real Estate License Law;

(10) Regulations of the Real Estate Commission;

(11) Details of the Code of Ethics;

(12) Laws and Practices Covering Human Rights and Community Relations;

(13) Basic Mathematics Pertaining to the Real Estate Industry;

(14) Property Condition Disclosure;

(15) Laws and Regulations Covering Hazardous Substances.

C. Any subjects other than those set out in §B of this regulation shall be in addition to, and not be taught as a part of, the minimum 60 clock-hour course requirements.

D. Courses required by this regulation are not interchangeable with the requirements for brokers spelled out in Regulation .14 of this chapter. Likewise, the separate course for brokers required by Regulation .14 will not be accepted as satisfactory completion of the education requirements for salespersons, as set forth in this regulation.

E. An individual who demonstrates by evidence satisfactory to the Commission active and regular engagement in real estate practice as a licensed real estate salesperson in a jurisdiction other than Maryland for at least 3 of the 5 years immediately preceding submission of an application may be considered to have satisfied the educational requirement for a salesperson set forth in this regulation if the prelicensing education requirements of that jurisdiction are equivalent to or greater than those of Maryland.

F. Effective July 1, 1995, applicants who have passed both parts of the licensing exam shall apply for licensure within 1 year of successfully completing the exam in order for the applicants' test results to remain valid.

G. Applicants who have completed the 45-hour course before January 1, 1996, shall successfully complete both portions of the exam on or before January 1, 1996, or be subject to the additional 15-hour requirement.

09.11.01.12

.12 Residential Listing Contracts to be in Writing and Signed.

All residential listing contracts, listing real property for sale, rental, lease, or exchange, either exclusive or open, shall be in writing and signed, and a copy of the contract shall be given to the seller or owner before the licensee advertises, shows, or offers the property.

09.11.01.13

.13 Place of Business for Real Estate Broker.

The definite place of business required by Business Occupations and Professions Article, §17-507, Annotated Code of Maryland, shall be an office or headquarters where the real estate broker and his employees regularly transact the business of a real estate broker. The records of the brokerage business, including the records of the escrow account, shall be kept in this office or headquarters. The Real Estate Commission may not consider an answering service, a mechanical message recording device or a mail drop, singly or in combination, to satisfy the requirements of an office under Business Occupations and Professions Article, 17-517, 17-518, and 17-520.

09.11.01.14

.14 Instruction in Real Estate Principles & Practice for Brokers.

A. Course of Instruction.

(1) Every applicant for licensure as a real estate broker shall furnish, at the time of filing an application for licensure, evidence of having satisfactorily completed a course of instruction in Real Estate Principles and Practices for Brokers.

(2) This course of instruction shall be one of the following:

(a) The Realtors Institute of Maryland (G. R. I.) Courses "I", "II", "III", and "IV", consisting of a minimum of 135 clock-hours or 9 semester credit hours of instruction as described under §D, below, sponsored by the Maryland Association of Realtors; or

(b) A course approved by the Maryland Real Estate Commission consisting of 135 clock-hours or 9 semester credit hours of instruction.

B. A semester credit hour is defined as not less than 15 standard 50-minute classroom hours of instruction.

C. The current 135 clock-hour or 9 semester credit hour minimum educational requirement effective January 1, 1979, for broker, shall substantially embrace the following areas of study:

(1) The concept of private property in relation to the constitutional powers of the federal and State governments, such as their powers of eminent domain, taxation, police powers, and escheat;

(2) Types of Property;

(3) Types of Property Interests and Restrictions;

(4) Methods of Transferring Real Property Interests;

(5) Transfer Instruments, such as Deeds, Leases, Contracts of Sale, Assignments;

(6) Financing of Real Estate Transactions;

(7) The Mortgaging Process;

(8) Settlements, including the Mathematics of Real Estate Transactions;

(9) The Role of the Real Estate Agent, including Principles of Agency, Licensing Laws, and Ethics;

(10) Real Estate Development, including Governmental Assistance Programs, Zoning, and other Governmental Restrictions on Land Development;

(11) Real Estate Appraisal;

(12) Real Estate Management;

(13) Human Relations Aspects, including study of Fair Housing Laws and effect of undesirable practices such as Exploitation, Steering, Blockbusting, Prejudicial Solicitation and related activities;

(14) Basic mathematics pertaining to the real estate industry;

(15) Real Estate Securities and Syndication;

(16) Advanced Commercial Property;

- (17) Legal and License Law Update;
- (18) Advanced Commercial Real Estate Financing;
- (19) Creative Real Estate Financing;
- (20) Advanced Sales and Leasing of Industrial Property;
- (21) Relations to the Public and Proper and Ethical Advertising;
- (22) Advanced Real Estate Office Management and Administration;
- (23) Real Estate Exchanging;
- (24) State and Federal Tax Laws;
- (25) Condominium Sales, Resales and Time-Sharing Programs;
- (26) Advanced Real Property Management;
- (27) New Home Subdivision Marketing.

D. Any subjects other than those set out in §C of this regulation shall be in addition to, not substituted for, the minimum 135 clock-hour requirement.

E. Courses required by this regulation are not interchangeable with the requirements for salesman established in Regulation .11 of this chapter. Also, the separate course for salesman required by Regulation .11 will not be accepted as satisfactory completion of the education requirements for broker as set forth in this regulation.

F. Waiver of Educational Requirement for Broker. An individual who demonstrates by evidence satisfactory to the Commission that he has actively and regularly engaged in real estate practice as a licensed real estate broker in a jurisdiction other than Maryland for at least 3 of the 5 years immediately preceding submission of his application may be deemed to have satisfied the educational requirement for broker.

G. An applicant who has successfully completed both portions of the licensing exam shall apply for licensure within 1 year of successfully completing the exam in order for the applicant's test results to remain valid. All applicants who have successfully completed both portions of the licensing exam more than 1 year before the effective date of this section shall apply for licensure not later than January 1, 1998.

09.11.01.15

.15 Granting of Real Estate Salesman's License.

If, when making original application for licensure as a real estate salesperson, the applicant furnishes the Commission with evidence satisfactory to the Commission of having first completed the basic course in real estate required by Business Occupations and Professions Article, §17-303, Annotated Code of Maryland, the applicant shall be granted a real estate salesperson's license.

09.11.01.16

.16 Form of Licensee's Reply to Commission's Written Inquiries.

A licensee shall reply in writing to the Commission within 20 days of receipt of written inquiries directed to the licensee by the Commission. Failure to reply in this way may be considered by the Commission to be a violation of Business Occupations and Professions Article, §17-322(a)(25), Annotated Code of Maryland, for which revocation or suspension of the license can be imposed.

09.11.01.17

.17 Instruction in Human Relations Aspect of Real Estate.

The basic course of instruction required of salesmen by Business Occupations and Professions Article, §17-303(d), Annotated Code of Maryland, shall include instruction in the human relations aspect of the practice of real estate, including study of fair housing laws and effect of undesirable practices, such as exploitation, steering, blockbusting, prejudicial solicitation, discriminatory practices, misleading advertising, and related activities.

09.11.01.18

.18 Amount of Compensation Recoverable from Real Estate Guaranty Fund.

The amount of compensation recoverable by a claimant from the Real Estate Guaranty Fund, pursuant to Business Occupations and Professions Article, Title 17, Subtitle 4, Real Estate Guaranty Fund, Annotated Code of Maryland, shall be restricted to the actual monetary loss incurred by the claimant, but may not include monetary losses other than the monetary loss from the originating transaction. Actual monetary losses may not include commissions owed to a licensee of this Commission acting in his capacity as either a principal or agent in a real estate transaction, or any attorney's fees the claimant may incur in pursuing or perfecting the claim against the guaranty fund.

09.11.01.19

.19 Use of Trade Names.

A. For the purpose of this regulation, the following terms have the meanings indicated.

B. Definitions.

(1) "Advertising" means all oral, written, and visual advertising done by the licensee or by others on behalf of the licensee including telephone solicitation by individuals or by machine.

(2) "Licensee" means a real estate broker, associate broker, or salesperson licensed by the Real Estate Commission.

(3) "Trade name" means trademark or service mark, company name or business name, irrespective of whether the licensee needs to obtain permission from another person or entity who has an existing or continuing right in that trademark or service mark by virtue of any State or federal law.

C. Licensee Using Trade Name.

(1) In the advertising of or contracting for any real estate brokerage services defined under Business Occupations and Professions Article, §17-101, Annotated Code of Maryland, a licensee using a trade name shall clearly and unmistakably include in the advertisement or contract his name or trade name, as registered

with the Commission, to insure that his identity is meaningfully and conspicuously displayed to members of the general public.

(2) A licensee using a trade name on a for-sale sign, business card, office sign, sales contract, listing contract, or other document relating to real estate activities as defined under Business Occupations and Professions Article, §17-101, Annotated Code of Maryland, shall clearly and unmistakably include on any of these documents his name, or trade name, as registered with the Commission.

D. Any licensee who is in the course of oral communication with another person (whether in person or by telephone), shall clearly and unmistakably include in the communication his name, or trade name, as registered with the Commission, to insure that his identity is meaningfully and conspicuously made known to that person.

09.11.01.20

.20 Escrow Account Signators.

A real estate broker shall be a signator or at least one of the signators on checks which may be drawn on escrow accounts which, under Business Occupations and Professions Article, Title 17, Subtitle 5, Part I, Annotated Code of Maryland, this real estate broker is required to maintain at all times. This real estate broker may designate an alternate signator to sign checks, and this designated alternate signator shall be a licensee. A nonlicensed person may be a cosignator on the broker's escrow account, provided all checks are also cosigned by a designated licensee.

09.11.01.21

.21 Disposition of Deposit Monies Held by Licensees.

In any transaction in which a licensee has custody or possession of funds which belong to others, in the absence of a provision to the contrary, in the contract of sale, rental lease, option agreement, or other similar type of document, and a dispute arises as to the disposition of these funds by and between the parties to the transaction, the licensee shall:

A. Hold these funds until he or she has releases signed by all parties to the transaction authorizing disposition of the funds;

B. File a bill of interpleader in the proper court in the county or Baltimore City, as the case may be, thereby causing these funds to be deposited in the registry of this court; or

C. Hold these funds until such time as one of the parties to the transaction files suit and the court in which this suit is filed orders the disbursement of these funds, whichever event under the purview of B and C of this regulation shall first occur.

09.11.01.22

.22 Time Limitation for Filing Complaints.

The Commission may summarily dismiss any complaint brought against a licensee after 3 years from the date of the written listing contract, contract of sale, lease agreement, option, or actions upon which the complaint is based, unless the Commission finds that the complainant's delay in bringing the complaint was justified and that the delay does not result in an undue burden for the licensee.

09.11.01.23

.23 Interest on Guaranty Fund Reimbursements.

A. Unless revoked by a final order of the Commission, a licensee is suspended by operation of law under Business Occupations and Professions Article, §17-412, Annotated Code of Maryland, upon payment from the Guaranty Fund due to the conduct of a licensee. The Commission may not consider any application for reinstatement until the amount paid from the Fund because of that conduct is repaid in full, plus 12 percent interest from the time payment is made, under Business and Professions Article, §17-411(a), Annotated Code of Maryland.

B. For purposes of this regulation only, the term "application for reinstatement" may include a written request for reissuance of a license at the discretion of the Commission.

09.11.01.24

.24 REPEALED.

09.11.01.25

.25 Ownership Disclosure.

A. A licensee shall furnish to the Commission full information regarding an ownership interest held by the licensee in entities providing real estate brokerage services, together with the licensee's renewal application.

B. A licensee acquiring or disposing of ownership interest in an entity providing real estate brokerage services during the licensing period shall furnish to the Commission full information regarding the resulting ownership interest within 30 days of the change in ownership.

C. A new licensee shall furnish to the Commission full information regarding an ownership interest held by the new licensee in entities providing real estate brokerage services, at the time of application for the license.

09.11.01.26

.26 Examinations.

A. An applicant for a real estate broker, associate broker, or salesperson's license who has passed one part of the two-part licensing exam shall have 1 year from the date of passing that part in which to pass the second part of the exam. If the applicant fails to pass the second part within that time period, the applicant shall retake the first part.

B. All applicants for a salesperson's license who did not successfully complete both portions of the exam on or before December 31, 1995, shall satisfactorily complete the additional 15 hours of prelicensing education as required by Regulation .11G of this chapter before taking the required parts of the exam.

09.11.01.9999

Administrative History

Effective dates:

Regulations .01—.03 effective March 16, 1967

Regulation .04 amended effective May 12, 1976 (3:10 Md. R. 529)

Regulations .05—.07 effective March 16, 1967

Regulation .06 amended effective February 19, 1975 (2:4 Md. R. 227); repealed effective October 26, 1981 (8:21 Md. R. 1706)

Regulation .06 adopted effective October 7, 1985 (12:20 Md. R. 1925)

Regulation .07 amended effective June 15, 1987 (14:12 Md. R. 1349)

Regulation .08 amended effective August 20, 1968

Regulation .09 effective March 16, 1967; amended effective October 26, 1981 (8:21 Md. R. 1706)

Regulation .10 effective July 13, 1967

Regulation .11 effective December 31, 1967

Regulation .11 amended effective February 19, 1975 (2:4 Md. R. 227)

Regulation .12 effective January 31, 1968

Regulation .13 amended effective February 19, 1975 (2:4 Md. R. 227); May 11, 1977 (4:10 Md. R. 766); October 26, 1981 (8:21 Md. R. 1706); June 17, 1985 (12:12 Md. R. 1162)

Regulation .13A amended effective August 18, 1976 (3:17 Md. R. 915)

Regulation .14 effective April 19, 1970

Regulation .15 effective June 29, 1970

Regulation .16 amended effective July 31, 1972; December 16, 1977 (4:26 Md. R. 2023); October 26, 1981 (8:21 Md. R. 1706); June 17, 1985 (12:12 Md. R. 1162)

Regulation .16B amended effective February 19, 1975 (2:4 Md. R. 227)

Regulation .16C amended effective August 18, 1976 (3:17 Md. R. 915)

Regulation .17 effective June 29, 1970

Regulation .18 effective October 1, 1970

Regulation .19 effective February 1, 1971; repealed effective October 26, 1981 (8:21 Md. R. 1706)

Regulations .20—.21 effective April 25, 1972; repealed effective October 26, 1981 (8:21 Md. R. 1706)

Regulation .22 effective July 31, 1972

Regulation .23 effective January 15, 1975 (2:3 Md. R. 152)

Regulation .23 amended as an emergency provision effective February 22, 1977 (4:6 Md. R. 504)

Regulation .23 effective June 25, 1977 (4:13 Md. R. 1030); September 22, 1978 (5:19 Md. R. 1445)

Regulation .23 amended as an emergency provision effective September 24, 1980 (7:21 Md. R. 1987); adopted permanently effective February 6, 1981 (8:3 Md. R. 226)

Regulation .23 amended effective September 28, 1981 (8:19 Md. R. 1565)

Regulation .23 amended as an emergency provision effective February 7, 1983 (10:6 Md. R. 535); emergency status extended at 10:8 Md. R. 720 and 10:14 Md. R. 1257; emergency status expired October 1, 1983 (Emergency regulations are temporary and not printed in COMAR)

Regulation .23 amended as an emergency provision effective August 11, 1983 (10:18 Md. R. 1605); adopted permanently effective November 7, 1983 (10:22 Md. R. 1965)

Regulation .23 deleted pursuant to State Government Article, §7-209(l), Annotated Code of Maryland, having been found unconstitutional by the United States District Court for the District of Maryland

Regulation .24 amended effective January 5, 1977 (4:1 Md. R. 18) (adopted as Regulation .31); May 24, 1982 (9:10 Md. R. 1020)

Regulation .25 adopted effective August 31, 1977 (4:18 Md. R. 1397)

Regulation .26 adopted effective September 22, 1978 (5:19 Md. R. 1445)

Regulation .27 adopted effective February 8, 1980 (7:3 Md. R. 263)

Regulation .28 adopted effective September 5, 1980 (7:18 Md. R. 1739)

Regulation .28 repealed and new .28 adopted effective November 18, 1985 (12:23 Md. R. 2215)

Regulation .29 adopted effective September 5, 1980 (7:18 Md. R. 1739); repealed effective May 24, 1982 (9:10 Md. R. 1020)

Regulation .29 adopted effective November 18, 1985 (12:23 Md. R. 2215)

Chapter revised effective June 11, 1990 (17:11 Md. R. 1342)

Regulation .04 amended as an emergency provision effective February 27, 1992 (19:6 Md. R. 669); emergency status extended at 19:16 Md. R. 1466 (August 7, 1992); emergency status expired February 3, 1993

Regulation .11 amended effective January 1, 1996 (22:10 Md. R. 706); February 22, 1999 (26:4 Md. R. 273)

Regulation .14G adopted effective November 17, 1997 (24:23 Md. R. 1609)

Regulation .23 amended effective April 13, 1992 (19:7 Md. R. 745)

Regulation .24 repealed as an emergency provision effective January 1, 1999 (26:1 Md. R. 17); repealed permanently effective May 3, 1999 (26:9 Md. R. 730)

Regulation .25 adopted effective October 7, 1996 (23:20 Md. R. 1421)

Regulation .26 adopted as an emergency provision effective May 3, 1996 (23:11 Md. R. 807); adopted permanently effective November 4, 1996 (23:22 Md. R. 1495)

Regulation .26B amended effective February 22, 1999 (26:4 Md. R. 273)

09.11.02.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 02 Code of Ethics

**Authority: Business Occupations and Professions Article, §§17-207 and 17-208,
Annotated Code of Maryland**

09.11.02.01

.01 Relations to the Public.

- A. The licensee shall remain informed of matters affecting real estate in the community, the State, and the nation.
- B. The licensee shall be informed on current market conditions in order to be in a position to advise clients as to the fair market price.
- C. The licensee shall protect the public against fraud, misrepresentation, or unethical practices in the real estate field. The licensee shall endeavor to eliminate in the community any practices which could be damaging to the public or to the dignity and integrity of the real estate profession. The licensee shall assist the commission charged with regulating the practices of brokers, associate brokers, and salespersons in this State.
- D. The licensee shall make a reasonable effort to ascertain all material facts concerning every property for which the licensee accepts the agency, in order to fulfill the obligation to avoid error, exaggeration, misrepresentation, or concealment of material facts.
- E. The licensee, acting as agent, may not discriminate in the sale, rental, leasing, trading, or transferring of property to any person or group of persons because of race, color, creed, religion, national origin, sex, handicap, or familial status.
- F. The licensee may not be a party to the naming of a false consideration in any document.
- G. Advertisement.
- (1) The licensee in advertising shall be especially careful to present a true picture. A broker may not advertise without disclosing the broker's name or the company name as it appears on the license. A broker may not permit associate brokers or salespersons to use individual names unless the connection with the broker is obvious in the advertisement.
- (2) Effective October 1, 2004, an associate broker or salesperson may not use an individual telephone number or email address in an advertisement, as defined in Business Occupations and Professions Article, §17-527.2(a)(3), Annotated Code of Maryland, unless the identified telephone number of the broker or branch office manager also appears in the advertisement.
- H. For the protection of all parties with whom the licensee deals, the licensee shall see to it that financial obligations and commitments regarding real estate transactions are in writing, expressing the exact agreement

of the parties, and that copies of these agreements are placed in the hands of all parties involved within a reasonable time after the agreements are executed.

I. All real estate documents shall be signed by a licensee in the licensee's own name, and may not be signed in the name of a group or team.

09.11.02.02

.02 Relations to the Client.

A. In accepting employment as an agent, the licensee shall protect and promote the interests of the client. This obligation of absolute fidelity to the client's interest is primary, but it does not relieve the licensee from the statutory obligations towards the other parties to the transaction.

B. In justice to those who place their interests in the licensee's care, the licensee shall endeavor always to be informed regarding laws, proposed legislation, governmental orders, and other essential information and public policies which affect those interests.

C. A licensee may not accept compensation from more than one party to a transaction without the full knowledge of all the parties.

D. Disclosure Requirement.

(1) The licensee may not acquire an interest in, or purchase, personally, for any member of the licensee's immediate family, for the licensee's firm, for any member of the firm, or for any entity in which the licensee has any ownership interest, property listed with the licensee or the licensee's firm without making the licensee's true position known to the listing owner. In selling or leasing property in which the licensee, the licensee's firm, or any member of the licensee's immediate family or the licensee's firm has an ownership interest, the licensee shall reveal that interest in writing to all parties to the transaction.

(2) A licensee who provides real estate brokerage services in a group or team shall have the same disclosure requirement of §D(1) of this regulation with regard to unlicensed members of the group or team as the licensee has with regard to members of the licensee's firm.

E. When acting as agent in the management of property, the licensee may not accept any commission, rebate, or profit on expenditures made for an owner without the owner's knowledge and consent.

F. Competitive Market Analysis.

(1) A licensee may prepare a competitive market analysis of a specific property for a client, prospective client, or customer. The analysis shall include the following statement printed conspicuously and without change on the first page:

COMPETITIVE MARKET ANALYSIS DISCLOSURE

This analysis is not an appraisal. It is intended only for the purpose of assisting buyers or sellers or prospective buyers or sellers in deciding the listing, offering, or sale price of the real property.

(2) If a licensee includes a property in which the licensee has an interest as one of the comparables, that fact shall be disclosed to the client, prospective client, or customer.

G. The licensee may not submit or advertise property without authority. In any offering, the price quoted may not be other than that agreed upon with the owners as the offering price.

H. If more than one formal written offer on a specific property is made before the owner has accepted an offer, all formal written offers presented to the licensee, whether by a prospective purchaser or another broker, shall be transmitted to the owner for a decision.

I. Unexcused failure to ensure that a prospective purchaser has the real property disclosure statement or disclaimer statement in hand before the submission of an offer to purchase may be considered a violation of the licensee's obligation to protect and promote the interests of the licensee's client when this failure could result in a contract becoming void or voidable.

09.11.02.03

.03 Relations to Fellow Licensees.

A. The agency of a licensee who holds an exclusive listing, shall be respected.

B. The licensee shall cooperate with other brokers on property listed by the licensee exclusively whenever it is in the interest of the client, and share commissions on a previously agreed basis. Negotiations concerning property listed exclusively with one broker shall be carried on solely with the listing broker.

C. Signs giving notice of property for sale, rent, lease, or exchange may not be placed on any property without the owner's prior consent.

09.11.02.9999

Administrative History

Effective date:

Regulation .01A—D amended effective March 17, 1976 (3:6 Md. R. 358); May 1, 2000 (27:8 Md. R. 798)

Regulation .01C repealed May 12, 1976 (3:10 Md. R. 529)

Regulation .01C adopted effective June 9, 1976 (3:12 Md. R. 643)

Regulation .01E amended effective October 23, 1968

Regulation .01E amended effective March 17, 1976 (3:6 Md. R. 358); May 1, 2000 (27:8 Md. R. 798)

Regulation .01F—H amended effective March 17, 1976 (3:6 Md. R. 358)

Regulation .02A—C amended effective March 17, 1976 (3:6 Md. R. 358)

Regulation .02D amended effective June 23, 1972

Regulation .02D amended effective March 17, 1976 (3:6 Md. R. 358); May 1, 2000 (27:8 Md. R. 798)

Regulation .02E—I amended effective March 17, 1976 (3:6 Md. R. 358)

Regulation .02F, G amended effective January 8, 2001 (27:26 Md. R. 2357)

Regulation .02J adopted as an emergency provision effective January 6, 1994 (21:2 Md. R. 94); emergency status expired July 1, 1994; adopted permanently effective July 18, 1994 (21:14 Md. R. 1228)

Regulation .03 amended effective March 17, 1976 (3:6 Md. R. 358)

Regulation .03A amended effective October 12, 1981 (8:20 Md. R. 1634)

Regulation .03C repealed effective October 12, 1981 (8:20 Md. R. 1634)

Chapter revised effective May 1, 2000 (27:8 Md. R. 798)

Regulation .01G amended effective April 26, 2004 (31:8 Md. R. 645)

Regulation .01I adopted effective April 11, 2005 (32:7 Md. R. 678)

Regulation .02 amended effective July 19, 2004 (31:14 Md. R. 1078)

Regulation .02D amended effective April 11, 2005 (32:7 Md. R. 678)

Regulation .02F, G amended effective January 8, 2001 (27:26 Md. R. 2357)

09.11.03.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 03 Hearing Regulations

Authority: Business Occupations and Professions Article, §17-208, Annotated Code of Maryland

09.11.03.01

.01 Hearings Before the Commission.

A. Except as otherwise provided in §§B, C, D, and E of this regulation, all contested case hearings before the Commission are governed by COMAR 09.01.02.

B. A hearing shall be conducted before a designated hearing panel of three members of the Commission convened pursuant to Business Occupations and Professions Article, §17-325, Annotated Code of Maryland.

C. The panel shall have a chairman who shall conduct the hearing and, in consultation with counsel, make all rulings on procedure and evidence.

D. The chairman of a panel in an exceptions hearing may impose reasonable time limitations for the arguments presented by the parties.

E. The panel may dismiss an application case without holding a hearing if the applicant fails to appear at the scheduled time after receiving proper notice.

F. The panel may dismiss an appeal without holding a hearing if the person who filed exceptions to the proposed order fails to appear at the scheduled time after receiving proper notice.

09.11.03.02

.02 Hearings Delegated to the Office of Administrative Hearings.

Except as otherwise provided in Regulation .03 of this chapter, all contested case hearings delegated to the Office of Administrative Hearings are governed by COMAR 09.01.03.

09.11.03.03

.03 Discovery.

A. A party in a contested case hearing may receive discovery of facts from the Commission if the party makes a request to that effect at least 15 days before the hearing date.

B. If a timely request is not made, any objection based on surprise or insufficiency of the notice shall be deemed waived.

09.11.03.04

.04 Claims Against the Guaranty Fund.

A. A guaranty fund claim shall be based on the alleged misconduct of a licensee.

B. For the purpose of a guaranty fund claim, misconduct:

(1) Is an action arising out of a real estate transaction involving real estate located in this State which causes actual loss by reason of theft or embezzlement of money or property, or money or property unlawfully obtained from a person by false pretense, artifice, trickery, or forgery, or by reason of fraud, misrepresentation, or deceit;

(2) Is performed by an unlicensed employee of a licensed real estate broker or by a duly licensed real estate broker, associate broker, or salesperson; and

(3) Involves conduct for which a license is required by Business Occupations and Professions Article, Title 17, Annotated Code of Maryland.

09.11.03.9999

Administrative History

Effective date: July 12, 1973

Regulation .01B amended effective May 24, 1982 (9:10 Md. R. 1020)

Regulation .01E amended effective November 23, 1981 (8:23 Md. R. 1855)

Regulation .01 amended effective June 17, 1985 (12:12 Md. R. 1163)

Regulation .02E, F, and I amended effective June 20, 1983 (10:12 Md. R. 1072)

Regulation .03 amended effective June 17, 1985 (12:12 Md. R. 1163)

Regulation .03D and E amended effective April 13, 1992 (19:7 Md. R. 745)

Regulation .04 amended effective September 14, 1981 (8:18 Md. R. 1479); June 17, 1985 (12:12 Md. R. 1163)

Regulations .01—.04 repealed and new Regulations .01—.04 adopted effective March 1, 2004 (31:4 Md. R. 314)

09.11.04.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 04 Time Share Regulations

Authority: Business Occupations and Professions Article, §16-208, Annotated Code of Maryland

09.11.04.01

.01 Application for Registration.

- A. Application for registration as a time share developer shall be made on forms provided by the Commission at the offices of the Commission. The application shall contain all of the documents and information required.
- B. A surety bond submitted with the application for registration shall be written on a form furnished by the Commission displaying the name of the principal on the bond as it appears on the application of the developer.
- C. The statutory fee shall accompany the application as well as any other items deemed relevant by the Commission to determine that the statutory or regulatory standards or prerequisites have been met. These items may include credit reports, personal references, abstracts of title, and the like.
- D. If, within 30 days after receiving an application, the Commission determines that any prerequisite for registration has not been met, the Commission shall return the application to the applicant with a statement specifying the deficiencies in the application, provided, that if the commission has reason to believe that the application may readily be put into proper form, it may retain the application and notify the applicant of the steps which shall be taken to correct the deficiencies.
- E. Denial of an application on other than technical grounds will be communicated to the applicant by at least first class mail at the address stated on the application. The denial notice will inform the applicant that the applicant may file a written request for a hearing on the denial before a Hearing Panel of the Commission. If a hearing is requested, the applicant shall be notified in writing of the time, date, and place of the hearing, which will be mailed so as to give the applicant 10 days' notice.

F. At all stages of the proceeding, the burden of affirmatively showing that the standards and requirements established by statute or by regulation have been met or complied with shall rest on the applicant. Parties to the proceeding will be the applicant and the Commission. Other persons may not participate in the proceeding except that the Commission may, in its discretion, allow any person to file a written statement or memorandum addressing the issues.

G. If the applicant does not appear for a hearing after notice as provided in these regulations, and without a postponement, then the applicant has not met the burden established in § F of this regulation.

H. Order of Proceeding at Hearing. The manner and order of proceeding at the hearing is as follows:

- (1) The Assistant Attorney General assigned to the Commission for the purpose will introduce the case stating its present posture including evidence to support the denial of the application.
- (2) The applicant will then proceed to present to the Commission any matters which the applicant deems relevant to the issue of registration.
- (3) After the applicant has presented relevant matters to the Commission, the Commission may ask for a response by way of argument, testimony, or exhibits by the Assistant Attorney General.
- (4) After the response, if any, the applicant may be allowed a rebuttal addressed to those matters raised in the Assistant Attorney General's response.
- (5) The testimony and evidence will then be deemed closed and the Panel may, in its discretion, accept or request closing comments in the same order as the evidence, or instead of comments, or in addition to comments, may accept or request written memoranda or statements.
- (6) If the parties agree, the case may proceed on a statement of facts. In that event, the Commission may call for the production of evidence or testimony to clarify the issues.

09.11.04.02

.02 Rules of Procedure for Revocation or Suspension of Registration.

The regulations of the Commission governing rules of procedure for revocation or suspension of licenses contained in COMAR 09. 01.03.03 shall apply to registration of time share developers.

09.11.04.03

.03 Records of Transactions.

A. The developer shall maintain records of the names and addresses of licensed real estate brokers, employees, or independent contractors employed by it for the purpose of sales of time share estates in Maryland, and make those records available to the Commission upon request.

B. Purchase Money.

- (1) The developer shall maintain a surety bond in accordance with the schedule set forth in Real Property Article, § 11A-116, Annotated Code of Maryland.

(2) The penalty of bond shall reflect the amount of purchase money held by the developer, his agents, employees, licensed real estate brokers or independent contractors engaged by the developer resulting from the sale of time share estates in Maryland.

(3) The developer shall make available to the Commission, upon its request, all records concerning the amount of purchase money held by the developer, his agents, employees, or independent contractors.

(4) The Commission may request a developer to submit a certified statement from a certified public accountant with respect to purchase money obtained by or on behalf of the developer.

C. The developer shall maintain records of all transactions regarding the sale of time share estates sold in Maryland. The records shall include copies of the contract of sale, mortgage deed of trust, and documentation reflecting the disposition of purchase money obtained directly from the purchaser, or from the developers' agents, employees, licensed real estate brokers or independent contractors engaged by the developer.

D. A time share estate may not be offered for sale until the developer has forwarded to the Commission a list of all the estates, including the address, type of estate, and the nature of any encumbrance existing on the property.

09.11.04.04

.04 General Regulations.

A. A promise, assertion, representation, or statement of fact or opinion in connection with a time share marketing activity may not be made which is false, inaccurate, or misleading by reason of inclusion of an untrue statement of a material fact or omission of a statement of a material fact relative to the actual or intended characteristics, circumstances, or features of the time share project or time share estate.

B. There may not be indication or assertion by a developer that an improvement will be built or placed in a time share project and be made available for use by purchasers of a time share estate unless the developer has sufficient financial assets and bona fide intention to complete the improvement represented.

C. A promise, assertion, representation, or statement of fact or opinion made in connection with a time share marketing activity relating to the sale of time share estates in a project located in this State, may not, by its terms, induce, solicit, or encourage a prospective purchaser to leave Maryland for the purpose of executing a contract for sale or performing some other act which would create a legal or equitable interest in a time share estate, when to do so would circumvent the provisions of Maryland law.

D. A time share developer, real estate broker, salesman, or any other person may not advertise or represent that the Real Estate Commission has approved or recommended any time share project or estate offered for sale.

09.11.04.9999

Administrative History

Effective date: November 7, 1983 (10:22 Md. R. 1965)

09.11.05.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 05 Supervision

**Authority: Business Occupations and Professions Article, §§17-208 and 17-320,
Annotated Code of Maryland**

09.11.05.01

.01 Definitions.

Supervision means direction and review by the:

- A. Broker of professional real estate activities by associate brokers, designated sales managers and salespersons associated with that brokerage, regardless of the type of work relationship existing between them;
- B. Broker of the supervisory activities of each branch office manager; and
- C. Branch office manager of professional real estate activities by the associate brokers and salespersons registered with that office.

09.11.05.02

.02 Requirement of Supervision.

- A. A broker shall exercise reasonable and adequate supervision over the activities of the broker's associate brokers and salespersons.
- B. A branch office manager shall exercise reasonable and adequate supervision over the activities of the associate brokers and salespersons registered with that office.
- C. The exercise of reasonable and adequate supervision as defined in this chapter may not be construed or deemed to create an employer/employee relationship between the broker and licensed associated brokers and licensed salespersons under the broker's supervision, or to alter the status of an individual as an independent contractor.

09.11.05.03

.03 Reasonable and Adequate Supervision.

- A. Initially, the operations characteristics of the brokerage firm shall be considered by determining the:

- (1) Number of licensed salespersons and associate brokers affiliated with the broker;
- (2) Number of branch offices and salespersons assigned to each office;
- (3) Number of management personnel in each office;
- (4) Normal and routine working days and hours of the broker and management personnel;
- (5) Type of real estate activities of firm.

B. Factors to be considered in determining whether supervision is reasonable and adequate include, but are not limited to, the following:

- (1) Availability of:
 - (a) Training or education sessions held regularly at least once every 2 months;
 - (b) Experienced supervisory personnel to review and discuss:
 - (i) Contract provisions;
 - (ii) Brokerage agreement provisions; and
 - (iii) Advertising;
 - (c) Written procedures and policies which provide clear guidance in the following areas:
 - (i) Proper handling of deposit monies and other funds in accordance with Business Occupations and Professions Article, §§17-501—17-508, Annotated Code of Maryland;
 - (ii) Compliance with federal, State, and local fair housing laws and regulations;
 - (iii) Advertisement requirements applicable to real estate transactions;
 - (iv) Review of contracts, leases, and brokerage agreements upon execution by all parties to the contract, lease, or brokerage agreement;
 - (v) Use and limitations of unlicensed personal assistants;
 - (vi) Disclosure of agency relationships by licensees in residential real estate transactions;
 - (vii) Distribution and dissemination of information on new or changed requirements in real estate laws and regulations enacted by local, State, and federal governments and regulatory agencies;
 - (viii) The obligation of all licensees to comply with all applicable provisions of Business Occupations and Professions Article, Title 17, Annotated Code of Maryland (the Maryland Real Estate Brokers Act), the Code of Ethics as adopted and as amended from time to time by the Commission, and all applicable local, State, and federal laws and regulations;
 - (ix) Requirements, restrictions, and limitations applicable to the sale or lease of real property personally owned by a licensee and the purchase or lease of real property by a licensee for the licensee's personal use; and

- (x) The unauthorized practice of law by a licensee; and
 - (2) Evidence of:
 - (a) Records of attendance at sales meetings;
 - (b) Review by the broker, branch office manager, or designee of the broker or branch office manager of contracts of sale, leases, and brokerage agreements executed by all parties to the contract, lease, or brokerage agreement;
 - (c) Review by the broker, branch office manager, or designee of the broker or branch office manager of advertisements to be placed by licensees affiliated with the broker;
 - (d) Compliance with the written policies and procedures as specified in §B(1)(c) of this regulation; and
 - (e) Dissemination of the written policies and procedures as specified in §B(1)(c) of this regulation to licensees affiliated with the broker.
- C. On a showing that the broker has not provided reasonable and adequate supervision in the areas under §B of this regulation, the burden of proof shall be on the broker to show that the supervision which the broker did provide was reasonable and adequate.

09.11.05.9999

Administrative History

Effective date: March 21, 1988 (15:6 Md. R. 739)

Chapter revised effective September 17, 2001 (28:18 Md. R. 1620)

09.11.06.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 06 Continuing Education

**Authority: Business Occupations and Professions Article, §§17-208 and 17-315,
Annotated Code of Maryland**

09.11.06.01

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "Approved continuing education course" means a continuing education course approved by the Commission.
- (2) "Classroom instruction" means the art or science of teaching in a space:
 - (a) Exclusively used for instructing during periods of instruction;
 - (b) Which is conducive to learning; and
 - (c) Where an assigned instructor is present.
- (3) "Commission" means the State Real Estate Commission.
- (4) "Continuing education course" means a course related to real estate taught by a qualified instructor who is experienced in the real estate industry through:
 - (a) Classroom instruction; or
 - (b) A design and delivery system for distance learning instruction.
- (5) "Course" means classroom or distance learning instruction of 11/2 clock hours, but not more than 6 clock hours.
- (6) "Course related to real estate" means a course which covers one or more of the following topics:
 - (a) Federal, State, or local legislative issues;
 - (b) Antitrust law;
 - (c) Fair housing law;
 - (d) Real estate ethics or professional standards;
 - (e) Disclosure;
 - (f) Professional enhancement for practicing licensees; and
 - (g) Technology relating to real estate brokerage services.
- (7) Distance Learning Instruction.
 - (a) "Distance learning instruction" means the art or science of teaching where:
 - (i) The instructor and student may be separated by distance and time;
 - (ii) Equipment may be needed to communicate the content; and
 - (iii) The content is specifically developed for this form of instruction.

(b) Distance learning methods include:

(i) Remote access satellite;

(ii) Closed circuit video;

(iii) Computer;

(iv) Disk;

(v) CD-ROM;

(vi) Internet;

(vii) World Wide Web;

(viii) Correspondence/home study;

(ix) Audiotape;

(x) Videotape; and

(xi) Any other delivery system approved by the Commission.

(8) "Provider" means one of the following entities conducting teaching:

(a) The Maryland Association of Realtors, Inc., or its member boards;

(b) The Real Estate Brokers of Baltimore City, Inc.;

(c) A similar professional association; or

(d) An educational institution approved by the Maryland Higher Education Commission.

09.11.06.02

.02 Prior Approval.

A. A course related to real estate is acceptable for credit as a continuing education course under Business Occupations and Professions Article, §17-315, Annotated Code of Maryland, only if the Commission approves the form, substance, and subject matter of the course before the course is given.

B. A provider of a distance learning course shall obtain approval of the technical aspects of a course from an entity recognized by the Commission in the field of technical expertise before submitting the course to the Commission for review of its substance and subject matter.

C. A provider shall furnish within 10 business days of a request any additional documentation that the Commission may require to complete its review.

09.11.06.03

.03 Distance Learning.

A. In a distance learning course, if the provider and the student are separated by space and time:

(1) The provider technical staff:

(a) May answer student questions about technical support and delivery method; but

(b) May not answer questions about content; and

(2) The assigned instructor shall respond to questions from students about course content within 2 business days.

B. To receive distance learning credit toward renewal of a real estate license, a licensee shall take the distance learning courses after the effective date of this regulation and within the 2-year license term.

C. Distance learning instruction programs for precicensing examination preparation may not be used as credit hours for the renewal of a real estate license.

D. The provider shall be responsible for establishing guidelines for the completion of a distance learning course and any specific components of the course.

E. A distance learning instruction course shall include the following requirements:

(1) The student shall complete the instructional module or modules and receive a passing grade on a final examination administered and graded by the approved provider;

(2) The passing grade shall be 70 percent or higher; and

(3) If a student fails initially to achieve a passing score on a final examination, the student shall successfully pass the examination within a time frame set by the provider to use the course for credit toward the continuing education requirement.

F. The provider shall be responsible for obtaining from students who have completed a distance learning course the following affirmation: "I (name of student) affirm that I have personally completed every requirement of the course and that I have not provided any aspect of the course to others."

09.11.06.04

.04 Certificate of Completion.

A licensee who takes an approved continuing education course to qualify for license renewal shall submit with the renewal application the required certificate of completion on request of the Commission.

09.11.06.05

.05 Limitation on Hours.

Clock hours on the topic of technology relating to real estate brokerage services may not exceed 3 clock hours of the total biennial requirement of continuing education instruction.

09.11.06.9999

Administrative History

Effective date: July 5, 1993 (20:13 Md. R. 1046)

Regulation .01B amended effective June 30, 1997 (24:13 Md. R. 930)

Regulation .04 adopted effective June 30, 1997 (24:13 Md. R. 930)

Chapter revised effective April 26, 2004 (31:8 Md. R. 646)

09.11.07.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 07 Residential Property Disclosure/Disclaimer Statement

Authority: Business Occupations and Professions Article, §17-208; Real Property Article, §10-702; Annotated Code of Maryland

09.11.07.01

.01 Residential Real Property Disclosure/Disclaimer Statement.

In accordance with the provisions of Real Property Article, §10-702, Annotated Code of Maryland, a model disclosure/disclaimer statement provided by the Maryland Real Estate Commission shall be used in all applicable residential real property transactions.

09.11.07.02

.02 Guidelines.

A. A licensed broker, associate broker, or salesperson acting as a listing agent for a seller should obtain a written residential property condition disclosure statement or a written residential property disclaimer statement at the time the licensed broker, associate broker, or salesperson obtains the listing on the property.

B. The listing agent should provide the disclosure statement or disclaimer statement to the prospective purchaser or to the selling or cooperating agent assisting the purchaser promptly upon notification that an offer is going to be made. If the listing agent does not know in advance that an offer is to be made, the listing agent should provide the disclosure statement or disclaimer statement at the time the listing agent receives the written offer.

C. The selling or cooperating agent should make every effort to ensure that the prospective purchaser has the disclosure statement or the disclaimer statement in hand before submission of the offer to purchase the property.

09.11.07.9999

Administrative History

Effective date: January 17, 1994 (21:1 Md. R. 29)

Regulation .01 repealed and new Regulation .01 adopted as an emergency provision effective October 16, 1995 (22:23 Md. R. 1795); adopted permanently effective April 8, 1996 (23:7 Md. R. 551)

Regulation .02 adopted as an emergency provision effective January 6, 1994 (21:2 Md. R. 95); emergency status expired July 1, 1994; adopted permanently effective July 18, 1994 (21:14 Md. R. 1228)

09.11.08.00

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 11 REAL ESTATE COMMISSION

Chapter 08 Agency Relationship Disclosure/Dual Agency Consent

Authority: Business Occupations and Professions Article, §17-528, Annotated Code of Maryland

09.11.08.01

.01 Agency Relationship Disclosure Form/Dual Agency Consent Form.

In accordance with the provisions of Business Occupations and Professions Article, §17-528, Annotated Code of Maryland, model Agency Disclosure and Dual Agency Consent forms provided by the Maryland Real Estate Commission shall be used in all applicable real estate property transactions.

09.11.08.9999

Administrative History

Effective date:

Regulation .01 adopted as an emergency provision effective January 1, 1995 (21:25 Md. R. 2092); emergency status extended at 22:12 Md. R. 897

Regulation .01 adopted as an emergency provision effective December 23, 1995 (23:2 Md. R. 92); emergency status expired April 23, 1996; adopted permanently effective May 20, 1996 (23:10 Md. R. 731)

