

# MAINE STATE LEGISLATURE

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Req (E) Total Courses which qualify for brokers license

32 MRSAs 4103 (1) (E)

32 MRSAs 4101

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DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

December 30, 1976

Senator Bennett D. Katz  
27 Westwood Road  
Augusta, Maine 04330

Dear Senator Katz:

Thank you for your letter of December 14, 1976, requesting a response to the following specific question:

Whether an applicant for a real estate broker's license who has successfully completed an educational program in the field of real estate to prepare students for the real estate profession, which program is conducted by an institution authorized by law to grant a degree, is qualified under 32 M.R.S.A. §4103(1)(E) as an applicant for a real estate broker's or salesman's license, where such educational program is not approved by the Real Estate Commission and is approved by the Department of Education.

Our response to your inquiry is that such an applicant is not qualified under 32 M.R.S.A. §4103(1)(E).

The statute in question specifically provides that the applicant must have satisfactorily completed an educational course in the field of real estate approved by the commission. Title 32 Section 4101-A provides:


The commission shall prescribe curricula and standards for educational programs to prepare students for the real estate profession, and shall issue a certificate of approval to such educational programs

within the State of Maine as meet the requirements of this chapter and of the commission.... Nothing in this section shall be construed to grant the commission any authority over any such programs conducted by the University of Maine, any other public higher educational institution or any institution authorized by law to grant a degree.

The statutory language requires that the commission prescribe curricula and standards and that it issue a certificate of approval to educational programs which meet these requirements. The issuance or non-issuance of a certificate of approval does not constitute the exercise of authority by the Real Estate Commission over a program of a degree-granting institution.

If I can be of further assistance in this matter, please contact me.

Very truly yours,

  
Joseph E. Brennan  
Attorney General

JEB:DPC:js