

Tips on how to succeed in real estate.

# **REAL (Estate) NEWS**

The Gray Systems Newsletter for Florida Real Estate Professionals



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## **ASK FRED**

DBPR is your source for all things real estate

Take advantage of the information provided on the Florida Department of Business and Professional Regulation's web page. It's all designed to make your life as a real estate professional much easier.

Right now you'll find information about upcoming changes to Rule 61J2 -3.009(2), Florida Administrative Code, section 475.451, Florida Statutes, and Rule 61J1-4.009, F.A.C. Be sure to check out future editions of our newsletter to get into these changes in some detail.

Whether you're looking into the status of your license or looking for information about changes in the law, the DBPR wants to help you



Just because an agency says something doesn't mean it's right.

**Question:** : Can an unlicensed person earn a commission in a real estate transaction? Specifically, I was told that the secretary at a real estate agency on the other side of one of my sales is "earning" a commission for referring the buyer to the agency. Is that allowed?

**Answer:** No, it's not allowed and is an excellent question. Section 475.41, F.S., specifically states that no contract for a commission or compensation for any act or service enumerated in section 475.01(3) is valid unless the broker or sales associate has complied with chapter 475 with regard to issuance and renewal of the license at the time the act or service was performed. That means that contracts of unlicensed persons for commissions are invalid. Section 475.01(3), F.S., is deemed to mean the commission of one or more acts described in chapter 475, F.S. as constituting or defining a broker, broker associate, or sales associate. The statute states that an unlicensed person may not receive a commission, so if the secretary is not a broker, broker associate or sales associate, a commission must not be paid to that person.

[Click to read the statute-](#)

Thanks for asking,  
Fred Gray

Take a look now for this warning –



ATTENTION: Please be advised that there is a SCAM being run by a group called the "Florida Board of Realtors", which is sending a "final notice" bill. Please DO NOT pay any bill requested by the "Florida Board of Realtors" group.

[Click to visit the DBPR's web page and to read more on the above warning –](#)

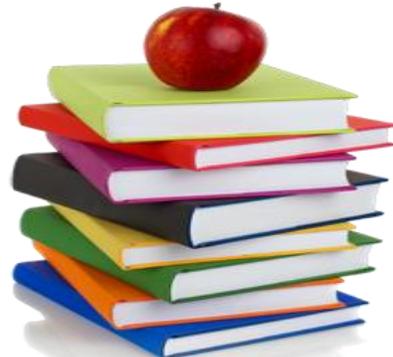
## The Law Spot

Soon you'll be required to earn 3 hours of ethics continuing education as a part of the 14 hours you must complete to maintain your sales associate or broker's

license. Currently you're required to earn 3 core law hours and 11 hours of specialty education. The change will mean you're required to earn 3 core law hours, 3 ethics hours and 8 hours of specialty education. We'll write about in more detail in the months ahead as the Rule takes effect in 2018.

Ethics relates to customs, values and practices of a society or community and are generally considered to be "what is moral." What is found to be morally correct is used as the measuring stick for behaviors that fall outside of what is considered ethically acceptable.

As a real estate professional, you're required to act ethically toward your clients and your profession; also to be considered to be ethical, you're required to be skilled. The mandatory change to Rule 61J2-3.009(2) for real estate licensees will take effect for those whose licenses expire on or after September 30, 2018.



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