

A summary of important law changes is shown below:  
**2003 CHANGES TO CHAPTER 475, FLORIDA STATUTES**

<b>Statute</b>	<b>Brief Description of Change</b>
<b>Chapter 475, Part I - BROKERS AND SALES ASSOCIATES</b>	
475.01(b) et al	Changes term "broker-salesperson" to "broker associate."
475.01(j) et al	Changes term "salesperson" to "sales associate."
475.01(l)	Adds language clarifying that customers are not responsible for the acts of a transaction broker, and that the licensee will not work for one party to the detriment of the other.
475.161	Allows broker associates and sales associates to register with the Department as an individual, as a professional corporation or limited liability company.
475.17(3)(a) 475.17(4)(a)	Increases the scope of subjects authorized to be included in sales associate and broker post-licensing courses.
475.17(7)	Adds language that the Commission may not approve prelicensure or postlicensure distance learning courses by correspondence methods, except in instances of hardship.
475.175(1)(a)	Adds language allowing electronically authenticated applications in addition to notarized applications. Also requires that fingerprints be provided in electronic format after July 1, 2006.
475.182(1)	Adds language that approval or denial of a specialty course must be based on the extent to which the course content focuses on modern real estate practice, including technology.
475.22(1)	Removes the Commission's authority to prescribe the form and minimum dimensions of the broker's entrance sign and establishes the requirements of the sign in the law rather than by rule.
475.23	Added language that a broker or real estate school that changes business address, must file a change notice along with the names of licensees no longer associated with the firm. Such notification also fulfills the change of address notification requirement of licensees of the firm.
475.25(1)(d)1. a.	Allows the FREC to establish circumstances under which a broker may disburse funds from the escrow account without notifying the Commission or employing one of the settlement procedures.
475.25(1)(k)	Permits a broker to maintain up to \$5,000 of personal or brokerage funds in a property management escrow account or up to \$1,000 in a sales escrow account; Gives a broker a reasonable time to correct escrow errors if there is no shortage of funds.
475.25(5)	Establishes a five year statute of limitations for administrative complaints against a real estate licensee.
475.25(6)	Requires the FREC to promptly report to the proper prosecuting authority any criminal violation of any statute relating to the practice of real estate.
475.278(1)(b)	Establishes the presumption that all licensees are operating as transaction brokers unless a single agent or no brokerage relationship is established, in writing, with a customer.
475.278(2)(c)	Deletes the requirement for a licensee to provide a customer with a transaction broker notice after July 1, 2008.

475.278(3)(c)2.	Prescribes a new form for the consent to transition to transaction broker, incorporating the language of the transaction broker notice.
475.31(1)	Establishes that the licenses of sales associates and broker associates who were licensees of a broker whose license has been suspended or revoked will become involuntarily inactive.
475.42(1)(a)	Makes it a third degree felony for an unlicensed person to perform real estate services as described in the law.
475.42(1)(o)	Adds language prohibiting the dissemination of false or misleading information in the sale or leasing of real estate.
475.451(3)	Reduces the minimum number of hours for instructor continuing education from 15 to 7. NOTE: This reduction does not require that the number of hours be reduced. FREC rules still require 15 hours.
475.451(7)	Removes exemption from the instructor examination requirements for persons licensed as an instructor on October 1, 1983.
475.451(4) and (5)	Removed prohibition against a real estate school advertising in connection with an affiliated broker; Removed prohibition against schools advertising a pass-fail ratio on the state exam.
475.421	Repeals section making it a first degree misdemeanor for publishing false or misleading information in connection with real estate sales or leases.
475.422	Repeals the requirement that a licensee furnish recent copies of termite and roof inspection reports in the licensee's possession.
475.482(3) and (b)	Increases the amount at which collections for the recovery fund stop from \$750,000 to \$1 million.
475.483(3)	Requires the FREC to pay a broker's court costs and attorney's fees resulting from a lawsuit over an escrow disbursement order; also requires the FREC to pay the plaintiff's court costs and attorney's fees if the plaintiff wins.
475.484(1)(a) and (b)	Increases the maximum payment from the Recovery fund to one person or from one transaction from \$25,000 to \$50,000. Increases the maximum payment from the Recovery fund for multiple transactions from \$75,000 to \$150,000.
475.5017(2)	Increases the amount a court may order to be disbursed from the recovery fund for the receivership of a brokerage firm from \$75,000 to \$100,000.
<b>Chapter 475, Part II - APPRAISERS</b>	
Various	Changes title of "registered assistant appraiser" to "registered trainee appraiser."
475.611(1)(a)2	Adds "real estate consulting" to the list of activities that constitute an analysis assignment
475.611(1)(a)3	Adds definition for appraisal review assignment.
475.611(1)(c)	Amends definition of appraisal report.
475.611(1)(d)	Adds definition for appraisal review.
475.611(1)(l)	Adds language that the Board will not issue licenses for the "licensed appraiser" category after July 1, 2003.
475.611(1)(m)	Adds language that a registered trainee appraiser may accept appraisal assignments only from her or his primary or secondary supervisor.
475.611(1)(n)	Defines "supervisory appraiser" as a certified appraiser who directly supervises a registered trainee appraiser, who is fully responsible for appraisals and appraisal reports prepared by the trainee.

475.611(1)(p)	Defines "valuation services."
475.611(1)(q)	Defines "work file."
475.612(2)	Changes language from allowing brokers and sales associates to "appraise real estate" to "provide valuation services."
475.612(5)	A full time graduate student enrolled in a degree program under an appraiser's supervision is currently exempt from licensure. The new law removes "or licensed broker" from the list of employers.
475.613(1)	Removes language describing the term of office of the original FREAB members.
475.6175(1)	Requires that registered trainee appraisers complete a postlicensure course prior to the second renewal of the license or the license becomes void. Registered trainee appraisers registered prior to July 1, 2003 must take the educational requirements within the next two biennial renewal cycles.
475.6175(3)	Allows a six month extension for failure to take the required postlicensure course because of physical hardship.
475.618(1)(a)	Removes the requirement of a timed distance learning course examination.
475.618(1)(c)	Allows the Board to authorize independent certification organizations to certify or approve the delivery method of distance learning courses. Course providers must present the certification at the time the course is submitted to the Board for approval.
475.631(1)	Establishes mutual recognition with states that have similar education and experience requirements.
475.631(2)(a)	Requires applicants who are not residents to comply with nonresident procedures, including irrevocable consent form.
475.631(1)(b)	Requires appraiser who move out of state to notify the Board within 60 days and comply with nonresident requirements.