



Ohio Administrative Code

Rule 1301:5-1-06 Broker return of licenses, notification of salesperson termination.

Effective: February 10, 2019

(A) Any principal broker who, for any reason, other than the request of the superintendent, returns the license of a licensee affiliated with the brokerage shall give the licensee notice in writing by hand delivery, mail, facsimile or email within three business days of returning the licensee's license to the division. The principal broker must maintain proof of delivery of the notice to the affiliated licensee and the principal broker shall copy the division on the notice given to the licensee.

(1) The notice of return of the salespersons license shall state that upon return of the licensee's license to the division, the license will be automatically placed in an inactive status and that the superintendent may reactivate the license pursuant to the reactivation requirements of rule 1301:5-1-19 of the Administrative Code. A salespersons license may remain in an inactive status indefinitely provided the salesperson complies with section 4735.14 of the Revised Code.

(2) The notice for return of a brokers license to the division shall state that, upon return of the brokers license to the division, the license will automatically be placed on deposit and that the superintendent may reactivate the license pursuant to the reactivation requirements of rule 1301:5-1-19 of the Administrative Code. A brokers license may remain on deposit with the division indefinitely provided the broker complies with paragraph (B) of rule 1301:5-1-07 of the Administrative Code.

(3) Failure to give such notice to the licensee herein prescribed may be deemed to be evidence of misconduct in violation of division (A)(6) of section 4735.18 of the Revised Code.

(B) Upon receipt of a written request from the superintendent or an affiliated licensee, a principal broker shall immediately return the license of an affiliated licensee. Failure to return the license within three days of the date of the superintendent's written request may be deemed to be evidence of misconduct in violation of division (A)(6) of section 4735.18 of the Revised Code.

(C) Pursuant to division (H) of section 4735.13 of the Revised Code, prior to filing a transfer



application with the division, the licensee shall provide written notice, via hand delivery, mail, facsimile or email to the principal broker, with which the licensee is currently affiliated, that the licensee intends to make application to transfer the licensee's license to another brokerage. The licensee shall certify on the licensee's transfer application that such written notice has been provided to the principal broker.

(D) Pursuant to division (H) of section 4735.13 of the Revised Code, the superintendent may process a licensee's application to transfer from one brokerage to another brokerage, without the return of the licensee's license to the superintendent, if the licensee certifies on the application for transfer that the licensee has provided the brokerage written notification of intent to transfer to another brokerage.