

**Chapter 64. Real Estate Commission.**

12 AAC 64.110(a) is repealed and readopted to read:

*Withdrawn by Agency for  
Part 3 ACR 7/16/2009*

(a) Before March 1, 2010, a real estate broker holding an active license shall establish and maintain a principal office. On or after March 1, 2010, a real estate broker holding an active license shall establish and maintain a principal office in the state. The office in which the broker works and maintains the broker's license is considered the principal office of the broker.

(Eff. 8/6/67, Register 24; am 8/22/79, Register 71; am 12/6/81, Register 80; am 7/16/94,

Register 131; am 2/12/99, Register 149; am 4/24/2009, Register 190; am \_\_\_\_\_,

Register \_\_\_\_\_)

**Authority:** AS 08.88.081 AS 08.88.311 AS 08.88.351  
AS 08.88.291 AS 08.88.321

12 AAC 64 is amended by adding a new section to Article 3 to read:

**12 AAC 64.128. Home offices.** (a) A broker in charge of a principal office who permits an associate broker or a salesperson under the supervision of the broker to work out of a home office that is not a principal office or a branch office, must comply with supervision requirements of 12 AAC 64.125.

(b) An associate broker in charge of a branch office who permits another associate broker or a salesperson under the supervision of the associate broker to work out of a home office that is not a principal office or a branch office, must comply with supervision requirements of 12 AAC 64.125.

(c) An associate broker or salesperson working out of a home office that is not a

principal office or a branch office may not

(1) give the appearance or impression that the home office is a principal office or a branch office;

(2) display a sign at the home office showing the name of the real estate business;

or

(3) use the address of the home office in any form of advertising, business letterhead, or business cards for the real estate business; the address of the principal office or branch office from which the associate broker or salesperson conducts real estate business must be used in the advertising, business letterhead, or business cards for the real estate business.

(Eff. 8/23/09, Register 191)

**Authority:** AS 08.88.291 AS 08.88.311

12 AAC 64 is amended by adding a new section to ~~Article 10 to~~ read:

**12 AAC 64.905. Exceptions to requirements for real estate license.** The exceptions to the requirements of AS 08.88 listed in AS 08.88.900 are limited to the roles or activities specified, and do not allow a person to perform other activities for which a license under AS 08.88.161 <sup>(15)</sup> would be required. (Eff. 8/23/09, Register 191)

**Authority:** AS 08.88.081 AS 08.88.161 AS 08.88.900

ORDER CERTIFYING THE CHANGES TO  
REGULATIONS OF THE REAL ESTATE COMMISSION

The attached two pages of regulations, dealing with offices and exceptions to requirements for real estate license, are hereby certified to be a correct copy of the regulation changes that the Real Estate Commission adopted at its March 12-13, 2009 meeting, under the authority of AS 08.88.081, AS 08.88.161, AS 08.88.291, AS 08.88.311, AS 08.88.321, AS 08.88.351, and AS 08.88.900 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Real Estate Commission paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: March 13, 2009  
Juneau, Alaska

Bradford Cole  
Bradford Cole, Chairman  
Real Estate Commission

Benjamin P. Shier for FILING CERTIFICATION

I, Sean Parnell, Lieutenant Governor for the State of Alaska, certify that on July 24, 2009 at 4:24 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

Sean Parnell for  
Sean Parnell, Lieutenant Governor

Effective: August 23, 2009.

Register: 11, October 2009.

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, SEAN PARNELL, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, as authorized by AS 44.62.080, designate the following state employee to perform the Administrative Procedures Act filing functions of the Lieutenant Governor:

BENJAMIN SHIER, Special Assistant



IN TESTIMONY WHEREOF, I  
have signed and affixed the Seal of  
the State of Alaska, at Anchorage, on  
May 27, 2009.

*Sean Parnell*  
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SEAN PARNELL  
LIEUTENANT GOVERNOR