



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE

OFFICE OF THE COMMISSIONER

PO Box 325

TRENTON, NJ 08625-0325

TEL (609) 633-7667

PHIL MURPHY
Governor

MARLENE CARIDE
Commissioner

SHEILA OLIVER
Lt. Governor

BULLETIN NO. 20-09

TO: ALL LICENSED NEW JERSEY REAL ESTATE LICENSEES, SCHOOL DIRECTORS, INSTRUCTORS, AND OTHER INTERESTED PARTIES

FROM: MARLENE CARIDE, COMMISSIONER

RE: NO ACTION POSITION REGARDING POTENTIAL DISRUPTIONS DUE TO COVID-19

On March 9, 2020, Governor Phil Murphy declared a state of emergency and public health emergency to contain the spread of COVID-19. As Governor Murphy has stated, "The State of New Jersey is committed to deploying every available resource, across all levels of government, to help respond to the spread of COVID-19 and keep our residents informed."

Due to the heightened concern regarding the outbreak of the respiratory disease COVID-19, the Department of Banking and Insurance ("Department") encourages you to continue to meet the needs of your clients while recognizing the potential impact of COVID-19 on the operations of many real estate brokerages, schools, and licensees. We recognize the potential impact of COVID-19 on the employees and operations of many real estate brokerages and will provide appropriate regulatory assistance to affected institutions subject to our supervision.

EDUCATION

The Department recognizes that real estate schools may need to close in response to orders issued by the Department of Health, or due to real estate classes taught in a public school, college, university, or other public building that may have been closed or inaccessible during the state of emergency and public health emergency. While Exec. Order No. 103 (March 9, 2020) N.J.R. ___ ("EO 103") is active, real estate prelicensure courses may be taught in an on-line format, such as in a webinar, a virtual classroom, or by video conferencing. Persons seeking to teach these courses online should direct questions by email to Gwendolyn Cobb, Supervisor of Licensing and Education, at Gwendolyn.Cobb@dobi.nj.gov. Courses must still meet the regulatory requirements regarding length and subject matter.

Visit us on the Web at dobi.nj.gov

New Jersey is an Equal Opportunity Employer • Printed on Recycled Paper and Recyclable

LICENSURE TEST

In the normal course, applicants must pass the licensure test within one year of passing a prelicensure course. While EO 103 is in effect, the Department will evaluate any applications for licensure where the applicant passed the licensure test after one year of passing the prelicensure course. As part of that process, the Department may request the submission of additional documents and undertakings by the requesting applicant or related parties.

LICENSURE APPLICATION

In the normal course, applications for licensure must be submitted within one year following the date an individual passes the real estate prelicensure course. While EO 103 is in effect, the Department will evaluate any applications for licensure that are submitted after one year of passing the real estate prelicensure course. As part of that process, the Department may request the submission of additional documents and undertakings by the requesting applicant or related parties.

This position may be revised or extended at any time at the discretion of the Commissioner and does not constitute a statutory or regulatory exemption from the educational requirement for licensure.

We will continue to process applications and respond to your requests. **Effective immediately and until further notice, all notices, inquiries, and correspondence, must be submitted electronically by email, to the appropriate contacts listed below, rather than by courier, overnight, mail or fax.**

All submissions and inquiries should be directed by e-mail to relic@dobi.nj.gov with copy to:

Gwendolyn Cobb, Supervisor of Licensing and Education, 609-292-7272 or 609-940-7373
Gwendolyn.Cobb@dobi.nj.gov

For other inquiries:

Aurelio Romero, Executive Director of Real Estate, 609-940-7474
Aurelio.Romero@dobi.nj.gov

3/30/20

Date



Marlene Caride
Commissioner

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
NOTICE OF RULE SUSPENSION
PURSUANT TO EXECUTIVE ORDER NO. 103 (MURPHY)(MARCH 9, 2020)
COVID-19 STATE OF EMERGENCY

Temporary Rule Suspension adopted by Marlene Caride, Department of Banking and Insurance

Date: March 30, 2020

Authority: N.J.S.A. App.A:9-45 & App. A:9-47; Exec. Order No. 103 (March 9, 2020) ___ N.J.R. ___ (“EO 103”)

Effective Date: March 30, 2020

Expiration Date: Concurrent with end of EO 103

This is an emergency adoption of a temporary rule suspension of the Department’s Real Estate rules at N.J.A.C. 11:5-2.2(f), N.J.A.C. 11:5-3.6(c), and N.J.A.C. 11:5-3.8(e). Section 6 of EO 103, issued in response to the COVID-19 pandemic, authorizes agency heads to waive/suspend/modify any existing rule, where the enforcement of the rule would be detrimental to the public welfare during the emergency, notwithstanding the provisions of the Administrative Procedure Act or any law to the contrary. Pursuant to that authority, and with the approval of the Governor and in consultation with the State Director of Emergency Management and the Commissioner of the Department of Health, Department of Banking and Insurance is suspending certain rules as follows:

In order to facilitate social distancing and other virus mitigation strategies in real estate offices and schools, licensed under the N.J.S.A. 45:15-1 et seq., the Department is taking the following action:

N.J.A.C. 11:5-2.2(f) requiring that every licensed school maintain a bona fide office open to the public during normal business hours for the purpose of assisting former and current students and meet certain other requirements to adequately serve their students is suspended, so that real estate schools may be able to operate online, if the building where the school is held either closed or is otherwise inaccessible for a reason related to COVID-19. Persons seeking to teach these courses online should direct questions by email to Gwendolyn Cobb, Supervisor of Licensing and Education at Gwendolyn.Cobb@dobi.nj.gov. Courses must still meet the regulatory requirements regarding length and subject matter.

N.J.A.C. 11:5-3.6(c) requiring that salespersons and referral agents pass the examination and apply for a license not later than one year after the date of successful completion of a prelicensure course is suspended. The Department will evaluate any applications for licensure where the applicant

passed the examination after one year of passing the prelicensure course or where the applicant applies for licensure after one year of passing the prelicensure course.

Similarly, N.J.A.C. 11:5-3.8(e), requiring that an applicant for a real estate broker or broker-salesperson license must pass the broker license examination and apply for a license as a broker or broker-salesperson not later than one year after successful completion of prelicensure education requirements is suspended. The Department will evaluate any applications for licensure where the applicant passed the licensure examination after one year of passing the prelicensure course or where the applicant applies for licensure after one year of passing the prelicensure course.

Please note that this Notice may be revised or extended at any time in the discretion of the Commissioner and does not constitute a statutory or regulatory exemption from licensure.

I find that suspension of the rules above is necessary because enforcement of the existing rules would be detrimental to the public welfare during this emergency.



3/30/20

Date

Marlene Caride
Commissioner

Jd COVID 19 Suspensions