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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

February 18, 2010

Michael Weiss, Chair
State Real Estate Commission
c/o Debbie Sopko
2601 North Third Street
Harrisburg, PA 17110

Re: Regulation #16A-5615 (IRRC #2810)
State Real Estate Commission
Initial Licensure Fees

Dear Mr. Weiss:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulatory review criteria that have not been met.

The comments will be available on our website at www.irrc.state.pa.us. If you would like to discuss them, please contact me.

Sincerely,

Kim Kaufman
Executive Director
wbg
Enclosure

cc: Honorable Robert M. Tomlinson, Majority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee
Honorable Michael P. McGeehan, Majority Chairman, House Professional Licensure Committee
Honorable William F. Adolph, Jr., Minority Chairman, House Professional Licensure Committee
Honorable Pedro A. Cortes, Secretary, Department of State
Robert A. Mulle, Esq., Office of Attorney General
Andrew Clark, Esq., Office of General Counsel

Comments of the Independent Regulatory Review Commission



State Real Estate Commission

Regulation #16A-5615 (IRRC #2810)

Initial Licensure Fees

February 18, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the December 19, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Real Estate Commission to respond to all comments received from us or any other source.

Biennial renewal fee categories. – Clarity.

In our review of the fee descriptions in Section 35.203, we noticed an apparent inconsistency. The fee descriptions relating to review of qualifications, initial licensure and change of name or address all include the categories of “builder-owner salesperson” and “time-share salesperson.” However, we could not find these categories in the description of biennial renewal fees. If biennial renewal fees are required for a “builder-owner salesperson” and “time-share salesperson,” we recommend amending the biennial renewal fee description to include them.

Facsimile Cover Sheet



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INDEPENDENT REGULATORY REVIEW COMMISSION
 333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

To: Tom Blackburn
 Cynthia Montgomery
Agency: Department of State
 Licensing Boards and Commissions
Phone: 3-7200
 3-3394 (Cynthia Montgomery)
Fax: 7-0251
Date: February 18, 2010
Pages: 3

Comments: We are submitting the Independent Regulatory Review Commission's comments on the State Real Estate Commission's regulation #16A-5615 (IRRC #2810). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

PROSECUTION DIVISION

2010 FEB 19 AM 8:58

Accepted by: Kai Hunter

Date: RECEIVED