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Pennsylvania Waiver Allows In-Person Real Estate Classes to Be Livestreamed During COVID-19 Emergency

Summary:

The State Real Estate Commission approves real estate education providers and individual real estate education courses in Pennsylvania. Curricula is available for both pre-licensure education and continuing education.

Pre-licensure education is offered to individuals who wish to apply for a real estate broker or salesperson license. These courses satisfy the education requirements set forth in the commission's regulations and must be completed prior to an applicant taking the state licensing examination. For example, applicants for a salesperson license must complete 75 hours of pre-licensure education in order to sit for the salesperson's examination. They also must have either a bachelor's degree in real estate (or a similar major) or a law degree, or have taken the following two courses from a provider of pre-licensure education: "Real Estate Practice" (45 hours) and "Real Estate Fundamentals" (30 hours).

Continuing education is required of all licensees in order to renew their licenses on a biennial basis. Regulations require that licensed brokers and salespersons complete 14 hours of commission-approved continuing education every two years in order to keep their licenses active and current.

Real estate education courses may be offered in a traditional manner, where an instructor teaches the material in-person in a classroom or similar setting with students present, or via distance learning. Distance learning includes independent learning programs with no contact between instructor and student, and instructor-led learning programs where – as defined in the regulations – instructor and student "are separated by distance and sometimes time" during the learning process.

Currently, because of the COVID-19 emergency, approved real estate education providers whose catalog of available courses includes ones approved for "in-person" instruction are prevented from offering those courses as a result of the various closures, stay-at-home orders and social distancing measures that have been put in place to minimize spread of the disease. Without authorization to livestream their courses, these providers have no means of providing commission-approved instructional content to their students.

The Department of State requested, and Governor Wolf approved, a temporary waiver to the commission's definition of "distance education" so that only instruction where there is a separation of both distance AND time between instructor and student will be considered distance education. Courses that are livestreamed are separated by distance but not time, and therefore are not "distance education."

The limited purpose of this waiver is to allow approved providers of real estate education courses that have been approved for in-person instruction to livestream those courses. All other requirements related to online real estate education remain in place. For more information, please contact the [State Real Estate Commission](#).