

State of New Hampshire
REAL ESTATE COMMISSION
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STANDING ORDER

Accreditation of Continuing Education Instructors and Continuing Education Courses

The New Hampshire Real Estate Commission, (the "Commission") is responsible for the accreditation of persons and entities seeking accreditation to offer preparatory or continuing education programs of study.¹ The New Hampshire Administrative Procedure Act, defines "license" as "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law."² Accordingly, the term "license" includes the term "accreditation" in the context of preparatory and continuing education instructors, courses and programs of study. "The executive director of the office of professional licensure and certification shall issue initial licenses meeting the eligibility requirements as defined in statute and rules adopted by each individual board (or Commission) to applicants who have completed the application procedure."³

Historically, the review of applications for accreditation of preparatory and continuing education instructors and programs of study was completed by the Commission's dedicated staff. As with other functions related to the Commission's licensing authority and the Commission's operations more broadly, the Office of Professional Licensure and Certification, ("OPLC"), has undertaken to perform such functions as part of its legislatively defined purpose to, "promote efficiency and economy in the administration of the business processing, recordkeeping, and other administrative and clerical operations of professional licensing and certification boards, including both professional healthcare licensing and professional technical licensing."⁴

This Standing Order is made on an interim basis until such time as the Commission may elect to undertake additional rulemaking in relation to the review and accreditation of preparatory and continuing education instructors and programs of study, and/or the New Hampshire Real Estate Practice Act is amended by legislative action such that the Commission's role in review and

¹ RSA 331-A:20, I

² RSA 541-A:1, VIII

³ RSA 310-A:1-h

⁴ RSA 310-A:1

accreditation of persons and entities seeking accreditation to offer a preparatory or continuing education programs of study, and the programs of study themselves are modified.

This Standing Order is made prospectively, in conjunction with the OPLC recent rulemaking at Plc 300, effective May 1, 2023, and does hereby authorize and direct OPLC to undertake the following in accordance with the provisions of Plc 300, from the date hereof.

OPLC is authorized to and shall:

1. Establish license types of “accredited core continuing education instructor” and “accredited elective continuing education instructor” in the Office’s licensing portal, utilizing the Plc 300 application and renewal application as the core common application;
2. Review and approve or reject applications of persons and entities seeking accreditation to offer a preparatory or continuing education programs of study using the foregoing applications and the additional Rea 302 requirements, (as the same may be amended), as the substantive criteria required for accreditation of instructors;
3. Refer any complete applications of persons and entities seeking accreditation to offer a preparatory or continuing education programs of study that are rejected by OPLC to the Commission, by referral to the “on-call Commissioner” as that term is herein defined.
4. Establish on an interim basis, minimum criteria for review and approval of applications for accreditation of core and elective programs of study;
5. Refer any complete applications for accreditation of core and elective programs of study that are rejected by OPLC to the Commission, by referral to the “on-call Commissioner” as that term is herein defined;
6. Undertake all additional efforts deemed necessary by the Executive Director to carry out the foregoing authorized directives.

As used herein, the term “on-call Commissioner,” shall mean the Commissioner(s) assigned by the Chairman or her or his designee, on a monthly rotating basis to address referrals from OPLC as set forth herein.

This Standing Order shall remain in effect until such time the order terminates by operation of law or until the Commission votes to modify or rescind the order.

Date:

4/18/23

By Order of the Real Estate Commission

Steven F. Hyde, Chairman