

Sec. 20-329. Exceptions concerning the licensure of brokers and salespersons. The provisions of this chapter concerning the licensure of real estate brokers and real estate salespersons shall not apply to: (1) Any person who as owner or lessor performs any of the acts enumerated in section 20-311, with reference to property owned, leased or sought to be acquired or leased by the person, or to the person's regular employees who are employed as on-site residential superintendents or custodians, with respect to the property so owned or leased or sought to be acquired or leased when such acts are performed in the regular course of, or incident to, the management of such property and the investment therein; (2) any person acting as attorney-in-fact under a duly executed power of attorney from the owner authorizing the final consummation by performance of any contract for the sale, leasing or exchange of real estate, or to service rendered by any attorney-at-law in the performance of the attorney-at-law's duties as such attorney-at-law; (3) a receiver, trustee in bankruptcy, administrator, executor or other fiduciary, while acting as such, or any person selling real estate under order of any court, or to a trustee acting under a trust agreement, deed of trust or will, or the regular salaried employees thereof; (4) witnesses in court as to the values of real estate; (5) persons in the employ of the federal or state government or any political subdivision thereof while acting in the course of such employment; (6) any employee of any nonprofit housing corporation that (A) has been certified as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, and manages a housing project, or (B) manages a housing project assisted in whole or in part by the federal government pursuant to Section 8 of The United States Housing Act of 1937, as amended from time to time, while such employee is performing duties in the regular course of, or incidental to, the management of such housing project; (7) any person licensed to maintain or operate a mobile manufactured home park under chapter 412 who performs any of the acts enumerated in section 20-311, with reference to lots or mobile manufactured homes within the park or to the person's employees with respect to lots or mobile manufactured homes within such park when such acts are performed in the regular course of, or incidental to, the management of such property and the investment therein; (8) persons licensed as sellers of mobile manufactured homes under section 21-67; or (9) any person or such person's regular employee who, as owner, lessor, licensor, manager, representative or agent manages, leases, or licenses space on or in a tower, building or other structure for (A) "personal wireless services facilities" or facilities for "private mobile service" as those terms are defined in 47 USC 332, which facilities shall be unattended, and the installation and maintenance of related devices authorized by the Federal Communications Commission, and ancillary equipment used to operate such devices and equipment shelters therefor, in an area not to exceed three hundred sixty square feet for any one service established by the Federal Communications Commission in 47 CFR, as amended from time to time, by a provider of any such service, and (B) any right appropriate to access such facilities and connect or use utilities in connection with such facilities.

(1953, S. 2340d; P.A. 84-63, S. 1, 2; P.A. 87-319; P.A. 88-329, S. 14, 15; P.A. 90-332, S. 30, 32; P.A. 91-229, S. 16, 19; P.A. 92-12, S. 111; 92-174, S. 3; P.A. 93-354, S. 24, 54; P.A. 94-36, S. 41, 42; P.A. 96-200, S. 19; P.A. 98-10, S. 41; P.A. 00-186, S. 3; P.A. 08-176, S. 70.)

History: P.A. 84-63 exempted licensed secondary mortgage loan brokers from licensure requirements; P.A. 87-319 limited the exception for regular employees to persons employed as on-site residential superintendents or custodians, and provided an exception for employees of nonprofit housing corporations which manage federally assisted housing projects; P.A. 88-329 added Subsec. (b) excepting government employees, persons performing revaluations for municipalities for assessment purposes, brokers and salesmen estimating value for the purpose of listing real estate for sale, and appraiser trainees from the provisions of this chapter concerning real estate appraisers and residential appraisers, effective July 1, 1989; P.A. 90-332 amended section to add a provision re certification for general certified and residential certified appraisers and inserted a provision limiting the total number of years one can act as a real estate appraiser trainee; P.A. 91-229 deleted all references to general certified and residential certified

appraisers and deleted former Subdiv. (1) containing exception for government employees, relettering remaining Subdivs. accordingly; P.A. 92-12 made a technical change in Subsec. (a); P.A. 92-174 amended Subsec. (a) by adding exception re persons holding a license to operate and maintain a mobile manufactured home park who perform acts enumerated in Sec. 20-311; P.A. 93-354 deleted former Subsec. (b) limiting applicability of chapter with regard to real estate appraisers in certain cases and removed Subsec. (a) designator (see Sec. 20-526), effective in accordance with Sec. 20-528; P.A. 94-36 changed effective date of P.A. 93-354 but without affecting this section; P.A. 96-200 substituted "salespersons" for "salesmen" and added an exemption for tax-exempt organizations which manage a housing project; P.A. 98-10 made technical changes; P.A. 00-186 added Subdiv. (10) re transactions for space for personal wireless services facilities or facilities for private mobile service and made technical changes; P.A. 08-176 amended Subdiv. (6)(B) to make a technical change, deleted former Subdiv. (7) re licensed secondary mortgage broker and renumbered existing Subdivs. (8), (9) and (10) as new Subdivs. (7), (8) and (9), effective July 1, 2008.

Cited. 35 CA 31. Former Subsec. (a) cited. Id.