

# Wisconsin Department of Safety and Professional Services

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## DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

### WISCONSIN REAL ESTATE LICENSING REQUIREMENTS FOR PERSONS LICENSED IN ANOTHER STATE

Before describing licensing requirements, it may be helpful to briefly discuss the types of activities that require licensure in Wisconsin. Generally, Wisconsin law requires that people who physically negotiate the sale, rental or exchange of real estate or a business in Wisconsin must be licensed in Wisconsin. "Negotiate" includes showing Wisconsin property or placing your sign on a Wisconsin property. However, a licensee of another state need not be licensed in Wisconsin to advertise the sale or rental of property in Wisconsin newspapers. Nor must a licensee of another state be licensed in Wisconsin, in order to send letters to prospective buyers, sellers or renters in Wisconsin or call them on the telephone.

Wisconsin licensees are permitted to pay a referral fee, a finder's fee or a commission to a licensee in another state who is not licensed in Wisconsin, provided that the non-resident licensee does not physically enter into Wisconsin, as described above.

An individual or a "business entity," such as a corporation, a partnership or syndicate, a limited liability company, a limited liability partnership, an association, a business trust or a joint venture may be licensed as a broker in Wisconsin.

If an individual engages in the practice of real estate in Wisconsin in the name of or under the authority of a business entity, the business entity must be licensed as a Wisconsin real estate broker. Otherwise, the individual would have to practice in his or her own name, assuming he or she is licensed as a Wisconsin broker.

The Department may only license a business entity if the entity has at least one "business representative" (i.e., director, manager, member, officer, owner or partner) who is licensed as a Wisconsin broker. In such cases, that broker will be responsible for compliance with the license law and for supervising any salespersons licensed in Wisconsin and associated with that entity. Only Wisconsin-licensed business representatives or associates may engage in the practice of real estate in Wisconsin. Other unlicensed business representatives of a company may not personally engage in the practice of real estate in Wisconsin.

Application for licensure of a business entity may be made by completing the Application for Real Estate Business Entity License (Form #815). The license fee is \$53 for the remaining portion of the 2-year licensing biennium which runs from January 1 of an odd-numbered year to December 14 of an even-numbered year.

Individual applicants must satisfy education requirements, file the licensing application, and receive a passing score on the exam.

#### **The following are the education and examination requirements which must be satisfied by out-of-state applicants:**

If you are a licensed salesperson or broker in another state and wish to obtain a real estate salesperson's license in Wisconsin, you will be exempt from all of the usual 72-hour education requirement, except that you will be required to take a special 13-hour course at a Wisconsin-approved school and pass the salesperson's exam. You may then apply for a Wisconsin salesperson's license. You will only be permitted to practice as a salesperson in Wisconsin when employed by a broker-employer who holds a Wisconsin broker's license.

The education requirement may be waived if you have a minimum of 10 semester-hour credits in real estate or real estate-related law at a college, university or technical college, or if you are an attorney admitted to the Wisconsin Bar. A quarter-hour credit equals 2/3 of a semester-hour credit.

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If you are a licensed **broker** in another state, you may obtain a Wisconsin broker's license by satisfying the education and the exam requirements. The broker's requirements build on the salesperson's requirements. You must take the salesperson's education and pass the salesperson's exam. You will be exempt from all the usual 36-hour broker's educational requirement, except that you will be required to take a special 3-hour course at a Wisconsin-approved school. The entire classroom requirement (13 hours for salespersons and 3 hours for brokers) may be waived if you have a minimum of 20 semester-hour credits in real estate or real estate-related law at a college, university or technical college, or if you are an attorney admitted to the Wisconsin Bar. A quarter-hour credit equals 2/3 of a semester-hour credit.

The 13 hours or the 3 hours which must be obtained at a Wisconsin-approved school are those portions of the usual 72-hour course which cover laws and requirements which are specific to Wisconsin. When you contact a Wisconsin-approved school, make it clear to the administrator that you are an out-of-state applicant who only needs the 13 hours (salesperson's) and the additional 3 hours (broker's). A list of approved schools is available from the Department.

If you are a broker in another state and want a broker's license in Wisconsin, you must write and pass both the salesperson's exam and the broker's exam.

Please submit a certificate of completion of the 13-hour and/or the 3-hour course with your application for license. Submit transcripts (copies are acceptable) for the semester hour credit waivers. Keep in mind that for us to apply out-of-state licensing procedures, we will have to verify that you currently are licensed in another state or have been at any time within the 2-year period immediately preceding the date of your application for a license in Wisconsin. You will be required to submit with your Wisconsin application for new salesperson or broker license (Form #809) (not with your exam application) a copy of the license which you currently hold or did hold within two years of the date of your application, or a letter of certification from another state verifying completion of the licensing process which qualifies you for a license in that state.

**Out of state licensed salesperson reciprocal license option:** Out of state applicants holding an active license in a state that has a signed reciprocal agreement with Wisconsin may waive the education requirement. The original license in the reciprocal state must have been issued on the basis of passing that state's required examinations. At the current time, Wisconsin has reciprocal agreements with Illinois and Indiana.

**Out of state licensed broker reciprocal license option:** Out of state applicants holding an active license in good standing in a state that has a signed reciprocal agreement with Wisconsin may waive the education. The original license in the reciprocal state must have been issued on the basis of passing that state's required examinations. Applicants for the broker license must have had two years in good standing as a licensed broker immediately prior to taking the broker exam. Applicants for the broker licensed are only required to take the broker exam. At the current time, Wisconsin has reciprocal agreements with Illinois and Indiana.

## EXAMINATIONS

The salesperson's and broker's exams are administered on computer by appointment in Green Bay, Madison, Menomonie, Wausau, WI, Edina & Duluth, MN and Chicago, IL. Applicants may obtain exam information from Promissor (888-204-6284) or at [www.promissor.com](http://www.promissor.com).

Only one exam may be scheduled per test date. Thus, there will be a minimum of two dates needed in which to write the salesperson's and the broker's Exam.

Every non-resident applicant is required to file an Irrevocable Consent By Nonresident Applicant For Service of Process (Form #813) The Department will send this form with the newly issued license.

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There are no minimum residency requirements for obtaining a license in Wisconsin. A non-resident broker is not required to have an office in Wisconsin. However, you will have to have a trust account in a depository institution that is authorized to do business in Wisconsin and to deposit in the account any trust funds received relating to Wisconsin transactions. You will also have to send a completed Consent to Examine and Audit Trust Account (Form #814) to the Department within 10 days after opening an account or immediately after licensure if you already have an account at a depository institution authorized to do business in Wisconsin.

Wisconsin does not require a broker applicant to have held a salesperson's license under a broker for a minimum period of time, such as some other states require.