

1 of real estate, including his or her own, licensed
2 activities, or the hiring of any licensee under this Act.
3 The broker's business name in the case of a franchise shall
4 include the franchise affiliation as well as the name of the
5 individual firm.

6 "Board" means the Real Estate Administration and
7 Disciplinary Board of OBRE.

8 "Branch office" means a sponsoring broker's office other
9 than the sponsoring broker's principal office.

10 "Broker" means an individual, partnership, limited
11 liability company, corporation, or registered limited
12 liability partnership other than a real estate salesperson or
13 leasing agent who for another and for compensation, or with
14 the intention or expectation of receiving compensation,
15 either directly or indirectly:

16 (1) Sells, exchanges, purchases, rents, or leases
17 real estate.

18 (2) Offers to sell, exchange, purchase, rent, or
19 lease real estate.

20 (3) Negotiates, offers, attempts, or agrees to
21 negotiate the sale, exchange, purchase, rental, or
22 leasing of real estate.

23 (4) Lists, offers, attempts, or agrees to list real
24 estate for sale, lease, or exchange.

25 (5) Buys, sells, offers to buy or sell, or
26 otherwise deals in options on real estate or improvements
27 thereon.

28 (6) Supervises the collection, offer, attempt, or
29 agreement to collect rent for the use of real estate.

30 (7) Advertises or represents himself or herself as
31 being engaged in the business of buying, selling,
32 exchanging, renting, or leasing real estate.

33 (8) Assists or directs in procuring or referring of
34 prospects, intended to result in the sale, exchange,

1 lease, or rental of real estate.

2 (9) Assists or directs in the negotiation of any
3 transaction intended to result in the sale, exchange,
4 lease, or rental of real estate.

5 (10) Opens real estate to the public for marketing
6 purposes.

7 (11) Sells, leases, or offers for sale or lease
8 real estate at auction.

9 "Brokerage agreement" means a written or oral agreement
10 between a sponsoring broker and a consumer for licensed
11 activities to be provided to a consumer in return for
12 compensation or the right to receive compensation from
13 another. Brokerage agreements may constitute either a
14 bilateral or a unilateral agreement between the broker and
15 the broker's client depending upon the content of the
16 brokerage agreement. All exclusive brokerage agreements
17 shall be in writing.

18 "Client" means a person who is being represented by a
19 licensee.

20 "Commissioner" means the Commissioner of Banks and Real
21 Estate or a person authorized by the Commissioner, the Office
22 of Banks and Real Estate Act, or this Act to act in the
23 Commissioner's stead.

24 "Compensation" means the valuable consideration given by
25 one person or entity to another person or entity in exchange
26 for the performance of some activity or service.
27 Compensation shall include the transfer of valuable
28 consideration, including without limitation the following:

- 29 (1) commissions;
- 30 (2) referral fees;
- 31 (3) bonuses;
- 32 (4) prizes;
- 33 (5) merchandise;
- 34 (6) finder fees;

- 1 (7) performance of services;
- 2 (8) coupons or gift certificates;
- 3 (9) discounts;
- 4 (10) rebates;
- 5 (11) a chance to win a raffle, drawing, lottery, or
- 6 similar game of chance not prohibited by any other law or
- 7 statute;
- 8 (12) retainer fee; or
- 9 (13) salary.

10 "Confidential information" means information obtained by
11 a licensee from a client during the term of a brokerage
12 agreement that (i) was made confidential by the written
13 request or written instruction of the client, (ii) deals with
14 the negotiating position of the client, or (iii) is
15 information the disclosure of which could materially harm the
16 negotiating position of the client, unless at any time:

- 17 (1) the client permits the disclosure of
- 18 information given by that client by word or conduct;
- 19 (2) the disclosure is required by law; or
- 20 (3) the information becomes public from a source
- 21 other than the licensee.

22 "Confidential information" shall not be considered to
23 include material information about the physical condition of
24 the property.

25 "Consumer" means a person or entity seeking or receiving
26 licensed activities.

27 "Continuing education school" means any person licensed
28 by OBRE as a school for continuing education in accordance
29 with Section 30-15 of this Act.

30 "Credit hour" means 50 minutes of classroom instruction
31 in course work that meets the requirements set forth in rules
32 adopted by OBRE.

33 "Customer" means a consumer who is not being represented
34 by the licensee but for whom the licensee is performing

1 ministerial acts.

2 "Designated agency" means a contractual relationship
3 between a sponsoring broker and a client under Section 15-50
4 of this Act in which one or more licensees associated with or
5 employed by the broker are designated as agent of the client.

6 "Designated agent" means a sponsored licensee named by a
7 sponsoring broker as the legal agent of a client, as provided
8 for in Section 15-50 of this Act.

9 "Director" means the Director of the Real Estate
10 Division, OBRE.

11 "Dual agency" means an agency relationship in which a
12 licensee is representing both buyer and seller or both
13 landlord and tenant in the same transaction. When the agency
14 relationship is a designated agency, the question of whether
15 there is a dual agency shall be determined by the agency
16 relationships of the designated agent of the parties and not
17 of the sponsoring broker.

18 "Employee" or other derivative of the word "employee",
19 when used to refer to, describe, or delineate the
20 relationship between a real estate broker and a real estate
21 salesperson, another real estate broker, or a leasing agent,
22 shall be construed to include an independent contractor
23 relationship, provided that a written agreement exists that
24 clearly establishes and states the relationship. All
25 responsibilities of a broker shall remain.

26 "Escrow moneys" means all moneys, promissory notes or any
27 other type or manner of legal tender or financial
28 consideration deposited with any person for the benefit of
29 the parties to the transaction. A transaction exists once an
30 agreement has been reached and an accepted real estate
31 contract signed or lease agreed to by the parties. Escrow
32 moneys includes without limitation earnest moneys and
33 security deposits, except those security deposits in which
34 the person holding the security deposit is also the sole

1 owner of the property being leased and for which the security
2 deposit is being held.

3 "Inoperative" means a status of licensure where the
4 licensee holds a current license under this Act, but the
5 licensee is prohibited from engaging in licensed activities
6 because the licensee is unsponsored or the license of the
7 sponsoring broker with whom the licensee is associated or by
8 whom he or she is employed is currently expired, revoked,
9 suspended, or otherwise rendered invalid under this Act.

10 "Leasing Agent" means a person who is employed by a real
11 estate broker to engage in licensed activities limited to
12 leasing residential real estate who has obtained a license as
13 provided for in Section 5-5 of this Act.

14 "License" means the document issued by OBRE certifying
15 that the person named thereon has fulfilled all requirements
16 prerequisite to licensure under this Act.

17 "Licensed activities" means those activities listed in
18 the definition of "broker" under this Section.

19 "Licensee" means any person, as defined in this Section,
20 who holds a valid unexpired license as a real estate broker,
21 real estate salesperson, or leasing agent.

22 "Listing presentation" means a communication between a
23 real estate broker or salesperson and a consumer in which the
24 licensee is attempting to secure a brokerage agreement with
25 the consumer to market the consumer's real estate for sale or
26 lease.

27 "Managing broker" means a broker who has supervisory
28 responsibilities for licensees in one or, in the case of a
29 multi-office company, more than one office and who has been
30 appointed as such by the sponsoring broker.

31 "Medium of advertising" means any method of communication
32 intended to influence the general public to use or purchase a
33 particular good or service or real estate.

34 "Ministerial acts" means those acts that a licensee may

1 perform for a consumer that are informative or clerical in
2 nature and do not rise to the level of active representation
3 on behalf of a consumer. Examples of these acts include
4 without limitation (i) responding to phone inquiries by
5 consumers as to the availability and pricing of brokerage
6 services, (ii) responding to phone inquiries from a consumer
7 concerning the price or location of property, (iii) attending
8 an open house and responding to questions about the property
9 from a consumer, (iv) setting an appointment to view
10 property, (v) responding to questions of consumers walking
11 into a licensee's office concerning brokerage services
12 offered or particular properties, (vi) accompanying an
13 appraiser, inspector, contractor, or similar third party on a
14 visit to a property, (vii) describing a property or the
15 property's condition in response to a consumer's inquiry,
16 (viii) completing business or factual information for a
17 consumer on an offer or contract to purchase on behalf of a
18 client, (ix) showing a client through a property being sold
19 by an owner on his or her own behalf, or (x) referral to
20 another broker or service provider.

21 "OBRE" means the Office of Banks and Real Estate.

22 "Office" means a real estate broker's place of business
23 where the general public is invited to transact business and
24 where records may be maintained and licenses displayed,
25 whether or not it is the broker's principal place of
26 business.

27 "Person" means and includes individuals, entities,
28 corporations, limited liability companies, registered limited
29 liability partnerships, and partnerships, foreign or
30 domestic, except that when the context otherwise requires,
31 the term may refer to a single individual or other described
32 entity.

33 "Personal assistant" means a licensed or unlicensed
34 person who has been hired for the purpose of aiding or

1 assisting a sponsored licensee in the performance of the
2 sponsored licensee's job.

3 "Pocket card" means the card issued by OBRE to signify
4 that the person named on the card is currently licensed under
5 this Act.

6 "Pre-license school" means a school licensed by OBRE
7 offering courses in subjects related to real estate
8 transactions, including the subjects upon which an applicant
9 is examined in determining fitness to receive a license.

10 "Pre-renewal period" means the period between the date of
11 issue of a currently valid license and the license's
12 expiration date.

13 "Real estate" means and includes leaseholds as well as
14 any other interest or estate in land, whether corporeal,
15 incorporeal, freehold, or non-freehold, including timeshare
16 interests, and whether the real estate is situated in this
17 State or elsewhere.

18 "Real Estate Administration and Disciplinary Board" or
19 "Board" means the Real Estate Administration and Disciplinary
20 Board created by Section 25-10 of this Act.

21 "Salesperson" means any individual, other than a real
22 estate broker or leasing agent, who is employed by a real
23 estate broker or is associated by written agreement with a
24 real estate broker as an independent contractor and
25 participates in any activity described in the definition of
26 "broker" under this Section.

27 "Sponsoring broker" means the broker who has issued a
28 sponsor card to a licensed salesperson, another licensed
29 broker, or a leasing agent.

30 "Sponsor card" means the temporary permit issued by the
31 sponsoring real estate broker certifying that the real estate
32 broker, real estate salesperson, or leasing agent named
33 thereon is employed by or associated by written agreement
34 with the sponsoring real estate broker, as provided for in

1 Section 5-40 of this Act.

2 (Source: P.A. 91-245, eff. 12-31-99; 91-585, eff. 1-1-00;
3 91-603, eff. 1-1-00; 91-702, eff. 5-12-00.)

4 (225 ILCS 454/5-20)

5 Sec. 5-20. Exemptions from broker, salesperson, or
6 leasing agent license requirement. The requirement for
7 holding a license under this Article 5 shall not apply to:

8 (1) Any person, partnership, or corporation that as
9 owner or lessor performs any of the acts described in the
10 definition of "broker" under Section 1-10 of this Act with
11 reference to property owned or leased by it, or to the
12 regular employees thereof with respect to the property so
13 owned or leased, where such acts are performed in the regular
14 course of or as an incident to the management, sale, or other
15 disposition of such property and the investment therein,
16 provided that such regular employees do not perform any of
17 the acts described in the definition of "broker" under
18 Section 1-10 of this Act in connection with a vocation of
19 selling or leasing any real estate or the improvements
20 thereon not so owned or leased.

21 (2) An attorney in fact acting under a duly executed and
22 recorded power of attorney to convey real estate from the
23 owner or lessor or the services rendered by an attorney at
24 law in the performance of the attorney's duty as an attorney
25 at law.

26 (3) Any person acting as receiver, trustee in
27 bankruptcy, administrator, executor, or guardian or while
28 acting under a court order or under the authority of a will
29 or testamentary trust.

30 (4) Any person acting as a resident manager for the
31 owner or any employee acting as the resident manager for a
32 broker managing an apartment building, duplex, or apartment
33 complex, when the resident manager resides on the premises,

1 the premises is his or her primary residence, and the
2 resident manager is engaged in the leasing of the property of
3 which he or she is the resident manager.

4 (5) Any officer or employee of a federal agency in the
5 conduct of official duties.

6 (6) Any officer or employee of the State government or
7 any political subdivision thereof performing official duties.

8 (7) Any multiple listing service or other information
9 exchange that is engaged in the collection and dissemination
10 of information concerning real estate available for sale,
11 purchase, lease, or exchange along with which no other
12 licensed activities are provided.

13 (8) Railroads and other public utilities regulated by
14 the State of Illinois, or the officers or full time employees
15 thereof, unless the performance of any licensed activities is
16 in connection with the sale, purchase, lease, or other
17 disposition of real estate or investment therein not needing
18 the approval of the appropriate State regulatory authority.

19 (9) Any medium of advertising in the routine course of
20 selling or publishing advertising along with which no other
21 licensed activities are provided.

22 (10) Any resident lessee of a residential dwelling unit
23 who refers for compensation to the owner of the dwelling
24 unit, or to the owner's agent, prospective lessees of
25 dwelling units in the same building or complex as the
26 resident lessee's unit, but only if the resident lessee (i)
27 refers no more than 3 prospective lessees in any 12-month
28 period, (ii) receives compensation of no more than \$1,000 or
29 the equivalent of one month's rent, whichever is less, in any
30 12-month period, and (iii) limits his or her activities to
31 referring prospective lessees to the owner, or the owner's
32 agent, and does not show a residential dwelling unit to a
33 prospective lessee, discuss terms or conditions of leasing a
34 dwelling unit with a prospective lessee, or otherwise

1 participate in the negotiation of the leasing of a dwelling
2 unit.

3 (11) An exchange company registered under the Real
4 Estate Timeshare Act of 1999 and the regular employees of
5 that registered exchange company but only when conducting an
6 exchange program as defined in that Act.

7 (12) An existing timeshare owner who, for compensation,
8 refers prospective purchasers, but only if the existing
9 timeshare owner (i) refers no more than 20 prospective
10 purchasers in any calendar year, (ii) receives no more than
11 \$1,000, or its equivalent, for referrals in any calendar year
12 and (iii) limits his or her activities to referring
13 prospective purchasers of timeshare interests to the
14 developer or the developer's employees or agents, and does
15 not show, discuss terms or conditions of purchase or
16 otherwise participate in negotiations with regard to
17 timeshare interests.

18 (13) ~~(11)~~ Any person who is licensed without examination
19 under Section 10-25 of the Auction License Act is exempt from
20 holding a broker's or salesperson's license under this Act
21 for the limited purpose of selling or leasing real estate at
22 auction, so long as:

23 (A) that person has made application for said
24 exemption by July 1, 2000;

25 (B) that person verifies to OBRE that he or
26 she has sold real estate at auction for a period of
27 5 years prior to licensure as an auctioneer;

28 (C) the person has had no lapse in his or her
29 license as an auctioneer; and

30 (D) the license issued under the Auction
31 License Act has not been disciplined for violation
32 of those provisions of Article 20 of the Auction
33 License Act dealing with or related to the sale or
34 lease of real estate at auction.

1 (14) A hotel operator who is registered with the
2 Illinois Department of Revenue and pays taxes under the Hotel
3 Operators' Occupation Tax Act and rents a room or rooms in a
4 hotel as defined in the Hotel Operators' Occupation Tax Act
5 for a period of not more than 30 consecutive days and not
6 more than 60 days in a calendar year.

7 (Source: P.A. 91-245, eff. 12-31-99; 91-585, eff. 1-1-00;
8 91-603, eff. 1-1-00; revised 10-27-99.)

9 (225 ILCS 454/10-10)

10 Sec. 10-10. Disclosure of compensation.

11 (a) A licensee must disclose to a client the sponsoring
12 broker's compensation and policy with regard to cooperating
13 with brokers who represent other parties in a transaction.

14 (b) A licensee must disclose to a client all sources of
15 compensation related to the transaction received by the
16 licensee from a third party.

17 (c) If a licensee refers a client to a third party in
18 which the licensee has greater than a 1% ownership interest
19 or from which the licensee receives or may receive dividends
20 or other profit sharing distributions, other than a publicly
21 held or traded company, for the purpose of the client
22 obtaining services related to the transaction, then the
23 licensee shall disclose that fact to the client at the time
24 of making the referral.

25 (d) If in any one transaction a sponsoring broker
26 receives compensation from both the buyer and seller or
27 lessee and lessor of real estate, the sponsoring broker shall
28 disclose in writing to a client the fact that the
29 compensation is being paid by both buyer and seller or lessee
30 and lessor.

31 (e) Nothing in the Act shall prohibit the cooperation
32 with or a payment of compensation to a person not domiciled
33 in this State or country who is licensed as a real estate

1 broker in his or her state or country of domicile or to a
2 resident of a country that does not require a person to be
3 licensed to act as a real estate broker if the person
4 complies with the laws of the country in which that person
5 resides and practices there as a real estate broker.

6 (Source: P.A. 91-245, eff. 12-31-99.)

7 (225 ILCS 454/20-60)

8 Sec. 20-60. Hearing; investigation; notice; disciplinary
9 consent order.

10 (a) OBRE may conduct hearings through the Board or a
11 duly appointed hearing officer on proceedings to suspend,
12 revoke, or to refuse to issue or renew licenses of persons
13 applying for licensure or licensed under this Act or to
14 censure, reprimand, or impose a civil fine not to exceed
15 \$25,000 upon any licensee hereunder and may revoke, suspend,
16 or refuse to issue or renew these licenses or censure,
17 reprimand, or impose a civil fine not to exceed \$25,000 upon
18 any licensee hereunder.

19 (b) Upon the motion of either OBRE or the Board or upon
20 the verified complaint in writing of any persons setting
21 forth facts that if proven would constitute grounds for
22 suspension or revocation under this Act, OBRE, the Board, or
23 its subcommittee shall cause to be investigated the actions
24 of any person so accused who holds a license or is holding
25 himself or herself out to be a licensee. This person is
26 hereinafter called the accused.

27 (c) Prior to initiating any formal disciplinary
28 proceedings resulting from an investigation conducted
29 pursuant to subsection (b) of this Section, that matter shall
30 be reviewed by a subcommittee of the Board according to
31 procedures established by rule. The subcommittee shall make a
32 recommendation to the full Board as to the validity of the
33 complaint and may recommend that the Board not proceed with

1 formal disciplinary proceedings if the complaint is
2 determined to be frivolous or without merit.

3 (d) Except as provided for in Section 20-65 of this Act,
4 OBRE shall, before suspending, revoking, placing on
5 probationary status, or taking any other disciplinary action
6 as OBRE may deem proper with regard to any license:

7 (1) notify the accused in writing at least 30 days
8 prior to the date set for the hearing of any charges made
9 and the time and place for the hearing of the charges to
10 be heard before the Board under oath; and

11 (2) inform the accused that upon failure to file an
12 answer and request a hearing before the date originally
13 set for the hearing, default will be taken against the
14 accused and his or her license may be suspended, revoked,
15 or placed on probationary status, or other disciplinary
16 action, including limiting the scope, nature, or extent
17 of the accused's practice, as OBRE may deem proper, may
18 be taken with regard thereto.

19 In case the person fails to file an answer after
20 receiving notice, his or her license may, in the discretion
21 of OBRE, be suspended, revoked, or placed on probationary
22 status, or OBRE may take whatever disciplinary action deemed
23 proper, including limiting the scope, nature, or extent of
24 the person's practice or the imposition of a fine, without a
25 hearing, if the act or acts charged constitute sufficient
26 grounds for such action under this Act.

27 (e) At the time and place fixed in the notice, the Board
28 shall proceed to hearing of the charges and both the accused
29 person and the complainant shall be accorded ample
30 opportunity to present in person or by counsel such
31 statements, testimony, evidence and argument as may be
32 pertinent to the charges or to any defense thereto. The
33 Board or its hearing officer may continue a hearing date upon
34 its own motion or upon an accused's motion for one period not

1 to exceed 30 days. The Board or its hearing officer may
2 grant further continuances for periods not to exceed 30 days
3 only upon good cause being shown by the moving party. The
4 non-moving party shall have the opportunity to object to a
5 continuance on the record at a hearing upon the motion to
6 continue. All motions for continuances and any denial or
7 grant thereof shall be in writing. All motions shall be
8 submitted not later than 48 hours before the scheduled
9 hearing unless made upon an emergency basis. In determining
10 whether good cause for a continuance is shown, the Board or
11 its hearing officer shall consider such factors as the volume
12 of cases pending, the nature and complexity of legal issues
13 raised, the diligence of the party making the request, the
14 availability of party's legal representative or witnesses,
15 and the number of previous requests for continuance.

16 (f) Any unlawful act or violation of any of the
17 provisions of this Act upon the part of any licensees
18 employed by a real estate broker or associated by written
19 agreement with the real estate broker, or unlicensed employee
20 of a licensed broker, shall not be cause for the revocation
21 of the license of any such broker, partial or otherwise,
22 unless it appears to the satisfaction of OBRE that the broker
23 had knowledge thereof.

24 (g) OBRE or the Board has power to subpoena any persons
25 or documents for the purpose of investigation or hearing with
26 the same fees and mileage and in the same manner as
27 prescribed by law for judicial procedure in civil cases in
28 courts of this State. The Commissioner, the Director, any
29 member of the Board, a certified court reporter, or a hearing
30 officer shall each have power to administer oaths to
31 witnesses at any hearing which OBRE is authorized under this
32 Act to conduct.

33 (h) Any circuit court or any judge thereof, upon the
34 application of the accused person, complainant, OBRE, or the

1 Board, may, by order entered, require the attendance of
2 witnesses and the production of relevant books and papers
3 before the Board in any hearing relative to the application
4 for or refusal, recall, suspension, or revocation of a
5 license, and the court or judge may compel obedience to the
6 court's or the judge's order by proceedings for contempt.

7 (i) OBRE, at its expense, shall preserve a record of all
8 proceedings at the formal hearing of any case involving the
9 refusal to issue or the revocation, suspension, or other
10 discipline of a licensee. The notice of hearing, complaint
11 and all other documents in the nature of pleadings and
12 written motions filed in the proceedings, the transcript of
13 testimony, the report of the Board, and the orders of OBRE
14 shall be the record of the proceeding. At all hearings or
15 pre-hearing conferences, OBRE and the accused shall be
16 entitled to have a court reporter in attendance for purposes
17 of transcribing the proceeding or pre-hearing conference at
18 the expense of the party requesting the court reporter's
19 attendance. A copy of the transcribed proceeding shall be
20 available to the other party for the cost of a copy of the
21 transcript.

22 (j) The Board shall present to the Commissioner its
23 written report of its findings and recommendations. A copy
24 of the report shall be served upon the accused, either
25 personally or by certified mail as provided in this Act for
26 the service of the citation. Within 20 days after the
27 service, the accused may present to the Commissioner a motion
28 in writing for a rehearing that shall specify the particular
29 grounds therefor. If the accused shall order and pay for a
30 transcript of the record as provided in this Act, the time
31 elapsing thereafter and before the transcript is ready for
32 delivery to the accused shall not be counted as part of the
33 20 days. Whenever the Commissioner is satisfied that
34 substantial justice has not been done, the Commissioner may

1 order a rehearing by the Board or other special committee
2 appointed by the Commissioner or may remand the matter to the
3 Board for their reconsideration of the matter based on the
4 pleadings and evidence presented to the Board. In all
5 instances, under this Act, in which the Board has rendered a
6 recommendation to the Commissioner with respect to a
7 particular licensee or applicant, the Commissioner shall, in
8 the event that he or she disagrees with or takes action
9 contrary to the recommendation of the Board, file with the
10 Board and the Secretary of State his specific written reasons
11 of disagreement with the Board. The reasons shall be filed
12 within 60 days of the Board's recommendation to the
13 Commissioner and prior to any contrary action. At the
14 expiration of the time specified for filing a motion for a
15 rehearing, the Commissioner shall have the right to take the
16 action recommended by the Board. Upon the suspension or
17 revocation of a license, the licensee shall be required to
18 surrender his or her license to OBRE, and upon failure or
19 refusal to do so, OBRE shall have the right to seize the
20 license.

21 (k) At any time after the suspension, temporary
22 suspension, or revocation of any license, OBRE may restore it
23 to the accused without examination, upon the written
24 recommendation of the Board.

25 (l) An order of revocation or suspension or a certified
26 copy thereof, over the seal of OBRE and purporting to be
27 signed by the Commissioner, shall be prima facie proof that:

28 (1) The signature is the genuine signature of the
29 Commissioner.

30 (2) The Commissioner is duly appointed and
31 qualified.

32 (3) The Board and the members thereof are
33 qualified.

34 Such proof may be rebutted.

1 (m) Notwithstanding any provisions concerning the
2 conduct of hearings and recommendations for disciplinary
3 actions, OBRE as directed by the Commissioner has the
4 authority to negotiate agreements with licensees and
5 applicants resulting in disciplinary consent orders. These
6 consent orders may provide for any of the forms of discipline
7 provided in this Act. These consent orders shall provide
8 that they were not entered into as a result of any coercion
9 by OBRE. Any such consent order shall be filed with the
10 Commissioner along with the Board's recommendation and
11 accepted or rejected by the Commissioner within 60 days of
12 the Board's recommendation.

13 (Source: P.A. 91-245, eff. 12-31-99.)

14 (225 ILCS 454/25-14 new)

15 Sec. 25-14. Reliance on advisory letters. Licensees or
16 their representatives may seek an advisory letter from OBRE
17 as to matters arising under this Act or the rules promulgated
18 pursuant to this Act. OBRE shall promulgate rules as to the
19 process of seeking and obtaining an advisory letter and
20 topics and areas on which advisory rules will be issued by
21 OBRE. A licensee is entitled to rely upon an advisory letter
22 from OBRE and will not be disciplined by OBRE for actions
23 taken in reliance on the advisory letter.

24 (225 ILCS 454/20-70 rep.)

25 Section 15. The Real Estate License Act of 2000 is
26 amended by repealing Section 20-70."