

## **1301:5-5-07 Licensure exemption; residential rental property.**

(A) An individual working with residential rental property who works under the supervision of a broker and whose compensation for service is primarily on a salaried or hourly basis shall be exempt from licensure if he only performs the following limited duties:

- (1) Maintenance;
- (2) Clerical or administrative support;
- (3) Collects or accepts rents and/or security deposits which are made payable to the owner or real estate brokerage;
- (4) Exhibits or shows residential rental units to prospective tenants;
- (5) Furnishes published information;
- (6) Supplies applications and leases;
- (7) Receives applications and leases for submission to the owner or brokerage for approval.

(B) In order to be exempt from the licensure requirement as provided in paragraph (A) of this rule, the individual working under the supervision of the broker may not perform the following:

- (1) Negotiate contracts or lease agreements;
- (2) Vary or deviate from the rental price and/or other terms and conditions previously established by the owner or broker when supplying information concerning the rental of property to a prospective tenant;
- (3) Approve applications or lease agreements, or settle or arrange the terms and conditions of a lease on behalf of the owner or broker;
- (4) Offer inducements to prospective tenants unless they are previously advertised or prearranged with the owner or broker;
- (5) Interpret or provide their opinion concerning the terms or conditions of a lease agreement;
- (6) Indicate to the public that he is in a position of authority which has the ultimate managerial responsibility of the rental property.

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Promulgated Under: 119.03