

PRESCRIBING NEW REQUIREMENTS FOR THE LICENSING OF REAL ESTATE BROKERS, REAL ESTATE APPRAISERS, AND REAL ESTATE CONSULTANTS

DTI DEPARTMENT ADMINISTRATIVE ORDER NO. 07, S. 2007, December 21, 2007

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WHEREAS, the Department of Trade and Industry is mandated to regulate the real estate industry pursuant to Act 2728 as amended and its implementing rules in order to, among others, protect the interests of the consumers from dishonest and incompetent real estate practitioners; '

WHEREAS, in order to implement said mandate, the Director of Bureau of Domestic Trade, now the Bureau of Trade Regulation and Consumer Protection (BTRCP), is empowered to prescribe standards and qualifications for the realty service practitioners under Ministry Order No. 39, series of 1985;

WHEREAS, it is recognized that while real estate practice requires special knowledge which pertains to the expertise necessary for the practice the current regulations requires education without distinction as to course, degree or curriculum as one of the prerequisites for the entry to real estate practice;

WHEREAS, to address the aforesaid situation it is necessary that a special course like comprehensive seminars covering the syllabus required by the existing regulation be made mandatory to all applicant of licensure examinations for realty service practice;

WHEREAS, it is also acknowledged that membership in good standing of licensed real estate practitioners in accredited real estate organizations significantly contributes to the protection of the interest of the public since it addresses colorum real estate practice, and ensure compliance and observance of the Real Estate Practice on Ethics and Standards, Continuing Education and other licensing regulations to enhance consumer welfare and protection;

WHEREAS, membership in accredited real estate organizations should be institutionalized in order to support private sector initiatives in self-policing the conduct of real estate practices;

WHEREAS, under Act Na. 2728, as amended, and Ministry Order No. 39, series of 1985, the Department of Trade and industry-Bureau of Trade Regulation and Consumer protection (DTI-BTRCP) can authorize the organization of association, thus the proposed QfO is not limited only to the current Realty Service Council of the Philippines (RESCOP) membership, but to new associations of practitioners that will exist in the future;

WHEREFORE, the following are hereby promulgated for the information and compliance of all concerned-

SECTION 1. In addition to the existing requirements for applicants to the licensure examination for Real Estate Brokers, Real Estate Appraisers and Real Estate Consultants prescribed in DTI Ministry Order No. 39, series of 1985, as amended by Department Order No. 22, Series of 1987, Department Administrative Order No. 2, series of 1988, Department Administrative Order No. 6, series of 1994; and Department Administrative Order No. 3, Series of 1999, the following are hereby prescribed:

1.1 All applicants for Examination as Real Estate Brokers, Real Estate Appraisers, and Real Estate Consultants,

must submit a Certificate of Attendance in a Comprehensive Real Estate Seminar (CRES) for Real Estate Brokers, Real Estate Appraisers and Real Estate Consultant undertaken by a service provider duly accredited by the DTI-BTRCP and Realty Service Council of the Philippines (RESCOP) Continuing Education Program Committee, as one of the requirements to be submitted in the filing of a Licensure Application; and

1.2 All Licensed Real Estate Brokers, Real Estate Appraisers and Real Estate Consultants are enjoined to be regular members of an Association of real estate brokers, real estate appraisers, and real estate consultants, as the case maybe, whether such Association is National, Regional or Provincial in territorial membership duly accredited by the DTI-BTRCP, Provided, However, that after one (1) year from the effectivity of this Order, RESCOP and other realty service organizations shall recommend the issuance of new guidelines pertinent to the mandatory membership of realty service practitioners in realty service organizations for approval by the Department of Trade and Industry, After the said guidelines shall have been finalized/published, a Certificate of Membership shall be submitted to the DTI Field Office, in addition to other requirements, as a prerequisite for the issuance or renewal of license.

SECTION 2, The DTI-BTRCP and the Realty Service Council of the Philippines (RESCOP) shall issue the appropriate implementing guidelines under this Administrative Order,

SECTION 3. All Department Administrative Orders that are inconsistent with this DAO are hereby modified, repealed and revoked accordingly.

SECTION 4 This Department Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Adopted: 21 Dec. 2007

(SGD.) PETER B. FAVILA

DTI Secretary

Recommending by:

(SGD.) VICTORIA MARIO A. DIMAGIBA

(SGD.) ZENAIDA CUISON MAGLAYA

Director

Undersecretary

Bureau of Trade Regulation and Consumer

Consumer Welfare and Trade

Protection

Regulation Group

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