RULES AND PROCEDURES GOVERNING THE IMPLEMENTATION OF THE CONTINUING EDUCATION PROGRAM FOR REALTY SERVICE PRACTITIONERS AS EMBODIED IN MINISTRY ORDER NO. 39, SERIES OF 1985, AS A...

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WHEREAS, pertinent provisions of Ministry Order No. 39, series of 1985 as amended by DAO No. 6, Series of 1994, provides that:

> "Any person who has passed the examination given by the Bureau of Trade Regulation and Consumer Protection but fails to secure a license within two (2) years from the date of passing the examination or who fails to renew his license for three (3) consecutive years shall be required to submit a certification from a single proprietorship, partnership or corporation and duly registered with the Department of Trade and Industry whose principal purpose is real estate education or any real estate association which is affiliated with any member of the Realty Service Council of the Philippines that he has completed a total of twenty (20) hours before his license can be issued or renewed.
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> Realty service practitioners shall be required every three (3) years to submit a certification from a single proprietorship, partnership or corporation and duly registered with the Department of Trade and Industry whose principal purpose is real estate education or by real estate association which is affiliated with any member of the Realty Service Council of the Philippines that he has completed a total of sixteen (16) hours.
>
> Failure to submit the certification shall mean non-issuance or non-renewal of the license."

WHEREAS, there is a need to promulgate the rules and procedures for the implementation of the Continuing Education Program for real estate brokers, appraisers and consultants for the information, guidance and compliance of all concerned.

NOW, THEREFORE, pursuant to M.O. No. 39, as amended, as well as Executive Order No. 913, the following rules and procedures are hereby promulgated for the guidance of all concerned.

Section 1. Statement of Policy. —The primary purpose of the Continuing Education Program (CEP for brevity) is to maintain the high standards and advancement of the real estate practice and for the realty service practitioners to keep abreast with the developments affecting their interest and that of the industry.

Section 2. Coverage. — The CEP shall cover the following: real estate brokers, real estate appraisers and real estate consultants.

Section 3. Terms and Definitions:

- AUTHORSHIP shall refer to the ownership of intellectual property which includes technical or professional books, instructional materials and the like. Credits earned must be claimed within one (1) year from date of publication.

- BUREAU shall refer to the Bureau of Trade Regulation and Consumer Protection.

- CEP ACCREDITATION CERTIFICATE shall refer to a certificate issued by the Department through its field

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office, certifying that the seminar program of the Provider complies with the requirements herein prescribed, and is therefore accredited as a Continuing Education Program.

- CEP ATTENDANCE CERTIFICATE shall refer to a certificate issued by a Provider certifying the subjects and corresponding hours attended by the participant.

- CONTINUING EDUCATION PROGRAM (CEP) shall refer to the regime which will enhance the competence, upgrade and up-date knowledge and skills of the realty service practitioner in order to bring about technical and information advancement in the practice. The scope shall be beyond the basic preparation for admission to the licensing examinations. The content shall be related but not limited to the practice.

- CONVENTIONS shall refer to the gathering of professionals which shall include among others, conferences, symposia or assemblies of roundtable discussions.

- COUNCIL shall refer to the Realty Service Council of the Philippines (RESCOP).

- DEPARTMENT shall refer to the Department of Trade and Industry.

- DOCTORAL DEGREE shall refer to a post graduate degree from a recognized school, college or university.

- EXAMINER shall refer to a real estate broker, appraiser or consultant who has been appointed to any of the Bureau Examination Committees for Licensing.

- FELLOWSHIP shall refer to the completion of a post doctoral training program in a specific field or to a recognition for outstanding achievement pre-approved by a duly accredited institution, technical faculty meeting and similar body.

- FIELD OFFICE shall refer to the regional and/or provincial office of the Department of Trade and Industry.

- MASTERAL DEGREE shall refer to a graduate degree from a recognized school, college or university.

- POST-GRADUATE/IN-SERVICE TRAINING shall mean training or specialization at the post-graduate level for a minimum of three (3) days.

- PROVIDER shall refer to an entity authorized to conduct the Program.

- RESOURCE SPEAKER shall refer to a professional who acts as a discussion leader or lecturer in a convention or seminar or similar gathering.

- SEMINARS shall refer to the gathering of professionals which shall include among others, workshops, technical lectures or subject matter meetings, non-degree training course and scientific meetings.

Section 4. Provider/Authorized Entities to Conduct the CEP. — The following may be authorized to conduct the program:

- Any single proprietorship, partnership or corporation duly registered with the Department whose principal purpose is real estate education;

- Member-association of the Council;

- Any real estate association affiliated with any member of the Council;

- Schools, colleges and universities recognized and registered with the Department of Education and Culture;

- Government instrumentalities, agencies and offices which conduct seminar-workshops as a joint undertaking with any association mentioned under letters b and c of this section.

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Section 5. Matrix for CEP and Activities Showing their Corresponding Credit Hours and Supporting Documents Required.

PROGRAMS

CREDIT HOURS (CH)

SUPPORTING DOCUMENTS

1.Seminars/Conventions

a. Participant

1 CH par every hr. of not to convention/workshops but exceed two (2) hrs

Certificate of Attendance/ Participation Certified Program and Workshop Topics

b. Resource Speaker

3 CH per Topic

Photocopy of Plaque, Certification, Lecture, Notes, if any, Certified Program

2. Academic Preparation (earned during current year)

a. Fellow

3 CH

Certification from Granting Institution, Certification of Fellowship

b. Master's Degree

3 CH

College/University Diploma

c. Doctoral Degree

3 CH

College/University Diploma

3. Authorship

Book on Real Estate with accredited subjects for CEP

5 CH

Published book with proof of copyright

4. Current Examination Committee Membership

a. Real Estate Brokerage

3 CH/full year

Appointment paper from DTI/ BTRCP

b. Appraisal

3 CH/full year

Appointment paper from DTI/ BTRCP

c. Consultancy

3 CH/full year

Appointment paper from DTI/ BTRCP

5 Such Other Activities/ Programs/Sources to be Recommended by the Council and Approved by the Bureau

Section 6. Period of Earning Program Credit

- For license applicants in 1998 and 1999: Program credit must be earned up to June 30, 1999;

- For license applicants after June 30, 1999: Program credit must be earned within twelve (12) months immediately preceding the application for the issuance or renewal of license.

Section 7. Subject for Brokers' Program, Credit Hours. —

- Any combination of the following subjects provided that the aggregate credit hours will not be less than twenty (20) hours or sixteen (16) hours, as the case may be:

> Property Management
> Property Development
> Real Estate Financing
> Real Estate Investment
> Real Estate Taxation
> Real Estate Trends and Forecasts

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> Laws Relating to Real Estate
> Real Estate Project Syndication
> Market Networking
> Information Systems
> Monetary and Fiscal Policies
> Land Use and Zoning
> Appraisal for Real Estate Brokers
> Site Location and Map Reading
> Subdivision Laws, Rules and Procedures
> Legal and Technical Aspects of Condominium
> Contract Documentation and Registration
> Agrarian and Urban Reform
> Environmental Ethics
> Other subjects as may be approved by the Bureau Director

- Every lecture hour per subject shall be duly credited provided the maximum credit for each subject shall not exceed two (2) hours.

Section 8. Subjects for Appraisers' Program, Credit Hours. —

- Any combination of the following subjects provided that the aggregate credit hours will not be less than twenty (20) hours or sixteen (16) hours, as the case may be:

> Real Estate Principles and Practices
> Real Estate Finance
> Real Estate Law
> Basic Valuation Procedures
> Capitalization Theory and Techniques
> Case Studies in Real Estate Valuation
> Valuation Analysis and Report Writing
> The Uniform Standard of Professional Appraisal Practice (USPAP)
> Real Estate Investment Analysis
> Basic Application of Statistics in Appraisal Development
> Analysis and Valuation of Golf Course
> The Valuation of Shopping Centers
> The Valuation of Hotels and Motels
> The Valuation of Industrial Property
> Computer Applications in Realty Appraisal
> Business Valuation
> Zonal Valuation and Capital Gains Tax
> Real Estate Taxation
> Managing and Appraisal Office
> Real Estate Valuation in Court
> Financial Tables
> Mathematics for Real Estate Appraisers
> Condemnation Appraisal Practice
> Acquisition for Right of Way

> Real Estate Appraisal and Geographic Terminologies
> Basic Appraisal for Brokers
> Human and Physical Geography
> Cities and Urban Land Use
> International Business
> Cities and Service Centers
> Research Methodology in Appraisal
> Other subjects as may be approved by the BTRCP Director

- Every lecture hour per subject shall be duly credited provided the maximum credit for each subject shall not exceed two (2) hours.

Section 9. Subject for Consultants' Program, Credit Hours. —

- Any combination of the following subjects provided that the aggregate credit hours will not be less than twenty (20) hours or sixteen (16), as the case may be:

- Real Estate Financing

> Mortgage and Loans
> Risk and Profit in Stock Market

- Real Estate Economics

> Real Estate Finance
> Investing in Real Estate
> Capitalization Theory and Techniques
> Return OF and Return ON Investments
> Investment Analysis
> Cash Flow Analysis
> Investment Life Cycle
> Income Capitalization
> Inflation and Appreciation
> Property Insurance
> Local Economy

- Real Estate Marketing — Domestic and International

> International Business
> Market Analysis
> The Global Market
> The Effect of Currency Meltdown on Real Estate

- Real Estate Development

> Urban Land Reform
> Location Analysis
> Zoning Regulations
> Land Use
> Environment Impact Statement

- Legal Aspects of Real Estate

> Real Estate Law
> Foreclosures in Real Estate
> Real Estate Taxation
> Estate Tax
> Capital Gains Tax and Creditable Withholding Tax

- Other subjects as may be approved by the Bureau Director

Section 10. Procedure for Program Accreditation. — Every activity for a Continuing Education Program must be evaluated, approved and accredited by the Department through its field office. The accrediting field office shall then issue CEP Accreditation Certificate to the Provider. Succeeding seminars on the same subject matter need not be approved but a prior notice of such accreditation must be given by the Provider to the field office where such activity will be held.

Section 11. Reportorial Requirement. — Within 72 hours from the conclusion of the seminar, the CEP Provider will submit to the field office under which jurisdiction the venue of activity falls, copy furnish the Council, a report under oath indicating the date, venue, lecturers, subjects attended, the corresponding hours per subject, names and respective license number of seminar participants.

Section 12. Procedure of Compliance. — The CEP Provider shall issue a CEP Attendance Certificate to the seminar participants. The aforementioned certificate/s, addition to the usual requirements for license application, will be submitted by the practitioner to the field office where he will secure his license.

Section 13. Sanctions. — Failure to submit the CEP Attendance Certificate shall mean non-issuance or non-renewal of the license.

Section 14. Review of the Program. — The Council may regularly review the Program as the need arises.

Section 15. Effectivity. — This Department Administrative Order shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation, per E.O. 913 (issued 1983).

Adopted: 07 April 1999

(SGD.) JOSE TRINIDAD PARDO
Secretary

RECOMMENDED:

(SGD.) ZENAIDA CUISON-MAGLAYA
Asst. Secretary/Caretaker, BTRCP

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