

MT BROKER PRELICENCE

60 hours / 3600 minutes

Intermediate

ARELLO Certification #392 (CBT), #2658 (Internet)

This extensive broker prelicense course explores the major areas real estate brokers confront when operating a real estate brokerage firm. First, students will gain useful information about successful business management in sections on brokerage administration management, business planning, office policies, human resources, licensee training, risk management, and technology. This section concludes with in-depth lessons on goal setting, business growth, and effective client communication. Next is an overview of liability issues, including agency, fair housing, advertising, environmental issues, disclosures, and Montana laws and rules. This is followed by lessons discussing contract law, interpretation, and common Montana forms. Students will learn about Montana trust account requirements as well as the purpose and operation of escrow, closing, settlement, and title insurance. The property management section explores Montana property manager licensing, landlord and tenant law, and leases before delving further into the duties of a residential property manager and handling tenant relations. Lessons covering real estate and community ethics conclude the course.

Time:	Content Outline:	Learning Objectives:
30 minutes	Broker Duties and Characteristics	Perform the activities of a broker responsible for a real estate company; Define the role of a broker in a sales transaction and the brokerage; Demonstrate the characteristics and traits of a good broker; List the duties of licensees and brokers
30 minutes	Supervising Broker Requirements and Conflicts of Interest	Describe and discuss the legal requirements for a supervising broker listed under 24.210.601; 37-51-102(25); 37-51-301 and 37-51-302; Recognize areas of liability and possible conflict of interest for brokers and/or agents; Demonstrate how to deal with conflicts of interest; Define and recognize tying agreements
30 minutes	Liability when Agents are Principals	Recognize areas of liability when brokers and/or agents are principals in the transaction; List potential conflict of interest areas that could involve a licensee; Identify the requirements of license law when a licensee is a principal in the transaction; Follow the rules regarding escrow funds received; Evaluate Errors and Omissions insurance coverage; Identify illegal and unethical practices in the buying, selling, exchanging, and leasing of real property by a licensee
30 minutes	Creating a Policy Manual	Identify issues regarding agent-owned property that should be covered in a policy manual; Summarize the purpose and planning of an effective policy manual; Indicate and discuss the topics that should be included in a policy manual; Explain the risks involved in dual agency; Analyze important provisions of RESPA; Compose office policies for advertising practices that comply with

		applicable law
30 minutes	The Office Policy Manual	List the topic areas that should be included in a thorough policy manual; Predict subjects that would be covered in a firm advertising policy; Compose firm policy on agency; Discuss guidelines for brokerage business relationships and vendor referral; Distinguish topics and issues that should be addressed in a firm's commission policies; Diagram a dispute resolution process for a firm; Identify important subjects to be included in manual sections on documentation and transaction files; Describe the issues and practices that should be covered in a broker's internet policy
30 minutes	Office Agency Policy	Organize the important provisions that should be included in a brokerage agency policy; Follow guidelines for the implementation of office agency policy; Explain how subagency works; Compose policies for buyer agency
30 minutes	Policy Manual Sections	List the topics that would be covered in the earnest money section of a policy manual; Compose fair housing policies that comply with all state and federal laws; Discuss the types of insurance that should be addressed in a policy manual; Summarize what the offers section of a policy manual should cover; Construct office safety policies; Organize company sexual harassment policy and training materials; Compose service standards for a real estate brokerage firm
30 minutes	Licensee Training and Risk Management Issues	Compose a licensee orientation and training program covering important topics in a brokerage office; Describe the importance of maintaining complete transaction files; Recognize the red flags that may indicate that mortgage fraud is occurring; Indicate areas of comparison to check when looking for E&O insurance coverage
60 minutes	Professional Risk and Agency	Define a profession and the risks of being a professional; Describe ways to maintain and meet clients' expectations; Summarize a broker's deliberations when deciding what risks and services to take on; List the common areas of risk in real estate practice; Discuss the fiduciary obligations of agency and the corresponding risks
30 minutes	Misrepresentation and Negligence	Recognize the importance of a broker staying within his/her expertise; Predict acts that would be considered misrepresentation; Describe the elements of fraudulent misrepresentation, negligent misrepresentation, and innocent misrepresentation; Follow good risk management practices when making representations; Define negligence; Contrast the elements of negligence in court and in license law; Recognize the risk

		management value of keeping current transaction files
60 minutes	Antitrust Issues and Title Insurance	List and describe the types of practices that are prohibited under antitrust laws; Discuss methods for managing risk regarding antitrust practices; Indicate the actions that may be considered to be the unauthorized practice of law; Describe the types of title insurance; Identify the records examined in a title search; Name the things that are and are not typically covered by title insurance; Evaluate common title problems that must be fixed
60 minutes	The Business Plan	Predict the importance and uses of a professional business plan; Name and describe each section of a business plan; List the different types of business structures; Recall the contents of a business's marketing plan; Discuss the financial statements that should be included in a business plan; Demonstrate how to pull all of the sections of the business plan together and compose an executive summary
30 minutes	Staying on the Path to Success	Explain why it is important to have a business plan; Predict problem areas that a new business may face; Solve problems before they become major hurdles; Estimate issues that may arise in the future and maintain a flexible operating plan; Evaluate the success of a new business; Plan for future growth
30 minutes	Laws that Affect Human Resources	List important laws, policies, and guidelines applicable to human resources practices; Explain various labor laws; Identify resources found through the Department of Labor; Discuss the provisions of Title VII of the Civil Rights Act, Equal Employment Opportunity, Americans with Disabilities Act, Occupational Safety and Health Act, Fair Labor Standards Act and the Equal Pay Act, Immigration Reform and Control Act, Family and Medical Leave Act
30 minutes	Recruiting Qualified Licensees	Analyze various hiring factors and compose a recruiting program; List the qualities of a good real estate agent; Describe the interview process; Evaluate applicants to determine if they possess the necessary personality, experience, skills, and commitment to become a successful agent; Differentiate between employees and independent contractors; Identify the items that should be included in an independent contractor agreement
30 minutes	The Hiring Process	Discuss the hiring process; Compose accurate job descriptions; Organize advertising for open positions; Discuss what should be included in advertisements for open positions; Write effective interview questions; Identify questions that should

		not be asked in an interview
30 minutes	Recognizing and Avoiding Unfair and Illegal Employment and Management Practices	Analyze the areas of risk for brokers in employment and management; Explain how a broker can create a positive work environment that avoids unfair and illegal practices; Describe effective orientation meetings to welcome new hires into a firm; List the steps in creating a policy manual; Demonstrate how to conduct effective job performance reviews; Organize and document employee counseling sessions; Discuss safety and worker's compensation issues
30 minutes	Retention and Termination of Employees	Compose a plan to establish a positive atmosphere in a brokerage office; Demonstrate how to handle change in the company; Describe the termination process; Explain how a broker can avoid problems during terminations; Conduct exit and termination interviews; Summarize the types of resources available for employers on the Department of Labor Web site
30 minutes	Growing a Successful Brokerage Business	Discuss the importance of licensees in growing a successful brokerage business; Recognize the importance of good managers in a successful brokerage business; Predict the issues involved when an agent transfers from sales to management; Summarize the typical growth process of a real estate agent; Describe the different brokerage business models; Demonstrate how a broker can retain the sales associates that wish to have their own company; Evaluate a broker's responsibilities for licensee conduct; Identify the steps and issues involved when a licensee transfers to another broker
30 minutes	Broker-Salesperson Relationship	Summarize the responsibilities of supervising brokers in a real estate brokerage office; Indicate the subjects brokers should cover when training and supervising salespersons; Explain the license requirements for brokers and salespersons; Summarize the Montana laws and rules regulating the broker-salesperson relationship; Recite the requirements for license renewal in Montana; Summarize the Montana laws and rules regulating the termination of broker-salesperson relationship; Discuss agency disclosure requirements
30 minutes	Training Topics	Review important fair housing laws; Organize fair housing training for licensees and staff; Discuss the Americans with Disabilities Act; Evaluate the company forms that should be covered in a company's policies and procedures; Interpret the laws pertaining to the handling of trust funds; Explain licensee and seller obligation under lead-based paint laws; Describe environmental issues

		that should be included in licensee training
30 minutes	Training and Leadership: Part I	List the paperwork procedures that should be covered in a licensee orientation program; Identify the safety procedures that may be part of an orientation program; Plan on-going training programs; Indicate advanced professionalism opportunities available to licensees; Assist a licensee in composing a business plan, including a mission statement, goals, and budget
30 minutes	Training and Leadership: Part II	Describe the four common personality styles; Discuss personality and communication styles and how they interact in a company; Analyze communication issues within a brokerage office; Relate the issues related to the timing and method of commission distribution; Differentiate an independent contractor from an employee and the related tax implications
30 minutes	Time Management	Identify the components of meeting long-range goals; Describe the organizational tools available; Analyze the details necessary for organizing and prioritization; Recognize the training issues
30 minutes	Database Software	List various database software programs available; Identify the features of database software programs; Explain general terms used for database software programs; Describe software vendor database software programs
30 minutes	Contact Software and Internet Databases	Identify the features of contact software applications; Explain general terms used for contact management applications; Describe contact management programs; Differentiate between various contact management software programs
30 minutes	Prospecting and Marketing	Describe how to develop a target market; Identify prospecting methods; Recognize the issues involved in creating a listing presentation; Differentiate between marketing to agents, buyers, and sellers; Define real estate terms that the general public may not be familiar with
30 minutes	The Internet, Target Markets, and Advertising	Describe the internet advertising rules outlined in ARM 24.210.430; Identify the components of the types of advertising media options; List the real estate-specific software for creating flyers, and marketing materials; Analyze the details necessary for selecting a marketing plan
30 minutes	Managing Agency Risks	Discuss the impetus of agency disclosure laws; Explain the different types of agency provided for under the license law in most states; List the steps that brokers can use to successfully manage agency risk; Compare the risk levels associated with different types of agency relationships; Explain agency representation to clients, customers, and

		licensees; Summarize the role of informed consent in state agency provisions; Describe the importance and effects of proper documentation
30 minutes	Mortgage Fraud and Fair Housing Issues	Discuss the importance of client follow up and communication in risk management; Explain how mortgage fraud occurs; Compare the tactics and scams used in mortgage fraud; List common mortgage fraud red flags; Follow all provisions of the Fair Housing Act; Indicate the phrases in advertising that may be violations of fair housing laws; Summarize various methods of managing the risk of fair housing violations
30 minutes	Charting the Course	Summarize how success can be achieved; Discuss the importance of goal setting; Explain how to implement effective foundational models; Diagram how to break through the achievement ceiling; Describe the three L's of a real estate agent; Identify the four stages of growth
30 minutes	Six 'Mythunderstandings' Between You and High Achievement	Identify the six myths about high achievement; Recall six truths about success in real estate
30 minutes	The Nine Ways the Millionaire Real Estate Agent Thinks: Part I	Identify the nine ways a millionaire real estate agent thinks; Explain foundational thinking; Discuss the Big Why; Summarize supportive thinking
30 minutes	The Nine Ways the Millionaire Real Estate Agent Thinks: Part II	Discuss the ways a millionaire real estate agent thinks; Demonstrate how to think competitively and strategically; Indicate the basic difference between low achievers and high achievers; Recall the importance of standards; Summarize the three levels of the service approach; Explain the 80:20 Rule; Differentiate between lead generation and lead receiving; Analyze the virtues of seller listings; List the eight goal categories of the millionaire real estate agent
30 minutes	Earn a Million: Part I	Explain the economic model and how it pertains to real estate success; Demonstrate how to use the Lead Generation Model, including prospecting and marketing, database marketing, systematic marketing, and how to focus on listing
30 minutes	Earn a Million: Part II	Summarize the three key areas of the Budget Model; Discuss the three key areas of the Organizational Model; Review the four models
30 minutes	Earn a Million: Part III	Demonstrate a millionaire's view on each of the four models; Discuss a real estate agent's cost of sales and operating expenses; Explain the millionaire agent lead generation model; Diagram the budget model; Summarize the three areas of staffing; Compare the nine major compensation options
		Differentiate between earning and netting a million;

30 minutes	Net a Million	Discuss the importance of a lead generation program; Calculate the minimum number of seller listings that must be listed each month; Explain the systems documentation model of the millionaire real estate agent; Identify how to create teamwork; Summarize ways to control costs
30 minutes	Receive a Million	List the four issues of receive a million; Explain how to work on the business, not in the business; Differentiate between active and passive income; Indicate the three key hires and their roles and responsibilities; Discuss the importance of accountability; Recall the five simple steps for putting it all together; Summarize the Millionaire Real Estate Energy Plan
30 minutes	Effective Communication Models	Define communication and its meaning; Differentiate between verbal communication and non-verbal communication; Explain and interpret the concept of "the map is not the territory;" Compose an effective communication model
30 minutes	Pacing and Matching for Effective Communication	Recognize the use and effects of communication when implementing pacing, matching body language, pacing the breath, voice matching, mismatching, and appreciation; Start applying these uses and effects of communication
30 minutes	Understanding How the Other Person Thinks	Discover how your client thinks; Recognize the three primary representational systems; Spot accessing cues; Practice "active listening;" Apply this information in guiding negotiations
30 minutes	Negotiating With Style	Apply leading and pacing techniques to guide negotiations; Choose predicates to influence participants in a negotiation; Utilize future pacing to get a client to imagine a desired outcome; Set and fire an anchor; Employ directive speaking, presuppositions, influential language and patterns for negotiations
30 minutes	Achieving Desired Outcomes in Communication	Evaluate customers' criteria, then list and discuss them; Explain the effectiveness of the language of benefits over features; Distinguish customers' buying behavior; Model how to achieve desired outcomes, in a transaction, a career and a life
30 minutes	Understanding and Using Effective Communication	Evaluate the importance of congruency and noncongruency; Recognize the reasons behind using personal criteria; Apply reframing in any situation; Differentiate between being proactive and reactive; Practice conflict resolution; Apply triple descriptions; Follow the principles for negotiation and utilize its techniques
		Define important terms found in Montana Real Estate License Law; List the persons to which the Montana Real Estate License Law does not apply; Discuss the make up of the Board of Realty

30 minutes	Board of Realty Regulation and Licensing	Regulation and its general licensing power; Recall the qualifications that applicants must possess when applying for a salesperson or broker license; Explain Montana provisions regulating license examinations, continuing education, and renewals
30 minutes	Licensee Duties, Agency Relationships, and Unprofessional Conduct	Explain the provisions of Montana License Law governing the relationship between a broker and a salesperson; Interpret the Montana statute setting forth the duties, duration, and termination of relationships between brokers or salespersons and buyers or sellers; Describe a dual agent's obligations to clients under Montana License Law; Recite the agency relationship disclosure requirements in Montana; Recall the practices that are considered unprofessional conduct under the Administrative Rules of Montana; List the Board of Realty Regulation's disciplinary guidelines; Summarize the practices for which a licensee may have his/her license revoked or suspended and the possible penalties
30 minutes	Recovery Account and Foreclosures	Discuss the purpose and operation of the Real Estate Recovery Account; Analyze the statute of frauds provisions in Montana; Describe the proceedings in Montana foreclosure suits
40 minutes	History of Agency Relationships	Describe why the usage of various types of listing agreements has changed over the years; Relate the role the multiple listing service had in defining which party brokers and salespersons represented in a real estate transaction; Discuss the reason why a FTC report published in 1983 led to many changes in real estate agency representation and disclosure requirements for real estate professionals; List and explain the elements of real estate agency representation through research
30 minutes	Law and General Agency Structure	Perform research to determine whether the jurisdiction where you practice still adheres to the common law of agency; Apply company policy to your practice of agency representation; Indicate who owns agency agreements in your firm; Explain the obligations a salesperson has to his/her client vs. his/her customer; Distinguish which party you represent in a transaction
50 minutes	Creation of Agency Representation	Identify common mistakes that can unintentionally imply false representation; Describe the proper methods to establish an agency representation relationship; Identify who owns agency agreements in a firm; Recognize which party an agent represents in a transaction
		Explain why proper agency disclosures have become such a critical element of practicing real estate; Identify the parties to whom the

35 minutes	Agency Disclosure and Non-Agency Relationships	salesperson must disclose their agency representation; Predict when and how to disclose the salesperson's agency relationship; Identify and recognize non-agency relationships in the real estate transaction; Recall whether your jurisdiction allows non-agency relationships
25 minutes	Conflicts of Interests and Lawsuits	Identify situations that cause conflicts with regard to agency representation for real estate professionals; Describe methods for addressing representational conflicts; List the obligations of an agent to a principal; Identify actions that could constitute a breach of fiduciary duties; Describe the consequences of breach of fiduciary duties
45 minutes	History of Fair Housing	Explain the purpose of the Civil Rights Act of 1866; Discuss the purpose of the Executive Order No. 11063; Describe the purpose of the Civil Rights Act of 1964; Explain the purpose of the Fair Housing Amendments Act of 1988
30 minutes	Fair Housing Rules	Differentiate between legal and illegal advertising under the Fair Housing Laws; Describe and give examples of blockbusting; Identify exemptions to the Fair Housing Laws
30 minutes	Law of the Land	List the protected classes; Describe and give examples of steering
45 minutes	Protected Class Blocking	Distinguish between Fair Housing violations and the application of Fair Housing exemptions; Describe and give examples of redlining; List the penalties for violations of the Fair Housing Laws; Identify local, state, and federal agencies responsible for the enforcement of the Fair Housing Laws
30 minutes	Americans with Disability Act	Discuss the Americans with Disabilities Act (ADA) of 1990 and Title IV regulations; Explain the major provisions of the Americans with Disabilities Act regarding housing and real property transactions
30 minutes	Risk Management Through Fair Housing Compliance	Evaluate real estate practices that may be considered prohibited acts under the Fair Housing Act; Discuss blockbusting; Differentiate private owner exemptions under the Fair Housing Act; Follow the fair housing exemption rules for older persons; Compose advertising copy that meets the requirement of fair housing laws
40 minutes	Indoor Pollutants and Formaldehyde	List common environmental hazards that require disclosure in a listing agreement; Summarize ways real estate licensees can minimize liability and still fulfill their duties to clients; Discuss sources of pollution that affect indoor air quality; Explain why urea-formaldehyde foam insulation (UFFI) may be a problem to certain people; Identify the major health hazards of formaldehyde

40 minutes	Asbestos and Lead	Summarize the major health effects of exposure to lead and asbestos; Recognize the types of materials that contain asbestos; List sources of lead poisoning; Illustrate what must be disclosed to buyers/sellers when lead contamination is suspected
40 minutes	Mold	Explain what mold is, the conditions under which it grows, the steps to its prevention, and how to get rid of it; Analyze the health effects of mold exposure; Diagram the steps licensees can take to reduce toxic mold liability; Describe what real estate professionals should do when microbial contamination is suspected on a property; Summarize the provisions of the proposed Federal Toxic Mold Bill H.R. 5040, otherwise known as the Melina Bill
40 minutes	Radon, Groundwater, and UST	Identify the major health effects of exposure to radon; Name the various ways to test for radon and know what questions to ask when radon pollution is suspected in a home; Recognize sources of groundwater contamination; List clues real estate licensees can look for when inspecting properties for possible underground storage tanks; Follow the testing methods for leaking underground storage tanks
40 minutes	Brownfields	Recognize signs of a hazardous waste dump site; Discuss brownfields and why their cleanup and redevelopment is important; Cite the legislation which governs brownfields and explain the intent of the legislation; Identify who is liable for the cleanup costs of a brownfield, who is responsible for the revitalization, and who is exempt from the restoration laws
40 minutes	Wetlands	Illustrate the functions of wetlands and the importance of wetland remediation; Classify the unique characteristics of different wetland types, specifically marshes, swamps and bogs; Evaluate the various landowner assistance programs available to wetland owners; Relate the position held by the National Association of REALTORS® in regards to wetland legislation; Identify the entities who regulate the management and use of wetlands
30 minutes	Smart Growth: Part 1	Discuss courses of action a buyer could take when an environmental hazard is found on a property; Describe and explain the responsibilities a licensee has to a client when conducting a real estate transaction, such as disclosure of noted potential environmental hazards; Delineate the kinds of projects for which loans are offered by the Clean Water State Revolving Fund program; Elaborate

		on what smart growth is and why it is important; Recite the key points of the relationship between smart growth and both environmental protection and business
30 minutes	Smart Growth: Part 2	Analyze the costs of sprawl and the results of poorly managed growth; Enumerate the key features of smart growth that simultaneously protect environmental assets, build community livability, and encourage economic development; Evaluate the real estate professional's role in promoting smart growth and becoming an advocate for increased quality of life
30 minutes	Green Housing: Part 1	Elaborate on buyer demand for healthy homes, how to sell them and cost comparisons of green homes versus traditional ones; List the four main causes of poor indoor air quality; Summarize the potential dangers of modern materials used in construction
30 minutes	Green Housing: Part 2	Relate the components of energy efficient houses and list some of the green features in newly built homes; Recognize that real estate professionals should be able to help clients make the best decision about buying a home which will cost less in terms of energy use; Distinguish how building green healthy homes can increase the buying power for a homebuyer and increase selling power, as well, by making older homes more appealing; Measure energy ratings and energy efficient mortgages
30 minutes	An Introduction to Disclosure Issues	Explain why it is important for real estate licensees to study disclosure issues; List an agent's fiduciary obligations to his/her client; Define statutory law, common law, and administrative law; Describe material facts; Discuss the disclosure obligations a licensee owes to sellers, buyers, and non-clients; Summarize the top legal issues real estate licensees face dealing with disclosure
30 minutes	Agency Disclosures: Part 1	Discuss agency disclosure issues; Define subagency and dual agency; Describe disclosure requirements regarding confidential facts, variable rate commissions, and pertinent facts
30 minutes	Agency Disclosures: Part 2	Discuss the Nations Association of REALTORS® disclosure requirements regarding accepted offers; Explain the disclosure required when a licensee is also a party in a real estate transaction; Summarize NAR requirements for the disclosure of rebates, profits, referral fees, and multiple commissions; Describe the rules and laws regulating disclosures and discrimination
		Distinguish possibly discriminatory statements in real estate advertising; Discuss the NAR Code of

30 minutes	Disclosures in Advertising	Ethics requirements regarding the disclosure of professional status, free items, sources of compensation, and firm names in advertising; Explain disclosure requirements for information on broker Web sites; Recall disclosure requirements for the expiration dates of listings; Identify what a licensee may and not disclose about stigmatized properties
30 minutes	RESPA Disclosures	List common closing costs; Describe a kickback; Summarize the purpose and provisions of the Real Estate Settlement Procedures Act (RESPA); Discuss the documents that a lender is required to give to borrowers; Identify an Affiliated Business Arrangement (AfBA) and any associated disclosures; Compare such required disclosure documents as the HUD-1 Settlement Statement, Initial Escrow Statement, Annual Escrow Statement, and Servicing Transfer Statement; Explain the Truth-in-Lending Act (TILA) and important provisions
30 minutes	Property Disclosures and Environmental Hazards	Discuss the purpose and importance of seller disclosure statements; Recall the type of information that a seller disclosure statement will usually contain; Describe the sources and effects of lead; State the disclosure requirements for sellers of homes built before 1978; Evaluate the effects of mold in a home; Identify how to eliminate mold; Summarize the problems with asbestos; Explain the sources and effects of radon in a home
40 minutes	Basic Law of Contracts	Define the term "contract;" Describe the elements which a valid contract must include; Discuss standardized forms most commonly used in real estate; Describe the need for clarity of parties' intention in contracts; Identify common changes to contracts; Explain fiduciary duty and breach of contract; Indicate the common "buzz words" which deserve special attention
35 minutes	Types of Contracts	Describe oral, implied and written contracts; Define ambiguous contracts and how they are handled by courts; Discuss equitable title; Define consideration; Discuss legal capacity; Describe offers and counteroffer
35 minutes	Avoiding Fraud and Void	Define reality of consent; Describe legality of object; Identify fraud and misrepresentation; Evaluate mistakes of fact and law; Describe undue influence and duress; Classify void, voidable, and executory contracts
35 minutes	Termination	Describe bilateral and unilateral contracts; Define executory contract, contract discharge and termination; Describe accord and satisfaction; Define novation and rescission; Discuss specific

		performance; Describe liquidated damages
35 minutes	Sale Contracts	Define terms and conditions of offers to purchase; Describe earnest money; Explain land contracts; Define mortgages; Describe due on sale; Discuss options and the right of first refusal
30 minutes	Contract Interpretation and Modification	Explain how courts may uphold the written terms of a contract as an expression of the parties' final intent in the event of a dispute; Summarize the rules of contract interpretation the courts will use; Indicate which items in a contract will be given priority; Differentiate between vague terms and ambiguous terms; Define the parol evidence rule and contract assignment
30 minutes	Buy-Sell Agreements and Addenda	Discuss the sections commonly found in exclusive right to sell agreements; Explain the purpose of seller's disclosure statements; Analyze the information contained in buyer broker agreements; Describe the common sections in buy-sell agreements; List the addenda that are used in Montana
30 minutes	Trust Accounts	Explain the trust account requirements that brokers must follow; List the penalties for failure to comply with trust account requirements; Describe the records necessary to support proper trust account control and record keeping; Summarize the procedures for bank reconciliation; Follow proper office inspection procedures; Organize rental property bookkeeping
30 minutes	What is Escrow?	Summarize the history of escrow; Define what an escrow is; Describe what a stakeholder is and what he/she does; Explain why escrows take time; Identify which escrows are not required by law; List the requirements of a valid contract
30 minutes	Six Main Tasks: Part 1	Describe the duties and tasks of an escrow officer, as well as client obligations; List the three main types of grant deeds; Identify the elements that consist of a valid deed; Explain what documentary transfer tax is and how to use it
45 minutes	Six Main Tasks: Part 2	Identify the terms associated with deeds of trust and notes; Describe the kinds of insurance policies used in escrow; List the ways of canceling an escrow; Define the steps of closing an escrow
30 minutes	Closing and Settlement: Part 1	Define escrow and the duties of an escrow agent; Identify the parties involved in a real estate closing and their roles; Discuss the creation and operation of escrow; List the primary ways in which escrow is terminated
30 minutes	Closing and Settlement: Part 2	List the functions and types of title insurance; Describe the sections of a commitment for title insurance; Explain the organization of a settlement statement; Indicate how closing costs are prorated

		and which party will pay each expense
45 minutes	Title Insurance	Identify the forms of ownership recognized in Montana; Explain what title insurance covers; Describe what a title search entails; Summarize the history and compositions of the title assurance industry; Name the types of title insurance; Discuss quiet titles, clouds on titles, quiet title action, and recording
30 minutes	Licensure of Property Managers	Recognize which property management practices are covered under Montana Real Estate License Law provisions; List the qualifications required to obtain a Montana property manager license; Recite the continuing education and renewal requirements for Montana property managers; Summarize the requirements for maintaining property management trust accounts; Recall the acts that are considered unprofessional conduct for property management licensees
30 minutes	Montana Residential Landlord and Tenant Act	Summarize the exclusions under the Residential Landlord Tenant Act; Describe the provisions governing the terms and conditions of rental agreements; Explain the rights and duties of the parties under the Residential Landlord Tenant Act; Recall the provisions regulating a landlord's access to rental premises; List the remedies available to parties for breaches and noncompliance with Montana law
30 minutes	Leases and Leasing: Part I	Define what a lease is and the requirements of all types of leases; Evaluate the difference between assignment of a lease and subleasing
30 minutes	Leases and Leasing: Part 2	Discuss the process of qualifying prospective tenants; Identify the role of the property manager in drafting leases and the dangers in using lessee prepared leases; Evaluate the dangers and benefits as to the length of a leases; Demonstrate how to reach a win/win objective in lease negotiations; Describe the required disclosures
30 minutes	Lease Clauses	Describe the different lease clauses, what they mean, and their applicability to the specific needs of lessors and lessees; Identify what can be included in a lease
30 minutes	A Continuation of Lease Clauses	Explain the different lease clauses and what they mean, and their applicability to the specific needs of lessors and lessees; Describe what can be included in a lease
30 minutes	Residential Property Management: Part I	Define what should be included in a residential property management contract; Discuss the necessity of developing policies for managing a residential property
		Analyze rents in a community to make informed decisions as to economic adjustments; Explain

30 minutes	Residential Property Management: Part 2	how to prepare a property for lease, the prequalification and qualification process, showing the property, obtaining the lease application, and getting the lease signed; Describe lessor disclosure requirements, and both tenant and lessor obligations; Identify the necessity of rent collection procedures and the process of eviction, as well as how to handle tenant problems and use charges
30 minutes	Tenant Relations	Recognize the importance of educating a tenant about lease clauses and occupancy rules; Explain the dangers of renting to friends or relatives, or having a romantic entanglement with a tenant; Identify the importance of properly handling problem tenants and tenant complaints and what you can learn from them; Summarize how to handle tenant waiting lists, as well as the tenant's right to make repairs and deduct the cost from rent; Evaluate how to handle late rent, tenant absences, the death of a tenant, and changing the terms of tenancy; List the steps in the eviction process and prohibited practices
30 minutes	Montana Condominiums	Summarize the content required in a condominium declaration under Montana law; List the condominium documents that must be recorded and approved; Recall the required content of condominium bylaws; Discuss the nature of condominium ownership interest; Explain the rights and duties of condominium ownership; Describe how liens and common expenses work with regard to condominiums; Name the documents that condominium sellers must provide to prospective buyers; Discuss the removal of condo property from the provisions of the Montana Unit Ownership Act - Condominiums
45 minutes	General Business Ethics and the Structure of the Code of Ethics	Describe the concept of general business ethics; Identify how the Code of Ethics compares and contrasts with the concept of general business ethics; Identify at least two of the aspirational concepts in the Preamble to the Code of Ethics
45 minutes	Code of Ethics and Articles vs. Standards of Practice	Identify the three major sections to the Code of Ethics; Learn the difference between articles and standards of practice; Learn about key concepts associated with Articles 1, 2, 3, 9, 11, 12, 16 & 17; Identify the difference between the Articles of the Code of Ethics and the Standards of Practice
45 minutes	Enforcement of the Code of Ethics	Identify the main point addressed by each of the articles listed above; Identify key terms associated with ethics complaints and arbitration claims; Describe at least three factors upon which a procuring cause arbitration claim is decided;

		Explain the complaint process
25 minutes	Case Interpretations: Part I	Discuss various ethics case studies; Identify violation of the Code of Ethics
20 minutes	Case Interpretations: Part II	Discuss various ethics case studies; Identify violation of the Code of Ethics
30 minutes	Basic Concepts of Community Ethics	Discuss the tested and proven ethical strategies that make communities of any kind increasingly productive; Explain how ethical principles apply to the real estate professional community; Define "productivity" in a human community; Indicate how to improve the productivity of professional practices and the quality of the professional and personal lives of real estate professionals
30 minutes	Ethical Strategies for Promoting Community Productivity	Discuss the basic strategies for promoting productivity in both natural and human communities; Recall motivation to be productive; Explain the challenges of conflict mitigation; Summarize the concepts of differentiation, specialization, and cooperation; Describe how these strategies translate to ethical practice in the real estate professional community
30 minutes	Applying the Strategies to Promote Productivity	Discuss how productivity promotion strategies are applied; Summarize the different ways people cooperate; Explain productive orders, systems, and investments; Recognize the importance of the conservation of resources
30 minutes	Review	Summarize the basic strategies to promote productivity such as game theory and cooperation; Discuss the ethical principles of community productivity; Recognize the importance of stability, predictability and experimentation, and the need for a balance between these elements in achieving maximum community productivity; Explain the need for change and adaptation; Identify how experimentation leads to innovation; Differentiate between uniformity and diversity
60 minutes	Final Exam	

3600 minutes / 60 clock hours

QC: 9/2008 hds