Texas Real Estate Commission
P.O. Box 12188
Austin, TX 78711-2188
512-936-3000

# QUALIFYING REAL ESTATE COURSE APPROVAL FORM
# LAW OF AGENCY (30 hour course)

Provider Name

Title of Course

Name of Text or Workbook and Author

Length of Course
**30 hrs**

| | Suggested Length of Unit(min.) | On Page # | FOR TREC USE ONLY: included | Not included | Comments |
|---|---|---|---|---|---|
| **Agency Concepts** *Disclosure of Agency - relationship between Principle & Agent* | | | | | |
| What is Agency? The License Act - Statute & Rules | **40** | | ☐ | ☐ | |
| Roles People Play in Agency Relationships - Client or Customer? | **40** | | ☐ | ☐ | |
| Why Study Agency | **25** | | ☐ | ☐ | |
| Relationship between Principle & Agent | **25** | | ☐ | ☐ | |
| **SUBTOTAL** | **130** | | | | |
| **Basic Agency Relationships, Disclosure and Duties to the Client** *Relationship between Principle & Agent; Authority of Agent* | | | | | |
| Agency Defined | **20** | | ☐ | ☐ | |
| Authority of Agent | **20** | | ☐ | ☐ | |
| Classifications of Agency | **25** | | ☐ | ☐ | |
| Fiduciary Duties and Responsibilities | **40** | | ☐ | ☐ | |
| Information About Brokerage Services - Disclosure of Representation | **20** | | ☐ | ☐ | |
| **SUBTOTAL** | **125** | | | | |
| **Duties and Disclosures to Third Parties** *Fiduciary & Other Duties of an Agent* | | | | | |
| Non-Fiduciary Duties | **20** | | ☐ | ☐ | |
| General Duties of Honesty & Fairness | **20** | | ☐ | ☐ | |
| Define Third Party/Obligations to Third Party | **20** | | ☐ | ☐ | |
| Avoiding Disclosure and Misrepresentation Problems | **30** | | ☐ | ☐ | |
| Section 5.008 of the Texas Property Code (Seller's Disclosure) | **20** | | ☐ | ☐ | |
| Stigmatized Properties | **15** | | ☐ | ☐ | |
| **SUBTOTAL** | **125** | | | | |

# Law Of Agency-Qualifying Real Estate Approval Form

| | Suggested Length of Unit(min.) | On Page # | FOR TREC USE ONLY: included | Not included | Comments |
|---|---|---|---|---|---|
| **Seller Agency** *Disclosure of Agency; Listing or Buying Representation Procedures* | | | | | |
| Listing Agreements | **40** | _____ | ☐ | ☐ | _____ |
| Exclusive Seller Agency | **20** | _____ | ☐ | ☐ | _____ |
| Benefits of Seller Agency Relationships | **20** | _____ | ☐ | ☐ | _____ |
| Sub Agency | **20** | _____ | ☐ | ☐ | _____ |
| Disclosure Issues | **20** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **120** | | | | |
| **Buyer Agency** *Disclosure of Agency; Listing or Buying Representation Procedures* | | | | | |
| Buyer Representation Agreement | **30** | _____ | ☐ | ☐ | _____ |
| Deciding to Represent the Buyer | **20** | _____ | ☐ | ☐ | _____ |
| The Creation of Buyer Agency | **30** | _____ | ☐ | ☐ | _____ |
| Benefits of Buyer-Agency Relationships | **30** | _____ | ☐ | ☐ | _____ |
| Written Notification of Compensation to Broker | **20** | _____ | ☐ | ☐ | _____ |
| Buyer's Broker Disclosures | **20** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **150** | | | | |
| **Representing More Than One Party in a Transaction: Intermediary Brokerage** *Listing or Buying Representation Procedures; Agency Disclosure* | | | | | |
| The Path from Dual Agency to Intermediary Brokerage | **40** | _____ | ☐ | ☐ | _____ |
| Representation of More Than One Party in a Transaction | **30** | _____ | ☐ | ☐ | _____ |
| Intermediary Brokerage | **45** | _____ | ☐ | ☐ | _____ |
| Specialized Intermediary Applications | **20** | _____ | ☐ | ☐ | _____ |
| Intentional versus Unintended Dual Representation | **30** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **165** | | | | |
| **Creation and Termination of Agency** *Termination of an agent's authority* | | | | | |
| How and When Agency is Created | **30** | _____ | ☐ | ☐ | _____ |
| How Agency is Terminated | **30** | _____ | ☐ | ☐ | _____ |
| Duties of Agency that Survive Termination | **25** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **85** | | | | |
| **Clarifying Agency Relationships** *Disclosure of Agency* | | | | | |
| Disclosure Policy | **20** | _____ | ☐ | ☐ | _____ |
| Understanding a Brokerage Company's Policy | **25** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **45** | | | | |

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|---|---|---|---|---|---|
| **Employment Issues** | | | | | |
| *Employment law* | | | | | |
| Independent Contract Agreements | **20** | _____ | ☐ | ☐ | _____ |
| Employment Law | **20** | _____ | ☐ | ☐ | _____ |
| Employment Relationships between Brokers and Principals | **20** | _____ | ☐ | ☐ | _____ |
| Employment and Compensation of Personal Assistants | **20** | _____ | ☐ | ☐ | _____ |
| Relationships between Brokers and Agents | **20** | _____ | ☐ | ☐ | _____ |
| Compensation Issues | **20** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **120** | | | | |
| **Agency, Ethics and the Law** | | | | | |
| *An Agent's Duties; including fiduciary duties* | | | | | |
| Distinctions between Law, Ethics, and Morals | **25** | _____ | ☐ | ☐ | _____ |
| Federal and State Law Relating to Conduct | **20** | _____ | ☐ | ☐ | _____ |
| TRELA and Rules of the Commission (Ethics) | **40** | _____ | ☐ | ☐ | _____ |
| Professional Codes of Ethics | **40** | _____ | ☐ | ☐ | _____ |
| Minimum Ethical Standards | **30** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **155** | | | | |
| **Deceptive Trade Practices and Consumer Protection Act** | | | | | |
| *Deceptive Trade Practices* | | | | | |
| Fraud versus Misrepresentation | **30** | _____ | ☐ | ☐ | _____ |
| Deceptive Trade Practices and Consumer Protection | **50** | _____ | ☐ | ☐ | _____ |
| Damages | **20** | _____ | ☐ | ☐ | _____ |
| Defenses | **20** | _____ | ☐ | ☐ | _____ |
| Ethical and Legal Concerns | **20** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **140** | | | | |
| **Implementation and Presentation** | | | | | |
| The Broker Working for/with the Seller | **40** | _____ | ☐ | ☐ | _____ |
| The Broker Working for/with the Buyer | **30** | _____ | ☐ | ☐ | _____ |
| A Practical Guide to Everyday Practice | **30** | _____ | ☐ | ☐ | _____ |
| Other Considerations | **20** | _____ | ☐ | ☐ | _____ |
| Risk Management | **20** | _____ | ☐ | ☐ | _____ |
| **SUBTOTAL** | **140** | | | | |

**TOTAL MINUTES** **1500**