



**State of Idaho**  
**Division of Occupational & Professional Licenses**  
**Real Estate Commission**

## Special Consideration Policy

This Special Consideration Policy outlines the circumstances for submitting a request for special consideration to waive or modify any requirement established by statute or administrative rule for the licensure or certification of an applicant. This policy also covers the procedures and required documentation for such requests.

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## DELEGATED AUTHORITY OF THE COMMISSION

Per [Idaho Code 54-2012\(1\)](#), the Idaho Real Estate Commission (REC), as incorporated into the Division of Occupational & Professional Licenses (DOPL), is authorized to waive or modify any prerequisite requirement established by statute or administrative rule for obtaining a broker or salesperson real estate license and any requirement for the certification of course providers, instructors, and courses, for good cause and upon request for special consideration by an applicant.

### **The applicant has the burden of establishing current suitability for licensure.**

The Commission has granted delegated authority to DOPL Staff, the Commission's Executive Officer, and the Idaho Real Estate Education Council to consider and make determinations on specific matters, as outlined in this policy.

**DOPL Staff** are granted delegated authority to consider and determine:

- Waivers of the national exam ([54-2014](#) and [54-2015](#))
- Certification of course providers ([54-2026](#))
- Certification of instructors ([54-2033](#) & [54-2034](#))
- Certification of continuing education courses ([54-2036](#))
- Equivalency of continuing education courses accredited by another profession, organization, or jurisdiction ([54-2022\(6\)](#))

DOPL Staff may defer an applicant's request to the next regularly scheduled Council meeting for full Council consideration.

**Education Council Members** are specifically authorized to consider and determine:

- **Appendix B:** Time extensions for acceptance of exam results ([54-2014\(1\)](#))
- **Appendix C:** Waivers, or modifications to prelicense education requirements, or time extensions for acceptance of prelicense courses ([54-2022\(2\)](#) & [54-2022\(6\)](#))
- **Appendix G:** Waivers or modifications to the requirements that certified instructors have active real estate-related experience ([54-2033\(2\)\(b\)\(iii\)](#))

**The Executive Officer** is specifically granted delegated authority to consider and determine:

- *Disclosure Statement for Inquiry on Impact of Criminal Conviction* submissions
- **Appendix E:** Felony exemption review request for applicants with a **single conviction greater than 15 years ago, without** aggravating circumstances or factors,\* if it is for a:
  - Controlled substance violation with no aggravating factors such as significant quantity, or distribution;
  - Felony DUI;
  - Petit Theft; or,
  - Property crime.

\* Black's law defines an aggravating factor or circumstance as "Any factor or circumstance which increases the enormity of a crime or the injury of a wrong."

The Executive Officer may defer to the next regularly scheduled Commission meeting for full Commission consideration if there is anything in the applicant's request or history that warrants further review.

**Commissioners** consider and determine the following types of requests:

- **Appendix A:** Waivers of high school graduation/GED ([54-2012\(1\)\(c\)](#))
- **Appendix D:** Waivers of broker experience requirements ([54-2012\(2\)\(a\)](#))
- **Appendix E:** Felony exemption requests for applicants with ([54-2012\(1\)\(g\)](#); [54-2026\(2\)\(b\)\(ii\)](#); [54-2034](#)):
  - Multiple convictions greater than 15 years ago;
  - A single conviction between 5 and 15 years ago; or,
  - A conviction for a reason not listed above.
- **Appendix F:** Revocation exemption requests involving ([54-2012\(1\)\(e\)](#); [54-2026\(2\)\(b\)\(i\)](#); [54-2034](#)):
  - Fraud;
  - Misrepresentation; or
  - Dishonest or dishonorable dealing in Idaho or any other jurisdiction.
- For a waiver or modification of any other requirements not specifically enumerated above, applicants should contact DOPL staff for further direction

## GUIDANCE FOR SUBMITTING A REQUEST FOR SPECIAL CONSIDERATION

Prior to being placed on a Commission or Council agenda, all applicants who want to request special consideration must submit:

1. The appropriate Appendix form
2. A written statement detailing the reason and **“good cause”** for the request
3. Any relevant supporting documentation

Requests and documentation **MUST** be received **no later than three (3) weeks prior** to the regularly scheduled meeting at which they will be considered. Applicants should review the [Meeting Calendar](#) on the Commission's website for information regarding the dates of regularly scheduled meetings.

**Incomplete applications will NOT be considered.**

Applicants will be advised of any decisions, in writing, within ten (10) business days of the decision.

If a matter is partially or completely approved, the decision is **valid for six (6) months** from the date of the decision letter, unless otherwise noted in the letter.

If a matter is denied, the process for appealing the decision will be outlined in the decision letter.

## FACTORS CONSIDERED FOR FELONY & REVOCATION REQUESTS

**Idaho Code 54-2012(1)(g)**. During a review of a felony exemption request, the following factors or evidence will be considered:

1. *The severity or nature of the felony;*
2. *The period of time that has passed since the felony under review;*
3. *The number or pattern of felonies or other similar incidents;*
4. *The circumstances surrounding the crime that would help determine the risk of repetition;*
5. *The relationship of the crime to the licensed practice of real estate; and*
6. *The applicant's activities since the crime under review, such as employment, education, participation in treatment, payment of restitution or any other factors that may be evidence of current rehabilitation.*

**Idaho Code 54-2012(1)(e)**. During the review of a revocation exemption request, the following factors or evidence will be considered:

1. *The severity or nature of the disciplinary violation for which the applicant's license was revoked;*
2. *The period of time that has passed since the disciplinary violation occurred;*
3. *The existence, number and pattern of any other misconduct for which the applicant has been disciplined;*
4. *The circumstances surrounding the disciplinary violation that would help the commission determine the risk of repetition;*
5. *The relationship of the disciplinary violation to the licensed practice of real estate; and*
6. *The applicant's activities since the disciplinary violation under review, such as employment, education, participation in treatment, payment of restitution or any other factors that may be evidence of current rehabilitation.*



## SPECIAL CONSIDERATION REQUEST

### Appendix A: Waiver of High School/GED Requirement

**Appendix A** is to be completed by an applicant requesting a **waiver** of the requirement to “furnish satisfactory proof that [they] graduated from an accredited high school or its equivalent or holds a certificate of general education,” as set forth in Idaho Code [54-2012\(1\)\(c\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix A Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> Include a letter indicating what you are requesting and why you need an exemption from the requirement. This is your chance to provide context and demonstrate the “good cause” of your specific request.

SECTION 3 – RECOMMENDED ATTACHMENTS	
	<b>Documentation of Completed Education.</b> Official transcripts, certificates, or other documents from any alternative education or training programs you have completed. This may include vocational schools, professional courses, or specialized certifications, etc.
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

SECTION 4 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [IREC-Licensing@dopl.idaho.gov](mailto:IREC-Licensing@dopl.idaho.gov) at **least three (3) weeks prior** to the next regularly scheduled Commission meeting.



## SPECIAL CONSIDERATION REQUEST

### Appendix B: Extension of Exam Score Acceptance

**Appendix B** is to be completed by an applicant requesting **an extension** of the requirement to “take and pass the required portion or portions of the exam within no more than twelve (12) months immediately preceding the date of the license application,” as set forth in Idaho Code [54-2014\(1\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix B Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> Include a letter indicating what you are requesting and why you need more than the 12 months allotted to complete your application. This is your chance to provide context and demonstrate the “good cause” of your specific request.

SECTION 3 – RECOMMENDED ATTACHMENTS	
	<b>Official Exam Score Report(s).</b> Attach a copy of your official score report(s) from the testing center.
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

SECTION 4 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [BCRE-Education@dopl.idaho.gov](mailto:BCRE-Education@dopl.idaho.gov) at **least three (3) weeks prior** to the next regularly scheduled Education Council meeting.



## SPECIAL CONSIDERATION REQUEST

### Appendix C: Waiver, Modification, or Extension of Prelicense Education Requirements

**Appendix C** is to be completed by an applicant requesting a **waiver, modification, or extension** of the requirement to “*successfully complete all prelicense real estate courses within no more than three (3) years prior to the date of the license application,*” as set forth in Idaho Code [54-2022\(2\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix C Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> Include a letter indicating what you are requesting and why you need more than the 3 years allotted to complete your application, or what in your background and experience is greater than or equivalent to the prelicense education. This is your chance to provide context and demonstrate the “good cause” of your specific request.

SECTION 3 – RECOMMENDED ATTACHMENTS	
	<b>Documentation of Comparable Completed Education.</b> College transcripts, course completion certificates, certified education histories, etc.
	<b>Proof of Experience.</b> A list of references, verification letters from employers, copies of transactional documents, recommendations from former clients, newspaper, or newsletter articles, etc.
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

SECTION 4 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [BCRE-Education@dopl.idaho.gov](mailto:BCRE-Education@dopl.idaho.gov) at **least three (3) weeks prior** to the next regularly scheduled Education Council meeting.



# SPECIAL CONSIDERATION REQUEST

## Appendix D: Waiver of Broker Experience Requirement(s)

**Appendix D** is to be completed by an applicant requesting a **waiver** of the requirement to “provide satisfactory evidence of having been actively engaged, on a full-time basis, for two (2) years as a licensed real estate salesperson within the last five (5) years immediately prior to the date upon which the individual makes application,” as set forth in Idaho Code [54-2012\(2\)\(a\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix D Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> Include a letter indicating what you are requesting and why you are unable to meet the volume and length of time requirements or what in your background and experience provides more knowledge, depth, and breath than Idaho’s requirements. Focus on the number of transactions you’ve been a part of, including the type of transaction and dollar amount. This is your chance to provide context and demonstrate that “good cause” of your specific request.

SECTION 3 – RECOMMENDED ATTACHMENTS	
	<b>Documentation of Education.</b> College transcripts, course completion certificates, certified education histories, etc.
	<b>Signed</b> experience verification form(s) if you are or have been licensed in any jurisdiction
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

SECTION 4 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [IREC-Licensing@dopl.idaho.gov](mailto:IREC-Licensing@dopl.idaho.gov) at **least three (3) weeks prior** to the next regularly scheduled Commission meeting.





# SPECIAL CONSIDERATION REQUEST

## Appendix E: Felony Exemption

**Appendix E** is to be completed by an applicant seeking an **exemption** for licensure despite being convicted of a felony in a state or federal court or convicted by military general court-martial—see Idaho Code [54-2012\(1\)\(g\)](#); [54-2026\(2\)\(b\)\(ii\)](#); [54-2033\(2\)\(a\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – BASIS FOR REQUEST	
The applicant is seeking an <b>exemption</b> , specifically, because the:	
	Broker or salesperson applicant has been: <i>“convicted of any felony in a state or federal court or convicted by military general court-martial,”</i> contrary to Idaho Code 54-2012(1)(g).
	Provider Director applicant has been <i>“convicted, issued any fine, placed on probation, received a withheld judgment, or completed any sentence of confinement for or on account of any felony or a misdemeanor involving fraud, misrepresentation, or dishonest or dishonorable dealing in a court of proper jurisdiction,”</i> contrary to Idaho Code 54-2026(2)(b)(ii).
	Instructor certification applicant has been <i>“convicted, issued any fine, placed on probation, received a withheld judgment, or completed any sentence of confinement for or on account of any felony, or any misdemeanor involving fraud, misrepresentation, or dishonest or dishonorable dealing, in a court of proper jurisdiction,”</i> contrary to Idaho Code 54-2033(2)(a).

SECTION 3 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix E Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> This is your chance to provide context and demonstrate that the factors contributing to the offense are no longer a concern.

**APPENDIX E CONTINUES ON NEXT PAGE →**

SECTION 4 – RECOMMENDED ATTACHMENTS	
	<b>Judgment &amp; Sentencing Documents.</b> Official copies of the plea agreement, court decision, etc.
	<b>Proof of Release from Probation or Parole.</b> Documents verifying date of release from supervision.
	<b>Documents Showing Rehabilitation.</b> Completion certificates for treatment programs or courses, letters from employers, proof of restitution payments, etc.
	<b>Documentation</b> pertaining to the circumstances surrounding the crime that would help determine the risk of repetition
	<b>Résumé</b> or work history that details your employment and education since the offense
	<b>Reference letters</b> from individuals who can attest to your character and suitability for licensure

SECTION 5 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [IREC-Licensing@dopl.idaho.gov](mailto:IREC-Licensing@dopl.idaho.gov) **at least three (3) weeks prior** to the next regularly scheduled Commission meeting.



# SPECIAL CONSIDERATION REQUEST

## Appendix F: Revocation Exemption

**Appendix F** is to be completed by an applicant seeking an **exemption** for licensure despite having had a real estate license or other professional/occupational license revoked—see Idaho Code [54-2012\(1\)\(e\)](#); [54-2026\(2\)\(b\)\(i\)](#); [54-2033\(2\)\(a\)](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – BASIS FOR REQUEST	
The applicant is seeking an <b>exemption</b> , specifically, because the:	
	Broker or salesperson applicant has <i>“had a real estate or other professional or occupational license revoked for a disciplinary violation involving fraud, misrepresentation or dishonest or dishonorable dealing in Idaho or any other jurisdiction,”</i> contrary to Idaho Code 54-2012(1)(e).
	Provider Director applicant has <i>“had a real estate or other professional or occupational license suspended or revoked for disciplinary reasons or have been refused a renewal of a license issued by the state of Idaho or any other state or jurisdiction,”</i> contrary to Idaho Code 54-2026(2)(b)(i).
	Instructor certification applicant has <i>“had a real estate or other professional or occupational license suspended or revoked for disciplinary reasons or have been refused a renewal of a license issued by the state of Idaho or any other state or jurisdiction,”</i> contrary to Idaho Code 54-2033(2)(a).

SECTION 3 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix F Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> This is your chance to provide context and demonstrate that the factors contributing to the offense are no longer a concern.

**APPENDIX F CONTINUES ON NEXT PAGE →**

#### SECTION 4 – RECOMMENDED ATTACHMENTS

	<b>Official Court Documents.</b> Final order or judgment, for instance
	<b>Evidence of Rehabilitation.</b> Proof of participation in treatment, payment of restitution, etc.
	<b>Documentation</b> pertaining to the circumstances surrounding the disciplinary violation that would help determine the risk of repetition
	<b>Résumé</b> or work history that details your employment and education since the offense
	<b>Reference letters</b> from individuals who can attest to your character and suitability for licensure
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

#### SECTION 5 – APPLICANT ACKNOWLEDGEMENT

I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. **I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.**

<b>Signature:</b>		<b>Date:</b>	
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**DIRECTIONS:** Submit this appendix and your attachments to [IREC-Licensing@dopl.idaho.gov](mailto:IREC-Licensing@dopl.idaho.gov) *at least three (3) weeks prior* to the next regularly scheduled Commission meeting.



## SPECIAL CONSIDERATION REQUEST

### Appendix G: Waiver or Modification of Instructor Certification Requirement(s)

**Appendix E** is to be completed by an applicant seeking a waiver or modification of the requirement(s) to be a certified instructor, as set forth in the [Education & Certification Policy](#).

**DIRECTIONS:** Complete the following sections as part of your request for special consideration. Requests received **without this appendix or the attachments indicated below** will be deemed **incomplete** and **will not** be considered.

SECTION 1 – APPLICANT INFORMATION			
Full Name:		License #:	
Email:		Phone #:	

SECTION 2 – BASIS FOR REQUEST	
The applicant requests a <b>waiver or modification</b> specifically for the requirement(s) to:	
	<i>“Have active experience as a licensed real estate broker, in Idaho, for at least five (5) years,” as outlined in the Education &amp; Certification Policy.</i>
	<i>“Complete a student teaching period,” in accordance with the conditions outlined in the Education &amp; Certification Policy.</i>
	<i>“Attend 100% of the live course, as taught by a certified instructor within the three (3) years prior to the date of application, <b>AND</b> successfully complete the final course exam for the course (if applicable),” as outlined in the Education &amp; Certification Policy.</i>
	<i>“Pass the Idaho portion of the licensing exam within no more than 12 months immediately preceding the application for certification,” as outlined in the Education &amp; Certification Policy. (Only necessary for Post License course(s).)</i>
	<i>“Have at least five (5) years active real estate finance experience,” as outlined in the Education &amp; Certification Policy. (Only necessary for the Real Estate Finance course.)</i>
	<i>“Be an actively licensed or certified appraiser with at least five (5) years active experience,” as outlined in the Education &amp; Certification Policy. (Only necessary for the Real Estate Valuation &amp; Analysis course.)</i>
	<i>“Be an actively licensed attorney with a minimum of five (5) years’ experience,” as outlined in the Education &amp; Certification Policy. (Only necessary for the Real Estate Law class.)</i>
	<b>Other:</b>

**APPENDIX G CONTINUES ON NEXT PAGE →**

SECTION 3 – REQUIRED ATTACHMENTS	
	<b>Completed Appendix G Form.</b> Include this form in your submission!
	<b>A Written Statement of “Good Cause.”</b> Include a letter indicating what you are requesting and why you are making the request. This is your chance to provide context and demonstrate that “good cause” of your specific request.

SECTION 4 – RECOMMENDED ATTACHMENTS	
	<b>Content Knowledge.</b> Transcripts of undergraduate or graduate coursework on equivalent topics.
	<b>Equivalent Education.</b> Transcripts, completion certificates, certified education histories, etc.
	<b>Proof of Experience.</b> Reference letters from employers or clients, copies of transactional documents, verification of your professional licensing history from the applicable jurisdiction, etc.
	<b>Experience Teaching.</b> A list of previously taught courses (emphasis on dates, frequency, content), student evaluations, etc.
	<b>Earned Degrees, Designations, or Certifications.</b> DREI certification, GSI certification, GRI instructor certification, etc. Transcripts, certificates, letters with completion date, etc.
	<b>Completed Transactions.</b> A list of completed transactions (past five years), with corresponding dollar amounts, MLS records, listing agreements, purchase & sale agreements, etc.
	<b>Additional Documentation.</b> Other material that supports the “good cause” reason for the waiver.

SECTION 5 – APPLICANT ACKNOWLEDGEMENT			
I certify that all information and documents provided with this appendix are true and accurate to the best of my knowledge. <b>I acknowledge that the burden of establishing my suitability for real estate licensure rests on me.</b>			
Signature:		Date:	

**DIRECTIONS:** Submit this appendix and your attachments to [BCRE-Education@dopl.idaho.gov](mailto:BCRE-Education@dopl.idaho.gov) *at least three (3) weeks prior* to the next regularly scheduled Education Council meeting.