



Office of the Governor of Guahan

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Felix P. Camacho  
Governor

Michael W. Cruz, M.D.  
Lieutenant Governor

The Honorable Judith T. Won Pat, Ed.D.  
Speaker  
Mina' Trenta Na Liheslaturan Guahan  
155 Hessler Street  
Hagåtña, GU 96910

2010/04/12 AM 9:37  
De

Dear Speaker Won Pat:

Transmitted herewith is Substitute Bill No. 319-30 (COR) "AN ACT TO AMEND §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO AMEND §§104203 AND 104208, AND TO REPEAL §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES" which I signed into law on April 2, 2010 as **Public Law 30-129**.

Sinseru yan Magâhet,

FELIX P. CAMACHO  
I Maga'lâhen Guahan  
Governor of Guahan

Attachment: copy of Bill

30-10-0321  
4/12/10  
4:50P

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2010 (SECOND) Regular Session

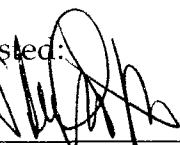
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Substitute Bill No. 319-30 (COR), "AN ACT TO AMEND §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO AMEND §§104203 AND 104208, AND TO REPEAL §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES,"** was on the 19<sup>th</sup> day of March, 2010, duly and regularly passed.



Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Legislative Secretary

This Act was received by *I Maga'lahaen Guåhan* this 22<sup>nd</sup> day of March, 2010, at 2:15 o'clock P.M.



Assistant Staff Officer  
*Maga'laha*'s Office

APPROVED:



FELIX P. CAMACHO  
*I Maga'lahaen Guåhan*

Date: APR 02 2010

Public Law No. P.L. 30-129

***I MINA'TRENTA NA LIHESLATURAN GUÅHAN***  
**2010 (SECOND) Regular Session**

**Bill No. 319-30 (COR)**

As substituted by Author, and further substituted  
and amended on the Floor.

Introduced by:

v. c. pangelinan  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith P. Guthertz, DPA  
T. R. Muña Barnes  
Adolpho B. Palacios, Sr.  
R. J. Respicio  
Telo Taitague  
Ray Tenorio  
Judith T. Won Pat, Ed.D.

**AN ACT TO *AMEND* §30103 OF CHAPTER 30, TITLE 22, GUAM CODE ANNOTATED; AND TO *AMEND* §§104203 AND 104208, AND TO *REPEAL* §104210 OF CHAPTER 104, TITLE 21, GUAM CODE ANNOTATED, RELATIVE TO REAL ESTATE BROKER LICENSING REQUIREMENTS AND OTHER PURPOSES.**

1        **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that the practice of real estate continues to evolve and the current laws governing the

1 practice needs to be updated to keep current with the level of expertise and knowledge  
2 required to safeguard the public and the industry.

3 *I Liheslaturan Guåhan* further finds there is a need to provide greater access to  
4 market data on real estate prices by allowing greater latitude in the ability of real  
5 estate professionals to issue such information.

6 Therefore, it is the intent of *I Liheslaturan Guåhan* to amend the licensing  
7 requirements as it relates to real estate activity on Guam.

8 **Section 2.** §30103 of Chapter 30, Title 22, Guam Code Annotated, is hereby  
9 *amended* to read as follows:

10 “**§30103.** License Required. It *shall* be unlawful for any individual to  
11 engage in appraisal activity without first obtaining a real estate appraiser  
12 certification *or* license as provided in this Act. This Act *shall not* apply to a  
13 real estate broker or salesperson licensed by the government of Guam, (so long  
14 as federally insured financing is not involved), who in the ordinary course of his  
15 or her business, gives a value of the prices of real estate or a government of  
16 Guam employee appraiser who assesses value of a property for real estate tax  
17 purposes. However, in *no* event may this evaluation be referred to or construed  
18 as an appraisal.”

19 **Section 3.** §104203 of Chapter 104, Title 21, Guam Code Annotated, is  
20 hereby *amended* to read as follow:

21 “**§104203.** Condition Precedent to Issuance of Original Real Estate  
22 Broker’s License. The Real Estate Commission *shall not* issue a real estate  
23 broker’s license to any person who has *not* held an original real estate  
24 salesman’s license for *at least* two (2) years prior to the date of his application  
25 for the broker’s license, and during such time was *not* actively engaged in the

1 business of real estate salesman on Guam and has *not* passed the appropriate  
2 examination and satisfied the other requirements of the Article.”

3 **Section 4.** §104208 of Chapter 104, Title 21, Guam Code Annotated, is  
4 hereby *amended* to read as follows:

5 **“§104208.** Continuing Education Requirement for Broker’s Renewal.

6 (a) Any time prior to renewal of an original broker’s license, the  
7 broker must satisfactorily furnish the evidence of successful completion of an  
8 additional ninety (90) classroom hours of study selected among the following:

- 9 (1) real estate practice;
- 10 (2) real estate appraisal;
- 11 (3) property management;
- 12 (4) real estate finance;
- 13 (5) legal aspect of real estate;
- 14 (6) real estate office administration;
- 15 (7) general accounting;
- 16 (8) business law;
- 17 (9) escrow;
- 18 (10) real estate contracts; *or*
- 19 (11) any real estate-oriented study area.

20 (b) Of the ninety (90) classroom hours, eighteen (18) classroom hours  
21 must be in the consumer protection area of study:

- 22 (1) land use regulation;
- 23 (2) consumer disclosure;
- 24 (3) agency relationship;
- 25 (4) fair practices;
- 26 (5) environmental regulation and considerations;

1 (6) taxation (real estate transaction); *and*

2 (7) probate.

3 (c) Thereafter, all brokers' renewal *shall* be for a period of four (4)  
4 years, with a continuing education requirement of sixteen (16) hours every two  
5 (2) years. Should the broker acquire more than the sixteen (16) hours during the  
6 two (2) year period, the excess hours may be credited to future renewal  
7 requirements.

8 (d) Any of the ninety (90) classroom hours of study as outlined in this  
9 Section may be fulfilled by the completion of courses approved by the Guam  
10 Association of Realtors.”

11 **Section 5.** §104210 of Chapter 104, Title 21, Guam Code Annotated, is  
12 hereby *repealed* in its entirety.

13 **Section 6. Severability.** *If* any of the provisions of this Act or the application  
14 thereof to any person or circumstance is held invalid, such invalidity shall *not* affect  
15 any other provision or application of this Act which can be given effect without the  
16 invalid provision or application, and to this end the provisions of this Act are  
17 severable.