

## **Foreign Real Estate Sales or Dealer License Applications and Renewals Require an Ohio Department of Public Safety, State Issued License Form (HLS 0036)**

Effective April 14, 2006, Foreign Dealers, Foreign Corporate Dealers, Foreign Individual Corporate Dealers and Foreign Salesperson license applications and renewals are required to have the Ohio Department of Public Safety, State Issued License Form (HLS 0036) completed and attached to the original application or renewal.

Senate Bill 9, the Ohio General Assembly's most recent revision to Ohio's Anti-Terrorism Statute, requires compliance by the Division of Real Estate and Professional Licensing under the Ohio Revised Code section 2909.31. This new section of the Ohio Revised Code is applicable only to Foreign Real Estate licensees. "Foreign Real Estate" is defined in O.R.C. 4735.01(E) as "real estate not situated in this state and any interest in real estate not situated in this state."

In addition, Senate Bill 9 requires that all applicants applying for or renewing an existing license in certain license categories designated by the Director of the Ohio Department of Public Safety complete the Ohio Department of Public Safety, "[State Issued License](#)" Form (HLS 0036). As a result the Director of Public Safety has designated "Real Estate – Foreign Dealers," "Real Estate –Foreign Individual," and "Real Estate – Foreign Salespersons" to the list of "Identified Licenses."

The purpose of the form is to serve as a declaration of material assistance/non-assistance regarding the applicant's relationship with organizations listed on the [U.S. State Department Terrorist Exclusion list](#). If the applicant discloses assistance, or refuses to answer any of the questions, the license application or renewal will be denied and can only be reinstated by the Ohio Department of Public Safety. Public Safety will have thirty days to review a denial based on a disclosure of assistance to a terrorist organization or a refusal to answer a question on the form. The licensing agency may also revoke a license under Ohio's Administrative Procedure Act, O.R.C. Chapter 119, if, after the filing of a declaration of material assistance/non-assistance, the applicant takes an action that would result in a "yes" answer to any question on the declaration.

Also, Senate Bill 9 requires the licensing agency to include a copy of the Department of Public Safety, [State Issued License Form](#) (HLS 0036) and the [Terrorist Exclusion list](#) with every application and renewal form. As a result, on or after April 14, 2006, the Division of Real Estate will provide a copy of the Department of Public Safety, [State Issued License Form](#) (HLS 0036) and the [State Department Terrorist Exclusion list](#) to each applicant for an initial license or renewal for a Foreign Real Estate sales or dealer license.

Foreign Real Estate forms can be found on the Division's website at: <http://www.com.state.oh.us/real/realform.htm>.

Please contact the Division of Real Estate and Professional Licensing Legal Section at (614) 466-4100 if you have any questions regarding Senate Bill 9.