

Document No. 5437  
**DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
**SOUTH CAROLINA REAL ESTATE COMMISSION**  
 CHAPTER 105

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and  
 40-57-740

- 105-2. Vacation Time Sharing Ownership Plans Defined.
- 105-3. Sale of Vacation Time Sharing Plan Receivables.
- 105-4. Providers of Courses.
- 105-5. Application for Approval.
- 105-6. Course Curriculum, Approval, Attendance and Verification.
- 105-7. Enrollment Agreement, Policies, and Procedures.
- 105-8. Other Operating Procedures.
- 105-9. Auditing and Record Keeping.
- 105-10. Instructors.
- 105-11. Renewals.
- 105-12. Provider, Course, and Instructor Fees.
- 105-13. Fees.
- 105-14. Residential Property Condition Disclosure Statement Form.

**Synopsis:**

The South Carolina Real Estate Commission intends to promulgate regulations related to license classification changes, reactivation of inactive licenses, reinstatement of lapsed licenses, written office policies, licensee supervision, advertising, and teams. The proposed regulations will also correct citations and numbering and will remove duplicative regulations.

A Notice of Drafting was published in the *State Register* on September 26, 2025.

**Instructions:**

Print regulation as shown below. All other items remain unchanged.

**Text:**

105-1. Licensee Supervision.

A. All Associate, Broker and Property Manager licensees must be supervised in order to remain actively licensed.

- (1) Active Associate and Broker licensees may only be supervised by a Broker-in-Charge.
- (2) Active Property Managers may be supervised by either a Broker-in-Charge or a Property-Manager-in-Charge.

(3) For purposes of the South Carolina licensure, supervised licensees may not be licensed under the supervision of more than one Broker-in-Charge or Property-Manager-in-Charge during the same period.

B. In accordance with Section 40-57-135, adequate supervision means sufficient guidance and oversight that is fair and sensible based on the operational characteristics of the office, to include:

- (1) Number of licensees affiliated with the broker-in-charge or property-manager-in-charge;

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- (2) Number of offices maintained;
- (3) Broker-in-charge or property-manager-in-charge availability during business hours;
- (4) Type of real estate activities of the office.

C. The authority granted to the broker-in-charge or property-manager-in-charge cannot be assigned or designated to another licensee, including team members or team leaders.

### 105-2. License Classification Change.

In accordance with Sections 40-57-110(A) and 40-57-510(D), a licensee may not hold more than one license classification at the same time.

A. To change a license classification, an applicant must apply for the new license as any new applicant would, including completion of applicable applications and forms, payment of fees, and meeting all requirements for licensure. If the new application is granted, the applicant's previous license type will be cancelled in order to issue the new license type. Supervised licensees must remain under correct supervision at all times. A Broker-in-Charge is allowed to supervise associate, broker and property manager licensees. A Property-Manager-in-Charge may only supervise property managers.

B. To return to a previously held license classification, a licensee must reapply for the license on a form prescribed by the Commission, pay applicable fees and meet all current requirements for licensure.

### 105-3. Reactivation of Inactive License.

A. An individual seeking to reactivate an inactive status license may only apply for the same license classification which was placed on inactive status. Licensees seeking to reactivate an inactive status license must:

- (1) Apply on a form prescribed by the Commission;
- (2) Pay applicable fees;
- (3) If applicable, submit proof of continuing education for the period during which the license was inactive; and
- (4) Complete the criminal background check requirements of Section 40-57-115.

B. Licensees seeking to reactivate as an Associate, Broker, or Broker-in-Charge license, must submit proof of continuing education for the period of inactive licensure. Proof of completing a total of ten hours for each biennial renewal cycle must be submitted with the reactivation application; and

C. Licensees who have not submitted background checks in accordance with Section 40-57-115 must submit a state fingerprint-based criminal records check and a social security number-based criminal records check from a source approved by the Commission.

### 105-4. Reinstatement of a Lapsed License.

A. Licenses not renewed before their expiration date shall lapse in accordance with Section 40-57-110(D). An individual seeking to reinstate a lapsed license within twenty-four (24) months following the license expiration must:

- (1) Apply on a form prescribed by the Commission;
- (2) Pay applicable fees;
- (3) If applicable, submit proof of continuing education for the prior renewal cycle; and
- (4) Complete the criminal background check requirements of Section 40-57-115.

B. Licensees seeking to reinstate as an Associate, Broker, or Broker-in-Charge license must submit proof of completing a total of ten hours of continuing education. Continuing education used for reinstatement of licensure may not be applied to the current renewal cycle.

C. Licensees who have not submitted background checks in accordance with Section 40-57-115 must submit a state fingerprint-based criminal records check and a social security number-based criminal records check from a source approved by the Commission.

105-5. Written Office Policy.

A. In accordance with Section 40-57-135(A)(5), each office registered and maintained by a Broker-in-Charge or Property Manager-in-Charge shall establish and maintain a written office policy that is readily available to all supervised licensees, the Commission, and the Commission's representatives.

B. Supervised licensees are to sign an attestation that they have received and read the office policy. Records of this are to be kept by the Broker-in-Charge or Property-Manager-in-Charge.

C. The Commission may perform a compliance audit requiring Broker-in-Charge or Property-Manager-in-Charge licensees to provide an electronic copy of the written office policy to the Commission for review. Failure to provide the documentation or providing an office policy that does not address the required topics as listed in (D) is a violation and may result in discipline.

D. The written office policy must, at a minimum, address the following topics:

- (1) Agency disclosure
  - (a) Buyer agency
  - (b) Seller agency
  - (c) Dual agency
  - (d) Designated agency.
- (2) Scope of services provided to the brokerage firm's clients and customers.
- (3) Team policy.
- (4) Transaction brokerage.
- (5) Limited-function referral office.
- (6) Compliance with state and federal housing laws.

105-6. Advertising of Real Estate Services or Marketing Real Estate Owned.

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A. When advertising services or marketing real estate in accordance with Section 40-57-135(E)(2), licensees must:

(1) Identify the full name of the real estate brokerage firm or property management office, as registered with the Commission, with which the licensee is employed and supervised. Licensees must display and promote that they are directly connected to the brokerage firm or property management office. Team names may not be more than twice the size, prominence, or frequency of the full name of the brokerage. Team names must also end in “[team name] team at [name of real estate brokerage firm].”

B. The assigning of contractual interest or marketing of a contractual position is only allowed when such assignment or marketing fully complies with Sections 40-57-30(44) and 40-57-135(E)(1).

### 105-7. Teams.

A. The broker-in-charge must maintain a current record of all team names and their members.

B. When a team member enters into an agency agreement, the brokerage relationship created applies to all of the team members.

C. The team leader is not a licensed status or a position recognized by the Commission or Title 40, Chapter 57. The authority granted to the broker-in-charge or property manager-in-charge cannot be assigned or designated to another licensee.

### 105-8. Vacation Time Sharing Ownership Plans Defined.

Vacation time sharing ownership plans shall specifically include:

A. time sharing ownership plans, whereby purchasers are deeded an undivided interest in the facilities with a right to use designated accommodations for a specific period of time during any given year, but not necessarily for consecutive years, which extends for a period of more than one (1) year; and

B. interval ownership plans, whereby purchasers are deeded title to designated time sharing units, accommodations, or facilities for a specific period of time during any given year, but not necessarily for consecutive years, which extends for a period of more than one (1) year, with remainder after such period to interval owners as tenants in common.

### 105-9. Sale of Vacation Time Sharing Plan Receivables.

The provisions of Section 27-32-80 shall not be construed to prevent an owner from selling or mortgaging time sharing plan receivables in favor of any bank, mortgage company, or other lending institution.

### 105-10. Providers of Courses.

A. As used throughout these regulations, the term “provider” shall mean any school, organization, association, institution, or instructor.

B. Courses taught as part of a degree program at an accredited college or university and courses taught by a federal or state agency shall be deemed approved by the Commission if the courses are equivalent in hours and subject matter to those specified by the Commission. These providers are exempt from regulation by the Commission, and original transcripts or other proof of course completion with a passing grade may be recognized and accepted as a prerequisite for examination or for meeting the requirements of continuing education.

C. Accredited colleges or universities or technical, community, or junior colleges teaching courses which are not part of a degree program shall be approved if they comply with the regulations of the Commission with regard to curriculum, instructors, hours of attendance, classroom facilities, texts, examinations, and Certificates of Completion, as well as the policies and procedures of the appropriate department of the institution.

D. Courses offered by other providers shall be approved if they comply with the regulations of the Commission with regard to curriculum, instructors, hours of attendance, classroom facilities, texts, examinations, Certificates of Completion, and if the policies and procedures of the provider are also approved by the Commission.

E. All schools, organizations, associations, institutions, and other educational providers must be in good standing, and must be competent to administer and supervise the instruction of real estate subjects to the public.

F. Providers seeking approval to offer and conduct real estate or property management pre-licensing instruction and/or real estate continuing education instruction must apply on a form approved by the Commission and must be approved by the Commission and issued a Certificate of Approval prior to the commencement of any instruction. Providers offering courses prior to approval shall not have their Certificates of Completion recognized by the Commission.

#### 105-11. Application for Approval.

A. Prospective providers of courses must furnish to the Commission completed applications for provider and course approval and all supporting documentation as required by the Commission.

B. If an application is disapproved, reason(s) for disapproval will be detailed and the provider will be given thirty (30) days to cure any deficiencies. If deficiencies are cured, the application will be approved.

C. Upon approval the Commission will issue its Certificates of Approval for provider and courses, to be renewed biennially in even-numbered years. If the Certificate of Approval is issued in an odd-numbered year, it shall be renewed the following year, and then biennially thereafter.

D. Each provider must make available, upon request, copies of the Certificates of Approval issued by the Commission when an approved course is offered.

#### 105-12. Course Curriculum, Approval, Attendance, and Verification.

A. For pre-licensing courses, providers must teach courses in separate and distinct units consisting of the minimum hours as specified in S.C. Code Sections 40-57-320(A)(1)(a), 40-57-320(A)(2)(a) and 40-57-510(C)(1)(a).

(1) Pre-licensing courses must provide students with information on licensing requirements, familiarization with the Commission's statutes and regulations, and how to apply for licensure with the Commission.

B. For continuing education, providers must teach courses in subjects which increase the knowledge, skill and/or competence of real estate licensees with regard to the performance of their duties in a manner that best serves the public interest.

(1) Core courses are those which must include a minimum of four (4) classroom hours of instruction on current federal and state real estate law. In accordance with S.C. Code Section 40-57-340, all active associate, broker, and broker-in-charge licensees must complete a core course each renewal cycle unless they have been granted a full continuing education waiver by the Commission.

(2) Elective courses are those which are offered in general subjects prescribed by the Commission including but not limited to topics outlined in S.C. Code Section 40-57-910(C).

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### C. Application Requirements for Course Approval.

(1) Providers must submit learning objectives and detailed lesson plans reflecting the course content with time allotments.

(2) Providers must identify all texts being used. The Commission may direct the provider to withdraw texts and/or may require additional instructional materials.

(3) Providers must identify a Commission-approved instructor responsible for teaching the course in accordance with S.C. Code Section 40-57-910(C)(3) and South Carolina Code of Regulations on Instructors.

(4) Courses being offered via distance learning must include a copy of ARELLO or IDECC certification in accordance with S.C. Code Section 40-57-910(B).

(5) For pre-licensing courses:

(a) A copy of all quizzes and examinations, including re-examinations, must be submitted. The minimum passing score for a proctored final examination is 70%.

(b) Examinations may only be administered and monitored by an approved real estate instructor, school administrator, or qualified person.

(c) Providers must establish uniform testing and grading procedures for all quizzes and examinations.

(d) No provider, instructor, or other individual may arbitrarily alter a student's grade or offer students any re-examination of the same test previously administered.

(e) Re-examinations must contain at least eighty (80%) percent new exam items. Copies of both the initial examination and the re-examination must be submitted to the Commission.

(f) After two failed attempts at passing the pre-licensing course examination, a student must retake the pre-licensing course in order to be eligible to sit for the pre-licensing course examination again.

(g) The Commission may direct alterations in examination procedures, criteria for passing, and administration whenever deemed necessary.

(6) Failure to meet the above-listed requirements may result in the Commission withdrawing course approval. Following corrections, providers may reapply for reinstatement of course approval from the Commission.

### D. Course Length and Attendance.

(1) For pre-licensing courses:

(a) Courses must be at least two (2) hours in length and may not exceed eight (8) hours on any given day.

(i) Students must be allowed one (1) ten-minute break each hour and for classes that exceed four (4) hours, students must be allowed at least one (1) half-hour break. Time needed to complete administrative tasks must be conducted outside instructional time.

(ii) No meals may be served during class.

(b) Providers must require strict attendance and must maintain records indicating number of student absences. No partial credit hours are permitted.

(c) Students failing to meet the minimum hour requirement may engage in make-up sessions provided the following parameters are met:

(i) a make-up session offered by the provider consisting of the content in the session or hours missed;  
or

(ii) a recording of the class session missed to be viewed by the student and supervised by the instructor only if the student missed less than twenty (20%) percent of the total course hours; or

(iii) attendance of the same course session offered by the same provider at a future date.

(2) For continuing education courses:

(a) Elective courses must be at least one (1) hour in length. No partial credit hours are permitted and licensees must attend the full course to receive credit. For elective courses that are at least two (2) hours in length, students must be allowed one (1) ten-minute break each hour. Time needed to complete administrative tasks must be conducted outside instructional time.

(b) A core course must be four (4) hours in length. Licensees must be allowed one (1) ten-minute break each hour with the remaining fifty (50) minutes being instructional time. Time needed to complete administrative tasks must be conducted outside instructional time.

(c) The mandated broker-in-charge course must be four (4) continuous hours in length. Licensees may be allowed one (1) ten-minute break each hour.

#### E. Verification of Course Completion.

Providers must provide verification of course completion for each individual or licensee who competes a course.

(1) For pre-licensing courses, a certificate of completion, signed and dated by an authorized official of the provider, shall be awarded to each course graduate. The certificate must contain:

(a) course identification number assigned by the Commission;

(b) provider's name and address;

(c) course title, location, and dates;

(d) number of hours of the course;

(e) legal name of the student; and

(f) license number of the student, if applicable.

(2) For continuing education courses, verification of course completion shall be submitted to the electronic tracking system designated by the Department for compliance and monitoring. Reports must be submitted within fourteen (14) calendar days following course completion.

#### 105-13. Enrollment Agreement, Policies, and Procedures.

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A. An enrollment agreement disclosing the obligations of both parties must be signed by the provider and student prior to the commencement of classes. A copy of the enrollment agreement containing all policies and procedures must be furnished to the student, and receipt must be acknowledged in writing at the time the agreement is executed.

B. When registering electronically, this requirement is met if the licensee affirmatively indicates that he/she has received, reviewed and agrees to the terms of the enrollment agreement. This should be accomplished before the licensee pays for the class.

C. The enrollment agreement must contain, at a minimum, the following:

(1) name and address of the provider and student, along with student's name, address and real estate license number, if applicable; and

(2) name of course; and

(3) tuition and methods of payment, along with terms of any refund policy. If the provider has no policy for refunding fees, it must so state in writing; and

(4) provider's policy for cancellation of scheduled courses; and

(5) grade required for passing, methods for testing and final grade determination, if applicable; and

(6) the total hours of attendance required; and

(7) scheduled meeting time, dates, and location of course, if applicable; and

(8) make-up policies for absences and for retaking a failed examination, if applicable; and

(9) Admission policy.

### 105-14. Other Operating Procedures.

#### A. Teaching Methods.

(1) Pre-licensing and continuing education courses may be conducted via in-person or distance learning. Distance learning courses are those where the licensed instructor and student are physically apart and instruction takes place through interactive classrooms, audio and/or video conferencing, interactive computer modules, and other internet platforms.

(a) In-person and in-person courses utilizing synchronous distance learning portions must be taught by instructors approved by the Commission and must be presented in a physical classroom or approved virtual environment. The distance learning portion of the course must adhere to the Commission's standards for distance learning. Recorded videos used as teaching supplements are not considered distance learning and do not need to meet the distance learning standards.

(b) Distance learning synchronous and asynchronous courses must be taught by instructors approved with the Commission and adhere to the Commission's standards for distance learning. In accordance with S.C. Code Section 40-57-910(B), providers and courses must hold ARELLO or IDECC certification.

(2) Course design must be competency-based and not permit students to only passively observe instruction or read instructional material. Courses must incorporate active student participation through interaction with the instructor, other students, or computer programs at frequent intervals throughout the course.

B. Facilities and Equipment.

(1) All classroom facilities must meet the appropriate building, health, and fire codes, and must be maintained in a safe and sanitary condition at all times.

(2) Classrooms shall contain audio-visual equipment and desks or worktables sufficient to accommodate all students enrolled in a course.

(3) Distance learning courses must adhere to ARELLO or IDECC requirements.

C. Advertising.

(1) "Advertising" means any form of public notice, including but not limited to, publications, promotional items, and all other efforts which could normally be expected to be seen or heard by prospective students. This includes, but is not limited to, emails, social media posts, catalogs, flyers, signs, mailing pieces, radio, television, audio-visual, newspaper, or any other form of public notice designed to aid in the provider's recruiting and promotional activities. Advertising also includes oral communications.

(2) Advertising for courses must include the provider and course approval number.

(3) Pursuant to S.C. Code Section 40-57-920(B), the Commission may take action against any provider or instructor who has violated the provisions of S.C. Code Section 40-57-5 et seq., S.C. Code Section 40-1-10 et seq., or regulations of the Commission. This includes but is not limited to a provider or instructor who:

(a) uses any unfair or deceptive practice or makes or causes to be made any false, misleading or deceptive statement in any advertising or promotional material which has the tendency or capacity to mislead or deceive students, prospective students, or the public;

(b) advertises or implies that the course is recommended or endorsed by the Commission;

(c) uses abbreviations which tend to mislead or confuse or otherwise create misunderstanding with students or the public;

(d) references the Commission's school report passage rates for first-time examiners. Schools may report passage rates so long as the rates can be substantiated by data collected by the school itself and cannot be based upon the Commission's school report data. Passage rates may only be used if the total number of students is disclosed;

(e) is unable to substantiate from its records any advertised statistics or claims;

(f) falsely represents, either directly or by implication, that students successfully completing a course of instruction may transfer credit to an accredited institution of higher education or that a course has been approved by a particular industry; or

(g) represents that successful completion will ensure passage of the state licensing examinations or obtaining a real estate license.

D. Recruitment and Solicitation.

Individuals or companies are prohibited from utilizing course hours or materials to recruit new affiliates for any company, sell promotional materials, or solicit business. Licensees found in violation may be subject to disciplinary action by the Commission. Nothing in the section shall prohibit any individual, company, or brokerage firm from soliciting, marketing, or selling prior to an education course or after the course has been

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completed. The Commission may take disciplinary action against the licensed broker-in-charge or property manager-in-charge of the brokerage firm or property management office violating this regulation.

### E. Changes.

Proposed changes to course name, content, length, location, or texts must be submitted to and approved by the Commission prior to implementation.

### 105-15. Auditing and Record Keeping.

A. Providers must keep copies of all enrollment agreements, advertising, rosters, and attendance records for a minimum of five (5) years and must be made available to a representative of the Commission upon request.

B. Providers must permit periodic inspections and auditing by a representative of the Commission for the purposes of evaluating facilities, course content, instructor performance, or any other relevant aspect of the administration and conduct of such course.

### 105-16. Instructors.

A. Approved qualifying courses must be taught by Commission-approved instructors who are actively licensed as brokers by the Commission. Instructors teaching courses which are part of a degree program offered by an accredited college or university and instructors teaching courses for a federal or state agency shall be deemed approved by the Commission.

B. Prior to teaching for any approved provider, applicants for instructor approval must submit an application form along with supporting documentation as proof of knowledge of the subject matter and the ability to teach effectively.

(1) As proof of knowledge of the subject matter to be taught, the instructor must provide documentation of:

(a) an active real estate broker license; or

(b) a college degree in an academic area directly related to the course or the specific subject matter to be taught; or

(c) other past experience or education acceptable to the Commission in the subject area to be taught, and

(2) As proof of the ability to teach effectively, the instructor must provide documentation of:

(a) a current teaching certificate issued by any state department of education (or an equivalent agency);  
or

(b) Real Estate Educator Association (REEA) Instructor certification or IDECC Certified Distance Education Instructor certification; or

(c) a four-year undergraduate degree, or higher, in education; or

(d) previous adult-education experience in schools, seminars, or in an equivalent setting for three (3) years, within the past five (5) years; or

(e) serving as an assistant instructor under the direct supervision of a Commission-approved instructor for at least sixty (60) hours. Of the sixty (60) hours, fifty-five (55) hours must be documented instructing time;  
or

(f) past experience and knowledge of South Carolina real estate law acceptable to the Commission in education.

(3) In addition, for continuing education courses, the Commission may require documentation of:

(a) three (3) years of work experience, within the past five (5) years, directly related to the subject matter to be taught; or

(b) three (3) years of teaching experience within the past five (5) years directly related to the subject matter to be taught.

C. Each instructor may be approved by the Commission to teach pre-licensing education courses, continuing education courses, or both.

D. An instructor may teach approved courses at locations throughout the state of South Carolina. The course provider must notify the Commission of course offerings in advance and record the instructor's name on the provider's completion report.

E. If the application is disapproved, the reason(s) for disapproval will be detailed and the instructor will be given thirty (30) days to rectify the deficiencies identified and submit for re-evaluation. If deficiencies are fully addressed, the application will be approved.

F. Upon instructor approval, the Commission will issue its Certificate of Approval, to be renewed biennially in even-numbered years. Each instructor must make available, when requested, a copy of the Certificate of Approval issued by the Commission. If the Certificate of Approval is issued in an odd-numbered year, it shall be renewed the following year, and biennially thereafter.

G. Instructors must attend Instructor Development Workshops sponsored by the Commission biennially.

Instructors of approved continuing education courses may credit time spent teaching approved courses towards the applicable continuing education requirements for maintaining licensure. This credit does not extend to the mandatory four-hour core broker-in-charge course unless the licensee is the instructor of and teaches the four-hour core broker-in-charge course.

#### 105-17. Renewals.

All provider, course, and instructor approvals expire biennially on August 31 of even-numbered years. If an approval has expired, the provider or instructor must reapply and meet all requirements in effect at the time of reapplication in order to receive approval for the expired provider, course, or instructor.

#### 105-18. Fees.

The Commission may charge fees as shown in South Carolina Code of Regulations Chapter 10-37 and on the South Carolina Real Estate Commission website.

#### 105-19. Residential Property Condition Disclosure Statement Form.

The South Carolina Code of Laws (Title 27, Chapter 50, Article 1) requires that an owner of residential real property (a single-family dwelling unit or a single transaction involving transfer of four dwelling units or less) shall provide to a purchaser this completed and signed disclosure statement prior to forming a real estate contract. This disclosure must be provided in connection with any sale, exchange, installment land sale, or lease with an option to purchase contract. This disclosure statement is not required in connection with transactions listed and exempted by South Carolina Code Section 27-50-30.

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Owners should answer the questions fully, honestly, and appropriately by attaching documents, checking a box for each check box question, and writing in the blanks on this disclosure statement.

If a question is answered “Yes” or asks for a description, then the owner must explain or describe the issue or attach a descriptive report from an engineer, contractor, pest control operator, expert, or public agency. If the owner attaches a report, the owner shall not be liable for inaccurate or incomplete information in the report unless the owner was grossly negligent in obtaining or transmitting the information. If the owner fails to check “Yes” or make a disclosure and the owner knows there is a problem, then the owner may be liable for making an intentional or negligent misrepresentation and may owe the purchaser actual damages, court costs, and attorney fees. If a question is answered “No” for any question, the owner is stating that the owner has no actual knowledge of any problem.

By answering “No Representation” on this disclosure statement, the owner is acknowledging that they do not have the current knowledge necessary to answer the questions with either a “Yes” or “No” response. The owner still has a duty to disclose information that is known at the time of the disclosure statement. “No Representation” should not be selected if the owner simply wishes to not disclose information or answer the question. Selecting “No Representation” does not waive liability if the owner is aware or subsequently becomes aware.

If a question is answered and subsequently new information is obtained or something changes to render the owner’s answer incorrect, inaccurate or misleading (example: roof begins to leak), the owner must promptly correct the disclosure. In some situations, the owner may notify the purchaser of the correction. In some situations, the owner may correct or repair the issue.

The owner shall deliver to the purchaser this disclosure before a real estate contract is signed by the purchaser and the owner, or as otherwise agreed in the real estate contract. The real estate licensee must disclose material adverse facts about the property if actually known by the licensee about the issue, regardless of the owner responses on this disclosure. Owner is solely responsible to complete this disclosure as truthfully and fully as possible. The owner and purchaser are solely responsible to consult with their attorneys regarding any disclosure issues. By signing below, owners acknowledge their duties and that failure to disclose known material information about the property may result in owner liability.

The owner must provide the completed disclosure statement to the purchaser prior to the time the owner and purchaser sign a real estate contract unless the real estate contract states otherwise. The owner should provide a signed copy to the purchaser and keep a copy signed by the purchaser.

A real estate contract, not this disclosure, controls what property transfers from owner to purchaser.

Property Address (including unit # or identifier) \_\_\_\_\_

Apply this question below and the three answer choices to the numbered issues (1-14) on this disclosure.			
As owner, do you have any actual knowledge of any problem(s)* concerning?			
*Problem(s) include present defects, malfunctions, damages, conditions, or characteristics.			
<b>I. WATER SUPPLY AND SANITARY SEWAGE DISPOSAL SYSTEM</b>	<b>Yes</b>	<b>No</b>	<b>No Representation</b>
1. Water supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Water quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Water pressure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Sanitary sewage disposal system for any waste water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. Describe water supply:	<input type="checkbox"/> County	<input type="checkbox"/> Private	<input type="checkbox"/> Community	<input type="checkbox"/> Other:
	<input type="checkbox"/> City	<input type="checkbox"/> Corporate	<input type="checkbox"/> Well	
B. Describe water disposal:	<input type="checkbox"/> Septic	<input type="checkbox"/> Private	<input type="checkbox"/> Other:	
	<input type="checkbox"/> Sewer	<input type="checkbox"/> Corporate	<input type="checkbox"/> Government	
C. Describe water pipes:	<input type="checkbox"/> PEX	<input type="checkbox"/> PVC/CPVC	<input type="checkbox"/> Other/Unknown:	
	<input type="checkbox"/> Copper	<input type="checkbox"/> Polybutylene	<input type="checkbox"/> Steel	

II. ROOF, CHIMNEYS, FLOORS, FOUNDATION, BASEMENT, AND OTHER STRUCTURAL COMPONENTS AND MODIFICATIONS OF THESE STRUCTURAL COMPONENTS	Yes	No	No Representation
5. Roof systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Approximate year that current roof system was installed:			
B. During your ownership, describe any known roof system leaks, repairs and/or modifications with dates(s):			
6. Gutter systems	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Foundation, slab, fireplaces, chimneys, wood stoves, floors, basement, windows, driveway, storm windows/screens, doors, ceilings, interior walls, exterior walls, sheds, attached garage, carport, patio, deck, walkways, fencing, or other structural components including modifications	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Approximate year structure was built:			
B. During your ownership, describe any structural repairs and/or modifications to the items identified in Question 7 with dates(s):			

III. PLUMBING, ELECTRICAL, HEATING, COOLING, AND OTHER MECHANICAL SYSTEMS	Yes	No	No Representation
8. Plumbing system (pipes, fixtures, water heater, disposal, softener, plumbing components)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Electrical system (wiring, panel, fixtures, A/V wiring, outlets, switches, electrical components)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Appliances (range, stove, ovens, dishwasher, refrigerator, washer, dryer, other appliances)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Built-in systems and fixtures (fans, irrigation, pool, security, lighting, A/V, other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Mechanical systems (pumps, garage door opener, filtration, energy equipment, safety, other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Heating system(s) (HVAC components)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Cooling system(s) (HVAC components)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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A. Describe Cooling System:	<input type="checkbox"/> Central	<input type="checkbox"/> Ductless	<input type="checkbox"/> Heat Pump	<input type="checkbox"/> Window	<input type="checkbox"/> Other:
B. Describe Heating System:	<input type="checkbox"/> Central	<input type="checkbox"/> Ductless	<input type="checkbox"/> Heat Pump	<input type="checkbox"/> Furnace	<input type="checkbox"/> Other:
C. Describe HVAC Power:	<input type="checkbox"/> Oil	<input type="checkbox"/> Gas	<input type="checkbox"/> Electric	<input type="checkbox"/> Solar	<input type="checkbox"/> Other:

**IV. PRESENT OR PAST INFESTATION OF WOOD DESTROYING INSECTS OR ORGANISMS OR DRY ROT OR FUNGUS, THE DAMAGE FROM WHICH HAS NOT BEEN REPAIRED, OR OTHER PEST INFESTATIONS**

A. Describe any known present wood problems caused by termites, insects, wood destroying organisms, dry rot or fungus:

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B. Describe any termite/pest treatment, coverage to property, name of provider, and termite bond (if any):

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C. Describe any known present pest infestations:

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**V. THE ZONING LAWS, RESTRICTIVE COVENANTS, BUILDING CODES, AND OTHER LAND USE RESTRICTIONS AFFECTING THE REAL PROPERTY, ANY ENCROACHMENTS OF THE REAL PROPERTY FROM OR TO ADJACENT REAL PROPERTY, AND NOTICE FROM A GOVERNMENTAL AGENCY AFFECTING THIS REAL PROPERTY**

Apply this question below and the three answer choices to the numbered issues (15-28) on this disclosure.

As owner, do you have any actual knowledge or notice concerning the following:

	Yes	No	No Representation
15. Violations or variances of the following: zoning laws, restrictive covenants, building codes, permits or other land use restrictions affecting the real property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Designation as a historic building, landmark, site or location within a local historic or other restrictive district, which may limit changes, improvements of demolition of the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Easements (access, conservation, utility, other), party walls, shared private driveway, private roads, released mineral rights, or encroachments from or to adjacent real property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Legal actions, claims, foreclosures, bankruptcies, tenancies, judgments, tax liens, other liens, first rights of refusal, insurance issues, or governmental actions that could affect title to the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. Room additions or structural changes to the property during your ownership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Problems caused by fire, smoke, or water (including whether any structure on the property has flooded from rising water, water intrusion, or otherwise) to the property during your ownership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Drainage, soil stability, atmosphere, or underground problems affecting the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Erosion, erosion control, or erosion control structure, such as a bulkhead, rock revetment, seawall, or buried sandbags, affecting the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If "Yes" to Question 22, provide a general description including material, location on the property, approximate size, etc.			
23. Flood hazards, wetlands, flood hazard designations, flood zones, or flood risk affecting the property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24. Whether the property is currently insured through public (e.g., National Flood Insurance Program) or private flood insurance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25 Private or public flood insurance (e.g., Federal Emergency Management Agency (FEMA)) claims filed on the property during your ownership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If "Yes" to Question 25, list the approximate date(s), general description of event(s), nature of any repair(s), and amounts of all claim(s).			
26. Repairs made to the property as a result of flood events that were NOT filed with private or public insurance during your ownership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If "Yes" to Question 26, list the approximate date(s), general description of event(s), nature of any repair(s), and amounts of all flood-related repairs.			
27. Has federal flood disaster assistance (e.g., from FEMA, Small Business Administration, HUD) been previously received during your ownership?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If "Yes" to Question 27, what was the amount received and the purpose of the assistance (elevation, mitigation, restoration, etc.)?			
28. Whether the property has been assessed for a beach nourishment project during your ownership.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A. Describe any green energy, recycling, sustainability or disability features for the property:

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B. Describe any Department of Motor Vehicles titled manufactured housing on the property:

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**VI. BURIED, UNBURIED, OR COVERED PRESENCE OF THE FOLLOWING: LEAD-BASED PAINT, LEAD HAZARDS, ASBESTOS, RADON GAS, METHANE GAS, STORAGE TANKS, HAZARDOUS MATERIALS, TOXIC MATERIALS, OR ENVIRONMENTAL CONTAMINATION**

A. Describe any known property environmental contamination problems from construction, repair, cleaning, furnishing, intrusion, operating, toxic mold, methamphetamine production, lead based paint, lead hazards, asbestos, radon gas, methane gas, formaldehyde, corrosion-causing sheetrock, storage tanks, hazardous materials, toxic materials, environmental contamination, or other: \_\_\_\_\_

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**VII. EXISTENCE OF A RENTAL, RENTAL MANAGEMENT, VACATION RENTAL, OR OTHER LEASE CONTRACT ANTICIPATED TO BE IN PLACE ON THE PROPERTY AT THE TIME OF CLOSING**

A. Describe the rental/lease terms, to include any vacation rental periods that reasonably may begin no later than ninety days after the date the purchaser's interest is recorded in the office of the register of deeds, and any rental/leasing problems, if any: \_\_\_\_\_

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B. State the name and contact information for any property management company involved (if any):

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C. Describe known outstanding charges owed by tenant for gas, electric, water, sewer, and garbage:

**VIII. EXISTENCE OF A METER CONSERVATION CHARGE, AS PERMITTED BY SECTION 58-37-50 THAT APPLIES TO ELECTRICITY OR NATURAL GAS SERVICE TO THE PROPERTY**

A. Describe any utility company financed or leased property on the real property:

B. Describe known delinquent charges for real property's gas, electric, water, sewer, and garbage:

**IX. WHETHER THE PROPERTY IS SUBJECT TO GOVERNANCE OF A HOMEOWNERS ASSOCIATION WHICH CARRIES CERTAIN RIGHTS AND OBLIGATIONS THAT MAY LIMIT THE USE OF THIS PROPERTY AND INVOLVE FINANCIAL OBLIGATIONS**

	Yes*	No	No Representation
			<input type="checkbox"/>
If Yes, owner must complete the attached Residential Property Disclosure Statement Addendum.	<input type="checkbox"/>	<input type="checkbox"/>	

**X. PLEASE USE THE SPACE BELOW FOR "YES" ANSWER EXPLANATIONS AND ATTACH ANY ADDITIONAL SHEETS OR RELEVANT DOCUMENTS AS NEEDED**

This disclosure does not limit the obligation of the purchaser to inspect the property and improvements which are the subject of the real estate contract. Purchaser is solely responsible for conducting their own offsite condition inspections and psychologically affected property inspections prior to entering into a real estate contract. The real estate licensees (acting as listing or selling agents, or other) have no duty to inspect the onsite or offsite conditions of the property and improvements. Purchaser should review all applicable documents (covenants, conditions, restrictions, bylaws, deeds, and similar documents) prior to entering into any legal agreements including any contract. The South Carolina Code of Laws describes the Residential Property Condition Disclosure Statement requirements and exemptions at Sections 27-50-10 (and following) which can be read online ([www.scstatehouse.gov](http://www.scstatehouse.gov) or other websites).

Current status of property or factors which may affect the closing:

<input type="checkbox"/> Owner occupied	<input type="checkbox"/> Short sale	<input type="checkbox"/> Bankruptcy	<input type="checkbox"/> Vacant (How long vacant?):
<input type="checkbox"/> Leased	<input type="checkbox"/> Foreclosure	<input type="checkbox"/> Estate	<input type="checkbox"/> Other:

Subject to Vacation/Short Term Rental

A Residential Property Condition Disclosure Statement Addendum  is  is not completed and attached. This addendum should be attached if the property is subject to covenants, conditions, restrictions, bylaws, rules, or is a condominium.

Owner acknowledges having read, completed, and received a copy of this Residential Property Condition Disclosure Statement before signing and that all information is true and correct as of the date signed.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Owner Printed Name: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Owner Printed Name: \_\_\_\_\_

Purchaser acknowledges prior to signing this disclosure:

Receipt of a copy of this disclosure

Purchaser has examined disclosure

Purchaser had time and opportunity for legal counsel

This disclosure is not a warranty by the real estate licensees

This disclosure is not a substitute for obtaining inspections of onsite and offsite conditions

This disclosure is not a warranty by the owner

Representations are made by the owner and not by the owner's agents or subagents

Purchaser has sole responsibility for obtaining inspection reports from licensed home inspectors, surveyors, engineers, or other qualified professionals

Purchaser has sole responsibility for investigating offsite conditions of the property including, but not limited to, adjacent properties being used for agricultural purposes

Purchaser Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Purchaser Printed Name: \_\_\_\_\_

Purchaser Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Purchaser Printed Name: \_\_\_\_\_

State of South Carolina

Residential Property Condition

Disclosure Statement Addendum

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Prior to signing a contract, the owner shall provide this disclosure addendum to the purchaser if the property is subject to a homeowners association, a property owners association, a condominium owners association, a horizontal property regime, or similar organizations subject to covenants, conditions, restrictions, bylaws or rules (CCRB). These organizations are referred to herein as an owners association.

Purchaser should review the applicable documents (covenants, conditions, restrictions, bylaws, deeds, condominium master deed, and similar documents), all related association issues, and investigate the owners association prior to entering into any legal agreements including a contract. Owners association charges include any dues, fees, assessments, reserve charges, or any similar charges. Purchaser is solely responsible to determine what items are covered by the owners association charges.

Property Address: \_\_\_\_\_

Describe owners association charges: \$ \_\_\_\_\_ Per \_\_\_\_\_ (month/year/other)

What is the contact information for the owners association? \_\_\_\_\_

As owner do you have any actual knowledge of answers to the following questions? Please check the appropriate box to answer the questions below.			
	Yes	No	No Representation
1. Are there owners association charges or common area expenses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Are there any owners association or CCRBR resale or rental restrictions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Has the owners association levied any special assessments or similar charges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Do the CCRBR or condominium master deed create guest or visitor restrictions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Do the CCRBR or condominium master deed create animal restrictions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Does the property include assigned parking spaces, lockers, garages or carports?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Are keys, key fobs or access codes required to access common or recreational areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Will any membership other than owner association transfer with the properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Are there any known common area problems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Is property or common area structures subject to South Carolina Coastal Zone Management Act?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Is there a transfer fee levied to transfer the property?*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(*Questions does not include recording costs related to value or deed stamps.)			

Explain any yes answers in the space below and attach any additional sheets or relevant documents as needed:

\_\_\_\_\_  
 Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Purchaser Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Purchaser Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions for these regulations.

**Statement of Rationale:**

The updated regulations will add several new sections relating to administrative matters based on frequently asked questions from licensees. These new regulations clarify: which licenses can supervise other licenses; how to change license classifications and how to return to a prior license classification after a change; how to reactivate an inactive license; how to reinstate a lapsed license; what a Broker-in-Charge or Property Manager-in-Charge must include in its written office policy. These regulations will appear at the beginning of the chapter prior to existing regulations on time share and substantive real estate matters. The updated regulations also include a new regulation on advertising and marketing to clarify for licensees how they should identify the brokerage with which they are affiliated and its point of contact information. Otherwise, the updated regulations will renumber existing regulations, correct cross-references and update language to conform to Act 204 of the 2024 legislative session.

Document No. 5425

**DEPARTMENT OF LABOR, LICENSING AND REGULATION  
BOARD OF EXAMINERS IN SPEECH/LANGUAGE PATHOLOGY AND AUDIOLOGY  
CHAPTER 115**

Statutory Authority: 1976 Code Sections 40-1-70, 40-67-70, 40-67-220(F), and 40-67-260(D)

115-2. Speech-Language Pathology Assistants.

**Synopsis:**

The South Carolina Board of Examiners in Speech-Language Pathology and Audiology proposes to amend its regulations to include, but not be limited to, changes related to licensure requirements for Speech Language Pathology Assistants.

The Notice of Drafting was published in the *State Register* on August 22, 2025.

**Instructions:**

Print the regulation as shown below. All other items remain unchanged.

**Text:**

CHAPTER 115

Department of Labor, Licensing and Regulation— Board of Examiners in Speech-Language Pathology and Audiology

(Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70)

115-2. Speech-Language Pathology Assistants.

(A) To be licensed as a Speech-Language Pathology Assistant an applicant must:

(1) submit an application on forms approved by the board;