



STATE OF WISCONSIN

Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

Mail to:
PO Box 8935
Madison WI 53708-8935

Email: dsps@wisconsin.gov
Web: <http://dsps.wi.gov>
Phone: 608-266-2112

Governor Scott Walker Secretary Dave Ross

Positions Statements Related to Real Estate Salespersons Issued by the Real Estate Examining Board

WHEN DOES A PERSON NEED A REAL ESTATE SALESPERSON LICENSE?

[Wis. Stat. § 452.03](#) states that no person may engage in or follow the business or occupation of, or advertise as a real estate broker or salesperson without a license. The definition of a broker can be found in [Wis. Stat. § 452.01\(7\)](#).

CAN A REAL ESTATE SALESPERSON LICENSED IN ANOTHER STATE CONDUCT BUSINESS IN WISCONSIN?

[Wis. Stat. § 452.03](#) prohibits the sale, rental, or negotiation of real estate without a Wisconsin real estate license. Furthermore, a real estate salesperson must work under a licensed Wisconsin broker. For more information on out-of-state applicants, please review REEB 25.025. For more information on the broker-salesperson relationship, please see [Wis. Stat. §452.01\(2\), \(7\), and Wis. Stat. § 452.03](#).

CAN A REAL ESTATE SALESPERSON LICENSED IN WISCONSIN WORK IN WISCONSIN UNDER A BROKER LICENSED IN ANOTHER STATE?

No. [Wis. Stat. § 452.03](#) states that a licensed real estate salesperson must work under a broker licensed in Wisconsin.

IS A REAL ESTATE SALESPERSON LICENSE NEEDED TO SELL A RECREATIONAL VEHICLE, LIKE A MOBILE HOME?

No. [Wis. Stat. § 452.01\(2\)\(a\)](#) gives a salesperson the power to sell for money or other things of value “an interest or estate in real estate, a time share, or a business or its goodwill, inventory or fixtures, whether or not the business includes real property.” This does not include recreational vehicles.

CAN A REAL ESTATE SALESPERSON USE A NICKNAME ON OFFERS, LISTINGS, AND OTHER DOCUMENTS IF THE NICKNAME IS DIFFERENT THAN HIS OR HER REGISTERED NAME?

Except for advertisements for the rental of real estate owned by the licensee, [REEB 24.04\(2\)\(b\)](#) prohibits a licensee employed by a broker from using a name or trade name other than the broker's name as printed on the broker's license or as previously filed with the Department in accordance with [REEB 23.03](#).

IF A LICENSED REAL ESTATE SALESPERSON FACILITATES THE SALE OF HIS OR HER OWN PROPERTY, OR THE PURCHASE OF A NEW PROPERTY FOR HIS OR HER PERSONAL USE, CAN THAT SALESPERSON RECEIVE A PORTION OF THE TYPICAL SALES COMMISSION?

[REEB 24.05\(2\)](#) states that a licensee acting on his own behalf for the sale or the purchase of real property may not collect a commission unless he or she obtains written consent of all the parties to the transaction. [REEB 24.05\(5\)](#) states that the licensee must disclose his or her license status and intent to act in the transaction at the first showing of the property, the first contact with the other party or agent, or any other negotiation.

CAN A REAL ESTATE SALESPERSON OR TIMESHARE SALESPERSON OFFER A FINDER'S FEE TO PEOPLE WHO MAKE SUCCESSFUL REFERRALS TO THE BROKER?

[Wis. Stat. § 452.19](#) prohibits the payment of a finder's fee or a commission to a person not licensed as a salesperson or broker. However, there are no restrictions on the licensee giving a gift or an incentive to a buyer or seller.

DOES A REAL ESTATE SALESPERSON NEED TO DISCLOSE HIS OR HER STATUS AS A REGISTERED SEX OFFENDER TO A CLIENT?

[Wis. Stat. § 452.24\(1\)](#) states that if in connection with a sale, purchase, rental, or exchange of real property, a licensee receives a request from a person to whom the licensee is providing brokerage services for information related to whether a particular person is required to register as a sex offender, the licensee has the duty to disclose such information, if the licensee has actual knowledge of the situation. Please see the statute for further information. If the licensed broker, salesperson, or time-share salesperson is a registered sex offender, he or she should see [Wis. Stat. § 948.13](#) (Child Sex Offender Working with Children) and call the Department of Corrections for further information.