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| R4-28-B1201. | Expedited Registration For Improved Subdivision Lots and Unsubdivided Lands |
| R4-28-B1202. | Conditional Sales Exemption |
| R4-28-B1203. | Material Change; Public Report Amendments |
| R4-28-B1204. | Cemetery Notice; Amendments |
| R4-28-B1205. | Contiguous Parcels |
| R4-28-B1206. | Filing with HUD |
| R4-28-B1207. | Subsequent Owner |
| R4-28-B1208. | Public Report Correction |
| R4-28-B1209. | Options; Blanket Encumbrances; Releases |
| R4-28-B1210. | Earnest Money |
| R4-28-B1211. | Recordkeeping |

ARTICLE 13. ADMINISTRATIVE PROCEDURES

Section

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| R4-28-1301. | Repealed |
| R4-28-1302. | Service of Pleadings Subsequent to Complaint and Notice |
| R4-28-1303. | Information Obtained in an Investigation |
| R4-28-1304. | Response; Default |
| R4-28-1305. | Notice of Appearance of Counsel |
| R4-28-1306. | Repealed |
| R4-28-1307. | Expired |
| R4-28-1308. | Repealed |
| R4-28-1309. | Repealed |
| R4-28-1310. | Rehearing or Review of Decision; Response; Decision |
| R4-28-1311. | Repealed |
| R4-28-1312. | Repealed |
| R4-28-1313. | Correction of Clerical Mistakes |

ARTICLE 14. REPEALED

Former Article 14, consisting of Section R4-28-1401, repealed effective November 27, 1987.

ARTICLE 1. GENERAL PROVISIONS

R4-28-101. Definitions

In addition to the definitions listed in A.R.S. § 32-2101 the following terms apply to this Chapter:

“Active license” or “active status license” means a current license issued by the Department to a broker or salesperson that states the name of the broker that employs the broker or salesperson and the location at which the salesperson or broker is employed. If referring to an employing broker, it means a currently licensed employing broker with a currently licensed designated broker of record.

“ADEQ” means the Arizona Department of Environmental Quality.

“ADWR” means the Arizona Department of Water Resources.

“Closing” means the final step of a real estate transaction, such as when the consideration is paid, all documents relating to the transaction are executed and recorded, or the deed is delivered or placed in escrow.

“Credit hour” means 50 minutes of instruction.

“Course” means a class, seminar, or presentation.

“D.b.a.” means ‘doing business as’ and is a name, other than a person’s legal name, authorized by the Department for a licensee’s use in conducting business.

“Distance learning course” means a course of instruction outside a traditional classroom situation consisting of computer-based interactive instructional material, requiring completion in the credit hours specified. A course that

requires a student to read text, listen to audio tapes, or view video material without student participation, feedback, and remedial instruction is not a distance learning course.

“Immediate family” means persons related to an individual by blood, marriage, or adoption, including spouse, siblings, parents, grandparents, children, and grandchildren.

“Individual” means a natural person.

“Material change” means any significant change in the size or character of the development, development plan, or interest being offered, or a change that has a significant effect on the rights, duties, or obligations of the developer or purchaser, or use and enjoyment of the property by the purchaser.

“Non-resident license” means a license authorized under the provisions of 32-2122(A) issued to a person who has been domiciled in this state for less than one year and who does not meet any of the following:

- Has an Arizona driver’s license;
- Has an Arizona motor vehicle registration;
- Has been employed in Arizona;
- Has an Arizona voter registration;
- Has transferred banking services to Arizona;
- Has changed permanent address on all pertinent records;
- Is a domestic corporation or limited liability company;
- Has filed an Arizona income tax return with the Department of Revenue during the previous or current tax year; or
- Has received benefits from any Arizona public service department or agency, such as welfare, food stamps, unemployment benefits, or worker’s compensation.

“Property interest” means a person’s ownership or control of a lot, parcel, unit, share, use in a development, including any right in a subdivided or unsubdivided land, a cemetery plot, a condominium, a time-share interval, a membership camping contract, or a stock cooperative.

Historical Note

Former Section R4-28-01 repealed, new Section R4-28-01 adopted effective May 1, 1980 (Supp. 80-3). Amended effective August 1, 1986 (Supp. 86-4). Former Section R4-28-01 renumbered without change as Section R4-28-101 (Supp. 87-1). Former Section R4-28-101 renumbered to R4-28-102, new Section R4-28-101 adopted by final rulemaking at 5 A.A.R. 650, effective February 3, 1999 (Supp. 99-1). Amended by final rulemaking at 6 A.A.R. 1886, effective May 2, 2000 (Supp. 00-2). Amended by final rulemaking at 8 A.A.R. 3640, effective August 6, 2002 (Supp. 02-3). Amended by final rulemaking at 11 A.A.R. 506, effective March 5, 2005 (Supp. 05-1).

R4-28-102. Document Filing; Computation of Time

- A. All documents shall be considered filed on the date received by the Department. An original or renewal application post-marked on or before the end of the application or renewal deadline shall be considered timely.
- B. In computing any period of time allowed by these rules or by an order of the Commissioner, the day of the act, event, or default from which the designated period of time begins to run is not included. The last day of the period is included unless it is Saturday, Sunday, or a legal holiday in which event the period runs until the end of the next day that is not a Saturday,