

Frequently Asked Questions About How Having A Criminal Conviction Could Affect Getting A License In The Real Estate Professions

1. I am applying for the first-time for a license to be a real estate professional and I have a criminal conviction in my past. Can I still get a license?

ANSWER: Depending on the type and nature of the conviction, most likely yes if you are otherwise qualified. An applicant's convictions, along with other factors, may be considered by the Department in its decision whether to grant a license. We encourage you to apply and participate in the Department's review process. For the past several years, more than 95% of applicants in the real estate professions with a conviction who accurately completed the application disclosing their conviction have obtained a license.

2. Which convictions are an automatic bar to obtaining a license in the real estate professions?

ANSWER: None. There are no convictions which would result in an automatic bar to obtaining a license in the real estate profession. Real estate professionals include:

- Associate Real Estate Trainee Appraiser
- Auctioneers
- Certified General Real Estate Appraiser
- Certified Residential Real Estate Appraiser
- Community Association Managers
- Home Inspectors
- Real Estate Broker
- Real Estate Continuing Education Instructor
- Real Estate Managing Broker
- Real Estate Pre-License Instructor
- Residential Leasing Agent

3. Which convictions will the Department consider when determining whether an applicant qualifies for a real estate license? (These are NOT an automatic bar to obtaining a license, but they do need to be disclosed on your application.)

ANSWER: It depends on what kind of license the applicant is seeking.

If you are applying to become a **real estate broker, real estate managing broker, residential leasing agent or real estate instructor**, the Department may consider the following convictions:

- Conspiracy to defraud
- Embezzlement
- Extortion
- Felony involving moral turpitude
- Forgery
- Larceny
- Obtaining money under false pretenses

If you are applying to become a **real estate broker, real estate managing broker, residential leasing agent or real estate instructor**, the Department may also consider misdemeanors involving dishonesty or fraud.

If you are applying to become an **auctioneer, home inspector, or real estate appraiser**, the Department may also consider misdemeanors involving dishonesty or that are directly related to the profession.

If you are applying to become a **community association manager**, the Department may also consider misdemeanors involving dishonesty or fraud, that involve larceny, embezzlement, or obtaining money, property, or credit by false pretenses or by means of a confidence game or that are directly related to the profession.

4. I have a juvenile conviction in my past, or an adult conviction that has since been expunged, sealed, vacated, or reversed by the court. Should I still notify the Department of this conviction?

ANSWER: No. Individuals applying for a license should not disclose to the Department any adult convictions that have been expunged, sealed, vacated, or reversed by the court or any juvenile conviction/disposition.

5. I have a conviction in my past and have submitted my application. What can I expect next?

ANSWER: The Department may contact you to request additional information or request an informal conference to discuss your past conviction.

DISCLAIMER: The above questions and answers are provided for general information only and may not be completely accurate in every circumstance, do not purport to be legal advice, and are not intended to be legally binding on the Department in a particular case. Questions involving interpretation of the law and your legal rights and obligations should be addressed to your lawyer.