AMENDATORY SECTION (Amending WSR 20-06-036, filed 2/27/20, effective 3/29/20)

WAC 308-127-210 Relationship of timeshare promoters and salespersons and real estate brokers and salespersons. (1) An active timeshare salesperson registration shall be associated with one or more timeshare promoters who have one or more timeshare offerings registered in this state. The promoter shall have full responsibility for all activities of the promoter's timeshare salesperson which relate to offering timeshares for sale.

(2) An active real estate broker or salesperson may act as the brokerage agent of one or more timeshare promoters without registering as a timeshare salesperson. However, this exemption from registration as a timeshare salesperson applies only when the exempted person is performing real estate brokerage in compliance with chapter 18.85 RCW. Further, this exemption only pertains to the timeshare salesperson registration requirement. All other provisions of the Timeshare Act apply to real estate brokers and salespersons offering timeshares for sale.

(3) A natural person may be registered as a timeshare salesperson while licensed as a real estate broker or salesperson. However, the salesperson shall conduct timeshare activities and maintain associated business records separate and apart from ((~~his or her~~)) their real estate broker or salesperson activities and records. The term "separate and apart" shall not preclude location of timeshare salesperson and real estate brokerage activities at the same office.

(4) Any individual who is registered as a timeshare salesperson and licensed as a real estate broker or salesperson shall disclose in writing to the recipient of a timeshare sales offer whether ((~~he or she is~~)) they are acting as the timeshare salesperson of a promoter or a real estate broker or salesperson at the time ((~~he or she presents~~)) they present the public offering statement.

AMENDATORY SECTION (Amending WSR 20-06-036, filed 2/27/20, effective 3/29/20)

WAC 308-127-225 Original application, renewal, inactivity, and fees for a timeshare salesperson registration. (1) An individual shall apply for registration as a timeshare salesperson on a form prescribed by the agency. The registration application for a timeshare salesperson shall identify the specific promoter responsible for the business activities of the salesperson and shall be valid for a period of one year.

(2) When a timeshare salesperson ceases to be employed by a timeshare promoter, the salesperson's registration shall be set to an inactive status. Written notice of this cessation shall be given by the promoter to the department. An individual with an inactive timeshare salesperson license who desires to work for the same or another promoter shall register a new association with the department before engaging in further timeshare sales activities.

(3) An individual may renew ((~~his~~)) their timeshare salesperson registration for one year if the agency receives the individual's request and renewal fee on or before the expiration of the individual's

existing registration. The effective date of the renewal shall be the anniversary date of the previous registration. If the registration is not renewed before the expiration date reregistration is required before timeshare sales activity may be continued.

(4) An application for registration or a renewal of registration is not complete unless it is accompanied by the proper fee. Payment of the fee with a check which is subsequently dishonored is a deficient application. Upon notification to the promoter by the agency, the promoter shall cease employment of the applicant as a timeshare salesperson.