

West's Annotated Indiana Code

Title 25. Professions and Occupations

Article 34.1. Real Estate Brokers and Salespersons

Chapter 3. Licensing

IC 25-34.1-3-2

25-34.1-3-2 Transactions without license; prohibition; exemption

Effective: July 1, 2016

Currentness

Sec. 2. (a) Except as provided in:

- (1) subsection (b);
- (2) [section 8\(i\)](#) of this chapter; and
- (3) [section 11](#) of this chapter;

no person shall, for consideration, sell, buy, trade, exchange, option, lease, rent, manage, list, or appraise real estate or negotiate or offer to perform any of those acts in Indiana or with respect to real estate situated in Indiana, without a license.

(b) This article does not apply to:

- (1) acts of an attorney which constitute the practice of law;
- (2) performance by a public official of acts authorized by law;
- (3) acts of a receiver, executor, administrator, commissioner, trustee, or guardian, respecting real estate owned or leased by the person represented, performed pursuant to court order or a will;
- (4) rental, for periods of less than thirty (30) days, of rooms, lodging, or other accommodations, by any commercial hotel,

motel, tourist facility, or similar establishment which regularly furnishes such accommodations for consideration;

(5) rental of residential apartment units by an individual employed or supervised by a licensed broker;

(6) rental of apartment units which are owned and managed by a person whose only activities regulated by this article are in relation to a maximum of twelve (12) apartment units which are located on a single parcel of real estate or on contiguous parcels of real estate;

(7) referral of real estate business by a broker or referral company which is licensed under the laws of another state, to or from brokers licensed by this state;

(8) acts performed by a person in relation to real estate owned by that person unless that person is licensed under this article, in which case the article does apply to that person;

(9) acts performed by a regular, full-time, salaried employee of a person in relation to real estate owned or leased by that person unless the employee is licensed under this article, in which case the article does apply to that person;

(10) conduct of a sale at public auction by a licensed auctioneer pursuant to IC 25-6.1;

(11) sale, lease, or other transfer of interests in cemetery lots;

(12) acts of a broker, who is licensed under the laws of another state, which are performed pursuant to, and under restrictions provided by, written permission that is granted by the commission in its sole discretion, except that such a person shall comply with the requirements of [section 5\(c\)](#) of this chapter; and

(13) the performance of an evaluation of real property by an employee, an officer, a director, or a member of a credit or loan committee of a financial institution, or by any other person engaged by a financial institution, in a transaction for which the financial institution would not be required to use the services of a state licensed appraiser under regulations adopted under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 ([12 U.S.C. 3331 et seq.](#)).

Credits

As added by Acts 1979, P.L.248, SEC.1, eff. Dec. 31, 1979. Amended by Acts 1982, P.L.156, SEC.1; [P.L.183-1991, SEC.6](#), eff. May 5, 1991; [P.L.64-2004, SEC.17](#), eff. Mar. 17, 2004; [P.L.127-2012, SEC.11](#), eff. July 1, 2014; [P.L.45-2016, SEC.1](#), eff. July 1, 2016.

I.C. 25-34.1-3-2, IN ST 25-34.1-3-2

The statutes and Constitution are current with all legislation of the 2018 Second Regular Session of the 120th General Assembly effective through June 30, 2018 and the 2018 Special Session effective through May 14, 2018.

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.