



MISSISSIPPI

# Mississippi Real Estate Commission

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## NOTICE OF PROPOSED RULES

### **TO: All Real Estate Broker and Real Estate Salesperson Licensees**

On February 4, 2026, the Mississippi Real Estate Commission submitted to the Mississippi Secretary of State proposed amendments to its Administrative Rules. Pursuant to the Mississippi Secretary of State's *Tackle the Tape* initiative, the Commission reviewed the entirety of its administrative rules for purposes of clarification and amendments to its existing rules. The Commission proposes this set of amended rules in effort to achieve the following goals:

To explain for licensees more clearly, through its administrative rules, the expectations for compliance with the important fiduciary duties and standards of practice necessary to maintain the public trust in the real estate profession in Mississippi; and

To eliminate unnecessary or burdensome regulations and barriers to the practice of real estate for licensees and persons who desire to enter the profession.

**A copy of the proposed rules is published on the Commission website in the LICENSE LAW section of the website: PROPOSED RULES-02-04-2026.**

NOTE: The published document contains a clean version of the proposed rules (page numbers 1-36) followed by a marked-up version (page numbers 37-76). The marked-up version identifies both the addition to and deletion of language in the Commission's existing administrative rules.

The specific amendments to the rules are identified and summarized below, followed with important information about the opportunity for licensees and the public to submit comments about the proposed rules before the proposed rules are submitted for consideration for final approval by the Mississippi Secretary of State and the Occupational Licensing Review Commission.

### **SUMMARY OF PROPOSED RULE AMENDMENTS:**

***Title 30: Professions and Occupations***

***Part 1601: Mississippi Real Estate Commission***

***Chapter 1: Licensing***

#### **Rule 1.1 Applying for a License**

**Subject Matter of Proposed Amended Rule:** Clarification of rule governing the name and location requirements for real estate company/business licenses.

## **Rule 1.2 Changing the Status of a License**

**Subject Matter of Proposed Amended Rule:** Amendment to ease requirements regarding the public display of active real estate licenses, and clarification of current methods for changing the status of active/inactive licenses and for transfer of a licensee from one Principal Broker to another.

### *Chapter 2: Fees*

#### **Rule 2.1**

**Subject Matter of Proposed Amended Rule:** Clarification of the various fee categories and specific fees for license applications, renewals and changes, and miscellaneous license fees charged by the Commission; Explanation of the location and display of current fee information.

#### **Rule 2.2 Miscellaneous Fee Provisions**

**Subject Matter of Proposed Amended Rule:** Explanation of other Commission fees and charges and the methods for payment of all Commission fees and charges.

### *Chapter 3: Administration/Conducting Business*

#### **Rule 3.1 General Rules**

**Subject Matter of Proposed Amended Rule:** Addition of definitions to distinguish and explain the different names/titles used by licensees in practice. Clarification of the duties of the Principal Broker and delegation of certain duties. Clarification of compensation requirements and restrictions. Clarification of communication responsibilities of licensees to the Commission.

#### **Rule 3.2 Documents**

**Subject Matter of Proposed Amended Rule:** Clarification of licensee duties and responsibilities regarding required real estate transaction documents.

#### **Rule 3.4 Earnest Money**

**Subject Matter of Proposed Amended Rule:** Addition of definitions for important terms regarding the receipt and handling of earnest money deposits. Clarification of Commission authority to audit escrow accounts for compliance with a licensee's fiduciary duties.

#### **Rule 3.5 Real Estate Teams or Groups**

**Subject Matter of Proposed Amended Rule:** Expansion of definition of Team Leader to include and authorize a Principal Broker to be a Team Leader.

### *Chapter 4 : Agency Relationship Disclosure*

#### **Rule 4.2 Definitions**

**Subject Matter of Proposed Amended Rule:** Clarification of definitions of real estate licensee agency/representation terms and fiduciary responsibilities.

#### **Rule 4.3 Disclosure Requirements**

**Subject Matter of Proposed Amended Rule:** Clarification of the definitions for agency relationships and the important methods for compliance with agency disclosure requirements.

## ***Chapter 5 : Complaint Procedure***

### **Rule 5.2 Definitions**

### **Rule 5.3 Investigations of Complaints**

### **Rule 5.5 Commencement of Disciplinary Proceedings/Administrative Hearings**

### **Rule 5.8 Administrative Hearings**

**Subject Matter of Proposed Amended Rules:** Clarification of terms and definitions.

## ***Chapter 6 : Continuing Education***

### **Rule 6.2 Procedures and Criteria for Approval of Courses**

**Subject Matter of Proposed Amended Rule:** Amendment of course time segment requirement from a two-hour minimum to a one-hour minimum time segment.

### **Rule 6.4 Administrative Requirements**

**Subject Matter of Proposed Amended Rule:** Amendment of provider requirements for certification of licensee course attendance to the Commission.

### **Rule 6.5 Advertising and Solicitation**

**Subject Matter of Proposed Amended Rule:** Clarification of advertising requirements for course providers.

## ***Title 30: Professions and Occupations***

### ***Part 1603: Board Organization and Members***

## ***Chapter 1: Board Organization***

### **Rule 1.1 Commission Organization and Operations**

**Subject Matter of Proposed Amended Rule:** Amendments to existing rule to comply with current state law governing Commissioner appointments and operations. Clarification of methods for the public to obtain and submit information about the Commission and its operations.

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### **IMPORTANT INFORMATION ABOUT THE RULE AMENDMENTS:**

**Citation to All Published Notices:** 30 Mississippi Administrative Bulletin 28481 (2/04/2026)

**Where written submissions/comments or written requests for an opportunity to make oral presentations on the proposed rules may be submitted or inspected:**

To submit comments/questions electronically (through March 2, 2026): \*\*\*  
[comments@mrec.state.ms.us](mailto:comments@mrec.state.ms.us)

To submit comments/questions by mail (through March 2, 2026): \*\*\*

Mississippi Real Estate Commission  
Attn: Bryan P. Lieb, Esq., Executive Director  
Post Office Box 12685  
Jackson, MS 39236

Physical location for inspection (through March 2, 2026): \*\*\*

Mississippi Real Estate Commission  
Lefleur's Bluff Tower, Suite 300  
4780 I-55 North, Jackson, MS 39211

Time period during which written submissions may be accepted by the Commission in-person or inspected at Commission offices: Monday-Friday 9:00 a.m. – 4:00 p.m. through Monday, March 2, 2026\*\*\* at 4:00 p.m.

\*\*\*Notice of any extension of these comment/inspection periods will be published on the Commission website and licensees will be notified by email.

**Current status of the Proposed Rules:** Filed for publication as proposed rules.

**Date of Adoption/Date Final Rules Filed:** To be determined.

**Date Rules Will Be Effective:** To be determined.

**Required Notice to Licensees:**

Pursuant to Miss. Code Ann. §73-35-35(2), this Notice of Proposed Rules will be provided to all licensees who have provided a valid email address to the Commission. Email Publication Dates: February 11, February 18 and February 25, 2024.