

**BEFORE THE IOWA REAL ESTATE COMMISSION**

<p>In the Matter of the Petition for Waiver by:</p> <p><b>Urbandale High School/Darlene Wagner</b></p> <p>Petitioner.</p>	<p><b>ORDER APPROVING PETITION FOR WAIVER</b></p>
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Pursuant to Iowa Code § 17A.9A, the Iowa Real Estate Commission (“Commission”) makes the following ruling on the Petition for Waiver submitted by Urbandale High School/Darlene Wagner (“Petitioner”).

**FACTS AND COURSE OF PROCEEDINGS**

1. Petitioner seeks to offer real estate pre-licensing courses to students at Urbandale High School.
2. Iowa Code section 543B.15(8) and 193E Iowa Administrative Code rules 4.1(7)<sup>1</sup> and 16.2<sup>2</sup> details the course of study requirements for the salesperson licensing examination. Namely, the course of study must “[consist] of 60 live instruction or online learning hours of real estate principles and practices” and “12 hours of Developing Professionalism and Ethical Practices, 12 hours of Buyer Practices and 12 hours of Listing Practices.” 193E Iowa Administrative Code rule 16.2(1)“a”<sup>3</sup> further details what subjects the curriculum for the real estate principles and practices should consist of.
3. 193E Iowa Administrative Code rule 17.1<sup>4</sup> outlines the requirements for schools, courses, and instructors to receive advance approval by the Commission. 17.1(3)<sup>5</sup> requires “evidence of compliance with or exemption from Iowa Code sections 714.18 through 714.25” to be furnished to the Commission.
4. On May 15, 2026, Petitioner filed a Petition for Waiver with the Commission, seeking a waiver from the Iowa College Aid approval requirement and requesting to combine the 60 hours and three 12-hour courses into one single school year-long course.

**SUMMARY OF LAW**

5. Pursuant to 481 Iowa Administrative Code rule 6.1(3) (*see also* Iowa Code

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1 As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2004.1(7).  
2 As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2016.2.  
3 As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2016.2(1)“a”.  
4 As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2017.1.  
5 As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2017.1(3).

section 17A.9A(2)), the Commission may in its sole discretion issue an order waiving in whole or in part the requirements of a rule if the Commission finds, based on clear and convincing evidence, all of the following:

- a. Application of the rule to the petitioner would impose an undue hardship on the person or class of persons for whom the waiver is requested;
- b. Waiver from the requirements of a rule in the specific case would not prejudice the substantial legal rights of any person;
- c. Provisions of a rule subject to a petition for waiver are not specifically mandated by statute or another provision of law; and
- d. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

6. “The burden of persuasion rests with the Petitioner to demonstrate by clear and convincing evidence that the [commission] should exercise its discretion to grant a waiver from a [commission] rule.” 481 Iowa Administrative Code rule 6.1(8)“b”.

**PETITIONER HAS MET THE CRITERIA TO WAIVE RULE 193E-17.1(3)<sup>6</sup>.”**

7. Upon review of the Petition, the Commission finds that Petitioner has satisfied each of the four criteria for waiver of the Iowa College Aid approval requirement in rule 193E-17.1(3)<sup>7</sup> and authorizes Petitioner to offer the 60 hours and three 12-hour courses in one combined course of instruction taught over the course of the school year.

8. First, Petitioner meets the exemption criteria under Iowa Code sections 714.18 through 714.25. To otherwise require Petitioner to still submit evidence of compliance with such statutes would constitute an undue hardship.

9. Second, the Commission finds that granting a waiver would not prejudice the substantial legal rights of any person.

10. Third, the provisions of the rule are not mandated by statute or another non-waivable provision of law.

11. Finally, the Commission finds the statute sufficiently considered the safety of the public when creating the exemptions to Iowa Code section 714.18 through 714.25. The Commission does not find any additional concerns with not requiring Petitioner, a high school, to meet the Iowa College Aid approval requirements. Additionally, offering the 60 hours and three 12-hour courses in one combined course of instruction instead of separated courses by the hour would still adequately protect the public health, safety, and welfare. If future real estate license applicants are taught in Petitioner’s proposed manner, they would still have to pass the

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<sup>6</sup> As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2017.1(3).

<sup>7</sup> As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2017.1(3).

state-authorized examination to prove minimum competency and complete all other licensing requirements.

**ORDER**

**IT IS THEREFORE ORDERED** the Petition for Waiver of 193E-17.1(3)<sup>8</sup> is hereby **GRANTED**. Furthermore, Petitioner is hereby authorized to offer the 60 hours and three 12-hour courses for real estate salesperson licensure in a combined single school year-long course. Lastly, the Commission would require that the Petitioner submit a written report no later than September 1, 2027, and annually thereafter detailing for the preceding year the number of students participating in the real estate education program, the number of students who successfully passed the state-authorized examination if known, and the number of students who received a real estate license if known.

Issued June 12, 2026



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Dakotah Reed, Chair  
Iowa Real Estate Commission

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<sup>8</sup> As of June 10, 2026, this rule was renumbered to 481 Iowa Administrative Code rule 2017.1(3).