

BEFORE THE IOWA REAL ESTATE COMMISSION

In the Matter of the Petition for Waiver by: Miranda Nebel Petitioner.	ORDER APPROVING PETITION FOR WAIVER
---	--

Pursuant to Iowa Code § 17A.9A, the Iowa Real Estate Commission (“Commission”) makes the following ruling on the Petition for Waiver submitted by Miranda Nebel (“Petitioner”).

FACTS AND COURSE OF PROCEEDINGS

1. Petitioner seeks an Iowa real estate salesperson license.
2. Pursuant to 481 Iowa Administrative Code rule 2004.1(7), “[a]s required by Iowa Code section 543B.15(8) and 481—Chapter 2016, the required course of study for the salesperson licensing examination consists of 60 live instruction or online learning hours of real estate principles and practices. To be eligible to take the examination, the 60 live education or online learning hours of real estate principles and practices are completed during the 12 months prior to taking the examination. The applicant will also provide evidence of successful completion of the following courses: 12 hours of Developing Professionalism and Ethical Practices, 12 hours of Buying Practices and 12 hours of Listing Practices. The prelicense education will expire after 12 months.”
3. Pursuant to 481 Iowa Administrative Code rule 2016.2(1)(b), “an applicant applying for an original salesperson license also provides evidence of the following live instruction courses: 12 hours of Developing Professionalism and Ethical Practices, 12 hours of Buying Practices and 12 hours of Listing Practices. All the necessary education is completed during the 12 months prior to the date the application is postmarked or received.”
4. Iowa Code section 543B.15(8) requires a real estate salesperson applicant to complete at least 30 hours of education prior to taking the salesperson examination. 193E Iowa Administrative Code rules 2004.1(7) and 2016.2 require an applicant to complete 96 hours of education before becoming licensed as a real estate salesperson.
5. Pursuant to 481 Iowa Administrative Code rule 2004.3, “an applicant who passes a qualifying examination and applies for a license must file with the commission a completed application with license fee, proof of required education, and test score not later than the last working day of the sixth calendar month following the qualifying real estate examination.”
6. Petitioner completed the three 12 courses referenced in paragraph 3 on April 22,

23, and 25 of 2025. Petitioner completed the 60-hour live education courses on June 23, 2025. Petitioner passed the state exam December 12, 2025. Petitioner passed the national exam June 11, 2026. Petitioner submitted her application for an Iowa real estate salesperson license on June 18, 2026. However, Petitioner's application was not complete at the time she submitted it as her federal background check was not completed until June 25, 2026.

7. On June 19, 2026, Petitioner filed a Petition for Waiver with the Board, seeking a temporary waiver from expiration of the 60-hour live education courses and state exam requirements under 481 Iowa Administrative Code rules 2004.1(7) and 2016.2.

SUMMARY OF LAW

8. Pursuant to Iowa Code section 17A.9A(2) (*see also* 7 Iowa Administrative Code chapter 2504), 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 would pose an undue hardship on the person 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.

9. "The petitioner bears the burden of persuasion to show by clear and convincing evidence all the factors provided in Iowa Code section 17A.9A(2)." 7 Iowa Administrative Code rule 2504.1(2).

PETITIONER HAS MET THE CRITERIA TO WAIVE RULES 481-2004.1(7), 2004.3, and 2016.2(1)“b”.

10. Upon review of the Petition, the Board finds that Petitioner has satisfied each of the four criteria for waiver of the expiration of the 60-hour pre-licensing requirements and state exam in rules 481-2004.1(7), 2004.3, and 2016.2(1)“b”.

11. First, at the time Petitioner submitted her application the 60-hour pre-licensing courses and the state exam were current and had not yet expired. Despite taking the required courses and passing the state exam, Petitioner was delayed in taking and passing the national exam and submitting a license application. This delay was due to Petitioner's financial hardship which placed her mortgage in jeopardy, and so Petitioner could not afford the cost of the background check, application, or additional coursework. Petitioner would have to take courses

covering topics that she has already studied and/or gained sufficient experience in if a waiver were not granted. The Commission collectively finds this constitutes an undue hardship.

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

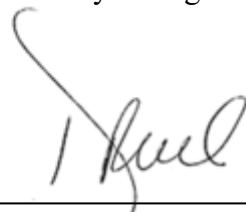
13. Third, 30 hours of pre-licensing education are required by Iowa Code section 543B.15(8) and as such the Commission does not have authority to waive this portion of the requirement. The additional 66 hours of pre-licensing education are not mandated by statute or another non-waivable provision of law. Additionally, Iowa Code section 543B.15(8) only requires the 30 hours of pre-licensing education be completed within 12 months prior to taking the examination. Any other timing and/or expiration requirements exist solely in rule. Petitioner properly completed 30 hours of education within the time frame required by law.

14. Finally, the Commission finds the education requirements to be imperative in the protection of the public. Since Petitioner has completed the three 12-hour courses in April of 2025 the law has changed and Petitioner should be abreast of such knowledge. Petitioner has shown by clear and convincing evidence that waiving the expiration of the 60-hour pre-licensing requirements and state exam would be adequately compensated in another manner such that the public health, safety, and welfare would be adequately protected by means other than application of the rule. However, Petitioner must still retake the three 12 hour courses before her application can be approved.

ORDER

IT IS THEREFORE ORDERED the Petition for Waiver of subrules 481-2004.1(7), 2004.3, and 2016.2(1)“b” is hereby **GRANTED**. Petitioner is waived from the 60-hour pre-licensing requirements and state exam expiring and as such those pieces of her application will be preserved for the time frame stipulated in this Order, but Petitioner must still retake the three separate 12-hour courses. This waiver is temporary and valid only through December 31, 2026.

Issued August 27, 2026



Dakotah Reed, Chair
Iowa Real Estate Commission