

61-2f-105 Fees.

- (1) In addition to when expressly authorized in another provision of this chapter, the division may charge and collect reasonable fees determined by the commission with the concurrence of the division under Section 63J-1-504 to cover the costs for:
 - (a) issuing a new or duplicate license;
 - (b) registering an entity or branch office;
 - (c) certifying a real estate school, course, or instructor;
 - (d) providing a history of a license, registration, or certification;
 - (e) producing a certified copy of an official document, order, or other paper or transcript; and
 - (f) other duties required by this chapter.
- (2) Notwithstanding Section 13-1-2, a fee collected under Subsection (1)(c) shall be deposited in the Real Estate Education, Research, and Recovery Fund.
- (3) If a person pays a fee or costs to the division with a negotiable instrument or other payment method that is not honored for payment:
 - (a) the transaction for which the payment is submitted is voidable by the division;
 - (b) the division may reverse the transaction if payment of the applicable fee or costs is not received in full; and
 - (c) the person's license, certification, or registration is automatically suspended:
 - (i) beginning the day on which the payment is due; and
 - (ii) ending the day on which payment is made in full.
- (4)
 - (a) A fee under this chapter is in lieu of all other license fees or assessments that might otherwise be imposed or charged by the state or any of its political subdivisions upon, or as a condition of, the privilege of conducting the business regulated by this chapter, except that a political subdivision within the state may charge a business license fee on a principal broker if the principal broker maintains a place of business within the jurisdiction of the political subdivision.
 - (b) Unless otherwise exempt, a licensee under this chapter is subject to the taxes imposed under Title 59, Revenue and Taxation.

Amended by Chapter 289, 2011 General Session