

BILL NO. 35-0117

Thirty-Fifth Legislature of the Virgin Islands

August 22, 2023

An Act amending title 27 Virgin Islands Code, chapter 15, sections 421a. and 422 relating to the qualifications, term limits, and duties of the members of the Real Estate Commission

PROPOSED BY: Senator Novelle E. Francis, Jr.

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 27 Virgin Islands Code, chapter 15 is amended in the following instances:

(a) Section 421a. is amended as follows:

(1) Strike all the language in subsection (b) and replace with the following language:

“The Commission is composed of seven members appointed by the Governor, with the advice and consent of the Legislature, who are citizens of the United States and residents of the Virgin Islands. At least three members, but not more than four, must hold a valid Virgin Islands Real Estate Broker, Sales Associate or Property Management license for at least five consecutive years before the date of appointment; one member must be a licensed attorney; and two members shall be persons who have never been licensed as a Broker, Sales Associate or Property

1 Manager in any jurisdiction. Three members shall reside on St. Croix, three
2 members shall reside on St. Thomas, and one member shall reside on St. John.

3 (2) Subsection (c) is amended as follows:

4 (A) At the end of the third sentence after “successor”, insert “and in no case
5 more than two consecutive four-year terms”.

6 (B) Strike the last sentence in its entirety.

7 (3) Subsection (f) is amended by striking “cause” and inserting “continued
8 neglect of duties required by law, incompetence, unprofessionalism, or dishonorable
9 conduct”.

10 (b) Section 422 is amended as follows:

11 (1) In paragraph (6), strike the period “.” after “Governor” and insert a semicolon
12 “;”.

13 (2) Add paragraphs (7) and (8) that read as follows:

14 “(7) maintain and publish, either in print or electronically, a current list of
15 all persons holding a license issued under this chapter and designating the category
16 of each license; and

17 (8) annually elect one of its members to serve as liaison to the realtor
18 organizations within the territory. The liaison shall conduct at least two meetings
19 per year, one in each district, with representatives from licensed real estate trade
20 organizations for the purpose of gathering information and concerns to report to
21 the Commission and to generally foster a productive dialog between the
22 Commission and the community of real estate professionals in the Territory.”

23 **BILL SUMMARY**

24 This bill amends title 27, Virgin Islands Code, chapter 15, section 421a., subsection (b)
25 by changing the composition of the Real Estate Commission by requiring that two members be

1 persons who have never been licensed as a Principal Broker, Broker Associate, Sales Associate,
2 Property Manager In Charge, or Property Manager in any jurisdiction; one member be an
3 attorney; and at least three members, but not more than four, hold a valid Virgin Islands
4 Principal Broker or Broker Associate license. Current law requires that not more than three
5 members be licensed as real estate brokers, one of which must be an attorney. Section 421,
6 subsection (b) was also amended by requiring that three members reside on St. Croix, three
7 members reside on St. Thomas, and one member reside on St. John. Current law requires that
8 not more than three members reside on any one island. Section 421a., subsection (c) was also
9 amended by setting a maximum service term of eight consecutive years for members who have
10 been appointed to fill a vacancy when an existing member is unable to complete his service
11 term, and subsection (f) was amended to clarify which actions may result in the removal of a
12 member from the Commission. This bill also amends section 422 by updating the duties of the
13 Commission requiring the Commission to maintain and publish a current list of all persons
14 holding a valid Principal Broker, Broker Associate, Sales Associate, Property Manager in
15 Charge, or Property Manager license, and to annually elect one of its members to serve as
16 liaison to the to the real estate community.

17 **BR23-0156/January 20, 2023/GC**