

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**2900 Real Estate Commission**  
**Statutory Authority: 24 Delaware Code, Section 2905(a)(1) (24 Del.C. §2905(a)(1)) 24 DE**  
**Admin Code 2900**

**PROPOSED**

**PUBLIC NOTICE**

The Delaware Real Estate Commission in accordance with 24 Del.C. §2905(a)(1) has proposed changes to its rules and regulations as mandated by SB 229. The proposal identifies crimes that are substantially related to services provided by real estate brokers, salespersons, and appraisers.

A public hearing will be held on February 10, 2005 at 9:00 a.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Real Estate Commission, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Commission at the above address. The final date to receive written comments will be at the public hearing.

The Commission will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

**16.0 Crimes Substantially Related To The Practice Of Real Estate Brokers, Salespersons And Appraisers**

**16.1 Conviction of any of the following crimes, or of the attempt to commit or of a conspiracy to commit or conceal or of solicitation to commit any of the following crimes, is deemed to be substantially related to the practice of real estate brokers, salespersons and appraisers in the State of Delaware without regard to the place of conviction:**

- 16.1.1 Murder by abuse or neglect in the second degree; class B felony. 11 Del.C. §633.
- 16.1.2 Murder by abuse or neglect in the first degree; class A felony. 11 Del.C. §634.
- 16.1.3 Murder in the second degree; class A felony. 11 Del.C. §635.
- 16.1.4 Murder in the first degree; class A felony. 11 Del.C. §636.
- 16.1.5 Unlawful sexual contact in the second degree; class G felony. 11 Del.C. §768.
- 16.1.6 Unlawful sexual contact in the first degree; class F felony. 11 Del.C. §769.
- 16.1.7 Rape in the fourth degree; class C felony. 11 Del.C. §770.
- 16.1.8 Rape in the third degree; class B felony. 11 Del.C. §771.
- 16.1.9 Rape in the second degree; class B felony. 11 Del.C. §772.
- 16.1.10 Rape in the first degree; class A felony. 11 Del.C. §773.
- 16.1.11 Continuous sexual abuse of a child; class B felony. 11 Del.C. §778.
- 16.1.12 Dangerous crime against a child; class B felony. 11 Del.C. §779.
- 16.1.13 Kidnapping in the second degree; class C felony. 11 Del.C. §783.
- 16.1.14 Kidnapping in the first degree; class B felony. 11 Del.C. §783A.
- 16.1.15 Arson in the third degree; class G felony. 11 Del.C. §801.
- 16.1.16 Arson in the second degree; class D felony. 11 Del.C. §802.
- 16.1.17 Arson in the first degree; class C felony. 11 Del.C. §803.
- 16.1.18 Burglary in the second degree; class D felony. 11 Del.C. §825.
- 16.1.19 Burglary in the first degree; class C felony; class B felony. 11 Del.C. §826.
- 16.1.20 Robbery in the second degree; class E felony. 11 Del.C. §831.
- 16.1.21 Robbery in the first degree; Class B. 11 Del.C. §832.
- 16.1.22 Carjacking in the first degree; class C felony; class B felony. 11 Del.C. §836.
- 16.1.23 Extortion; class E felony. 11 Del.C. §846.
- 16.1.24 Misapplication of property; class G felony. 11 Del.C. §848.
- 16.1.25 Theft of rented property; class G felony. 11 Del.C. §849.
- 16.1.26 Identity theft; class E felony; class D felony. 11 Del.C. §854.
- 16.1.27 Forgery; class F felony; class G felony. 11 Del.C. §861.
- 16.1.28 Possession of forgery devices; class G felony. 11 Del.C. §862.
- 16.1.29 Tampering with public records in the first degree; class E felony. 11 Del.C. §876.
- 16.1.30 Issuing a false certificate; class G felony. 11 Del.C. §878.

- 16.1.31 Fraudulent conveyance of public lands; class G felony. 11 **Del.C.** §911.
- 16.1.32 Fraudulent receipt of public lands; class G felony. 11 **Del.C.** §912.
- 16.1.33 Insurance fraud; class G felony. 11 **Del.C.** §913.
- 16.1.34 Home improvement fraud; class G felony. 11 **Del.C.** §916.
- 16.1.35 New home construction fraud; class C felony, class F felony, class G felony. 11 **Del.C.** §917.
- 16.1.36 Dealing in children; class E felony. 11 **Del.C.** §1100.
- 16.1.37 Endangering the welfare of a child; class E or G felony. 11 **Del.C.** §1100.
- 16.1.38 Sexual exploitation of a child; class B felony. 11 **Del.C.** §1108.
- 16.1.39 Unlawfully dealing in child pornography; class D felony. 11 **Del.C.** §1109.
- 16.1.40 Possession of child pornography; class F felony. 11 **Del.C.** §1111.
- 16.1.41 Sexual solicitation of a child; class C felony. 11 **Del.C.** §1112A.
- 16.1.42 Bribery; class E felony. 11 **Del.C.** §1201.
- 16.1.43 Receiving a bribe; class E felony. 11 **Del.C.** §1203.
- 16.1.44 Perjury in the second degree; class F felony. 11 **Del.C.** § 1222.
- 16.1.45 Perjury in the first degree; class D felony. 11 **Del.C.** §1223.
- 16.1.46 Tampering with physical evidence; class G felony. 11 **Del.C.** §1269.
- 16.1.47 .Hate crimes; class G felony, class F felony, class E felony, class D felony, class C felony, class B felony, class A felony. 11 **Del.C.** §1304.
- 16.1.48 Possession of a deadly weapon during commission of a felony; class B felony. 11 **Del.C.** §1447.
- 16.1.49 Possession of a firearm during commission of a felony; class B felony. 11 **Del.C.** §1447A.
- 16.1.50 Removing a firearm from the possession of a law enforcement officer; class C felony. 11 **Del.C.** §1458.
- 16.1.51 Organized Crime and Racketeering, Class B Felony. 11 **Del.C.** §1504.
- 16.1.52 Abuse of patient or resident in nursing home; Class D felony; Class G felony; Class A felony. 16 **Del.C.** §1136(a).
- 16.1.53 Prohibited acts A; Class B felony. 16 **Del.C.** §4751.
- 16.1.54 Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (L.S.D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA); Class B felony. 16 **Del.C.** §4753A.
- 16.1.55 Knowing or reckless abuse of an infirm adult; Class D felony; Class E felony; Class G felony; Class A felony. 31 **Del. C.** §3913.
- 16.2 Crimes substantially related to the practice of real estate brokers, salespersons and appraisers shall be deemed to include any crimes under any federal law, state law, or valid town, city or county ordinance, that are substantially similar to the crimes identified in this rule.

**\*Please Note: As the rest of the sections were not amended, they are not being published. A complete set of the rules and regulations for the Real Estate Commission is available at:**

**<http://www.professionallicensing.state.de.us/boards/realestate/index.shtml>**

**8 DE Reg. 961 (1/1/05)**