

Vacation Lodging Service - Designated Agent

On July 1, 2011, changes to the Vacation Lodging Services industry in Tennessee took effect. If a person named as a designated agent for a vacation lodging service firm has completed the course required pursuant to the act to be licensed as a designated agent prior to the effective date of the act or between the time the act was signed by the governor and July 1, 2011, such person shall not be required to retake any such course in order to be licensed as a designated agent by the Tennessee Real Estate Commission.

Below are some of the amendments made to Tennessee Code Annotated, section 62-13-104:

- “Designated agent” means an owner, principal, officer, or upper level manager of a vacation lodging services firm.
- Upon application for a firm license for a vacation lodging service and each renewal of the license, the firm shall designate one (1) individual from that firm who shall be individually licensed as a designated agent through the Tennessee Real Estate Commission. Such designated agent shall be responsible for the completion of training programs to be taught by an individual in the vacation lodging services business or other person who meets qualifications set by the Tennessee Real Estate Commission. Such training programs shall consist of instruction in the fundamentals of this subsection (b) and related topics. No person shall be licensed by the commission as a designated agent until such person completes the required eight-hour introductory course.
- Every two (2) years, as a requisite for the reissuance of a firm license for a vacation lodging service and for reissuance of the designated agent license, the firm shall furnish certification that the designated agent for the firm has completed eight (8) classroom hours in training programs approved by the commission.
- If a designated agent, as designated by a vacation lodging services firm, leaves or moves from the vacation lodging service firm, the firm or designated agent for such firm must notify the Tennessee Real Estate Commission within ten (10) days of such action. The vacation lodging service firm must replace the designated agent within sixty (60) days of such action and notify the commission of the name of the new designated agent. During such time period, all rules or regulations related to a vacation lodging service firm shall remain in full force and effect with respect to such a vacation lodging service firm until a designated agent is replaced. Any obligation or duty required to be fulfilled by the designated agent shall be fulfilled by another person in the vacation lodging service firm.
- A designated agent may serve as a designated agent for multiple offices of the same vacation lodging service firm within a fifty (50) mile radius of the principal office of the firm, but may not serve as a designated agent for multiple firms.
- The firm license and the license for the designated agent for the firm, and all renewals thereof, shall expire at the same time. If a license is issued to a designated agent following the date the firm license is issued or renewed, the license for the designated agent shall be issued or renewed so that it expires on the date the license of the firm is to expire. The commission is authorized to prorate the license for the designated agent or extend the date for the renewal of such a license to ensure the licenses expire concurrently.
- FOR AN APPLICATION, VISIT:
<http://www.tn.gov/commerce/boards/trec/documents/DesignatedAgentLicenseApp.pdf>