

**PROCEDURE FOR SUBSTITUTION OF BROKER/BROKER OF RECORD
DUE TO ILLNESS OR INJURY**

Section 254 of the Commission's regulations, 49 Pa. Code 35.254, authorizes a broker with a sole proprietorship or a broker of record who is unable to act as a broker/broker of record due to illness or injury to appoint another broker/broker of record to act as the interim broker/broker of record until the broker/broker of record is able to assume his responsibilities.

In such an event, the following procedure applies:

1. Within 15 days of the appointment of the substitute broker/broker of record, the Commission must be notified:

(a) By a duly authorized person* that:

(1) the broker/broker of record is unable to perform his/her duties and

(2) a substitute broker/broker of record has been appointed.

*For a sole proprietorship, the broker's attorney or another with power of attorney can give notice. For a corporation, a corporate officer or partner can give the notice.

(b) By the substitute broker/broker of record that the substitute broker/broker of record is assuming the duties and responsibilities of the broker/broker of record to supervise the sole proprietorship/corporation/partnership/association.

2. Upon receipt of the notifications, the Commission will send a letter to the sole proprietorship/corporation/partnership/ association, the broker/broker of record and the substitute broker/broker of record confirming the substitution and reminding them that the substitute will be responsible for the duties and responsibilities of the sole proprietorship/corporation/partnership/association until the Commission is advised that the broker/broker of record is able to resume his/her duties.

3. Within 15 days prior to the resumption of the broker/broker of record, the Commission must be notified:

(a) By the broker/broker of record that he/she is resuming his/her duties and responsibilities for the sole proprietorship/corporation/partnership/association.

(b) By the substitute broker/broker of record that he/she has relinquished his/her duties and responsibilities for the sole proprietorship/corporation/partnership/association.

4. Upon receipt of the notifications, the Commission will send a letter to the sole proprietorship/corporation/partnership/ association, the broker/broker of record and the substitute broker/broker of record confirming that the broker/broker of record has resumed the role of broker/broker of record and is responsible for sole proprietorship/corporation/partnership/association.