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**TITLE 876 INDIANA REAL ESTATE COMMISSION**

**Proposed Rule**  
LSA Document #23-54

DIGEST

Adds [876 IAC 10](#) concerning convictions of concern and related provisions, implementing [IC 25-1-1.1-6](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

**[876 IAC 10](#)**

SECTION 1. [876 IAC 10](#) IS ADDED TO READ AS FOLLOWS:

**ARTICLE 10. CONVICTIONS OF CONCERN**

**Rule 1. Convictions of Concern**

**[876 IAC 10-1-1](#) Scope**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-34.1-3](#)

Sec. 1. This rule implements [IC 25-1-1.1-6](#) regarding convictions of concern that may disqualify an individual for licensure by the Indiana real estate commission, and includes in section 4 of this rule an explicit list of crimes that may disqualify an individual from receiving a license under [IC 25-34.1-3](#).

(Indiana Real Estate Commission; [876 IAC 10-1-1](#))

**[876 IAC 10-1-2](#) Issuance of license**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-34.1-3](#)

Sec. 2. An applicant for licensure who has a conviction of concern may still be granted a license based on the criteria stated in [IC 25-1-1.1-6\(h\)](#).

(Indiana Real Estate Commission; [876 IAC 10-1-2](#))

**[876 IAC 10-1-3](#) Authority to issue license on probation**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-1-11-19](#); [IC 25-34.1-3](#)

Sec. 3. This rule and [IC 25-1-1.1-6](#) do not limit the authority of the Indiana real estate commission to issue a license on probation if appropriate under [IC 25-1-11-19](#) or any other applicable statute.

(Indiana Real Estate Commission; [876 IAC 10-1-3](#))

**[876 IAC 10-1-4](#) Convictions of concern**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 6-3-6-11](#); [IC 7.1-5-1-3](#); [IC 7.1-5-7-8](#); [IC 9-26-1-1.1](#); [IC 9-30-5-4](#); [IC 9-30-5-5](#); [IC 11-8-8-17](#); [IC 11-8-8-18](#); [IC 12-17.2-5-1](#); [IC 12-24-17-3](#); [IC 12-24-17-7](#); [IC 16-36-5-27](#); [IC 16-36-5-28](#); [IC 16-42-19](#); [IC 23-0.5-2-9](#); [IC 23-19-5-2](#); [IC 25](#); [IC 31-33-22](#); [IC 31-34-2.3-7](#); [IC 31-34-2.3-8](#); [IC 35](#)

**Sec. 4. The following is a list of convictions of concern which may disqualify an applicant from**

## licensure:

(1) Crimes involving sexual acts that can be considered without respect to age of conviction as follows:

- (A) Child molesting ([IC 35-42-4-3](#)).
- (B) Child seduction ([IC 35-42-4-7](#)).
- (C) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
- (D) Incest ([IC 35-46-1-3](#)).
- (E) Prostitution ([IC 35-45-4-2](#)).
- (F) Rape ([IC 35-42-4-1](#)).
- (G) Sexual misconduct with a minor ([IC 35-42-4-9\(a\)](#)).

(2) Crimes of violence that can be considered without respect to age of conviction as follows:

- (A) Aggravated battery ([IC 35-42-2-1.5](#)).
  - (B) Attempted murder ([IC 35-41-5-1](#); [IC 35-42-1-1](#)).
  - (C) Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony ([IC 35-43-2-1](#)).
  - (D) Child exploitation as a Level 5 felony under [IC 35-42-4-4\(b\)](#) or a Level 4 felony under [IC 35-42-4-4\(c\)](#).
  - (E) Child molesting ([IC 35-42-4-3](#)).
  - (F) Criminal deviate conduct ([IC 35-42-4-2](#)) (before its repeal).
  - (G) Kidnapping ([IC 35-42-3-2](#)).
  - (H) Murder ([IC 35-42-1-1](#)).
  - (I) Operating a vehicle while intoxicated causing death ([IC 9-30-5-5](#)).
  - (J) Operating a vehicle while intoxicated causing serious bodily injury to another person ([IC 9-30-5-4](#)).
  - (K) Rape ([IC 35-42-4-1](#)).
  - (L) Reckless homicide ([IC 35-42-1-5](#)).
  - (M) Resisting law enforcement as a felony ([IC 35-44.1-3-1](#)).
  - (N) Robbery as a Level 2 felony or a Level 3 felony ([IC 35-42-5-1](#)).
  - (O) Sexual misconduct with a minor as a Level 1 felony under [IC 35-42-4-9\(a\)\(2\)](#) or a Level 2 felony under [IC 35-42-4-9\(b\)\(2\)](#).
  - (P) Unlawful possession of a firearm by a serious violent felon ([IC 35-47-4-5](#)).
  - (Q) Voluntary manslaughter ([IC 35-42-1-3](#)).
- (3) Abuse of corpse ([IC 35-45-11-2](#)).
- (4) Agricultural terrorism ([IC 35-47-12-2](#)) (before its repeal).
- (5) Armor-piercing ammunition; offense; exception ([IC 35-47-5-11.5](#)).
- (6) Arson ([IC 35-43-1-1](#)).
- (7) Attempt under [IC 35-41-5-1](#) to commit an offense listed in this section.
- (8) Attempting to purchase handgun by ineligible person ([IC 35-47-2.5-15](#)) (before its repeal).
- (9) Auto theft ([IC 35-43-4-2.5](#)) (before its repeal).
- (10) Battery ([IC 35-42-2-1](#)).
- (11) Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosures; referrals; retaliation ([IC 35-46-1-13](#)).
- (12) Bestiality ([IC 35-46-3-14](#)).
- (13) Bribery ([IC 35-44.1-1-2](#)).
- (14) Burglary ([IC 35-43-2-1](#)).
- (15) Carjacking ([IC 35-42-5-2](#)) (before its repeal).
- (16) Causing suicide ([IC 35-42-1-2](#)).
- (17) Check deception ([IC 35-43-5-5](#)) (before its repeal).
- (18) Check fraud ([IC 35-43-5-12](#)) (before its repeal).
- (19) Child exploitation; possession of child pornography; exemptions; defenses ([IC 35-42-4-4](#)).
- (20) Child sexual trafficking ([IC 35-42-3.5-1.3](#)).
- (21) Child solicitation ([IC 35-42-4-6](#)).
- (22) Conflict of interest ([IC 35-44.1-1-4](#)).
- (23) Conspiracy under [IC 35-41-5-2](#) to commit a felony offense listed in this section.
- (24) Consumer product tampering; offenses ([IC 35-45-8-3](#)).
- (25) Conversion ([IC 35-43-4-3](#)).
- (26) Corrupt business influence ([IC 35-45-6-2](#)).
- (27) Counterfeiting; false or fraudulent sales receipts; forgery; application fraud ([IC 35-43-5-2](#)).
- (28) Criminal confinement ([IC 35-42-3-3](#)).
- (29) Criminal mischief; institutional criminal mischief; controlled substance criminal mischief ([IC 35-43-1-2](#)).

- (30) Criminal organization recruitment ([IC 35-45-9-5](#)).
- (31) Criminal parole violation by a sexual predator ([IC 35-44.1-3-9](#)).
- (32) Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation ([IC 35-42-2-2](#)).
- (33) Criminal stalking ([IC 35-45-10-5](#)).
- (34) Criminal transfer of a firearm ([IC 35-47-2.5-16](#)).
- (35) Criminal trespass; denial of entry; permission to enter; exceptions ([IC 35-43-2-2](#)).
- (36) Criminal use or possession of code grabbing device ([IC 35-45-12-2](#)).
- (37) Dealing in a controlled substance by a practitioner ([IC 35-48-4-1.5](#)).
- (38) Dealing in a controlled substance resulting in death ([IC 35-42-1-1.5](#)).
- (39) Dealing in a counterfeit substance ([IC 35-48-4-5](#)).
- (40) Dealing in a schedule I, II, or III controlled substance ([IC 35-48-4-2](#)).
- (41) Dealing in a schedule IV controlled substance ([IC 35-48-4-3](#)).
- (42) Dealing in a schedule V controlled substance ([IC 35-48-4-4](#)).
- (43) Dealing in a substance represented to be a controlled substance ([IC 35-48-4-4.5](#)) (before its repeal).
- (44) Dealing in a synthetic drug or synthetic drug lookalike substance ([IC 35-48-4-10.5](#)) (before its repeal).
- (45) Dealing in cocaine or narcotic drug ([IC 35-48-4-1](#)).
- (46) Dealing in marijuana, hash oil, hashish, or salvia ([IC 35-48-4-10](#)).
- (47) Dealing in methamphetamine ([IC 35-48-4-1.1](#)).
- (48) Deception ([IC 35-43-5-3](#)).
- (49) Deception with intent to cause withholding of CPR ([IC 16-36-5-28](#)).
- (50) Deploying a booby trap ([IC 35-47.5-5-10](#)).
- (51) Destruction of declaration; forgery of revocation ([IC 16-36-5-27](#)).
- (52) Destructive device or explosive to kill, injure, or intimidate or to destroy property ([IC 35-47.5-5-8](#)).
- (53) Destructive devices ([IC 35-47.5-5-2](#)).
- (54) Distribution of destructive device, explosive, or detonator to a minor ([IC 35-47.5-5-5](#)).
- (55) Distribution of regulated explosives to persons convicted of felony ([IC 35-47.5-5-4](#)).
- (56) Domestic battery ([IC 35-42-2-1.3](#)).
- (57) Domestic violence animal cruelty ([IC 35-46-3-12.5](#)).
- (58) Duties of driver of motor vehicle involved in accident; sentencing ([IC 9-26-1-1.1](#)).
- (59) Electrocution or decompression of animals ([IC 35-46-3-15](#)).
- (60) Evasion of tax; offenses; prosecution ([IC 6-3-6-11](#)).
- (61) Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification ([IC 35-46-1-12](#)).
- (62) Failure to make report ([IC 31-33-22-1](#)).
- (63) False identity statement ([IC 35-44.1-2-4](#)).
- (64) False reporting; false informing ([IC 35-44.1-2-3](#)).
- (65) False reports; criminal and civil liability; notification of prosecuting attorney ([IC 31-33-22-3](#)).
- (66) Firearms and handguns; giving false information or offering false evidence of identity ([IC 35-47-2-17](#)).
- (67) Fraud ([IC 35-43-5-4](#)).
- (68) Fraud on financial institutions ([IC 35-43-5-8](#)) (before its repeal).
- (69) Ghost employment ([IC 35-44.1-1-3](#)).
- (70) Hindering or obstructing detection, disarming, or destruction of destructive device ([IC 35-47.5-5-7](#)).
- (71) Hoax devices or replicas ([IC 35-47.5-5-6](#)).
- (72) Home improvement fraud ([IC 35-43-6-12](#)) (before its repeal).
- (73) Homicide ([IC 35-42-1](#)).
- (74) Human trafficking ([IC 35-42-3.5-1.4](#)).
- (75) Identity deception ([IC 35-43-5-3.5](#)).
- (76) Impersonating a firefighter at an emergency incident area ([IC 35-44.1-4-7](#)).
- (77) Impersonation of a public servant ([IC 35-44.1-2-6](#)).
- (78) Inappropriate communication with a child ([IC 35-42-4-13](#)).
- (79) Insurance fraud; insurance application fraud ([IC 35-43-5-4.5](#)) (before its repeal).
- (80) Insurance fraud ([IC 35-43-5-7.2](#)) (before its repeal).
- (81) Intentional signing of false document ([IC 23-0.5-2-9](#)).
- (82) Interference with custody ([IC 35-42-3-4](#)).
- (83) Interference with jury service ([IC 35-44.1-2-11](#)).
- (84) Interference with the reporting of a crime ([IC 35-45-2-5](#)).

- (85) Intimidation ([IC 35-45-2-1](#)).
- (86) Invasion of privacy; offense; penalties ([IC 35-46-1-15.1](#)).
- (87) Knife with a detachable blade ([IC 35-47-5-2](#)).
- (88) Legend drug deception; penalty ([IC 35-43-10-3](#)).
- (89) Loansharking ([IC 35-45-7-2](#)).
- (90) Machine gun ([IC 35-47-5-8](#)).
- (91) Making a false sales document ([IC 35-43-5-16](#)) (before its repeal).
- (92) Making an unlawful proposition ([IC 35-45-4-3](#)).
- (93) Manufacturing methamphetamine ([IC 35-48-4-1.2](#)).
- (94) Medicaid fraud ([IC 35-43-5-7.1](#)) (before its repeal).
- (95) Money laundering; defenses ([IC 35-45-15-5](#)).
- (96) Neglect, abuse, or maltreatment of a patient in a state institution; penalty ([IC 12-24-17-3](#)).
- (97) Neglect of a dependent; child selling ([IC 35-46-1-4](#)).
- (98) Notario publico deception ([IC 35-43-5-3.7](#)).
- (99) Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation ([IC 31-33-22-2](#)).
- (100) Offenses concerning Social Security numbers ([IC 35-44.2-4-2](#)).
- (101) Official misconduct ([IC 35-44.1-1-1](#)).
- (102) Operating a vehicle while intoxicated ([IC 9-30-5](#)).
- (103) Operating loaded machine gun ([IC 35-47-5-9](#)).
- (104) Operation of home without proper licensure; prohibition ([IC 12-17.2-5-1](#)).
- (105) Participation in criminal organization; offense ([IC 35-45-9-3](#)).
- (106) Perjury ([IC 35-44.1-2-1](#)).
- (107) Pointing firearm at another person ([IC 35-47-4-3](#)).
- (108) Possession of a dangerous device while incarcerated ([IC 35-44.1-3-7](#)).
- (109) Possession of a fraudulent sales document manufacturing device ([IC 35-43-5-15](#)) (before its repeal).
- (110) Possession of a knife on school property ([IC 35-47-5-2.5](#)).
- (111) Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot ([IC 35-47-9-2](#)).
- (112) Profiteering from public service ([IC 35-44.1-1-5](#)).
- (113) Prohibited sales or transfers of ownership ([IC 35-47-2-7](#)).
- (114) Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child ([IC 35-42-3.5-1.2](#)).
- (115) Promotion of human labor trafficking ([IC 35-42-3.5-1](#)).
- (116) Promotion of human sexual trafficking ([IC 35-42-3.5-1.1](#)).
- (117) Public intoxication prohibited; failure to enforce by a law enforcement officer ([IC 7.1-5-1-3](#)).
- (118) Registration violations; penalty ([IC 11-8-8-17](#)).
- (119) Regulated explosives; persons convicted of felonies; prior unrelated convictions ([IC 35-47.5-5-3](#)).
- (120) Remote aerial harassment ([IC 35-45-10-6](#)).
- (121) Removal of attack dog's vocal cords; animal cruelty ([IC 35-46-3-13](#)).
- (122) Residential entry ([IC 35-43-2-1.5](#)).
- (123) Rioting ([IC 35-45-1-2](#)).
- (124) Robbery ([IC 35-42-5-1](#)).
- (125) Sex offender Internet offense ([IC 35-42-4-12](#)).
- (126) Sex offender residency restrictions ([IC 35-42-4-11](#)).
- (127) Sex offender unmanned aerial vehicle offense ([IC 35-42-4-12.5](#)).
- (128) Sexual battery ([IC 35-42-4-8](#)).
- (129) Sexually violent predator; duty to notify ([IC 11-8-8-18](#)).
- (130) Strangulation ([IC 35-42-2-9](#)).
- (131) Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer ([IC 35-47-8-5](#)).
- (132) Synthetic identity deception ([IC 35-43-5-3.8](#)) (before its repeal).
- (133) Tampering with a water supply; poisoning ([IC 35-43-1-5](#)).
- (134) Terrorism ([IC 35-47-12-1](#)) (before its repeal).
- (135) Terroristic deception ([IC 35-43-5-3.6](#)) (before its repeal).
- (136) Terroristic mischief ([IC 35-47-12-3](#)) (before its repeal).
- (137) Theft ([IC 35-43-4-2](#)).
- (138) Threats; refusal to join or withdrawal from organization; intimidation offense ([IC 35-45-9-4](#)).
- (139) Torture or mutilation of a vertebrate animal; killing a domestic animal ([IC 35-46-3-12](#)).
- (140) Trafficking with an inmate outside a facility ([IC 35-44.1-3-6](#)).

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- (141) Unlawful entry of school property by a serious sex offender ([IC 35-42-4-14](#)).
- (142) Unlawful manufacture, distribution, or possession of counterfeit substance; factors ([IC 35-48-4-4.6](#)).
- (143) Unlawful photography and surveillance on private property ([IC 35-46-8-5-1](#)).
- (144) Unlawful possession of a card skimming device ([IC 35-43-5-4.3](#)) (before its repeal).
- (145) Unlawful possession of a firearm by a domestic batterer ([IC 35-47-4-6](#)).
- (146) Unlawful possession of a firearm by a serious violent felon ([IC 35-47-4-5](#)).
- (147) Unlawful practices; investment advisers and investment adviser representatives; investment advisory contract ([IC 23-19-5-2](#)).
- (148) Unlawful purchase of a handgun ([IC 35-47-2.5-14](#)) (before its repeal).
- (149) Unlawful sale or possession of a transaction manipulation device ([IC 35-43-5-4.6](#)) (before its repeal).
- (150) Unlawful use of a communications medium; definitions ([IC 35-45-2-3](#)) (before its repeal).
- (151) Use of regulated explosive in violation of commission rule ([IC 35-47.5-5-11](#)).
- (152) Vicarious sexual gratification; sexual conduct in presence of a minor ([IC 35-42-4-5](#)).
- (153) Violation of certain no contact orders; offense; penalty ([IC 35-46-1-15.3](#)).
- (154) Violation of civil rights ([IC 35-46-2-1](#)).
- (155) Violation of [IC 25-2.1-12](#) (unauthorized practice of accounting) under [IC 25-2.1-13-3](#).
- (156) Violation of [IC 25-2.5](#) (unauthorized practice of acupuncture) under [IC 25-2.5-3-4](#).
- (157) Violation of [IC 25-3.7](#) (unauthorized practice of an anesthesiologist assistant) under [IC 25-3.7-3](#).
- (158) Violation of [IC 25-5.1-4-1](#) (unauthorized practice of athletic trainer) under [IC 25-5.1-4-2](#).
- (159) Violation of [IC 25-5.2-2-12](#) (misconduct by athlete agent) under [IC 25-5.2-2-12](#).
- (160) Violation of [IC 25-6.1-7-1](#) (unauthorized practice of auctioneering) under [IC 25-6.1-7-1](#).
- (161) Violation of [IC 25-6.1-7-2](#) (violation of auctioneering statute) under [IC 25-6.1-7-2](#).
- (162) Violation of [IC 25-8-15.4](#) (unauthorized operation of a tanning facility) under [IC 25-8-15.4-25](#).
- (163) Violation of [IC 25-10-1](#) (unauthorized practice of chiropractic) under [IC 25-10-1-11](#).
- (164) Violation of [IC 25-11-1](#) (violation of the collection agency statute) under [IC 25-11-1-12](#).
- (165) Violation of [IC 25-13-1](#) (unauthorized practice of dental hygienist) under [IC 25-13-1-3](#).
- (166) Violation of [IC 25-14-1](#) (unauthorized practice of dentistry) under [IC 25-14-1-25](#).
- (167) Violation of [IC 25-14-1-25.5](#) (preventing a dentist from following retirement procedures) under [IC 25-14-1-25.5](#).
- (168) Violation of [IC 25-14-4](#) (unlawful referral services for a dentist) under [IC 25-14-4-6](#).
- (169) Violation of [IC 25-14.3](#) (violation of diabetes educator statute) under [IC 25-14.3-5-1](#).
- (170) Violation of [IC 25-14.5](#) (unauthorized practice of dietitian) under [IC 25-14.5-7-2](#).
- (171) Violation of [IC 25-16-1](#) (violation of employment services statute) under [IC 25-16-1-18](#).
- (172) Violation of [IC 25-17.6-8-2](#) (unauthorized practice of professional geologist) under [IC 25-17.6-8-2](#).
- (173) Violation of [IC 25-20-1](#) (unauthorized practice of hearing aid dealer) under [IC 25-20-1-21](#).
- (174) Violation of [IC 25-20.7-5-1](#) (unauthorized practice of interior designer) under [IC 25-20.7-5-1](#).
- (175) Violation of [IC 25-21.5-5-10](#) (making false statements in an application to become a surveyor) under [IC 25-21.5-5-10](#).
- (176) Violation of [IC 25-21.5-13-2](#) (unauthorized practice of surveying) under [IC 25-21.5-13-2](#).
- (177) Violation of [IC 25-21.8](#) (unauthorized practice of massage therapy) under [IC 25-21.8-7-1](#).
- (178) Violation of [IC 25-22.5](#) (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistant) under [IC 25-22.5-8-1](#) and [IC 25-22.5-8-2](#).
- (179) Violation of [IC 25-22.5](#) (violation of temporary medical permit statute) under [IC 25-22.5-8-3](#).
- (180) Violation of [IC 25-23-1](#) (unauthorized practice of nursing) under [IC 25-23-1-27](#).
- (181) Violation of [IC 25-23.5-3](#) (unauthorized practice of occupational therapy) under [IC 25-23.5-3-2](#).
- (182) Violation of [IC 25-23.6-3](#) (unauthorized practice of marriage and family therapy) under [IC 25-23.6-3-3](#).
- (183) Violation of [IC 25-23.6-4](#) (unauthorized practice of social work) under [IC 25-23.6-4-4](#).
- (184) Violation of [IC 25-23.6-4.5](#) (violation of mental health counselor statute) under [IC 25-23.6-4.5-4](#).
- (185) Violation of [IC 25-23.6-7-6](#) (providing false information about counselor's educational background) under [IC 25-23.6-7-7](#).
- (186) Violation of [IC 25-23.6-10.1](#) (unauthorized practice of addiction counselor or therapist) under [IC 25-23.6-10.1-6](#).
- (187) Violation of [IC 25-23.6-11-1](#) (unauthorized use of term "psychotherapy" or "clinical psychology") under [IC 25-23.6-11-1](#).
- (188) Violation of [IC 25-23.6](#) (unauthorized use of license issued by behavioral health and human services board) under [IC 25-23.6-11-2](#).
- (189) Violation of [IC 25-23.6-11-3](#) (presenting false information to the behavioral health and human services board to obtain license) under [IC 25-23.6-11-3](#).
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- (190) Violation of [IC 25-23.7-7-5](#) (unauthorized practice of home installing) under [IC 25-23.7-7-5](#).
- (191) Violation of [IC 25-23.4](#) (unauthorized practice of direct entry midwife) under [IC 25-23.4-3-7](#).
- (192) Violation of [IC 25-24-1](#) (unauthorized practice of optometry) under [IC 25-24-1-18](#).
- (193) Violation of [IC 25-26-13-29](#) (unauthorized practice of pharmacy or as a pharmacist) under [IC 25-26-13-29](#).
- (194) Violation of any state drug law related to wholesale legend drug distribution ([IC 25-26-14](#)).
- (195) Violation of [IC 25-26-19-9](#) (unauthorized practice of pharmacy technician) under [IC 25-26-19-9](#).
- (196) Violation of [IC 25-27-1](#) (unauthorized practice of physical therapy) under [IC 25-27-1-12](#).
- (197) Violation of [IC 25-27.5-7](#) (unauthorized practice of physician assistant) under [IC 25-27.5-7-2](#).
- (198) Violation of [IC 25-28.5-1](#) (unauthorized practice of plumbing) under [IC 25-28.5-1-31](#).
- (199) Violation of [IC 25-29](#) (unauthorized practice of podiatry) under [IC 25-29-9-1](#).
- (200) Violation of [IC 25-30-1](#) (unauthorized practice of being a private investigator) under [IC 25-30-1-21](#).
- (201) Violation of [IC 25-30-1.3](#) (unauthorized operation of a security agency) under [IC 25-30-1.3-23](#).
- (202) Violation of [IC 25-31-1-13](#) (making a false statement in an application to become an engineer) under [IC 25-31-1-13](#).
- (203) Violation of [IC 25-31-1](#) (unauthorized practice of engineering) under [IC 25-31-1-27](#).
- (204) Violation of [IC 25-31.5-8-7](#) (unauthorized practice as a professional soil scientist) under [IC 25-31.5-8-7](#).
- (205) Violation of [IC 25-33-1-14](#) (unlawful use of title "psychologist") under [IC 25-33-1-15](#).
- (206) Violation of [IC 25-34.5-3](#) (unauthorized practice of respiratory care) under [IC 25-34.5-3-2](#).
- (207) Violation of [IC 25-35.6](#) (unauthorized practice of speech-language pathology and audiology) under [IC 25-35.6-3-10](#).
- (208) Violation of [IC 25-36.1-2](#) (violation of certified surgical technologist statute) under [IC 25-36.1-2-3](#).
- (209) Violation of [IC 25-36.5-1-10](#) (unauthorized practice of timber buying or timber buying agent) under [IC 25-36.5-1-10](#) and [IC 25-36.5-1-15](#).
- (210) Violation of [IC 25-38.1](#) (unauthorized practice of veterinary medicine) under [IC 25-38.1-4-10](#).
- (211) Violation of [IC 25-38.1](#) (unauthorized practice of veterinary technician) under [IC 25-38.1-4-11](#).
- (212) Violation of [IC 25-39-5](#) (unlawful drilling and well installation) under [IC 25-39-5](#).
- (213) Violation of [IC 25-41-1-1](#) (before its repeal) (unauthorized practice of behavior analyst) under [IC 25-41-1-2](#) (before its repeal).
- (214) Violation of Indiana Legend Drug Act ([IC 16-42-19](#)).
- (215) Violation of order by parent or other custodian of child ([IC 31-34-2.3-7](#)).
- (216) Violation of order by alleged perpetrator of child abuse or neglect ([IC 31-34-2.3-8](#)).
- (217) Violations for Conversion or Misappropriation of Title Insurance Escrow Funds ([IC 35-43-9-7](#)) (before its repeal).
- (218) Voyeurism; public voyeurism; aerial voyeurism ([IC 35-45-4-5](#)).

(Indiana Real Estate Commission; [876 IAC 10-1-4](#))

#### **[876 IAC 10-1-5](#) Crimes in another jurisdiction**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 25-34.1-3](#)

Sec. 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in section 4 of this rule shall also be a crime that may disqualify an individual from receiving a license and therefore included on the list.

(Indiana Real Estate Commission; [876 IAC 10-1-5](#))

#### **[876 IAC 10-1-6](#) Prelicensure determinations; fee**

Authority: [IC 25-1-1.1-6](#)

Affected: [IC 25-1-1.1-6](#); [IC 25-34.1-3](#)

Sec. 6. The fee for a petition under [IC 25-1-1.1-6\(g\)](#) for a determination as to whether an individual's misdemeanor or felony conviction may disqualify the individual from receiving a license or certification is twenty-five dollars (\$25).

(Indiana Real Estate Commission; [876 IAC 10-1-6](#))

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