



IDFPR

Illinois Department of
Financial and Professional Regulation

Division of Real Estate

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FAQ:

Applying for a Real Estate License with Conviction History

1. **I am applying for a license to be a real estate professional and I have misdemeanor or felony convictions in my past. Can I still get a license?**

ANSWER: If you are otherwise qualified, a criminal conviction is not a bar to licensure. The Department is required by law to consider various [mitigating factors](#) in reviewing applications involving convictions including, for example: passage of time since the conviction, circumstances of the offense, and any rehabilitative efforts. The vast majority of applicants in the real estate professions who complete the application and disclose their conviction history obtain a license.

2. **Which convictions are an automatic bar to obtaining a license in a real estate profession?**

ANSWER: None. There are no convictions which result in an automatic bar to obtaining a license. In fact, the Department cannot deny a license based solely on conviction history.

Anyone with the appropriate qualifications can apply for the following real estate professions:

- Associate Real Estate Trainee Appraiser
- Auctioneer
- Certified General Real Estate Appraiser
- Certified Residential Real Estate Appraiser
- Community Association Manager
- Home Inspector
- Real Estate Broker
- Real Estate Instructor
- Real Estate Managing Broker
- Residential Leasing Agent

3. Which convictions will need to be disclosed on an application for a Division of Real Estate license?

ANSWER: The Department requires you to disclose on an application, any conviction, plea of guilty, or plea of nolo contendere, to the following type of offenses:

- Forgery
- Embezzlement
- Obtaining money under false pretenses
- Larceny
- Extortion
- Conspiracy to defraud
- Felony involving moral turpitude
- Administrative sanction by another government agency in any state that involves dishonesty or fraud.
- Any conviction that requires compliance with the Sex Offender Registration Act

4. What other factors will the Department take into consideration if I have a past conviction?

ANSWER: The Department will consider a multitude of factors to determine eligibility for a real estate license, including but not limited to the following:

- Direct relation between the offense and the responsibilities of the license sought
- Length of time since conviction or release from confinement
- Any subsequent convictions
- Age of the applicant at the time of the offense
- Circumstances surrounding the offense
- Previous licensure or employment in the State or other jurisdictions, and if there is a history of misconduct
- Explicit prohibition in federal rules from working in the position for which a license is sought
- Successful completion of sentence, parole, or probation, including a progress report that demonstrates compliance with supervision
- Evidence of the applicant's present professional character
- Evidence of rehabilitative effort during or after incarceration or supervision
- Any other factors that contribute to the ability to perform the requirements of licensure

5. What types of records do not need to be reported to the Department?

ANSWER: The Department does not require disclosure and will not consider the following records in connection with an application:

- Juvenile records
- Records if 17 years old at time of offense and occurred before January 1, 2014, unless tried as an adult
- Arrests not followed by a charge or conviction
- Arrests where the charges were dismissed unless related to the practice of the profession
- Convictions overturned or reversed by a higher court
- Convictions that have been sealed, vacated, or expunged

6. I have a conviction in my past and submitted my application. What can I expect next?

ANSWER: The Department may contact you to request additional information. In some instances, your application may be forwarded to the Enforcement unit for further review. While in Enforcement, you may receive a call from a Department attorney for more information or be offered an opportunity to participate in an informal conference to discuss your past and provide support for your application. Or a Notice of Intent to Deny licensure may be filed by the Department and then you can request a hearing to present evidence in support of your application in front of an administrative law judge.

The above is provided for general information only and may not be completely accurate in every circumstance. It does not purport to be legal advice and is not intended to be legally binding on the Department in any particular case. Questions involving interpretation of the law and your legal rights and obligations should be addressed to your attorney.