



Petroleum Landmen Don't Need a Real Estate License in Oklahoma

by W. Casey Gray

If you are a Landman you may have heard about the recent ruling of Ohio's Seventh District Court of Appeals requiring Landmen to have a real estate license in order to be compensated for their land brokerage work.¹ This is a controversial ruling that has sparked much debate. For Landmen working in Oklahoma there is no need to worry about this ruling.

Even though in Oklahoma it is unlawful for anyone to buy, sell or offer to buy or sell or lease any "real estate" in the state of Oklahoma without a real estate license², the Oklahoma Real Estate License Code specifically excludes oil, gas, minerals, and oil and gas leases from the definition of "real estate."³ It is that simple. The law is clear in Oklahoma, Landmen do not need a real estate licenses to perform oil and gas brokerage services or to be compensated for that work.

¹ Ilya Batikov, Ohio Court Rules Landmen Need to be Licensed Real Estate Brokers to Receive Compensation, ENERGY & ENVTL. L. BLOG (Mar. 5, 2017), <http://www.vorysenergy.com/2017/03/articles/energy/ohio-court-rules-landmen-need-to-be-licensed-real-estate-brokers-to-receive-compensation/>.

² 50 Okla. Stat. §858-301.

³ 50 Okla. Stat. §858-102(1).