

Frequently Asked Questions Regarding “Broker-Associate” Affiliation Notification

The purpose of the FAQs included below are to provide up-to-date information following the latest changes to the Real Estate Law concerning broker-associates. In September of 2016, the California Legislature passed and the Governor subsequently signed Assembly Bill 2330 (“[AB 2330](#)”). Among other things, AB 2330 requires that whenever a real estate broker acting in the capacity of a salesperson (i.e. a broker-associate) enters into an agreement under another real estate broker or corporation, the responsible broker shall immediately notify the Commissioner of this arrangement in writing. The bill also requires that whenever the affiliation of a broker-associate terminates, the responsible broker shall immediately notify the Commissioner in writing.

The following FAQs collectively provide the latest information in response to some of the most commonly posed questions related to broker-associates following the signing of AB 2330.

Q. Who is a broker-associate?

A. A broker-associate is an individual licensed as a real estate broker, but who works in the capacity of a salesperson for another responsible broker or corporation.

Q. What is a responsible broker?

A. “Responsible broker” means the broker responsible for the exercise of control and supervision of a salesperson, or a licensee subject to discipline under subdivision (h) of Business and Professions Code Section 10177 for failure to supervise activity requiring a real estate license. The supervision of a salesperson required under this part or any other law is limited to regulatory compliance and consumer protection. It should be clarified that the responsible broker could either be an individual broker or corporation depending on the broker-associate’s affiliation.

Q. Am I allowed to continue to work as an independent broker while affiliated as a broker-associate?

A. Yes, under the Real Estate Law, a broker-associate can work in the capacity of a salesperson for another responsible broker(s) and also work as an independent broker. However, an affiliation agreement signed by the responsible broker and the broker-associate may prohibit such activity.

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Q. What form do I use to affiliate myself with a responsible broker?

- A. The Department has created form RE 215-Broker-Associate Affiliation Notification for the sole purpose of affiliations and terminations of broker-associates. Brokers not operating as broker-associates should continue to use form [RE 204-Broker Change Application](#) for changes of mailing or main office addresses, updating contact information, or additions or cancelations of fictitious business names, or for certain transactions use [eLicensing](#).
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Q. As a broker-associate, can I work for multiple real estate brokers?

- A. Yes, a broker-associate can work in the capacity of a salesperson for another broker or brokers while also working as an independent broker as long as this activity is permitted under the affiliation agreement signed by the applicable parties.
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Q. As a broker-associate, can I work for a real estate corporation?

- A. Yes, a broker-associate can work in the capacity of a salesperson for another licensed real estate corporation or corporations as long as it is permitted under the affiliation agreement signed by the applicable parties.
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Q. I am a licensed officer of a corporation, and do not hold an individual broker license. Can I work as a broker-associate for another broker?

- A. Unfortunately, if you do not hold an individual broker license, you may only perform acts that require a license on behalf of the real estate corporation for which you are a licensed officer.
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Q. I am a licensed broker and currently do not have a main office address associated with my license. Do I need to add a main office address to my individual broker’s license prior to working in a broker-associate capacity for another broker?

- A. Yes. Prior to working in a broker-associate capacity for another broker, and engaging in activities for which a real estate license is required, you must have a main office address on file with DRE. A main office address can be added to your individual broker’s license by either submitting form [RE 204-Broker Change Application](#) or using [eLicensing](#).
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Q. I am a responsible broker and intend to affiliate another broker, in a broker-associate capacity. The broker-associate will be performing acts that require a license, under my supervision, from their main office location. Am I required to add the broker-associate’s main office location as a branch location to my broker’s license?

A. Yes. You would be required to add the broker-associate’s main office location as a branch office location to your broker’s license.

Q. I am a broker currently working in a broker-associate capacity for another broker. Am I required to add every office location currently listed under my responsible broker’s license to my broker’s license as either a main or branch office location?

A. No. Commissioner’s Regulation 2728.5 states, a real estate broker acting in the capacity of a salesperson (broker-associate) to another broker under written agreement may perform acts for which a license is required on behalf of the responsible broker at any place of business at which the responsible broker is currently licensed to perform acts for which a real estate license is required.

Q. I have been working in a broker-associate capacity for a responsible broker for several years. Am I required to submit a Broker-Associate Affiliation Notification form to the Department, and if so, what date do I identify as the “Broker-Associate affiliation date”?

A. A broker-associate whose affiliation with a responsible broker commenced prior to January 1, 2018, is subject to the notification requirements set forth in AB 2330, and therefore, is required to submit a RE 215 – Broker-Associate Affiliation Notification form to the Department confirming this affiliation. The affiliation date to be provided by the responsible broker on the RE 215 should reflect the date identified on the affiliation agreement maintained by the responsible broker.

Q. If I am the designated officer of a corporation, can I be a broker-associate for the same corporation as well?

A. No. Since a broker-associate works in the capacity of a salesperson, a broker-associate cannot also be the designated officer of the same corporation at the same time.
