GENERAL INFORMATION

- This form discusses briefly how to license a corporation as a real estate broker and how to make changes once the corporation is licensed.
- The following forms are referenced in this instruction sheet:
  - Corporation License Application RE 201
  - Branch Office Application RE 203
  - Corporation Change Application RE 204A
  - Examination & Licensing Fees RE 206
  - Certification (Assignment of Supervisory Responsibility) RE 210
  - Corporation Background Statement RE 212
  - Salesperson Change Application RE 214
- Business and license mailing addresses are public information and as such are posted on the Internet and available from DRE via telephone and written requests. Please consider this when identifying a license mailing address.

LICENSING A CORPORATION AS A REAL ESTATE BROKER

There are no provisions in the Business and Professions (B&P) Code which authorize a limited liability company (LLC) to become licensed as a real estate broker.

Refer to: Sections 10158, 10159, 10159.2, 10170.5 10180, and 10211 of the (B&P) Code. Sections 2740 through 2746 of the Commissioner’s Regulations.

When a corporation wishes to act as a real estate broker, the firm must be licensed by the Department of Real Estate (DRE) through qualified broker-officers, who have either passed the broker license examination and are now qualified to obtain a broker license, or who are currently licensed as real estate brokers.

Note: A license as an individual broker and a license as a broker-officer are separate entities and the status is not transferable from one to the other. The status as a broker-officer of one corporation is not transferable to being a broker-officer of another corporation.

Fee and Applications Required

- License Fee — A license fee is required for each broker-officer to be licensed with the corporation. Refer to RE 206 for current fees.
- A Corporation License Application (RE 201) must be completed by the designated broker-officer applicant and each broker-officer who is to act for and on behalf of the corporation.
- Corporation Background Statement (RE 212) – The designated officer who obtains the original corporation license or who substitutes in as designated officer and is a new officer for an existing corporation must file an RE 212 for any director, chief executive officer, president, first level vice presidents, secretary, chief financial officer and subordinate officers with responsibility for forming policy of the corporation and all natural persons owning or controlling more than ten percent of its shares, only if such a person has been subject of any of the items enumerated in Regulation 2746. If none of the officers have been the subject of any of the items enumerated in the regulation, then an RE 212 is not needed. In all instances, the broker-officer must complete and sign the certification in Section III of RE 201.

• Certificate of Status — A corporation not currently licensed by this Department must include a Certificate of Status from the California Secretary of State. The certificate must be executed no more than thirty days prior to the date the application is submitted to our office. Articles of Incorporation will be accepted in lieu of the Certificate of Status provided the Articles were filed with the Secretary of State within six months preceding the date the application is submitted to DRE. If the firm is not incorporated in California, either a Certificate of Qualification or Certificate of Foreign Corporation from the California Secretary of State is required and must be executed no more than thirty days prior to the date the application is submitted to our office.

• Fictitious Business Name (DBA) — If the firm intends to use any name other than its own to conduct real estate business, submit a filed copy of the Fictitious Business Name Statement filed on behalf of the corporation. This document is obtained from the County Clerk’s Office where the firm’s principal place of business is located.

• Branch Office — To be licensed with a branch office complete and submit an RE 203.

• Salespersons — An RE 214 is required for each salesperson to be affiliated with a corporation.

GENERAL INFORMATION

NEW & CURRENTLY LICENSED CORPORATIONS

Assignment of Supervisory Responsibility — Section 10159.2 B&P Code permits the assignment of supervisory duties to licensed broker-officers, other than the broker-officer so designated pursuant to Section 10211 B&P, by resolution of the Board of Directors. Complete and submit an RE 210 and a copy of the resolution adopted by the Board of Directors to this Department. Do not submit RE 210 if the corporation has only one licensed broker-officer.

RECORD CHANGES

AFTER THE CORPORATION HAS BEEN LICENSED

Commissioner’s Regulation 2746 requires corporations to file an RE 212 whenever there is an addition or a change in corporation officers or a natural person owning or controlling more than ten percent of the corporation shares, if such a person has been the subject of any of the items enumerated in the regulation.
Broker-Officer Changes

- **Substitution of designated broker-officer with a new officer**
  Only the designated broker-officer of a corporation may be replaced by another qualified broker during the licensed period. This may be accomplished by submitting an RE 201 from the new officer and either a copy of the personally signed resignation of the broker-officer leaving the firm, a copy of the Resolution of the Board bearing the corporate seal indicating this severance, or a signed statement providing the date of death of the currently licensed designated broker-officer. A licensed certificate will then be issued to the new broker-officer for the balance of the licensed period.

To keep the corporation continuously licensed with the Department, both the RE 201 and the resignation of the former broker-officer must be received in the same package. If all necessary documents are properly completed and in order, the effective date of the substitution on the records will be the received date of the package. If these documents are not received together, the licenses of the corporation and its branch offices will be cancelled and the working status of all salespersons will be terminated.

Note: No fee is required when the new officer is completing the balance of the license period.

- **Adding “additional” broker-officers** — Additional broker-officers may be licensed upon receipt of a completed RE 201 and the current license fee. Refer to RE 206 for current fees. Indicate on the application that the applicant is to be an “additional” broker-officer.

- **Adding a new officer to be the designated broker-officer and the current designated officer is remaining as an “additional” broker-officer** — A new broker-officer may be licensed as the designated broker-officer upon receipt of a completed RE 201, a license fee, and a personally signed statement from the current designated officer indicating that he will remain with the corporation as an “additional” broker-officer. If a new broker-officer applicant has passed the broker examination, but not applied for a license, and is substituting for a currently licensed broker-officer, a license fee is required. (A fingerprint processing fee may also be required if the applicant has not held a real estate license in the previous two years.) Branch licenses will be reissued to match the term of the new “designated” broker-officer.

Note: A late fee must be submitted if an officer substitution is requested and the corporation license has expired. If an additional officer license is requested, a late fee must be submitted if the additional officer applicant does not have current valid broker license status. Refer to RE 206 for current fees.

- **Change of designated broker-officer with another currently licensed broker-officer** — Submit a completed RE 204A. A new license certificate will not be issued to either broker-officer. However, if the license terms differ, new branch office licenses will be issued.

Note: The expiration date of the corporation is always the same as that of the designated officer. One license is issued for both the corporation and the designated broker-officer.

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To Change a Main Office Address or Mailing Address
Submit a completed RE 204A signed by a licensed broker-officer.

To Add or Delete a Fictitious Business Name (DBA)
Submit a completed RE 204A signed by a licensed broker-officer.
Note: For additions, also submit a filed copy of the Fictitious Business Name Statement filed on behalf of the corporation in the county where the corporation main office is located.

Change of Corporation Name
Submit a completed RE 204A and the amended Articles of Incorporation or amended name statement by a foreign corporation reflecting the name change and bearing the endorsed or filed stamp of the California Secretary of State. If currently licensed with a DBA, a copy of the filed Fictitious Business Name Statement reflecting the new corporate name as registrant must be submitted.

Reactivating an Expired Corporation
To reactivate an expired corporation within the two year grace period, with a new appointed designated officer, submit a completed RE 201, Certificate of Status from the Secretary of State, and a late fee. Refer to RE 206 for current fees.

How to Cancel a Corporation
To cancel a corporation which is no longer conducting business for which a real estate license is required, submit a letter signed by all licensed broker-officers indicating that it is no longer conducting business. Upon cancellation of the corporate license, the working status of all salespersons licensed to the corporation will be terminated and all branch offices and DBAs will be cancelled.

Cancelling An Additional Officer
To cancel an “additional” broker-officer who is no longer conducting business on behalf of the corporation submit a personally signed letter of cancellation from the broker-officer, or a copy of the Resolution of the Board indicating the severance.

Re-Activating A Cancelled Corporation
Submit a completed RE 204A if the corporation is being reactivated by the previously licensed designated broker officer. Submit a completed RE 204A and RE 201 if the corporation is being reactivated by a new designated broker-officer.

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eLicensing
Licensees can perform the following transactions using the eLicensing system at www.dre.ca.gov:

- Broker, salesperson, and officer (on-time only) renewals
- License certificate requests (broker, salesperson, officer and branch)
- Salesperson additions/changes of responsible broker
- Broker discontinuation of salesperson affiliation
- Broker-associate notifications
- Mailing address changes
- Broker main office address addition/changes
- Automated fee payment and processing
FEES AND MAILING INFORMATION

Fees — Refer to Exam & Licensing Fees (RE 206) for current fee schedule.

Acceptable payment methods — cashiers’ check, money order, check or credit card. Do not send cash.

• Make check or money order payable to: Department of Real Estate
• Credit card payments must be submitted with a Credit Card Payment (RE 909) form.

Mail To: Department of Real Estate
P.O. Box 137004
Sacramento, CA 95813-7004

EXPEDITED PROCESSING FOR U.S. MILITARY

Honorably discharged veterans of the U.S. Armed Forces and spouses/partners who meet the conditions under Business and Professions Code 10151.2 are eligible for expedited processing.

• In order to obtain expedited processing for veterans please submit a copy of your U.S. DD Form 214, NGB-22 form, or Honorable Discharge certificate to confirm your condition of discharge and for spouses/partners, please submit documentation of the relationship to the service member, real estate license from other jurisdiction, and current duty station orders for California when submitting the application, supporting qualification documents, and fee.

• If you are applying online, documentation can be submitted as part of the online application process. If you are applying via email, please utilize the mailing address below for expedited processing

Mail To — Department of Real Estate,
P.O. Box 137014,
Sacramento, CA 95813-7014
Attn: Expedited Military Processing

Please note - Applications received to this P.O. Box from non-honorabley discharged veterans or eligible spouses/partners will be processed in date received order.