

PRLS LICENSING INFORMATION

RE 254 (Rev. 11/20)

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The following forms are to be used by Prepaid Rental Listing Service applicants and licensees.

Individual Forms

RE 271 PRLS Individual License Application
RE 266 PRLS Individual Change Application
RE 261 PRLS Individual Renewal Application

Corporate Forms

RE 272 PRLS Corporation License Application
RE 273 PRLS Unlicensed Officer Questionnaire
RE 267 PRLS Corporation & Officer Change Application
RE 255 PRLS Officer Renewal Application

Corporate or Individual Use Forms

RE 237 Live Scan Service Request
RE 256 PRLS Designated Agent Application
RE 274 PRLS Additional Location Application
RE 263 PRLS Consent to Service of Process
RE 268 PRLS Contract Information
RE 269 PRLS Regulation Excerpts
RE 270 PRLS Surety Bond
RE 275 PRLS Cash Deposit Security

CURRENTLY LICENSED REAL ESTATE CORPORATIONS AND BROKERS

Currently licensed real estate brokers and corporations may operate in the capacity of a Prepaid Rental Listing Service under a real estate license without obtaining a separate PRLS license, as long as all other provisions of the law are met [Business & Professions Code Sections 10167–10167.17], including:

- Have all contracts approved prior to use.
- Have a main or branch office license issued for each location where PRLS activities will be conducted.
- PRLS activities must be conducted under the immediate supervision of the responsible broker or by a real estate salesperson affiliated with the broker at each office location.
- Add any fictitious business names that will be used in the conduct of PRLS activities to your real estate licenses.

HOW TO LICENSE A PRLS INDIVIDUAL

- Applicant must complete and submit RE 271 with either RE 270 or RE 275 in the amount of \$10,000, an RE 237, and license fee.
- To license additional locations refer to page 3.
- Each individual who will supervise PRLS activities at additional locations must complete and submit RE 256 and RE 237.

Note: Refer to Additional Locations, Designated Agents, Contracts and Bond for further information.

HOW TO LICENSE A PRLS CORPORATION

- The individual who will represent the corporation as the licensed designated officer must complete RE 272 and submit it with either RE 270 or RE 275 in the amount of \$10,000, a Certificate of Status, license fee, and completed RE 237.
- Each officer, director or shareholder owning 25% or more of the corporate shares must complete and submit RE 273 with a completed RE 237.
- Each additional location to be used in the conduct of PRLS activities must be licensed (see page 3 for instructions).
- Each individual who will supervise PRLS activities at additional locations must complete and submit RE 256 with a completed RE 237.

Certificate of Status

California corporations must obtain and submit, with the application, a Certificate of Status from the Secretary of State of the State of California. Non-California corporations must obtain and submit, with the application, a Certificate of Qualification or Certificate of Good Standing (Foreign Corporation) from the Secretary of State of the State of California.

The required certificate must be executed no more than thirty days prior to the submission of the application.

Note: Refer to Bond Information & Additional Locations.

FINGERPRINT REQUIREMENT

One set of classifiable electronic fingerprints is required from every license applicant. Fingerprints must be submitted through the California Department of Justice (DOJ) Live Scan Program which involves the electronic taking and transmission of fingerprints to DOJ.

Completion & Submission of Live Scan Service Request (RE 237)

Complete the Live Scan Service Request according to instructions on the form. The electronic fingerprint service provider will complete the last part of the form.

After you have your fingerprints taken by the live scan service provider, a completed copy of RE 237 must be submitted with your completed original license application and the appropriate license fee.

Fees

Original license applicants who reside in California will pay a \$49 fingerprint processing fee directly to the live scan fingerprint service provider. A separate fee will be charged for the service of taking the electronic fingerprints by the live scan provider. That fee may vary depending on the live scan provider you choose.

Fingerprint Services (Contact the facility for fees and hours)

Many California law enforcement agencies and other private providers provide electronic fingerprint services. You may obtain a complete list of fingerprint service providers by visiting the

Department of Justice's Web site at www.ag.ca.gov. Please note that the hours of operation for each provider may vary and an appointment may be required.

Out-of-State Applicants

Out-of-state residents either need to make arrangements to get their fingerprints taken at a live scan service provider in California or get fingerprinted out of state using the FBI Applicant Fingerprint Card (FD-258 Rev. 5/99). A fingerprint card can be obtained by contacting the Licensing Section at 877-373-4542. It should be taken to a local law enforcement agency for completion and submitted directly to DRE with the completed exam/license application, exam/license application fee, and \$49 fingerprint processing fee.

HOW TO MAKE LICENSE CHANGES

Individual – The following changes may be made by submitting RE 266:

- change of personal name, main office address, mailing address, or designated agent
- add/delete fictitious business name
- issuance of duplicate certificate
- cancellation of license

Corporate & Officer – The following changes may be made by submitting RE 267:

- change of main office address, corporation name, mailing address, designated agent, personal name, or designated officer
- add/delete fictitious business name or licensed officer
- issuance of duplicate license
- cancellation of license

HOW TO RENEW LICENSES

Individuals

- Before the end of the two-year license period complete and submit RE 261 with the renewal fee.
- Complete and submit RE 274 to add, delete or renew additional locations.

Officer

- Before the end of the two-year license period complete and submit RE 255 with the renewal fee.
- Complete and submit RE 274 to add, delete or renew additional locations.

ADDITIONAL INFORMATION

Contract Format Approval

The use of written contracts for the conduct of PRLS business is required by law. The format of all new contracts and amended contracts must be approved prior to use and issuance of a license. Contract formats must contain the items enumerated in Sections 10167.9 and 10167.10 of the Business and Professions Code.

Submit new and amended contract formats for approval to:

Department of Real Estate
Attn: PRLS Unit
P.O. Box 137017
Sacramento CA 95813-7017

An amended contract is required for the following changes:

- change of personal name, corporation name, or main office address
- addition/change of DBA or additional location

Licensed real estate brokers and corporations submitting a contract for approval should indicate whether PRLS business will be conducted under their real estate license or PRLS license.

Surety Bond and Cash Deposit Security Information

A \$10,000 bond must be submitted for each location from which PRLS activities will be conducted (including the main office). Use either a RE 270 or RE 275.

- Each bond must be filed on an original (not a photocopy) of the current RE 270 or 275.
- Do not list DBA's on the bond.
- If the bond is for a corporation, the corporation name must appear as "principal."
- If the bond is for an individual, the individual's name must appear as "principal."
- If the bond is for the main office location, the main office address must be on the bond.
- If the bond is for an additional location, the additional location address must be on the bond.
- If the bond is for an individual, the bond must be signed by the individual licensee and properly endorsed by the surety company.
- If the bond is for a corporation, the bond must be signed by a licensed officer and properly endorsed by the surety company.
- When the surety company providing the bond is a corporation and the individual signing the bond on behalf of the surety is an attorney-in-fact, a properly executed **notarized surety acknowledgment** must be included with the bond or rider.

A rider to the current main office bond and each additional location bond is required, if the following changes are made: change of corporation name, personal name (individual licensee), main office address, or additional location.

Since a bond is no longer required when a location is cancelled, contact the surety company and request cancellation of any unnecessary bonds.

Designated Agent

The PRLS activities at each licensed location must be under the direct supervision of either a PRLS licensee (individual or officer) or designated agent.

A licensed individual, licensed officer or designated agent may not simultaneously supervise more than one location at a time.

If a designated agent is no longer supervising at a particular location, the PRLS licensee must notify the Department of that fact in writing within five days. A new designated agent must be assigned within 60 days or the additional location license will be cancelled [*§10167.5 Business and Professions Code*]. The PRLS licensee or the designated agent of another location may act as designated agent during the 60-day period.

Additional Location

An additional location license is required for each location (other than the main office) from which PRLS activities will be conducted.

To **add** an additional location, complete and submit RE 274. Submit either a RE 270 or RE 275 in the amount of \$10,000 and a license fee of \$50 for each location requested.

The address on the bond must be the same as the address on RE 274.

To **renew** additional locations with the individual or corporate license, complete and submit RE 274 with a \$25 license fee for each location being renewed. A new bond is not required for renewals. If there has been a change of licensee name or main office address a rider is required. (Refer to page 2 for bond and rider information.)

To **cancel** additional locations complete and submit a RE 274.

The address of an additional location cannot be changed; the old address must be cancelled and the new one added.

Fictitious Business Names (DBA's)

A fictitious business name must be shown on the license certificate before it can be used in PRLS activities.

DBA's may be **added** on the original license application, change applications or renewal applications. Complete and submit the appropriate application with a certified copy of the Fictitious Business Name Statement (FBNS) as filed with the county clerk where the main office is located.

- Corporations – The FBNS must be filed on behalf of the corporation and it must identify the corporation as the registrant.
- Individuals – The FBNS must be filed in the individual's name and it must identify the individual as the registrant.
- Proof of Publication is not acceptable, unless it bears the County Clerk's "Filed" stamp.

To **delete** a DBA, complete and submit the appropriate change application; DBA's may also be deleted at renewal time.

Main Office Address and Additional Location Address

- A post office box alone is not a sufficient address. If a street address is unavailable, indicate the physical location (the nearest intersection and the distance to it).

License Certificates

New license certificates are issued in the following situations:

- new corporation officer
- new individual licensees
- new additional locations
- all license renewals
- change of main office address
- addition/deletion of DBA
- change of corporation name
- change of individual/officer's personal name

Note: All licenses (main office, additional location) issued to a particular individual or corporation have the same expiration date.

- If the main office license expires all additional location licenses will also expire.
- If the bond for the main office license is cancelled all additional location licenses will also be cancelled.

Out-of-State Applicants and Licensees

Every applicant or licensee who resides outside the State of California (whether temporary or permanently) must file an irrevocable Consent to Service (RE 263) with this Department. Submit the notarized RE 263 with the appropriate application for license, change or renewal.

ADDITIONAL HELP

If you have questions or need additional information please call or write to:

Department of Real Estate
Attn: PRLS Unit
P.O. Box 137017
Sacramento, CA 95813-7002
Telephone: 877-373-4542