

**PRLS LICENSING INFORMATION**

RE 254 (Rev. 8/09)

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

**Individual Forms**

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

**Corporate Forms**

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

**Corporate or Individual Use Forms**

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

- 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 employing broker or by a real estate salesperson employed by 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.

**PROOF OF LEGAL PRESENCE**

Effective August 1, 1998, all applicants for a prepaid rental listing service license, must submit proof that they have legal presence in the United States. The proof of legal presence document (i.e., birth certificate, resident alien card, etc.) must be submitted with a State Public Benefits Statement (RE 205) before a license will be issued. Please refer to that form for further instructions.

**FINGERPRINT REQUIREMENT**

One set of classifiable electronic fingerprints is required from every license applicant unless the applicant is currently licensed by the DRE, the applicant's license expired less than two years ago, or the applicant had designated officer or designated agent status during the last two years. 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 \$51 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)

A list of local law enforcement agencies that provide electronic fingerprint services can be obtained by calling the Sacramento Office of the Department of Real Estate at 877-373-4542, or by checking the Web site of the California Department of Justice at <http://caag.state.ca.us/fingerprints/publications/contact.pdf>. Please note that the hours of operation for each provider may vary and it is recommended that you contact the provider ahead of time to determine if an appointment is necessary.

**Out-of-State Applicants**

Applicants who reside outside California must submit two sets of fingerprints in ink using the FBI Applicant Fingerprint Card (FD-258 Rev. 5/99). Two cards will be provided to out-of-state license applicants with the original license application. The \$51 fingerprint processing fee should be submitted with the completed fingerprint cards, original license application, and license 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 Contracts  
P.O. Box 187000  
Sacramento CA 95818-7000

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 \$25 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.
- See your County Clerk for further information on filing.

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**

- All business addresses must be located in California.
- 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  
P.O. Box 187000  
Sacramento, CA 95818-7000  
Telephone: 877-373-4542