

REGULAR

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2018-0418-015	EMERGENCY NUMBER
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ENDORSED - FILED
In the office of the Secretary of State
of the State of California

MAY 31 2018
1:38 PM

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
BUREAU OF REAL ESTATE

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER 2018-0722-16-2018	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Broker Associates Tracking		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) Z2018-0202-01	
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 2715, 2728.5, and 2752
	REPEAL
TITLE(S) 10	

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input checked="" type="checkbox"/> Other (Specify) DEAN R. GRAFLO, Director, DEPT. OF Consumer Affairs		

7. CONTACT PERSON Daniel E. Kehew	TELEPHONE NUMBER (916) 263-8681	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) daniel.kehew@dre.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 4/18/2018
TYPED NAME AND TITLE OF SIGNATORY Wayne S. Bell, Real Estate Commissioner	

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TITLE 10. INVESTMENT
CHAPTER 6. REAL ESTATE COMMISSIONER

§ 2715. Business and Residence Addresses of Licensees.

Every real estate broker, except a broker acting in the capacity of a salesperson to another broker under written agreement, shall maintain on file with the commissioner the address of his or her principal place of business for brokerage activities, the address of each branch business office and his or her current mailing address, if different from the business address.

Every broker who is acting in the capacity of a salesperson to another broker under written agreement shall maintain on file with the ~~commissioner~~ Commissioner the address of the business location where he or she expects to conduct most of the activities for which a license is required and his or her current mailing address.

A real estate salesperson shall maintain on file with the ~~commissioner~~ Commissioner his or her current mailing address, and when applicable, the address of the principal business office of the responsible broker to whom the salesperson is at the time licensed.

Whenever there is a change in the location or address of the principal place of business or of a branch office of a broker, ~~he that broker~~ shall notify the ~~commissioner~~ Commissioner thereof not later than the next business day following the change.

This section shall apply ~~to the holder of a real estate license who fails to renew it prior to the period for which it was issued and who is otherwise qualified for such license as set forth in Section 10201 of the Code.~~ to those who are licensed and to those who have license rights under Section 10201 of the Code.

Note: Authority cited: Section 10080, Business and Professions Code. Reference: Sections 10162, 10163 and 10201, Business and Professions Code.

§ 2728.5. ~~Broker/Salesman~~ Broker Associate Operating from Branch Offices.

A real estate broker acting in the capacity of a ~~salesman~~ salesperson to another broker under written agreement may perform acts for which a license is required on behalf of the employing responsible broker at any place of business at which the ~~employing~~ responsible broker is currently licensed to perform acts for which a real estate license is required.

Note: Authority cited: Sections 10080 and 11001, Business and Professions Code ~~and Section 21082, Public Resources Code.~~ Reference: Sections 10162 and 10163, Business and Professions Code.

§ 2752. Notice of Change of Responsible Broker.

Whenever a real estate salesperson enters the employ of a real estate broker, or whenever a real estate broker enters into a written agreement to act in the capacity of a salesperson to another broker, the responsible broker shall notify the ~~commissioner~~ Commissioner of that fact within five days. This notification shall be given on a form prepared by the Bureau and shall be signed by the responsible broker and the salesperson or broker acting as a salesperson. The form of notification shall provide for the furnishing of at least the following information:

- (1) Name and business address of the responsible broker.
- (2) Mailing address of the salesperson or broker acting as a salesperson, if different from the responsible broker's business address.
- (3) Date when the salesperson or broker acting as a salesperson entered ~~the employ of a written employment or retention agreement with the~~ responsible broker.
- (4) Certification by the salesperson that he or she has complied with the provisions of Section 10161.8(d) of the Business and Professions Code.
- (5) ~~Name~~ When a salesperson is entering employment or a retention agreement, the name and business address of the real estate broker to whom the salesperson was last licensed and the date of termination of that relationship.
- (6) ~~Certification~~ When a salesperson is entering employment or a retention agreement, certification by the salesperson that the predecessor responsible broker has notice of the termination of the relationship.

As an acceptable alternative to (5) and (6) above, the form may be utilized by the predecessor responsible broker to give notice of the termination of the broker/salesperson contract relationship as required by Section 10161.8(b) of the Business and Professions Code if this notice is mailed to the ~~commissioner~~ Commissioner not more than ten days following such termination.

A responsible broker that is involved in a contract to employ or retain another broker to act in the capacity of a salesperson must give notice of the termination of that broker/broker contract relationship as required by Section 10161.8(b) of the Business and Professions Code by mailing such notice to the Commissioner not more than ten days following such termination.

Note: Authority cited: Section 10080, Business and Professions Code. Reference: Section 10161.8, Business and Professions Code.