

R162-2f-205. Registration of Entity.

- (1) A principal broker shall not conduct business through an entity, including a branch office, dba, or separate property management company, without first registering the entity with the division.
- (2) Exemptions. The following locations may be used to conduct real estate business without being registered as branch offices:
 - (a) a model home;
 - (b) a project sales office; and
 - (c) a facility established for twelve months or less as a temporary site for marketing activity, such as an exhibit booth.
- (3) To register an entity with the division, a principal broker shall:
 - (a) evidence that the name of the entity is registered with the Division of Corporations;
 - (b) certify that the entity is affiliated with a principal broker who:
 - (i) is authorized to use the entity name; and
 - (ii) will actively supervise the activities of all sales agents, associate brokers, branch brokers, and unlicensed staff;
 - (c) if registering a branch office, identify the branch broker who will actively supervise all licensees and unlicensed staff working from the branch office;
 - (d) submit an application that includes:
 - (i) the physical address of the entity;
 - (ii) if the entity is a branch office, the name and license number of the branch broker;
 - (iii) the names of associate brokers and sales agents assigned to the entity; and
 - (iv) the location and account number of any real estate trust account in which funds received at the registered location will be deposited; and
 - (e) pay a nonrefundable application fee.
- (4) Restrictions.
 - (a) (i) The division shall not register an entity proposing to use a business name that:
 - (A) is likely to mislead the public into thinking that the entity is not a real estate brokerage or property management company;
 - (B) closely resembles the name of another registered entity; or
 - (C) the division determines might otherwise be confusing or misleading to the public.
 - (ii) Approval by the division of an entity's business name does not ensure or grant to the entity a legal right to use or operate under that name.
 - (b) A branch office shall operate under the same business name as the principal brokerage.
 - (c) An entity may not designate a post office box as its business address, but may designate a post office box as a mailing address.
- (5) Registration not transferable.
 - (a) A registered entity shall not transfer the registration to any other person.
 - (b) A registered entity shall not allow an unlicensed person to use the entity's registration to perform work for which licensure is required.

- (c) If a change in corporate structure of a registered entity creates a separate and unique legal entity, that entity shall obtain a unique registration, and shall not operate under an existing registration.
- (d) The dissolution of a corporation, partnership, limited liability company, association, or other entity registered with the division terminates the registration.