

INSTRUCTIONS AND INFORMATION

Access this form via website at: www.hawaii.gov/hirec

REAL ESTATE CORPORATION, PARTNERSHIP, LIMITED LIABILITY COMPANY (LLC), LIMITED LIABILITY PARTNERSHIP (LLP) LICENSE APPLICATION

Completing the Application:

Type or print legibly in black ink, providing the requested information.

1. Indicate the type of entity which is applying for the license. Mark one only.
2. The applicant's name must be exactly as registered with the Business Registration Division, Department of Commerce and Consumer Affairs.
3. If a trade name is used, the trade name must first be registered with the Business Registration Division.
4. Provide the physical location of the applicant's principal place of business. A brokerage firm shall maintain a principal place of business located in this State from which the brokerage firm conducts business and where the brokerage firm's books and records are maintained.
5. Provide a mailing address if different than the physical location of the principal place of business.
6. Provide the telephone number of the principal place of business.
7. Provide the name and license number of the principal broker.
8. You must answer ALL questions. If there are any unanswered questions, a deficiency notice will be issued and further review of the application will be suspended until a response is received. If there are any "Yes" answers to questions (1) through (6), refer to the section on Yes answers below.
9. Provide the names, addresses, and license number (if applicable), of officers and directors of a corporation, partners of a partnership or LLP, and manager and members of an LLC. Attach a separate sheet if necessary.
10. The application must be certified by an officer of a corporation, general partner of a partnership or LLP, or manager or member of an LLC AND by the principal broker. An officer of a corporation, general partner of a partnership or LLP, or manager or member of an LLC, AND the principal broker shall certify that the information provided is true and correct by signing the application.

Submit the Following with the Application:

ENTITY REGISTRATION: Corporation/ Partnership, LLC or LLP

We will require the following proof to show that the entity is properly registered with the Business Registration Division (BREG), Department of Commerce and Consumer Affairs, State of Hawaii, P.O. Box 40, Honolulu, Hawaii, 96810. Call 586-2727, or www.hawaii.gov/dcca/breg-seu.

If the entity has been registered in this State for LESS THAN one (1) year, ATTACH a "filed-stamped" copy of the document filed with BREG; or the same certificate mentioned below.

If the entity has been registered in this State for MORE THAN one (1) year, ATTACH a current "Certificate of Good Standing" or "Certificate of Qualification" that was issued not more than 12 months ago.

TRADE NAME

If you are planning to use a trade name, submit a filed-stamped copy of current trade name registration approved by the Business Registration Division of the Department of Commerce and Consumer Affairs.

ENTITY RESOLUTION

Submit a document reflecting an official act of the entity (e.g. corporate resolution) which shows that the applicant has appointed the principal broker and authorizing the principal broker to control, supervise, and manage the real estate operations of the applicant. Language in the authorizing document shall reflect the principal broker's duties and powers as stated in Hawaii Revised Statutes §467-1.6. See the sample language below. Except in the case of one person entities, the authorizing document must be signed by an officer, partner, manager, or member other than the principal broker. If the principal broker is not an officer of a corporation, not a partner of a partnership, or not a member of a member-managed or manger of a manger-managed limited liability company, a statement must be included in the resolution certifying that the principal broker is instead an employee. (Sections 467-8(4), 467-8(5), and 467-8(8), HRS).

**CHANGE FORM -
PRINCIPAL BROKER**

Include a change form for the principal broker. If the principal broker is currently associated with a broker, the change form should show a release and sign on to the applicant. If the principal broker is currently inactive, the change form should show a reactivation and sign on to the applicant. **No change form fee for the category "Change of/to Principal Broker" is required**

If license will be issued in an ODD-NUMBERED year, pay..... \$330
(Non-refundable application fee - \$50, License - \$50, recovery fund - \$50,
CRF - \$90, 1/2 renewal - \$50, education fund - \$40)

If license will be issued in an EVEN-NUMBERED year, pay \$235
(Non-refundable application fee - \$50, License - \$50, recovery fund - \$50,
CRF - \$45, education fund - \$40)

FEES

License fees may be paid by money order, cashier's check, personal money order or personal check made payable to "Commerce and Consumer Affairs." Acceptance or cashing of payment does not constitute approval of your license application. If for any reason your application is not approved or processing of your application is terminated, a refund will be processed. Refunds require approximately six to eight weeks to process.

Note: *One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the payment you sent us for your required fees is honored by your bank. If your payment is dishonored, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$25.00 service charge shall be assessed for payments that are dishonored for any reason.*

If for any reason you are denied the license you are applying for, you may be entitled to a hearing as provided by Title 16, Chapter 201, Hawaii Administrative Rules, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing must be directed to the agency that denied your application, and must be made within 60 days of notification that your application for a license has been denied.

SUBMIT TO

Mail or deliver the completed application and all required fees and documents to: **Real Estate Commission, PVL Licensing Branch, DCCA, 335 Merchant Street, Room 301, P.O. Box 3469, Honolulu, HI 96801.**

Review and Approval: All applications must be reviewed and approved by the Real Estate Commission. *Unnecessary calls and visits will only delay processing.* If your application is approved, a "Notice of Licensure" will be mailed to you. If your application is required to be reviewed at a Commission meeting, the processing time will be longer. You will receive notification of the date, time, and location of the meeting. The Commission meets once each month.

Instructions for "Yes" Answers to Questions (1) through (6) of the Application for License (REC-27).

- A. The following documentation must be submitted with the license application. Applications for license will not be considered without this material.
 - 1) Questions (1) through (6) refer to complaints, charges of unlicensed activity, or pending disciplinary actions for any profession, occupation, or license, both real estate and those other than real estate. If your answer is "yes" to one or more of these questions, read paragraph "B" below, AND you must submit the following:
 - i. A statement signed by you explaining the circumstances;
 - ii. Copies of any documents from the agency, including final orders, petitions, complaints, findings of fact and conclusions of law, and any other relevant documents;
 - iii. A resume of any employment, business activities, and education since the date of the action; and
 - iv. You may also include signed statements from employers, business associates, clients, and others who can attest to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
 - 2) If your application indicates a criminal conviction, read paragraph "B" below, and you must submit the following:

- i. A statement signed by you explaining the circumstances leading to the conviction and detailing all activities since the conviction, including employment and business involvements. Include job title, period of employment, employer's name, description of duties, training attended, and educational courses attended;
 - ii. A copy of the court order, verdict, and terms of sentence;
 - iii. If applicable, a copy of the terms of probation and/or parole and a notarized statement from your probation or parole officer as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing; and
 - iv. Signed statements from employers, business associates, clients, and others who can attest to your business dealings since the conviction, including a statement as to your reputation for or record of competency, honesty, truthfulness, financial integrity, and fair dealing.
- 3) If you have any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you, read paragraph B below, and you must submit the following:
- i. A statement signed by you explaining the circumstances and current status, and if no payment or payment arrangement has been made, the reason;
 - ii. A resume of employment and business activities; and
 - iii. Copies of the court complaint, judgment, documentation of payment arrangements, lien documents, records of any payments, and other relevant documents.
- B. If you answered "yes" to any of the questions from (1) through (6), your application will be reviewed at a monthly Real Estate Commission meeting if you have provided all applicable information and documents as described above. The Commission will not review incomplete applications. If you wish to present oral testimony at the meeting, submit a written request with your application. A courtesy notice with information on the date, time, and location of the meeting will be sent to you.

Sample Language For Entity Resolution:

(Applicant) hereby appoints (name of individual broker), license number (license number of individual broker), who shall be at all times a holder of a valid and subsisting real estate broker's license of the State of Hawaii, to be its principal broker. The principal broker shall have direct management and supervision of the brokerage firm and its real estate licensees. The principal broker shall be responsible for:

- (1) The client trust accounts, disbursements from those accounts, and the brokerage firm's accounting practices;
- (2) The brokerage firm's records, contracts, and documents;
- (3) All real estate contracts of the brokerage firm and its handling by the associated real estate salesperson;
- (4) The proper handling of any commission application, real estate license application, or renewal application that the principal broker or the brokerage firm expressly agrees to handle on behalf of the applicant, including without limitation, verifying for completeness and appropriate fees, and mailing or delivering the appropriate documents to the commission by the required deadline;
- (5) Developing policies and procedures for the brokerage firm concerning the handling of real estate transactions and the conduct of the associated real estate licensees and other staff, including education and enforcement of the policies and procedures;
- (6) Setting a policy on continuing education requirements for all associated real estate licensees in compliance with the statutory requirement;
- (7) Ensuring that the licenses of all associated real estate licensees and the brokerage firm license are current and active;
- (8) Establishing and maintaining a training program for all associated real estate licensees; and
- (9) Ensuring that all associated real estate licensees are provided information and training on the latest amendments to real estate licensing laws and rules as well as other related laws and rules.

Signature of Officer, Partner, Manager, or Member other than the
Principal Broker, except in the case of one person entities

**BIENNIAL
RENEWAL**

All licenses expire on December 31 of each even-numbered year and must be renewed by November 30, regardless when the license was issued. License fees and renewal fees are not prorated.

**LAWS & RULES
PUBLICATIONS**

To obtain a copy of the Real Estate laws and rules, send a written request: The Real Estate Commission, PVL Licensing Branch, DCCA, P.O. Box 3469, Honolulu, Hawaii 96801.

Real Estate Brokers and Salespersons, Ch 467, HRS; Ch 99, HAR;
Real Estate Condominium Property Regime, Ch 514A, HRS; Ch 514B, HRS; Ch 107, HAR;
Uniform Land Sales, Ch 484, HRS; Ch 104, HAR;
Professional & Vocational Licensing Act, Ch 436B, HRS.

NOTE: Under Hawaii law, it is a criminal offense to submit false information to the Real Estate Commission.

§467-20 False statement. It shall be unlawful for any person or the person's agent to testify before or file with the commission, or the testing service agency designated by the commission, any notice, statement, or other document required under this chapter, that is false or untrue or contains any material misstatement of fact, or contains forgery. In addition to any sanctions or remedies as provided in this chapter, any violation of this section shall constitute a misdemeanor punishable pursuant to sections 706-640 or 706-663, or both, and not pursuant to section 467-26. (HRS Ch. 467).

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

**APPLICATION FOR LICENSE: REAL ESTATE CORPORATION,
PARTNERSHIP,
LIMITED LIABILITY COMPANY (LLC),
LIMITED LIABILITY PARTNERSHIP (LLP)**

Approved/date: _____ Notice mailed on: _____

LICENSE NO,
RB - _____

Effective date: _____

Access this form via website at: www.hawaii.gov/hirec

Type of Application (check one only):
 Corporation Partnership LLC LLP

ASSIGNED NO. A

Name of Applicant - AS REGISTERED WITH BUSINESS REGISTRATION DIVISION

Trade Name, if used:

Location of Principal Place of Business (Include street address, suite no., city, state, & zip code):

Mailing Address (If different from above):

Telephone No. of Principal Place of Business:

Name of Principal Broker:

License No. of Principal Broker:
RB _____

FOR OFFICE USE ONLY

ANSWER ALL QUESTIONS BELOW

Answer all questions. Circle the appropriate response. Questions 1 through 6 refer to the applicant, to any officer or director of the corporation, to any manager or member of the LLC, or to any partner of the partnership or LLP. If any response to questions 1 through 6 is "Yes", refer to the instructions for additional documents that MUST be submitted with this application.

- (1) Has an application for license or a real estate license ever been denied, suspended, fined, involuntarily terminated, revoked, or otherwise subject to disciplinary action, regardless of outcome?..... YES NO
- (2) Have any complaints or charges ever been filed against you, regardless of outcome, with the licensing authority of any jurisdiction? YES NO
- (3) Have any charges of unlicensed activity ever been filed against you, regardless of outcome, with the licensing authority of any jurisdiction? YES NO
- (4) Are there any pending disciplinary actions in any jurisdiction against you? YES NO
- (5) In the past twenty years, have you been convicted of a crime in which the conviction has not been annulled or expunged? YES NO
- (6) Are there any pending lawsuits, unpaid judgments, outstanding tax obligations, or any other type of involuntary liens against you? YES NO
- (7) Is the corporation, partnership, LLC, LLP, or trade name properly filed with the Business Registration Division of Department of Commerce and Consumer Affairs? YES NO
- (8) Is the applicant now solvent? YES NO

(CONTINUED ON BACK)

Appl.....	580.....	\$50
Lic	581.....	\$50
EF.....	905.....	\$40
Recovery Fund.....	904.....	\$50
CRF (even/odd)	583.....	\$45/90
1/2 Ren.....	570.....	\$50
Service Charge.....	BCF.....	\$25

Provide the names, residence addresses, and telephone numbers of officers, partners, managers, and members. Attach a separate sheet if necessary.

Name & Title	Hawaii Real Estate License No. (If none, state "none")	Residence Address (not P.O. Box) and Phone No.
President/Partner/Manager/Member		
Vice President/Partner/Manager/Member		
Secretary/Partner/Manager/Member		
Treasurer/Partner/Manager/Member		
Director/Partner/Manager/Member		

CERTIFICATION

I have read and understand the instructions, the laws and rules relating to real estate licenses, and have submitted all required documents and fees.

I understand that it is my responsibility to read the instructions thoroughly and to file a complete application, including required documents and fees. I hereby certify that the statements and answers on this application and accompanying documents are true and correct. I hereby certify that the place of business is in compliance with Chapter 467, Hawaii Revised Statutes, and Chapter 99, Hawaii Administrative Rules. I understand that any false or untrue statement or material misstatement of fact shall constitute grounds for refusal or subsequent revocation of license and is a misdemeanor under Hawaii law. (Sections 467-20 and 710-1017, HRS).

Date _____

Signature of Principal Broker

RB- _____
Print Name & Lic No.

Date _____

Signature of Officer, Partner, Manager or Member

RB- _____
Print Name & Lic No.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

CHANGE FORM - REAL ESTATE

Access this form via website at: www.hawaii.gov/hirec

Mail to: REAL ESTATE COMMISSION
 DCCA, PVL Licensing Branch
 P.O. Box 3469
 Honolulu, HI 96801
or

Submit **ORIGINALS** only - FAX and PHOTOCOPIES will not be accepted.
 Use a typewriter or print LEGIBLY. (BLACK INK ONLY)
 Read the instructions on the reverse side.

Deliver to: 335 Merchant St., Room 301
 Honolulu, HI 96813

Legal Name of Individual:

License Name (Individual's First, Middle, LAST, or Entity)	License Number	Other Registrations
Residence Location Address, if individual & sole proprietor: (NO P.O. BOX)	RB-	CMA-
Business Address only if entity: (NO P.O. BOX)	RS-	CHO-
Mailing Address:	Phone No. (days)	

INDICATE CHANGE BEING REPORTED: NO change will be recorded unless appropriate box(es) is/are checked.

Change RESIDENCE LOCATION ADDRESS to address above. *Signature of licensee required.*

Change MAILING ADDRESS. *Completion of "Residence Address" and signature of licensee required.*

CHANGE BROKER. *See instructions on the reverse.*

PLACE LICENSE INACTIVE. *See instructions on the reverse.*

REACTIVATE license. *See instructions on the reverse.*
Entity/Branch Office: Signing below certifies that the business address is in compliance with Chapter 467, HRS, and Chapter 99, HAR.
 Fee: \$75 for entity/branch office
 \$25 for salesperson and broker-salesperson.

Change to SOLE PROPRIETOR. *See instructions on the reverse.*
 You must file an "Application for License: Real Estate Sole Proprietor".

Change of/to PRINCIPAL BROKER. *See instructions on the reverse.* Fee: \$10

Change to Add or Release BROKER IN CHARGE. *See instructions on the reverse.* Fee: \$10
 Change from broker-salesperson to broker in charge.
 Change from broker in charge to broker-salesperson.

Request DUPLICATE LICENSE. *Circle type of license being requested.*
 Pocket License Wall Certificate
 Fee: \$10 for each license or certificate.

Temporary Principal Broker or Broker in Charge Assignment. *See instructions on the reverse.*
 Complete period covered
 From To

Signature of Appointing Broker (complete Part 2A) **SIGNATURE OF LICENSEE** **DATE**

Signature of Temporary Broker Acknowledging Assignment (complete Part 2B)

Change BUSINESS ADDRESS of principal place of business or branch office. Signing below certifies that the new business address is in compliance with Chapter 467, HRS, and Chapter 99, HAR. Fee: \$10
 Is this a home occupation office: YES NO
 New business address:
 Phone Number:

Surrender license (individual, entity, or branch office). Signature of licensee required. *See instructions on the reverse.*

Change, Add or Delete TRADE NAME (entity only, includes sole proprietor). Fee: \$10
 From:
 To:
 Delete:
 Submit a copy of the "Application for Registration of Trade Name" that has been filed-stamped by the Business Registration Division, Commerce and Consumer Affairs.

Change legal NAME OF ENTITY or INDIVIDUAL. *Attach old wall certificate and copy of legal document showing name change (Entity: Filed-stamped copy of "Certificate of Amendment" filed with the Business Registration Division, Commerce & Consumer Affairs. Individual: Marriage certificate, divorce decree, etc.).* Fee: \$10
 Change to:

Change of license name of individual. Fee: \$10
 Change to:

PART 1. For Licensee to complete

PART 2 For Releasing and/or New Broker to Complete	PART 2A. Releasing Broker	DATE RELEASED	SIGNATURE of Releasing Broker (<i>Principal Broker, Sole Proprietor Broker or Broker in Charge of branch office where licensee was registered</i>). Please <u>print</u> your name after your signature.	License No. of Broker RB-
		NAME & FULL BUSINESS ADDRESS of Releasing Entity or Branch Office (<i>Number, Street, Suite No., City, State and Zip Code</i>)		
	PART 2B. New Broker	DATE HIRED	SIGNATURE of New Broker (<i>Principal Broker, Sole Proprietor Broker or Broker in Charge of branch office where licensee will be registered</i>). Please <u>print</u> your name after your signature.	License No. of Broker RB-
		NAME & FULL BUSINESS ADDRESS of New Entity or Branch Office (<i>Trade Name, Number, Street, Suite No., City, State and Zip Code</i>)		

CHANGE FORM INSTRUCTIONS

1. Complete Part 1 of the form and check the appropriate box(es) for the change being requested. **INCOMPLETE FORMS WILL NOT BE ACCEPTED.**
2. Where supporting documents are required, **submit ORIGINALS only**, unless otherwise stated.
3. When a fee is required, the amount is indicated. Make checks payable to "Commerce and Consumer Affairs." A \$25 service charge will be assessed for payments that are dishonored for any reason, and the requested change will not be processed. If no fee is indicated, there is no fee for that change.
4. Obtain the appropriate signatures as indicated. Mail the form to REAL ESTATE COMMISSION; DCCA, PVL Licensing Branch; P.O. Box 3469; Honolulu, HI 96801 or deliver to 335 Merchant St., Room 301; Honolulu, HI 96813.
5. The effective date of a change will be as indicated on the form. You must submit changes within 10 days of the change as required by Rule 16-99-5. Failure to comply may result in disciplinary action.

Additional information on specific changes is provided below:

Change Broker: Mark this box if the licensee is changing to a different broker immediately. Licensee must complete Part 1. Licensee's signature is required. If the licensee is currently affiliated with a broker, the former broker must complete Part 2A. The new principal broker or broker in charge must complete Part 2B.

Place License Inactive: Releasing principal broker or broker in charge must complete Part 2A and licensee's signature is required in Part 1. If releasing licensee and unable to obtain licensee's signature, Rule 16-99-5.1(c) requires the broker to provide the licensee written notification.

Reactivate License/Registration:

Salesperson/Broker-Salesperson: Licensee must complete Part 1 and licensee's signature is required. New principal broker or broker in charge completes and signs Part 2B. Attach original continuing education certificates (CEs) if your license has not been active during current license biennium. If you are a new salesperson within the current biennium, CEs are not required. A \$25 reactivation fee is required.

Entity: The name of the entity appears in Part 1, License Name. Principal broker's signature is required. Attach a current "Certificate of Good Standing" obtained from the Business Registration Division of the Department of Commerce and Consumer Affairs, entity resolution (sample available from Licensing Branch, or via website at www.hawaii.gov/hirec), and separate change form for the new principal broker and broker in charge(s) (if applicable), and all associating salespersons and broker-salespersons. If using a trade name, attach a file-stamped copy of current trade name registration approved by the Business Registration Division. A \$75 reactivation fee is required.

Branch Office: The name of the entity appears in Part 1, License Name. Principal broker's signature is required. Each branch office shall have at least one (1) broker in charge. Submit a change form to register a broker in charge for the brokerage firm if the principal broker has not already designated a broker in charge. A \$75 reactivation fee is required.

Sole Proprietor: Complete "Application for License: Real Estate Sole Proprietor" and follow the instructions on that form.

Change to Sole Proprietor: If currently affiliated with a broker, the releasing broker must complete Part 2A and licensee must complete Part 1 and Part 2B. If currently inactive, complete Part 1 and Part 2B. In addition, complete "Application for License: Real Estate Sole Proprietor" (available at Licensing Branch, or via website at www.hawaii.gov/hirec). If using a trade name, attach a file-stamped copy of current trade name registration approved by the Business Registration Division of the Department of Commerce and Consumer Affairs. A \$40 fee is required.

Change Principal Broker: Check this box if the entity is changing its principal broker. This transaction requires change forms for each of the following: entity, new principal broker, and former principal broker as explained below. Only one (1) fee of \$10 is required for this transaction.

Corporate/Partnership/LLC/LLP: The License Name in Part 1 is the name of the entity. The former principal broker must complete Part 2A. The new principal broker must complete Part 2B. Attach an entity resolution. Sample of an entity resolution is available from Licensing Branch, or via website at www.hawaii.gov/hirec.

New Principal Broker: Principal broker's name appears at the top in Part 1, License Name. If previously affiliated with a brokerage firm, have your former principal broker complete Part 2A and new principal broker complete Part 2B. Licensee's signature is required.

Former Principal Broker: His or her name appears at the top in Part 1, License Name. If going to another firm, mark the "Change Broker" box and complete Part 2A and your new principal broker or broker in charge completes Part 2B. If going inactive, follow instructions to place license inactive. If this change form is not received, licensee will be automatically changed to broker-salesperson status with the same company.

Change Broker In Charge:

New broker in charge: Broker in charge's name appears in Part 1, License Name. If previously affiliated with another brokerage firm, have your former principal broker complete Part 2A. Have your new principal broker complete Part 2B. If a broker-salesperson currently affiliated with the brokerage firm, also mark "Change from broker-salesperson to broker in charge" box, and have the principal broker complete Parts 2A and 2B. If inactive, also mark the "Reactivate" box and follow the instructions to reactivate license. Licensee's signature is required. A \$10 change broker in charge fee is required.

Former broker in charge: His or her name appears in Part 1, License Name. If going to another firm, mark the "Change Broker" box and have the former principal broker complete Part 2A. Have your new principal broker complete Part 2B. If changing to a broker-salesperson within the brokerage firm, also mark "Change from broker in charge to broker-salesperson" box, and have the principal broker complete Parts 2A and 2B. Licensee's signature is required. If going inactive, follow instructions to place license inactive.

Appointing a Temporary Principal Broker or Broker In Charge: The name of the entity appears in Part 1, License Name. Complete Part 2A for appointing broker's signature and complete Part 2B for temporary broker's signature. Submit notification BEFORE the start of the period covered. A principal broker or broker in charge absent from the principal place of business for more than 30 calendar days, and no other broker in charge is registered with the principal place of business, must designate a temporary principal broker or temporary broker in charge. A temporary appointment may be made for up to 6 months, with an extension of 6 months subject to Commission approval. In case of death or prolonged illness, submit doctor's statement documenting illness or death certificate, whichever is appropriate.

Surrender of License: A licensee who has no pending complaints, investigations, disciplinary petitions filed against the licensee or disciplinary hearings may surrender the license. Attach wall certificate and pocket license. Once license is surrendered, the person who desires to engage in real estate activity in the future must meet all requirements as a new applicant.