



ARIZONA DEPARTMENT OF REAL ESTATE

www.azre.gov

PHOENIX OFFICE
2910 N 44TH STREET STE-100
PHOENIX, AZ 85018

TUCSON OFFICE
400 W CONGRESS STE-523
TUCSON, AZ 85701

NEW ENTITY INSTRUCTIONS & CHECKLIST

Submit this packet to broker.specialist@azre.gov, by fax to 602-955-6284, by mail, or in person.

Correspondence is sent by email to the Designated Broker (DB) only. Third party inquiries must correspond thru the DB.

NO IN OFFICE APPOINTMENTS ADRE now accepts this packet by scan, fax, mail, or in person.

DO NOT SEVER OR TRANSFER yourself or any agents before submitting this packet. **DO NOT CLOSE** any offices. ADRE will guide you thru every step to ensure little or no down time.

ADRE does not expedite. All requests are processed on a first come first serve basis. Here is how it works. You follow the steps checking off each process as you go. Submit by scan, mail, or drop off. A specialist reviews the submittal, if complete approves it for processing, sends the DB an email that it is time to pay. The DB responds ADRE to pay fee over the phone with a credit card or debit card. ADRE and the DB agree on a processing date. The receipt and confirmation that the request was processed is emailed to the DB. The final step, The DB reviews their personal page to verify the input is correct, print the license's, and approve any new hires to the new entity.

FEES SCHEDULE visit www.azre.gov for an up to date fee schedule. Fee is due before processing.

PROCESSING STEPS & REQUIRED DOCUMENTS

Follow each step exactly to ensure approval of your submittal. Missing steps **CAN** delay the process. Complete the packet in full and ensure that all supporting documentation is submitted as part of your request. Partial packets or partial submittals **will not** be accepted.

1. Submit the **Entity Name Reservation Request**. Everyone must complete this step before going to the Secretary of State or the Arizona Corporation Commission to register an entity. ADRE reservations are free and names are held for 45 days, if you do not use the name before the expiration date, ADRE cannot ensure the name will still be available if you do not request an extension in writing before the expiration date. **Only 1 legal and 1 DBA reserved per customer.** You can resubmit another request only after current reservation expires or if the name was denied by the Secretary of State, the Arizona Corporation Commission (ACC), or ADRE. If denied from the Secretary of State or the ACC, you must submit a new reservation form with supporting denial documentation from division that denied the name. Multiple reservations are not allowed. Make sure you research and request you're submittal request to ensure the name is what you want.
2. Once name is approved with ADRE, you can register the brokerage with the ACC or Secretary of State.
3. Now is the time you should apply for an EIN number from IRS and set up any trust accounts before entity is licensed with ADRE.

NEW ENTITY DOCUMENT SUBMITTAL CHECKLIST

- Application for an Employing Broker License.**
- Resolution.** **All** Designated Brokers must be appointed by resolution. (Even sole member/sole manager LLC's, or Corporations with one person listed within the articles must submit a resolution.)
- Entity Name Reservation Notice.**
- Aware Statement.**
- A list of all members, managers, or officers and office held if they own 10% or more interest.
- Original License Questionnaire.**

ALL ARTICLES AND AMENDED ARTICLES MUST

- Be stamped "**FILED**" by the ACC or Secretary of State.
- **All articles must list a natural person** pursuant to rule R4-28-302.D.
- If articles are stamped "**RECEIVED**" you **must** submit proof of expedited payment. A credit card receipt, cash receipt, or a copy of the check from the ACC will be accepted as proof. Sorry, no proof, no process.
- "**PENDING**" articles will not be accepted under any circumstance.

A copy of Articles of Organization, Articles of Incorporation, Application For Registration Of A Foreign Limited Liability Company, or an Application for Authority to Transact Business in Arizona. See **ALL ARTICLES AND AMENDED ARTICLES MUST** above.

- A copy of **ANY** and **ALL** amendments to any of the above mentioned filings.
- Copies of articles for **ANY** and **ALL** entities listed within the new brokerage articles. Including trusts. See **ALL ARTICLES AND AMENDED ARTICLES MUST** above.
- If licensing a LLC, submit a copy of an **Operating Agreement.** (**Only if one is in place.**)
- A **Letter of Resignation.** Only if you are a current DB or SE. This is a formality; we **will not** place you inactive we are ready to process the change.
- A copy of **Brokers Management Certificate (BMC).**
- Submit **Proof of Legal Presence.**
- Login** to your personal page and verify all information on your personal page is true and correct.
 - ✓ Make sure you have checked every box that applies to your submittal before scanning or dropping off your request
 - ✓ **DO NOT SUBMIT COVER SHEETS, CHECKLIST, INSTRUCTIONS, BLANK FORMS, TAX FORMS, PUBLICATION RECEIPTS, COPIES OF REAL ESTATE LICENSES, OR CHECKLISTS.** If we need anything else, we will contact you.
 - ✓ **If your submittal is over 20 pages you must mail in or drop off your request in person. No exceptions.**



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ENTITY NAME RESERVATION REQUEST

SUBMIT to broker.specialist@azre.gov, fax to 602-955-6284, or drop off your request in person.

ADRE does not expedite or process this request over the counter. Allow up to 7 business days for research, review, and response of this form. Only 1 legal and 1 DBA reserved per customer. If 1st choice is approved, 2nd choice will not be researched. Upon approval the name will be reserved for 45 days free of charge. A Name Reservation Notice will be sent to you by email which must be submitted to ADRE for processing your request. Extensions must be requested in writing before expiration. You can resubmit a new name request only after a denial or if your 1st request has expired.

WHO SHOULD SUBMIT A REQUEST / All New Entities, Foreign Entities, or Sole Proprietors using a DBA.

DO NOT SUBMIT A REQUEST IF / A Professional Corporation or a Professional Limited Liability Company.

COMMENTS FIELD / If you are using initials for your request, please explain what the initials stand for in comments.

I SUBMITTED REQUEST	<input type="checkbox"/> In Person	<input type="checkbox"/> By Scan / Email	<input type="checkbox"/> By Fax
I AM REQUESTING	<input type="checkbox"/> New Legal Name	<input type="checkbox"/> New DBA	<input type="checkbox"/> Extension
	<input type="checkbox"/> Legal Name Change	<input type="checkbox"/> DBA Change	
REQUESTOR	Print Your Name (Should be DB or incoming DB's name)		License Number
	Phone Number ()		Fax Number ()
	Email Address		
LEGAL NAME	1 st Choice		
	Comments		
	<input type="checkbox"/> MAY USE AS DBA	<input type="checkbox"/> EXTENDED	<input type="checkbox"/> DENIED
	<input type="checkbox"/> APPROVED THRU	/ /	PROCESSED BY
LEGAL NAME	2 ND Choice (ONLY REVIEWED IF 1 ST CHOICE WAS DENIED)		
	Comments		
	<input type="checkbox"/> MAY USE AS DBA	<input type="checkbox"/> EXTENDED	<input type="checkbox"/> DENIED
	<input type="checkbox"/> APPROVED THRU	/ /	PROCESSED BY
DBA NAME	1 st Choice		
	Comments		
	<input type="checkbox"/> EXTENDED	<input type="checkbox"/> DENIED	<input type="checkbox"/> APPROVED THRU / /
	PROCESSED BY		
DBA NAME	2 nd Choice (ONLY REVIEWED IF 1 ST CHOICE WAS DENIED)		
	Comments		
	<input type="checkbox"/> EXTENDED	<input type="checkbox"/> DENIED	<input type="checkbox"/> APPROVED THRU / /
	PROCESSED BY		

ADRE USE ONLY

REVIEW DATE / /	PROCESSED DATE / /	CONFIRMATION SENT BY <input type="checkbox"/> FAX <input type="checkbox"/> EMAIL <input type="checkbox"/> IN PERSON	DATE STAMP
COMMENTS			

ARIZONA DEPARTMENT OF REAL ESTATE

APPLICATION for EMPLOYING BROKER LICENSE

Checklist and Instructions

(NOT FOR SOLE PROPRIETORS OR SELF EMPLOYED BROKERS)

ALL ENTITIES MUST SUBMIT, SET UP, OR PROVIDE THE FOLLOWING;

- Submit the Entity Name Reservation Notice with name approval, (not expired) from ADRE.
- Have a natural person listed within the articles.
- Submit a Certificate of Good Standing if entity was established over one year ago or if a foreign entity.
- Have a Tax Id or Employer Identification Number (EIN) set up before submittal of this application.
- Submit a list of trust accounts if more than one and only if conducting property management.
- Submit an operating agreement and any amendments only if one is in place.
- Appoint Designated Broker by resolution, even if you are the only member, manager, or officer.

NOTE REGARDING RESOLUTION

- ❖ If member-managed LLC, **the DB must** be a member and listed within articles and appointed by resolution.
- ❖ If manager-managed LLC, **the DB does not** have to be listed within the articles but must be appointed manager by resolution and DB of said entity.
- ❖ If corporation, resolution must state the DB was appointed and state the office the DB holds.

SUBMITTING ARTICLES

- All articles & amendments must be stamped "**FILED**" to be an expectable document for submittal.
- Any articles & amendments stamped "**RECEIVED**" must be expedited with the ACC. You must submit proof of expedited payment from the ACC to be an expectable document for submittal. A copy of a receipt or expedited stamp will be accepted.

TYPES OF ENTITIES THAT ARE REQUIRED TO BE LICENSED BY ADRE ARE;

- | | | |
|--------------------------------------|-------------------------------|--|
| ➤ Limited Liability Companies | ➤ Corporations | ➤ Foreign Entities |
| ➤ General Partnerships | ➤ Limited Partnerships | ➤ Limited Liability Partnership |

FOR A FOREIGN ENTITY QUALIFIED TO CONDUCT BUSINESS IN ARIZONA

See further instructions under LLC or Corporation requirements for additional required documents.

- A "**FILED**" copy of the original Articles from the state of origin and all amendments.
- A certificate of good standing from the state in which the entity or brokerage originates.
- Submit a "**FILED**" copy of the Application of Authority to conduct business as a foreign entity in Arizona from the ACC.
- Copies of articles for any Corporation, LLC, or Partnership that is listed as a member within the articles who owns 10% or more within the said entity or brokerage must provide a copy of articles filed in Arizona. All said entities must be qualified to conduct business in Arizona.
- A list of the name and address of each members/managers, and the name and address of any person controlling or holding more than 10% of the membership interest in the limited liability company.

FOR A LIMITED LIABILITY COMPANY (LLC)

- A copy of the Original Articles of Organization and any and all amended articles.
- Copies of articles for any corporation, LLC, or partnership that is listed as a member or manager within the articles who owns 10% or more within the said entity.
- A copy of the operating agreement (only if one is in place), and any amendments.
- Resolution appointing DB signed by all members or managers.
- A list of the name and address of each members/managers, and the name and address of any person controlling or holding more than 10% of the membership interest in the limited liability company.

ARIZONA DEPARTMENT OF REAL ESTATE

APPLICATION for EMPLOYING BROKER LICENSE

Checklist and Instructions Continued

FOR A CORPORATION (CO)

- Submit a copy of the Articles of Incorporation and any amendments stamped "**FILED**" by the ACC.
- Any corporation, LLC or partnership** that is listed as a member within the articles who owns 10% or more within the said entity, you must provide a copy of articles filed in Arizona and said entity must qualify to conduct business in Arizona.
- A list of the name and address of each officer and director, and the name and address of each shareholder controlling or holding more than 10% of the issued and outstanding common shares, or of any other proprietary, beneficial, or membership interest in the corporation.

FOR A GENERAL PARTNERSHIP

- A copy of the Partnership Agreement and any amendments from the county in which it is registered in.
- The name and address of each partner, and the name of any other person with a beneficial or membership interest in the partnership.
- An agreement signed by all partners, stating the name of the partner appointed to act as designated broker.

FOR A LIMITED PARTNERSHIP

- A copy of the Application of Registration stamped "**FILED**" by the Secretary of State.
- A copy of the Partnership Agreement and any amendments.
- An agreement or resolution that states the name of the partner appointed to act as designated broker.
- The designated broker shall be:
 - A partner of the general partner if the general partner is a partnership
 - A member of the member-managed limited liability company or manager of the manager-managed limited liability company if the general partner is a limited liability company
 - A corporate officer of the corporate partner if the general partner is a corporation
 - A limited partner of a partnership shall not be designated broker for the partnership

FOR A LIMITED LIABILITY PARTNERSHIP

- A copy of the Articles of Organization stamped "**FILED**" by the Arizona Corporation Commission.
- A copy of the partnership Agreement and any amendments.
- An agreement or resolution that states the name of the partner appointed to act as designated broker.
- The designated broker shall be:
 - A partner of the general partner if the general partner is a partnership
 - A member of the member-managed limited liability company or manager of the manager-managed limited liability company if the general partner is a limited liability company
 - A corporate officer of the corporate partner if the general partner is a corporation; or a limited partner of a partnership shall not be designated broker for the partnership

IMPORTANT NOTE:

This is notification of one or more deficiencies in your application. Please correct or submit the deficiencies by the deadline noted or your application will be deemed incomplete and the file closed. The Department must grant or deny a license within a specific period of time once an application is complete. An applicant also has a specific period of time in which to correct any identified deficiency. If you do not provide or correct the identified item(s), or provide the additional information as requested, the application shall be deemed "incomplete" or "withdrawn" and the file closed. If you later wish to apply for a license, you must submit a new application, including applicable fees. R4-28-103. If the Department does not grant or deny a license *based on a completed application* within the allowed time period, the application fee is refunded to the applicant. A.R.S. § 41-1073 et seq.

"ADRE IS AN EQUAL EMPLOYMENT OPPORTUNITY AGENCY"

This form is available in alternate formats by contacting the Operations Office at 602-771-7760 or by email at forms@azre.gov.



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APPLICATION FOR AN EMPLOYING BROKER LICENSE (NOT FOR A SOLE PROPRIETORSHIP)

TYPE OF BROKERAGE – Select all that apply

- | | | |
|---|--|--|
| <input type="checkbox"/> LLC MEMBER CONTROLLED | <input type="checkbox"/> GENERAL PARTNERSHIP | <input type="checkbox"/> LIMITED LIABILITY PARTNERSHIP |
| <input type="checkbox"/> LLC MANAGER CONTROLLED | <input type="checkbox"/> LIMITED PARTNERSHIP | <input type="checkbox"/> FOREIGN ENTITY |
| | <input type="checkbox"/> CORPORATION | |

DO YOU HAVE AN OPERATING AGREEMENT IN PLACE?

- YES. Please submit copy to ADRE. NO IN DRAFT When complete submit copy for filing.

BROKERAGE INFORMATION		ADRE USE ONLY / LICENSE NUMBER		ADRE USE ONLY / EXPIRATION DATE (ALLIGNED)	
NAME	ENTITY LEGAL NAME				
	DBA – DOING BUSINESS AS				
ADDRESS	BUSINESS ADDRESS AND STE #				
	CITY		STATE	COUNTY	ZIP CODE
	MAILING ADDRESS - STE # OR PO BOX				
	<input type="checkbox"/> IF SAME AS ABOVE MARK HERE				
	CITY		STATE	COUNTY	ZIP CODE
BUSINESS PHONE ()		BUSINESS FAX ()			
EIN OR FEDERAL TAX ID #					

HIRE DESIGNATED BROKER INFORMATION					
HIRE	PRINT INCOMING DESIGNATED BROKER NAME				
	BR LICENSE #			EXPIRES ON	
I WILL USE A <input type="checkbox"/> TITLE COMPANY <input type="checkbox"/> TRUST ACCOUNT <input type="checkbox"/> SEE LIST PROVIDED					
TRUST ACCOUNT	TRUST ACCOUNT INFORMATION				
	BANK NAME				
	BANK ADDRESS				
	CITY		STATE	ZIP CODE	
	ACCOUNT NAME				ACCOUNT NUMBER

A.A.C. R428-303 (E) requires the Designated Broker to notify ADRE in writing within 10 days of a change in information submitted in this application.

X

PRINT INCOMING DESIGNATED BROKER NAME			ORIGINAL SIGNATURE REQUIRED		DATE
FOR DEPARTMENTAL USE ONLY					
EFFECTIVE DATE			DATE STAMP	RECEIPT	
INPUT DATE					
TIMEFRAME	TF 1	TF 2			
PROCESSED					



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AWARE STATEMENT

The Legal and/or DBA name of the entity complies with A.R.S. § 29-245 and 4 A.A.C. 28, Article 10, and, is not likely to be misleading or confusing. Also see R4-28-302. (C)(4).

ENTITY LEGAL NAME →	
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The above named entity has applied for a broker's license in Arizona.

That each; **officer/director**, **member/manager**, **partner**;

has read the complete application on the named entity as submitted to the Department.

All the information contained in the application is true.

That each; **officer/director**, **member/manager**, **partner**;

is qualified to do business in Arizona.

	X	
(Print Designated Broker's Name)	(ORIGINAL Signature of DB)	(Date)

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ORIGINAL LICENSURE QUESTIONNAIRE

The Arizona Department of Real Estate (**ADRE**) requires you to provide information to determine your qualifications and suitability to hold an Arizona Real Estate License, Employing Broker License, Cemetery License, or a Membership Camping License, under Arizona Revised Statutes, Title 32, Chapter 20, and Title 4, Chapter 28, of the Arizona Administrative Code. 1. *A.R.S. §§ 32-2123 (B)(4), (5) & (6), 32-2108 and A.A.C. R4-28-301*

You must answer these questions and submit them to ADRE, with your Application for an Original Arizona Real Estate License or an Original Entity License. You must answer every question. If you DO NOT answer **EVERY** question, your Application will be considered incomplete and it will be returned to you unprocessed.

Be certain you understand the questions and that your answers are truthful and correct. Failure to answer these questions truthfully may result in disciplinary actions including, but not limited to, suspension or revocation. 2. *A.R.S. § 32-2153 (B) (1)*. In addition, you may be subject to a civil penalty 3. *A.R.S. § 32-2160.01*

If you answer "YES" to any question, please provide a, detailed statement with an original signature describing the facts and circumstances, including the date, time and location of the incident or event. You must also provide the documents identified on the Disclosure Document Checklist (LI-400), regarding the type of incident, offense, crime, judgment, sentencing or conviction date, or any other action taken against you. You may include exculpatory or mitigating information, any evidence of rehabilitation, and any appropriate statement of remorse and acceptance of responsibility for the prior conduct. (Disclosure Document Checklist available from the ADRE offices or on its web page: www.azre.gov).

1. In the **PAST 10 YEARS**, have you had a professional or occupational license or registration of any kind denied, suspended, restricted, or revoked? Yes No

2. In the **PAST 10 YEARS**, have you had an administrative order or any other disciplinary action taken against any LICENSE issued to you by ANY local, state, or federal regulatory agency? Yes No

3. In the **PAST 10 YEARS**, have you voluntarily surrendered any license during the course of an investigation or disciplinary proceeding? Yes No

4. In the **PAST 10 YEARS**, have you entered into any consent decree, or had an injunction (either temporary or permanent), a suspension, an order, or a judgment issued which prohibited or restricted you from engaging in any profession or occupation? Yes No

5. In the **PAST 10 YEARS**, have you had any judgment or order entered against you by any court involving fraud, dishonesty, misrepresentation, unfair trade practice, or moral turpitude? Yes No

6. In the **PAST 10 YEARS**, have you had any judgment or order entered against you by any court arising out of the conduct of any business in real estate, cemetery property, time-shared intervals, or membership campgrounds? Yes No

7. In the **PAST 10 YEARS**, have you had any Subdivision Public Report or Registration to Sell real estate, time-shares, cemetery lots, or campground memberships denied or suspended? Yes No

8. Has **ANY** real estate recovery fund, or similar fund, ever made a payment that was charged against you or against a business for which you were the qualifying party? Yes No

9. Are there **ANY** disciplinary hearings, or other administrative actions **PENDING** against **ANY** professional or occupational licenses you hold in Arizona or in any other state? Yes No

10. Have you held or do you hold ownership interest of ten percent or more or exercise control in any business, corporation, partnership, or limited liability company **that would have to answer "YES" to questions # 1 through #9.** Yes No

If you answered **YES** to any question from #1 through #10, you **MUST** submit a current certified license history from the licensing agency of each state in which you or the business or businesses were licensed in. In response to Question #10, currently licensed or in which you or the business or businesses were licensed at any time during the past five years.

ORIGINAL LICENSURE QUESTIONNAIRE

Continued

IMPORTANT NOTE:

Please read this carefully!

You **must** disclose any and all convictions (misdemeanor or felony), even if it was a result of a plea agreement or a plea of *nolo contendere* (no contest). You must disclose all convictions whether or not the plea or verdict was set aside, judgment or sentencing was deferred, the conviction against you was dismissed or expunged, or if you have been pardoned.

11. Have you **EVER** been convicted of any **FELONY** in Arizona or any other state? Yes No

12. In the **PAST 10 YEARS**, have you been convicted of **ANY** misdemeanor in Arizona or **ANY** other state?
Note: You do not need to report minor traffic citations, which do not constitute a misdemeanor or felony offense. Conviction of D.U.I is not a minor traffic citation and must be reported. Yes No

13. Are you **CURRENTLY** in a deferred period or a diversion program, having been convicted of a Class 6 undesignated offenses, **which has not yet been** designated as a FELONY or MISDEMEANOR to date of this application. Yes No

14. Are you **CURRENTLY** incarcerated, paroled, or on probation because of any conviction? Yes No

A. Have you (**as a natural person**, a professional corporation (PC), or professional limited liability company (PLLC), owner of ten percent or more greater interest, or person exercising control in any business(es), corporation(s), partnership(s), or limited liability company(ies) **EVER** held or applied for a license of any kind issued by ADRE? Please check one below. Yes No

SALESPERSON

BROKER LICENSE

B. In the **PAST 5 YEARS**, have you been licensed as a salesperson or broker in any state other than Arizona? **If "Yes", submit on a separate page OR list below the state(s) in which you are licensed or in which you have been licensed at any time during the past 5 years.** Yes No

LIST STATES BELOW

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CERTIFICATION OF ANSWERS

I Certify under penalty of perjury, under the laws of the State of Arizona, that the foregoing answers and statements given in this application are true and correct. I certify that at the time of the issuance of license I will be 18 years of age or older. I certify that if licensed I will not violate any provisions of the Real Estate Law nor abuse the privileges of a license.

	X	
Print Name	Original Signature of Applicant	Date

Review your application and make sure you have an ORIGINAL SIGNATURE where required. Attach supporting documentation and the required fee **before** submitting your request to the ADRE. If ADRE receives an incomplete application, we will return the application to you **UNPROCESSED**.

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