

# LENDERS UPDATE™

## ALT & ASSOCIATES NEWSLETTER

A COMPLIMENTARY SERVICE TO THE MORTGAGE LENDING INDUSTRY

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## NEW DISCLOSURE REQUIREMENT FOR CALIFORNIA BRE LICENSEES

Sometimes it seems that we are up to our necks in new disclosure requirements. For example, last year the California legislature passed a statute for new disclosures about the licensing status of its BRE licensees.

**Below is a quote from today's BRE reminder of the mandatory compliance date of January 1, 2018 for these requirements:**

In 2016, the California Legislature passed and the Governor signed Assembly Bill 2330 ("AB 2330"), adding to Section 10083.2 and amending Section 10161.8 to the California Business and Professions Code ("B&P Code"). The provisions of these B&P Code sections will take effect on January 1, 2018. Most significantly, AB 2330 requires the Bureau to post on its website whether a licensee is an associate licensee, and if the associate licensee is a broker, identify each responsible broker with whom the licensee is contractually associated as described in B&P Code Section 10032. Furthermore, AB 2330 requires that whenever a broker acting as a salesperson (i.e. a brokerassociate) enters the employ of another real estate broker or corporation, the responsible broker shall immediately notify the Commissioner of this arrangement in writing. It also requires that whenever the

employment of a broker-associate is terminated, the responsible broker shall immediately notify the Commissioner in writing. The broker-associate notification requirements enacted by AB 2330 apply to all broker-associates, including those whose affiliation with a responsible broker commenced prior to January 1, 2018. The Bureau is in the process of developing a new form, RE 215 – Broker-Associate Affiliation Notification, to be used for the sole purpose of notifying the Bureau of a broker/associate/responsible broker affiliation or termination. This form should be available on the Bureau’s website no later than September 1, 2017. All other changes pertaining to an individual broker license, such as changes of mailing/main office address, adding or cancelling fictitious business names, or updates to contact information should continue to be submitted using the form RE 204 - Broker Change Application, or for certain transactions using eLicensing. It is important to note that while the responsibility to notify the Bureau of broker-associate affiliation lies with the responsible broker, broker-associates are still required to comply with the requirements set forth in B&P Code Sections 10162 and 10163 notifying the Commissioner of where they intend to conduct licensed activities. The Bureau will provide additional information about this new statutory requirement on its website during the coming months.

### ***ABOUT ALT & ASSOCIATES***

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- \*\*Various forms of employee, officer, and/or manager contracts**
- \*\*Litigation representation**

**You may direct any questions or comments directly to:**

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