



For Commission Use Only

ID No.	
Lic. No.	Date
CHARACTER	
App by _____	

NORTH CAROLINA REAL ESTATE COMMISSION
P. O. Box 17100 • 1313 Navaho Drive Raleigh, NC 27619-7100
(919) 875-3700 • www.ncrec.gov

Application
Limited Nonresident Commercial Real Estate License
[See Instructions and Program Information on Pages 3-4]

FEE - \$100 (Non-refundable)
*[Payable by certified check, official bank check or money order.
Payment by personal check, company check or cash is not permitted.]*

TYPE OR PRINT CLEARLY IN BLACK INK

1. **Name:** _____ **Social Security #:** _____
FIRST MIDDLE (FULL) LAST SUFFIX

2. **Primary Place of Business:** _____
FIRM NAME

STREET ADDRESS OR P. O. BOX

CITY STATE ZIP CODE () PHONE

3. **Residence Address:** _____
STREET ADDRESS

CITY STATE ZIP CODE () PHONE

4. **E-Mail Address:** *[OPTIONAL]:* _____ 5. **Fax Number** *[OPTIONAL]* _____

6. **Licensure in Qualifying State** *[State of Applicant's Primary Place of Business]*
State _____ **License Type:** Broker Salesperson **License No.** _____

*[Enclose a **certification of license history** issued by the real estate licensing agency in your qualifying state and any other state where you have held a license during the previous five (5) years. The certification must have been issued within the previous six months and must show your license history, license status and any disciplinary actions.]*

7. **Supervising Broker Acknowledgment** *[If a Salesperson in Qualifying State]*
The applicant shown in item 1 is a salesperson under my supervision in the above-named qualifying state.

NAME (PRINT) SIGNATURE STATE BROKER LICENSE No.

NOTE: If the answer to Question 8, 9 or 10 is “Yes,” you should also read “Application Procedures for Applicants with Character Issues” on page 3 of this application.

8. Criminal Offenses: Have you **ever** been convicted of any **criminal offense** or is there any **criminal charge now pending** against you? (“Criminal offense/charge” means any **felony** or **misdemeanor**, including **driving while impaired**, or any offense classified as “**criminal traffic**” — only traffic offenses classified as an “infraction” are excluded.)..... **Yes** **No**

[If “YES,” submit a *detailed written explanation in your own words* describing the circumstances for each offense/pending charge. Also submit a copy of the court judgment for any conviction (or arrest warrant or bill of indictment for any pending charge) not shown on your criminal record report.]

9. Professional License Disciplinary Action: Have you **ever** been denied a real estate or other professional license or been disciplined by an occupational licensing agency (license suspended, revoked, surrendered, reprimanded, etc.) in N.C. or elsewhere; or are there currently any complaints pending against you in connection with any professional license that you hold?..... **Yes** **No**

[If “YES,” submit a detailed written explanation in your own words and a copy of the licensing agency’s order if applicable.]

10. Liens or Judgments: Are there any **liens** or **unpaid judgments** now outstanding against you due to your failure to pay a debt?

[If “YES,” submit a *detailed written explanation in your own words* of the circumstances and your efforts to pay, as well as the name of the judgment creditor or lien holder (i.e., the party you owe), the amount and date of the judgment or lien, and the current balance.]..... **Yes** **No**

11. Affirmation, Authorization for Records Checks, Consent to Service of Process, and Signature.

In making this application to the North Carolina Real Estate Commission for a real estate license under the provisions of Chapter 93A of the General Statutes of North Carolina and the rules of the Real Estate Commission, I swear (or affirm) that I am the applicant named herein and that all information provided in connection with this application is true to the best of my knowledge and belief, with the understanding that any omissions, inaccuracies or failure to make full disclosures may be deemed sufficient reason to deny a license or to withhold renewal of or suspend or revoke a license issued by the Commission. I swear (or affirm) that I am a United States citizen, a non-citizen national, or a qualified alien under federal law.

I authorize the North Carolina Real Estate Commission to obtain or receive from any consumer reporting agency, as defined by the Fair Credit Reporting Act, any criminal history information and any consumer credit information pertaining to me in public or private record sources.

Pursuant to the requirements of Chapter 93A of the North Carolina General Statutes, I hereby irrevocably consent, stipulate and agree that suits, actions and administrative proceedings may be commenced against me in the courts and agencies of this State by the service of any process or pleading authorized by law on the Executive Director of the North Carolina Real Estate Commission, and that service of such process or pleadings on said Executive Director shall be taken and held in all courts to be as valid and binding as if the service had been made upon me in the State of North Carolina.

Signature

Date

As required by the NC state legislature in NCGS § 143-765, effective January 1, 2018, in order to apply for or renew an occupational license, permit, or certification, the applicant must certify that they have read and understand the public notice statement from the Employee Classification Section of the State Industrial Commission and must disclose any investigations for employee misclassification.

Please read:

Public Notice Statement

required by N.C. Gen. Stat. § 143-764(a)(5), effective December 31, 2017

Any worker who is defined as an employee by N.C. Gen. Stat. §§ 95-25.2(4)(NC Department Of Labor), 143-762(a)(3)(Employee Fair Classification Act), 96-1(b)(10)(Employment Security Act), 97-2(2)(Workers' Compensation Act), or 105-163.1(4)(Withholding; Estimated Income Tax for Individuals) shall be treated as an employee unless the individual is an independent contractor. Any employee who believes that the employee has been misclassified as an independent contractor by the employee's employer may report the suspected misclassification to the Employee Classification Section within the North Carolina Industrial Commission.

Employee Classification Section
North Carolina Industrial Commission
1233 Mail Service Center
Raleigh, NC 27699-1233
Telephone: (919) 807-2582
Fax: (919)715-0282
Email: emp.classification@ic.nc.gov

Employee misclassification is **defined** as avoiding tax liabilities and other obligations imposed by Chapter 95, 96, 97, 105, or 143 of the North Carolina General Statutes by misclassifying an employee as an independent contractor. [N.C. Gen. Stat. § 143-762(5)]

I certify that I have read and understand the *Public Notice Statement*.

Within one year of this application, has the applicant been the subject of an investigation for employment misclassification by a government entity? Yes No

If YES, please provide the investigating entity, case or file number, if known, and the results of the investigation.

APPLICATION INSTRUCTIONS

Basic Eligibility for Licensure

You must hold an active real estate license in good standing in the state or United States territory where your primary place of real estate business is located (your “qualifying state”) and you may not be a resident of North Carolina. You are not required to be licensed in the state where you reside.

Criminal Record Report Requirement

*You must obtain a criminal record report from Criminal Record Check (CRC) and submit it with your application. A report prepared by CRC **within the previous six months** is the only report acceptable to the Commission. Online requests are preferred. Contact:*

CriminalRecordCheck.com (CRC)
Web site: www.ncreccheck.com
Email: licensing@mycrc.com
Telephone (toll free): 877-272-0266 Ext 2651
Telephone (direct): 919-459-2651

CRC will collect from you all personal information necessary to conduct a search of criminal records in each state and/or county where you have resided during the past seven years. The searches will be conducted for each different name you have used during that period. *The report will show all felony and misdemeanor convictions (including traffic convictions) on record for you, not just those that occurred in the past seven years.* CRC is authorized to charge a separate fee for (1) collecting and verifying personal data, (2) each state or county record searched and (3) each additional name for which a search is conducted. Thus, the cost of obtaining the criminal record report will vary depending on the number of different residences and names you have had during the past seven years.

Most criminal record reports involving a search of out-of-state records will be provided in 5-7 business days - searches of records in a few states will require more time.

Application Procedures for Applicants with Character Issues

You will be considered to have a “character issue” requiring special consideration if you: (1) Have a criminal record report showing a criminal conviction; (2) answered (or should have answered) “Yes” to any of Items 8, 9 or 10 on the application form; or (3) have any other past experience that may reflect adversely on your character.

“Character issues” will be considered by the Commission only after you have satisfied all other license qualification requirements. You will then be notified in writing of the Commission’s decision. *If you have a “character issue” in connection with your application, allow the Commission 45 days to complete its evaluation before inquiring about the status of your application.*

An inquiry may be made by the Commission to obtain additional information about your character, and this inquiry may include further search of criminal and civil records and/or a credit report. The Commission also may request additional information from you and may require you to furnish fingerprints for the purpose of retrieving additional criminal history information.

Application Enclosures Checklist

- Application Fee.** *Fee must be paid by a certified check, official bank check, cashier’s check or money order payable to the N. C. Real Estate Commission. The Commission does not accept personal checks, company checks or cash for this fee.*
- Certification of License History.** *Must have been issued within the previous six months by the real estate licensing agency in your qualifying state and any other jurisdiction where you have been licensed during the previous five (5) years.*
- Criminal Record Report.** *See instructions on this page.*
- Character Information.** *If you answered “Yes” (or should have answered “Yes”) to Item 8, 9 or 10, you must enclose all information described in those items.*

LIMITED NONRESIDENT COMMERCIAL REAL ESTATE LICENSE

Program Highlights

- **General.** If you hold an active real estate broker or salesperson license in the state where your primary place of real estate business is located (your “qualifying state”), and if you also reside in a state other than North Carolina, you may obtain a North Carolina Limited Nonresident Commercial Real Estate Broker License without having to take any prelicense education or license examination. Your “qualifying state” and state of residence need not be the same state, nor is it necessary for your “qualifying state” to offer a similar licensing option to North Carolina licensees.
- **Applying for License.** You may obtain an application form and instructions from the Real Estate Commission office or by accessing the Commission’s website at www.ncrec.gov. The **application fee is \$100**. You are required to submit a **certification of license history** issued by the real estate licensing agency in your qualifying state and other states where you have held a license during the previous five (5) years. It must show your license history, license status and any disciplinary actions. You must also obtain and submit a **criminal record report** from the agency named on page 3 of the license application form to assist the Commission in evaluating your moral character and fitness to practice real estate. Licenses will be issued within a few days after the Commission receives your complete application; however, if your application involves a character issue, it may require 45 days or more for consideration.
- **License Privileges and Limitations.** With a limited nonresident commercial license, you may perform real estate brokerage acts in North Carolina for compensation with the following limitations:
 1. You may only engage in transactions involving “**commercial real estate**” as defined in Real Estate Commission Rule 21 NCAC 58A.1802;
 2. You must, prior to using your license, enter into a **brokerage cooperation agreement** and **declaration of affiliation** with a **resident North Carolina broker**, and you must be **supervised** by the North Carolina broker while performing brokerage services in North Carolina [see Commission rule 21 NCAC 58A.1807]; and
 3. All advertising related to North Carolina brokerage activities must identify you as a “Limited Nonresident Commercial Real Estate (Broker or Salesperson).”
- **North Carolina Resident Broker Responsibilities.** The North Carolina resident broker must: (1) verify your licensure as a limited nonresident commercial licensee; (2) actively and personally supervise you (whether a salesperson or broker) to assure compliance with the North Carolina Real Estate License Law and Commission rules; (3) hold all trust monies received by you in connection with your brokerage services in North Carolina; (4) maintain transaction records and copies of cooperation and affiliation agreements; and (5) if you are affiliated with a broker or firm, pay any compensation you earn in connection with North Carolina brokerage activities to your employing broker or firm.
- **Compliance with North Carolina Laws and Rules.** You and the North Carolina broker with whom you are affiliated must fully comply with all applicable North Carolina laws and rules. You may be disciplined by the North Carolina Real Estate Commission in the same manner as any other North Carolina real estate licensee.
- **License Period and Renewal.** The license will expire on the next June 30 after issuance and each June 30 thereafter unless renewed in June of each year.
- **Accessing License Law and Rules.** The North Carolina Real Estate License Law is codified in Chapter 93A of the General Statutes and the Real Estate Commission’s Rules are contained in Title 21 of the North Carolina Administrative Code, Chapter 58A. The License Law and Commission rules may be accessed on the Commission’s website at www.ncrec.gov. You may also purchase a booklet (\$3.00) containing the License Law and rules through the website.
- **Declaration and Cooperation Agreement Forms.** The prescribed “Declaration of Affiliation” form will be provided with each new license issued and is otherwise available through the Commission’s website at www.ncrec.gov. North Carolina brokers who are REALTORS® may obtain a “Brokerage Cooperation Agreement” form from the N. C. Association of REALTORS®.