

Registering an Assumed Name

North Carolina Real Estate Commission Rule 58A.0103(c) states: any licensee (Broker or Firm) who wants to "advertise or operate in any manner using a name different from the name under which the broker is licensed . . . shall first file an assumed name certificate in compliance with G.S. 71.4 and shall notify the Commission in writing of the use of such a firm name or assumed name.

That means you need to do this first [shows image of the Assumed Business Name Certificate]

Then this [shows image of a firm license application (form REC 1.72)]

Or this [shows image of FIRM Name Change and/or Request to Replace FIRM License Certificate or Pocket Card (Form REC 1.47)]

Before you can do this, [shows silhouette of two business men, one handing the other his card and saying "Hi, I'm Joe of Joe's Property Shop! Here's my card!"]

My name is Betty Jones and I am BIC of a sole proprietorship. I advertise as Jones Real Estate. Do I need to register an assumed name?

NO!

If you are operating as a sole proprietorship and your business name includes your surname (which is your last name) you do not need to register an assumed name.

My name is Jill Macwoski and I am BIC of a sole proprietorship. I advertise as Jill's Real Estate. Do I need to register an assumed name?

YES!

If you are operating as a sole proprietorship and your business name does not include your surname, you must register the business name as an assumed name.

My Firm is legally registered as Katz, Cittens, and Diggers, but now we want to advertise as KCD Realty. Does this firm need to register an assumed name?

YES!

Any real estate firm that wants to do business or advertise under a name other than the registered business name must first file a Certificate of Assumed Name with the county register of deeds office.

Thanks to the Secretary of State's database, it is easier than ever to register an assumed name. File your Assumed Business Name Certificate at one Register of Deeds office in one county - ANY COUNTY - in which you and/or your affiliated agents will do business in North Carolina

Here are the 5 easy steps to registering an assumed name for your real estate company

Step 1: Decide what name you want to use. [Examples scroll: Just Jill's Apartments, Jill's My Agent, PropertyLand]

Step 2: Search the SOS database to make sure your name is not already in use. If the search comes back with no results, it means the name is not already registered, so you can register it.

Step 3: Download the Assumed Business Name Certificate from the link on the Secretary of State's website. You'll also find the forms to amend or withdraw an assumed name here. [Shows image of the Assumed Business Name Certificate form.] List all the counties where you will do business or check the box and pick them all!

Step 4: File your completed form at a Register of Deeds office in one of your chosen North Carolina counties. There will be a fee to process this form, so bring your checkbook!

Step 5: Inform the Commission of your newly registered business name here [shows image of the firm license application] or here. [Shows image of the Firm Name Change and/or Request to Replace Firm License Certificate or Pocket Card (Form REC 1.47)]

To Review: -5- Easy Steps to Register an Assumed Name

1: Decide what name you want to use.

#2: Search to make sure your assumed name is not already in use.

#3: Download the Assumed Business Name Certificate from the SoS website.

#4: File your form at a Register of Deeds office in one of your chosen NC counties.

#5: Inform the Commission of your newly registered business name.

Still have questions about registering your assumed business name? Visit the North Carolina Real Estate Commission's website at ncrec.gov or call the office at 919.875.3700.