



NORTH CAROLINA REAL ESTATE COMMISSION
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 Web Address: www.ncrec.gov
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FOR COMMISSION USE ONLY	
REPL _____	
LIC # _____	
NLBIC@ _____	
FIRMS _____	

**BROKER-IN-CHARGE
 DECLARATION**

Instructions

1. Qualifications and responsibilities of a broker-in-charge are detailed on the back of this form. Please review these carefully.
2. If the firm has more than one office where real estate brokerage activities are conducted, duplicate and submit a separate form for each office. A broker **practicing alone** shall designate himself or herself as **broker-in-charge**.
3. For **initial** designation, brokers must complete the Commission's *Broker-in-Charge* Course within three years prior to or 120 days following designation as broker-in-charge.
4. **SPECIAL NOTE:** If you are completing this form because you are seeking to restore a broker-in-charge designation or eligibility, Commission Rule A.0110 requires that in order to **re-designate** yourself you must: 1) **first** be on active status; 2) have the experience required for initial designation; and, 3) **then** complete the 12-hour Broker-in-Charge Course and **then** re-designate.
5. If you do not receive a Notice of License Record Change within 10 business days after filing this form, you should contact the Commission's Information Services Section.

* * * *

BROKER-IN-CHARGE: _____
 (Print or Type Name) (NC Real Estate License No.)

FIRM BUSINESS NAME: _____

FIRM LICENSE NUMBER: _____ (Not required if sole proprietorship or when applying for a new firm license)

TYPE OF FIRM: [Check one] Corporation LLC Partnership Sole Proprietorship

PHYSICAL ADDRESS: _____
 (Street)

 (City) (State) (Zip + 4) (County)

PO BOX (IF ANY): _____
 (PO Box No.) (City) (State) (Zip +4) (County)

PHONE: () _____ FAX: () _____

E-MAIL: _____

IS THIS A NEW REAL ESTATE OFFICE? YES NO

IF NOT, PROVIDE THE NAME OF THE BROKER-IN-CHARGE YOU ARE REPLACING: _____
 (NC Real Estate Licence No.)

 (Print or Type Name)

Note: Any agent listed on the Commission's records as affiliated with the previous broker-in-charge will be changed to reflect you as their broker-in-charge of record unless you notify us in writing differently.

Certification

I certify to the North Carolina Real Estate Commission that I have been duly designated by the Qualifying Broker of the real estate firm shown herein to serve as broker-in-charge for such firm at the office listed and that I have the experience required for such designation. I further certify that I shall carry out my responsibilities as broker-in-charge for such office in accordance with the Commission's rules, that I shall directly supervise any and all licensed real estate provisional brokers working from such office, and that I will continually maintain my license on active status.

BROKER-IN-CHARGE: _____
 (Signature) (Date Signed) *

* PLEASE NOTE THAT THIS FORM MUST BE FILED WITH THE COMMISSION WITHIN 30 DAYS OF THE DATE SIGNED TO BE VALID

The information provided here is only a summary. For a complete description of the qualifications and responsibilities of a broker-in-charge, please review Commission Rule A.0110.

Qualifications

The broker-in-charge of an office is designated by the Qualifying Broker of the real estate firm for which he/she wishes to serve as broker-in-charge. To qualify as a broker-in-charge, a broker cannot be a provisional broker and must:

- (1) possess at least two years of full-time real estate brokerage experience or equivalent part-time real estate brokerage experience within the previous five years or real estate education or experience in real estate transactions that the Commission finds equivalent to such experience; and
- (2) complete the Commission's 12-classroom hour broker-in-charge course either within three years prior to designation as a broker-in-charge or within 120 days following designation.

* * *

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* * *

To request a waiver of experience based on education or actual experience, submit a **WRITTEN** request to the Commission, Attention: BIC Waiver, along with a completed Broker-In-Charge Declaration form.

- For equivalent **EDUCATION**, list each course and submit copies of transcripts of course completion certificates (showing date completed and hours) and provide a description of the course subject matter. *Note:* Prelicensing education courses, mandatory postlicensing courses, and courses taken for continuing education credit may not serve as a basis for waiver of the experience requirement.
- For equivalent **EXPERIENCE**, provide a detailed description of all experience. For personal transactions, provide a list or summary of all sales, purchase or rental transactions showing for each transaction the type of property, transaction date, description of your role in the transaction and an indication of whether another real estate agent was involved in the transaction with you. For experience acquired in the employ of a company, verification and explanation of the claimed experience by an appropriate management official is preferred and may be specifically required by the Commission. *Note:* Unlicensed experience in handling real estate transactions for others for which a license is required may not serve as a basis for waiver of the brokerage experience requirement. Likewise, experience gained while a license was on inactive status may not serve as a basis for waiver of brokerage experience.

Responsibilities

The broker-in-charge must actively manage the office for which he or she has been designated broker-in-charge and assume responsibility at the office for:

- (1) the retention of current license renewal pocket cards by all brokers employed at the office for which he/she is broker-in-charge;
- (2) the proper notification to the Commission of any change of business address or trade name of the firm and the registration of any assumed business name adopted by the firm for its use;
- (3) the proper conduct of advertising by or in the name of the firm at such office;
- (4) the proper maintenance at such office of the trust account or escrow account of the firm and the records pertaining thereto;
- (5) the proper retention and maintenance of records relating to transactions conducted by or on behalf of the firm at such office;
- (6) the proper supervision of provisional brokers associated with or engaged on behalf of the firm at such office;
- (7) the proper supervision of all licensees employed at the office for which he or she is broker-in-charge with respect to adherence to agency agreement and disclosure requirements;
- (8) the proper notification to the Commission of any change in his or her status as broker-in-charge within 10 days following such change;
- (9) his or her annual attendance of the BIC Annual Review Course prescribed by the Commission for brokers-in-charge.