

# APPLICATION FOR FIRM LICENSE -- CORPORATE, PARTNERSHIP, LLC, OR LLP

INSTRUCTIONS FOR FILING APPLICATION FOR CORPORATION	INSTRUCTIONS FOR FILING APPLICATION FOR PARTNERSHIP
<ol style="list-style-type: none"> <li>1. Each officer of a real estate corporation must be listed on the application form and at least one officer who intends to engage in or is actually engaged in real estate activities on behalf of the corporation must be duly licensed as a real estate broker. Other actively engaged officers may be licensed as salespersons.</li> <li>2. <b>An application fee of \$200 must accompany the application for a corporate license. Pay online at: <a href="https://www.realestatend.org/pay-bill">https://www.realestatend.org/pay-bill</a> (Reference: firm application), or in a check to NDREC. Cash not accepted.</b></li> <li>3. A copy of the <b>Articles of Incorporation</b> must accompany the corporate application.</li> <li>4. A corporation located in North Dakota must include a copy of the <b>Certificate of Incorporation/Organization</b> issued by the North Dakota Secretary of State. A non-resident corporation must also register with the North Dakota Secretary of State and submit with the corporate application a copy of the <b>Certificate of Authority</b> issued by the North Dakota Secretary of State authorizing the out-of-state corporation to transact business in North Dakota. The address for the North Dakota Secretary of State is: 600 East Boulevard Avenue, Dept. 108, Bismarck, ND 58505-0500. The Telephone number is (701) 328-4284. The website is <a href="http://www.nd.gov/sos">www.nd.gov/sos</a>.</li> <li>5. Trade Names used in a real estate business must be registered with the North Dakota Secretary of State. A copy of the trade name registration must accompany the corporation application. See above address.</li> <li>6. Out-of-state corporations must file an irrevocable <b>Consent to Suit</b> that actions may be commenced against the corporation in the proper court of any county in the State of North Dakota in which a cause of action may arise or in which the Plaintiff may reside, by the service of any process or pleadings authorized by the laws of the State of North Dakota.</li> <li>7. The applicant for a corporate license must maintain an active place of business either in North Dakota or in the state of residency. A post office box number does not suffice.</li> <li>8. A <b>Consent to Examine Trust Account</b> form or <b>Request a Waiver of Trust Account</b> form must be completed and returned with the corporate application. (See ND Real Estate License Law and Commission Rules and Regulations regarding trust account requirements.)</li> <li>9. <b>An Original Certificate of Licensure</b> must be obtained from the licensing agency in any state in which the corporation is or has been licensed. The <b>original</b> Certificate must be dated within 30 days of application.</li> </ol> <p style="text-align: center; margin-top: 20px;"><b>The filing of an application does not entitle an applicant corporation to operate in the real estate business until such time as the North Dakota Real Estate Commission has issued the corporate or partnership license.</b></p>	<ol style="list-style-type: none"> <li>1. At least one partner in a partnership who is actively engaged in real estate activities on behalf of a partnership must be duly licensed real estate broker. The other partner or partners may be licensed as salespersons.</li> <li>2. <b>A fee of \$200 must accompany the application for a partnership license. Pay online at: <a href="https://www.realestatend.org/pay-bill">https://www.realestatend.org/pay-bill</a> (Reference: firm application), or in a check to NDREC. Cash not accepted.</b></li> <li>3. When a partnership submits its application for a license, a copy of the <b>partnership agreement</b> must accompany the application.</li> <li>4. Trade names used in a real estate business must be registered with the North Dakota Secretary of State. A copy of the trade name registration must accompany the partnership application. The address for the North Dakota Secretary of State is: 600 East Boulevard Avenue, Dept. 108, Bismarck, North Dakota 58505-0500. The telephone number is (701) 328-4284. The website is <a href="http://www.nd.gov/sos">www.nd.gov/sos</a>.</li> <li>5. Nonresident partnerships must file an irrevocable <b>Consent to Suit</b> that actions may be commenced against the partnership in the proper court of any county in the State of North Dakota in which a cause of action may arise or in which the Plaintiff may reside, by the service of any process or pleadings authorized by the laws of the State of North Dakota.</li> <li>6. The applicant for a partnership license must maintain an active place of business either in North Dakota or in the state of residency. A post office box number does not suffice.</li> <li>7. A <b>Consent to Examine Trust Account</b> form or <b>Request a Waiver of Trust Account</b> form must be completed and returned with the partnership application. (See ND Real Estate License Law and Commission Rules and Regulations regarding trust account requirements.)</li> <li>8. <b>An Original Certificate of Licensure</b> must be obtained from the licensing agency in any state in which the partnership is or has been licensed and doing business. The <b>original</b> Certificate must be dated within 30 days of application.</li> </ol>

**The \$200 fee can be paid online at: <https://www.realestatend.org/pay-bill> (Reference: firm application) or by check to NDREC, and must accompany this application. Cash is not accepted. Application must be carefully and legibly printed or typed. Every question must be answered or the application will be returned for completion.**

**For out-of-state firms applying for a North Dakota firm license, the original Certificates of License (COL) issued within 30 days of the application from every state in which the applicant is or has been licensed must be included with this application.**



**NORTH DAKOTA REAL ESTATE COMMISSION**

1120 College Dr Ste 204  
Bismarck, ND 58501

(Revised 5/17)

<i>FOR OFFICIAL USE ONLY</i>	
Approved by	_____
Date Granted	_____
License Emailed	_____
License Number	_____
Receipt No.	_____

**APPLICATION FOR FIRM LICENSE -- CORPORATE, PARTNERSHIP, LLC, OR LLP**

Date \_\_\_\_\_

This application is for use of and must personally be prepared by a person who is a member or officer of the firm or concern in whose behalf this application is being made.

In compliance with the provisions of Chapter 43-23 of the North Dakota Century Code, I hereby make application for a license authorizing my firm or concern to engage in the business of real estate brokerage and in support of this application make the following statements under oath:

1. Check One:  Corporation  Partnership  LLP  LLC

2. a. Name of Firm or Business Name \_\_\_\_\_

b. DBA (if any) \_\_\_\_\_

3. Business Address \_\_\_\_\_  
(Address) (City) (State/Zip Code) (Telephone Number)

(Fax Number) (Email Address) (Web Site)

4. Mailing Address (if different from above) \_\_\_\_\_  
(Address) (City) (State/Zip Code)

5. Name of Designated Broker of the corporation, partnership, LLC, or LLP \_\_\_\_\_

6. a) Does the corporation, partnership, LLC, or LLP currently hold or has ever held a real estate license in another state?  YES  NO

b) If so, in what states? Submit an Original Certificate of Licensure from all states.

\_\_\_\_\_  
\_\_\_\_\_

7. Where is the corporation, partnership, LLC, or LLP headquartered? \_\_\_\_\_

8. a) Is the firm registered and in good standing with the North Dakota Secretary of State's Office?  YES  NO

b) Provide the date of formation of the corporation, partnership, LLP, or LLC \_\_\_\_\_

9. a) Has the applicant corporation or partnership ever held or applied for a license in North Dakota?  YES  NO

b) If so, in what year(s)? \_\_\_\_\_

c) Has any member of the firm or officer of the corporation or partnership ever been licensed in North Dakota as a real estate broker or salesperson?  YES  NO

d) If yes, please state the name(s) \_\_\_\_\_

10. For corporations or LLC, give the name and complete address of each officer and their title. For partnerships or LLP, complete the name and address of each member.

NAME _____	(address)	(city)	(state)	(zip code)	(Title)
NAME _____	(address)	(city)	(state)	(zip code)	(Title)
NAME _____	(address)	(city)	(state)	(zip code)	(Title)
NAME _____	(address)	(city)	(state)	(zip code)	(Title)

11. Has the firm's application or the application of any individual member of your firm or officer of the corporation, partnership, LLP, or LLC ever been denied, withdrawn or revoked by the ND Real Estate Commission or any other jurisdiction?  YES  NO  
 If the answer is "yes", give exact details in full.

12. a) Has the owner of the corporation, partnership, LLP, or LLC had a real estate license or firm license disciplined in this or any other jurisdiction?  YES  NO  
 If the answer is "yes", give exact details in full.

13. Give the name of the bank(s) in which you keep your real estate trust account and the name of the account. (Include all banks used including those used by branch office(s).)

**NAME OF BANK AND NAME OF ACCOUNT**

**ADDRESS**

_____	(Address)	(City)	(State)	(Zip Code)
_____	(Address)	(City)	(State)	(Zip Code)
_____	(Address)	(City)	(State)	(Zip Code)

14. Have there ever been any legal proceedings in which the corporation, partnership, LLP, or LLC or any member or officer thereof was involved either as plaintiff or defendant in which fraud or misrepresentation was charged against the corporation, partnership, LLP, or LLC or any member or officer thereof?  YES  NO

15. Has the corporation, partnership, LLP, or LLC or any officer (or partner) thereof ever been a party defendant in any criminal proceedings or has a warrant at any time been sworn out for the arrest of any member of the firm or officer of the corporation?  YES  NO

16. Are there any judgments, mechanic's or tax liens of record against the corporation, partnership, LLP, LLC or any member or officer thereof in North Dakota or elsewhere?  YES  NO

**If the answer to Questions 14, 15, or 16 is "yes", give the court record, state, date of proceeding, name of court and the name of the plaintiff. Give a brief statement of the facts involved and the final determination in a separate letter.**

17. List the address of each branch office and the name of the branch office manager (if applicable).

(Address)	(City)	(State)	(Zip Code)	(Name of branch office manager)
-----------	--------	---------	------------	---------------------------------

(Address)	(City)	(State)	(Zip Code)	(Name of branch office manager)
-----------	--------	---------	------------	---------------------------------

18. Do you agree to conduct the firm's business in a strictly legitimate and ethical manner?  YES  NO
19. Do you understand that the responsible broker or authorized representative of the firm is required to notify the Real Estate Commission if there is any change in the designated broker?  YES  NO
20. Do you understand that if this firm is dissolved, that the designated broker or authorized representative of the firm is required to notify the Real Estate Commission?  YES  NO

**PLEASE READ THE FOLLOWING STATEMENT CAREFULLY BEFORE EXECUTING THIS APPLICATION**

**I hereby state under oath that the foregoing statements have been made by me as an official representative or member of the firm or concern heretofore mentioned in this application and that the same have been made for the purpose of procuring a North Dakota Partnership, LLC, LLP, or Corporation license. I hereby consent on behalf of myself and the firm or concern heretofore mentioned, either jointly or severally, that these statements may be used as evidence by the North Dakota Real Estate Commission of the State of North Dakota in any Court within the State of North Dakota wherein a violation of the North Dakota Real Estate License Law is claimed.**

**It is specifically understood by the undersigned that any misrepresentation or false statement or fraud in, or in connection with, this application shall be cause for denial of a license or suspension or revocation of any license that may be hereafter issued and I hereby waive any defense based on a statute of limitations should a hearing be based on irregularities in this application ever be held by the Commission.**

\_\_\_\_\_  
(Signature of President)

I, \_\_\_\_\_ being duly sworn on oath depose and state that I am the applicant above named and I am so acting for and in behalf of \_\_\_\_\_ (firm) and that I have personally prepared all answers given in the foregoing application, and that the same is true to the best of my knowledge and belief.

\_\_\_\_\_  
(Signature of Applicant for & in behalf of Applicant and said firm)

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature of Notary Public)

**(AFFIX SEAL)**

My commission expires \_\_\_\_\_

**Important – When signing Affidavit of Applicant:**

1. Affidavit must be signed in the presence of a Notary Public.
2. If a firm is a corporation, this application must be signed by the President and Secretary of the corporation and designated broker.
3. If a firm is a partnership, LLP or LLC, this application must be signed by **all members** and acknowledged by the designated broker.

**FOR CORPORATION OR LLC**

\_\_\_\_\_  
Name of Corporation

I declare and affirm under the penalites of perjury that this application has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

By \_\_\_\_\_  
President

By \_\_\_\_\_  
Secretary

By \_\_\_\_\_  
Designated Broker

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**(AFFIX SEAL)**

\_\_\_\_\_  
(Signature of Nortary Public)

My commission expires \_\_\_\_\_

**FOR PARTNERSHIP OR LLP**

\_\_\_\_\_  
Name of Partnership or LLP

I declare and affirm under the penalties of perjury that this application has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**(AFFIX SEAL)**

\_\_\_\_\_  
(Signature of Nortary Public)

My Commission expires \_\_\_\_\_