

INSTRUCTIONS FOR FILING APPLICATION FOR CORPORATION

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**.
2. An application fee of **\$150.00** must accompany the application for a corporate license.
3. A copy of the **Articles of Incorporation** must accompany the corporate application.
4. A corporation located in North Dakota must include a copy of the **Certificate of Incorporation** 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 **Certificate of Authority** 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, 1st Floor, Bismarck, North Dakota 58505-0500. The telephone number is (701)328-4284. The website is www.nd.gov/sos.
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.
6. Out-of-state corporations must file an irrevocable **Consent to Suit** 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.
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.
8. A **Consent to Examine Trust Account** 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.)
9. A **Certificate of Licensure** must be obtained from the licensing agency in any state in which the corporation is or has been licensed and doing business. This certificate will verify whether the corporation is licensed and in good standing.
10. 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 license.

INSTRUCTIONS FOR FILING APPLICATION FOR PARTNERSHIP

1. At least one partner in a partnership who is actively engaged in real estate activities on behalf of a partnership must be a duly licensed real estate **broker**. The other partner or partners may be licensed as **salespersons**.
2. A fee of **\$150.00** must accompany the application for a partnership license.
3. When a partnership submits its application for a license, a copy of the partnership agreement must accompany the application.
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, 1st Floor, Bismarck, North Dakota 58505-0500. The telephone number is (701)328-4284. The website is www.nd.gov/sos.
5. Non-resident partnerships must file an irrevocable **Consent to Suit** 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.
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.
7. A **Consent to Examine Trust Account** 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.)
8. A **Certificate of Licensure** must be obtained from the licensing agency in any state in which the partnership is or has been licensed and doing business. This certificate will verify whether the partnership is licensed and in good standing.
9. The filing of an application does not entitle an applicant partnership to operate in the real estate business until such time as the North Dakota Real Estate Commission has issued the partnership license.

Revised 8/03
Please use typewriter
or ink in completing
this application.

NORTH DAKOTA REAL ESTATE COMMISSION

P.O. BOX 727

BISMARCK, NORTH DAKOTA 58502-0727

FOR OFFICIAL USE ONLY

Approved by _____
Date Granted _____
License Mailed _____
License No. _____
Receipt No. _____

Note: Fee of \$150.00 in the form of a check, money order, or cashier's check payable to the North Dakota Real Estate Commission must accompany this application.

APPLICATION FOR CORPORATE, PARTNERSHIP, LLC, OR LLP LICENSE

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:

Date _____

1. Name of firm _____

2. Address of firm _____
(Address) (Mailing Address if Different) (City)

(County) (State) (Zip Code) (Telephone No.)

(Fax No.) (Email Address) (Web Site)

3. Check whether corporation partnership LLP LLC

4. If applicant is a CORPORATION or LLC, give name and complete address of each of its officers:

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

Vice President _____
(Name) (Address) (City) (State) (Zip Code)

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

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

5. If applicant is a PARTNERSHIP or LLP, give name and complete address of each member thereof:

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

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

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

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

6. Date of formation of partnership, corporation, LLP, or LLC _____

7. (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, LLP, or LLC, ever been licensed in North Dakota as a real estate broker or salesperson?

Yes No

8. (a) Has the application of the firm, corporation, LLP, or LLC ever been denied Yes No or withdrawn Yes No or license revoked Yes No by the North Dakota Real Estate Commission?

(b) If so, when? _____ and for what reason? _____

(c) Has the application of any individual member of your firm or officer of the corporation, LLP, or LLC ever been denied? Yes No or withdrawn Yes No or license revoked Yes No by the North Dakota Real Estate Commission?

(d) If so, give name, date, and for what reason _____

9. (a) Has the application of the firm, corporation, LLP, or LLC ever been denied Yes No or withdrawn Yes No or license revoked Yes No in any other state?

(b) If so, which state _____ and what month and year? _____

(c) Has the application of any individual member of your firm or officer of your corporation, LLP, or LLC ever been denied Yes No or withdrawn Yes No or license revoked Yes No in any other state?

(d) If so, which state and what month and year? _____

10. Give name of 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)
_____	(Address)	(City)	(State)
_____	(Address)	(City)	(State)

11. Have there ever been any legal proceedings in which the firm, corporation, 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 firm, corporation, LLP, or LLC or any member or officer thereof? YES NO

12. 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

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

If the answer to Question 11, 12 or 13 is "yes", give the court record. State date of proceeding, name of court and name of the plaintiff, give brief statement of the facts involved and the final determination in a separate letter.

14. List the address of each branch office and the name of the broker manager.

(Address)	(City)	(State)	(Zip Code)	(Name of broker manager)
_____	_____	_____	_____	_____
(Address)	(City)	(State)	(Zip Code)	(Name of broker manager)
_____	_____	_____	_____	_____

AFFIDAVIT OF APPLICANT

FOR PARTNERSHIP or LLP

If applicant is a partnership or LLP the following affidavit should be signed in the presence of a notary public by each member of the firm:

STATE OF _____ }
 COUNTY OF _____ } SS.

_____, of _____ and
(Name) (Address)

_____, of _____ and
(Name) (Address)

_____, of _____ and
(Name) (Address)

_____, of _____ and
(Name) (Address)

being first duly sworn, upon oath say that they are all the members of the above named applicant firm, that they have read the foregoing application and know the contents thereof and that the same is true and correct.

Subscribed and sworn to before me this _____ day of _____, _____

(Signature)

(Signature)

Notary Public _____ County, North Dakota

(Signature)

My commission expires _____

(Signature)

(Notarial Seal)

FOR CORPORATION or LLC

If applicant is a corporation or LLC the following affidavit should be signed by the President or Secretary of the corporation or LLC:

STATE OF _____ }
 COUNTY OF _____ } SS.

_____, of _____ and
(President's Name) (President's Address)

_____, of _____
(Secretary's Name) (Secretary's Address)

being first duly sworn, upon oath say for and on behalf of said corporation and for themselves, that they are the president and secretary, respectively, of _____, that they have read the foregoing application and know the contents thereof and that the same is true and correct.

(Name of Corporation or LLC)

Subscribed and sworn to before me this _____ day of _____, _____

(Signature of President)

(Signature of Secretary)

(Signature of Notary Public)

Notary Public _____ County, North Dakota

My commission expires _____

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 Applicant for and in behalf of himself and said firm or concern)

AFFIDAVIT

STATE OF _____ }
COUNTY OF _____ } ss.

I, _____, being duly sworn on oath depose and state:

I am the applicant above named and I am so acting for and in behalf of _____
(Name of firm or concern)

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 and in behalf of himself and said firm or concern)

Subscribe and sworn before me this _____ day of _____, 20 _____

(SEAL)

(Notary Public)

My commission expires _____

**CHECK APPLICATION TO SEE THAT ALL QUESTIONS ARE ANSWERED, ALL AFFIDAVITS AND
VOUCHERS SIGNED AND PROPERLY NOTARIZED!**