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|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|
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|------|------------------|----------------|--------------|-----------------|------------------|--------------|--|

Code: Section:

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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 4. REAL ESTATE [10000 - 11506] (*Division 4 added by Stats. 1943, Ch. 127.*)

PART 1. LICENSING OF PERSONS [10000 - 10580] (*Part 1 added by Stats. 1943, Ch. 127.*)

CHAPTER 3. Real Estate Regulations [10130 - 10249.93] (*Chapter 3 added by Stats. 1943, Ch. 127.*)

ARTICLE 4. Fees [10200 - 10227] (*Article 4 added by Stats. 1943, Ch. 127.*)

10200. All real estate license fees shall be payable in advance of issuing the licenses and at the time of filing the application.

Unless otherwise provided, all licenses expire at midnight of the last day of the period for which issued.

(Amended by Stats. 1956, Ch. 4.)

10201. The holder of a license who fails to renew it prior to the expiration of the period for which it was issued and who has otherwise qualified for such license, may renew it within two years from such expiration upon proper application and the payment of a late renewal fee in an amount equal to one and one-half times the regular renewal fee in effect at the time the license is reinstated.

(Amended by Stats. 1993, Ch. 416, Sec. 4. Effective January 1, 1994.)

10201.6. Any person who has qualified in an examination for a real estate license shall file the required application and fee for the license within one year thereafter.

(Added by Stats. 1965, Ch. 1489.)

10202. The definitions contained in this article are solely for the purposes of this article.

(Added by Stats. 1943, Ch. 127.)

10207. The amount of the real estate fees prescribed for an examination or for a license under this chapter is that fixed by the following provisions of this article. No part of any fee paid in accordance with the provisions of this chapter is refundable. It is deemed earned by the department upon its receipt.

(Amended by Stats. 1975, Ch. 622.)

10208.5. The real estate broker license examination fee is one hundred fifty dollars (\$150), not to exceed one hundred ninety-five dollars (\$195). The real estate broker license reexamination fee is one hundred fifty dollars (\$150), not to exceed one hundred ninety-five dollars (\$195).

If an applicant fails to appear for the examination within two years from the date of filing their application and fee for the examination, their application shall thereupon lapse and no further proceedings thereon shall be taken.

This section shall remain in effect unless it is superseded pursuant to subdivision (a) of Section 10226.5.

(Amended by Stats. 2024, Ch. 41, Sec. 5. (SB 164) Effective June 29, 2024. Note: Fees are subject to reduction as prescribed in Section 10226.5.)

10209. (a) The commissioner shall, by regulation, establish fees for applications for approval of equivalent courses of study as defined in Section 10153.5 in an amount sufficient to cover the cost of administration. The fee for an application for approval of each course given by a private vocational school, including any branch school that gives the same course, shall be five hundred dollars (\$500), not to exceed six hundred fifty dollars (\$650).

(b) The commissioner shall notify every applicant of their decision on the application no later than 60 days after receipt by the commissioner of a completed application. The application shall be on a form to be supplied by the commissioner.

(Amended by Stats. 2024, Ch. 41, Sec. 6. (SB 164) Effective June 29, 2024.)

10209.2. The commissioner shall, by regulation, establish fees for applications for approval of educational courses, seminars, workshops, conference, or their equivalent, or for the evaluation of petition based on a claim of equivalency, as authorized by Section 10170.4 in an amount sufficient to cover the cost of processing such applications or petitions.

(Amended by Stats. 1984, Ch. 66, Sec. 10.5.)

10209.5. The fee for a restricted broker license shall be the same as that for an unrestricted license as provided in Section 10210.

(Amended (as amended by Stats. 1993, Ch. 416, Sec. 6) by Stats. 1996, Ch. 657, Sec. 1. Effective January 1, 1997. Note: Fee is subject to reduction as prescribed in Sections 10226 and 10226.5.)

10210. (a) The fee for a real estate broker license shall be four hundred fifty dollars (\$450), not to exceed five hundred eighty-five dollars (\$585).

In the case of an original applicant, the fee is payable upon filing the real estate broker license application.

(b) If an applicant fails to pass the real estate broker license examination within two years from the date of filing their broker license application, their broker license application shall lapse and no further proceedings thereon shall be taken.

(c) This section shall remain in effect unless it is superseded pursuant to Section 10226 or subdivision (a) of Section 10226.5, whichever is applicable.

(Amended by Stats. 2024, Ch. 41, Sec. 7. (SB 164) Effective June 29, 2024. Note: Fee is subject to reduction as prescribed in Sections 10226 and 10226.5.)

10211. If the licensee is a corporation, the license issued to it entitles one officer thereof, on behalf of the corporation, to engage in the business of real estate broker without the payment of any further fee, such officer to be designated in the application of the corporation for a license. For each officer other than the officer so designated, through whom it engages in the business of real estate broker, the appropriate original or renewal fee is to be paid in addition to the fee paid by the corporation.

(Amended by Stats. 1956, Ch. 4.)

10213.5. The real estate salesperson license examination fee shall be one hundred dollars (\$100), not to exceed one hundred thirty dollars (\$130). The real estate salesperson license reexamination fee shall be one hundred dollars (\$100), not to exceed one hundred thirty dollars (\$130).

If an applicant fails to appear for the examination within two years from the date of filing their application and fee for the examination, their application shall thereupon lapse and no further proceedings thereon shall be taken.

This section shall remain in effect unless it is superseded pursuant to subdivision (a) of Section 10226.5.

(Amended by Stats. 2024, Ch. 41, Sec. 8. (SB 164) Effective June 29, 2024. Note: Fees are subject to reduction as prescribed in Section 10226.5.)

10213.6. If an applicant for any examination fails to take the examination on the date scheduled, they may make application in writing to the principal office of the department in Sacramento for a new date. A fee of forty-five dollars (\$45), not to exceed fifty-nine dollars (\$59), shall accompany the written request for applying for the first new examination date in the case of a broker applicant, and a fee of forty dollars (\$40), not to exceed fifty-two dollars (\$52), shall accompany the written request for the first new examination date in the case of a salesperson applicant. A fee of forty-five dollars (\$45), not to exceed fifty-nine dollars (\$59), shall accompany the written request for all subsequent new examination dates in the case of broker applicants. A fee of forty dollars (\$40), not to exceed fifty-two dollars (\$52), shall accompany the written request for all subsequent new examination dates for salesperson applicants.

This section shall remain in effect unless it is superseded pursuant to subdivision (a) of Section 10226.5.

(Amended by Stats. 2024, Ch. 41, Sec. 9. (SB 164) Effective June 29, 2024. Note: Fees are subject to reduction as prescribed in Section 10226.5.)

10214.5. The fee for a restricted salesperson license shall be the same as that for an unrestricted license as provided in Section 10215.

(Amended (as amended by Stats. 1993, Ch. 416, Sec. 10) by Stats. 1996, Ch. 657, Sec. 3. Effective January 1, 1997. Note: Fee is subject to reduction as prescribed in Sections 10226 and 10226.5.)

10215. (a) The fee for a real estate salesperson license shall be three hundred fifty dollars (\$350), not to exceed four hundred fifty-five dollars (\$455).

In the case of an original applicant, the fee is payable upon filing the real estate salesperson license application.

(b) If an applicant fails to pass the real estate salesperson license examination within two years from the date of filing their salesperson license application, their salesperson license application shall lapse and no further proceedings thereon shall be taken.

(c) This section shall remain in effect unless it is superseded pursuant to Section 10226 or subdivision (a) of Section 10226.5, whichever is applicable.

(Amended by Stats. 2024, Ch. 41, Sec. 10. (SB 164) Effective June 29, 2024. Note: Fee is subject to reduction as prescribed in Sections 10226 and 10226.5.)

10222. For any examination required under any order issued pursuant to the provisions of the Administrative Procedure Act, the fee shall be the same as for a salesperson or broker license examination, as appropriate.

(Amended (as amended by Stats. 1996, Ch. 342, Sec. 15) by Stats. 1997, Ch. 232, Sec. 14. Effective January 1, 1998.)

10225. An application for a permit to sell real property securities secured by liens on real property situated outside the State of California shall be accompanied by the filing fee together with an amount equivalent to twenty-five cents (\$0.25) a mile for each mile going and returning, or where public transportation is available the actual round trip fare pertaining thereto, estimated by the commissioner to be traveled from the office of the Department of Real Estate where the application is filed to the location of the property, and the amount estimated to be necessary to cover the expense of the inspection and appraisal of the property, not to exceed seventy-five dollars (\$75) a day for each day actually spent in the inspection and appraisal of the property or properties.

(Amended by Stats. 1985, Ch. 1355, Sec. 1.)

10226. (a) The commissioner may periodically by regulation prescribe fees lower than the maximum fees provided in Sections 10209.5, 10210, 10214.5, 10215, and 10250.3 whenever they determine those lower fees are sufficient to offset the costs and expenses incurred in the administration of Part 1 (commencing with Section 10000) of this division. The commissioner shall hold at least one regulation hearing each calendar year, to determine if lower fees should be prescribed. At this hearing, the department shall report on the financial status of the department, including the revenues, expenditures, and reserves as of the end of the previous fiscal year. The department shall post a hearing notice 15 days in advance of the hearing that includes the required information about the financial status of the department.

(b) If, as of June 30 of any fiscal year, the balance of funds in the Real Estate Fund exceeds an amount equal to 150 percent of the department's authorized budget for the following year, then within 30 days thereafter the commissioner shall, notwithstanding the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), issue regulations reducing real estate license and subdivision fees so that as of June 30 of the next fiscal year the balance of funds in the Real Estate Fund shall not exceed an amount equal to 150 percent of the department's authorized budget for that year.

(c) If the commissioner fails to reduce these fees within the timeframe specified in subdivision (b), then fees shall automatically be reduced to the levels as indicated in subdivision (b) of Section 10226.5. That reduction shall be effective no later than September 1 of the fiscal year wherein the commissioner is obliged to issue regulations pursuant to subdivision (b).

(Amended by Stats. 2024, Ch. 41, Sec. 11. (SB 164) Effective June 29, 2024.)

10226.5. (a) If at any time funds are transferred or loaned from the Real Estate Fund to the General Fund by the Budget Act, then 30 days from and after the date of the transfer or loan, fees shall be reduced as indicated in subdivision (b), irrespective of any provisions of the Budget Act precluding that reduction.

(b) Fees shall be reduced pursuant to paragraph (a) to the following maximum amounts:

- (1) Real estate broker examination or reexamination: Fifty dollars (\$50).
- (2) First reschedule of broker examination: Fifteen dollars (\$15); subsequent reschedules: Twenty-five dollars (\$25).
- (3) Real estate broker license, original or renewal: One hundred sixty-five dollars (\$165).
- (4) Real estate salesperson examination or reexamination: Twenty-five dollars (\$25).
- (5) First reschedule of salesperson examination: Ten dollars (\$10); subsequent reschedules: Twenty-five dollars (\$25).
- (6) Real estate salesperson license, original or renewal: One hundred twenty dollars (\$120).
- (7) Real estate salesperson license without all educational requirements: One hundred forty-five dollars (\$145).
- (8) A notice of intention without a completed questionnaire: One hundred fifty dollars (\$150).

(9) An original public report for subdivision interests described in Section 11004.5: One thousand six hundred dollars (\$1,600) plus ten dollars (\$10) for each subdivision interest to be offered.

(10) An original public report for subdivision interests other than those described in Section 11004.5: Five hundred dollars (\$500) plus ten dollars (\$10) for each interest to be offered.

(11) A conditional public report for subdivision interests described in Section 11004.5: Five hundred dollars (\$500).

(12) A conditional public report for subdivision interests other than those described in Section 11004.5: Five hundred dollars (\$500).

(13) A preliminary public report for subdivision interests described in Section 11004.5: Five hundred dollars (\$500).

(14) A preliminary public report for subdivision interests other than those described in Section 11004.5: Five hundred dollars (\$500).

(15) A renewal public report for subdivision interests described in Section 11004.5: Five hundred dollars (\$500).

(16) A renewal public report for subdivision interests other than those described in Section 11004.5: Five hundred dollars (\$500).

(17) An amended public report for subdivision interests described in Section 11004.5: Three hundred dollars (\$300) plus ten dollars (\$10) for each subdivision interest to be offered under the amended public report for which a fee has not previously been paid.

(18) An amended public report to offer subdivision interests other than those described in Section 11004.5: Three hundred dollars (\$300) plus ten dollars (\$10) for each subdivision interest to be offered under the amended public report for which a fee has not previously been paid.

(19) An application for an original, renewal, or amended registration as required by Section 10249: One hundred dollars (\$100).

(20) The filing fee for an application for a permit to be issued pursuant to Article 8.5 (commencing with Section 10250) for each subdivision or phase of the subdivision in which interests are to be offered for sale or lease shall be as follows:

(A) One thousand six hundred dollars (\$1,600) plus ten dollars (\$10) for each subdivision interest to be offered for an original permit application.

(B) Five hundred dollars (\$500) plus ten dollars (\$10) for each subdivision interest to be offered that was not permitted to be offered under the permit to be renewed for a renewal permit application.

(C) Three hundred dollars (\$300) plus ten dollars (\$10) for each subdivision interest to be offered under the amended permit for which a fee has not previously been paid for an amended permit application.

(D) Five hundred dollars (\$500) for a conditional permit application.

(Amended by Stats. 2004, Ch. 676, Sec. 7. Effective January 1, 2005.)

10227. (a) Beginning January 1, 2025, before submitting a regulatory fee increase proposal to the Office of Administrative Law for initial publication, the department shall conduct at least one meeting to which statewide membership organizations that represent any of the following are invited to attend:

(1) One hundred fifty thousand or more persons or entities licensed by the department under the Real Estate Law (Part 1 (commencing with Section 10000) of Division 4).

(2) Less than 150,000 persons or entities licensed by the department under the Real Estate Law (Part 1 (commencing with Section 10000) of Division 4).

(3) Persons or entities that pay fees to the department pursuant to the Subdivided Lands Law (Chapter 1 (commencing with Section 11000) of Part 2 of Division 4) and the Vacation Ownership and Time-share Act of 2004 (Chapter 2 (commencing with Section 11210) of Part 2 of Division 4).

(b) The department shall provide the statewide membership organizations identified in subdivision (a) information related to the proposed fee increase 30 days in advance of any meeting scheduled pursuant to subdivision (a).

(c) The department may, at its discretion, promulgate regulations to implement this section.

(Added by Stats. 2024, Ch. 41, Sec. 12. (SB 164) Effective June 29, 2024.)

